



City Council Report

Date: May 18, 2020
To: Mayor and City Council
Through: Kari Kent, Assistant City Manager
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Subject: **Mesa Zoning Ordinance text amendments** - Proposed amendments to Chapter 58, Sections 3 and 10 of the Form-Based Code

PURPOSE:

As part of the continuing evaluation of the City's Form-Based Code (FBC) to improve its usability and facilitate developments, the Planning Division staff is requesting changes to Chapter 58, Sections 3 and 10 of the FBC. This change will allow certain uses to occupy up to 50% of the ground floor area of buildings in the T5 Main Street (T5MS) zone, instead of the current strict requirement for such uses to be located behind an allowed ground-floor use as outlined in Footnote 2 in Sections 11-58-3(B) and 11-58-10(G) of the FBC. Specifically, the proposed change will allow uses, such as multi-residence and offices to be located on the ground floor of buildings greater than 100,000 square feet with building frontages that exceed 200 linear feet on a front street when such buildings are located on development sites of a minimum of five acres. The purpose of this amendment is to provide the option for frontages of large buildings to be occupied by active commercial uses, but also have the ability for a certain percentage of the front sections of the building to be used as residential, offices, or other uses when there is inadequate current demand for such active commercial spaces. Overall, the design of the building frontages and spaces would still be required to be designed to be able to accommodate the future commercial uses whenever there is a demand for those spaces. The details of the text changes are attached to this report as Exhibit 1 – Ordinance.

BACKGROUND AND DISCUSSION:

The City adopted its Form-Based Code (FBC) on June 14, 2012. Since its adoption, staff have reviewed several developments utilizing the FBC. Through the review of various development proposals and discussions with the development community and stakeholders, both staff and stakeholders continue to recognize the need to amend certain standards in the FBC in order to achieve its intended purpose and goals of creating a predictable urban form and development patterns. The proposed text changes fulfill the City's continued goals of evaluating the standards of the FBC and removing unnecessary hurdles that seem to impede achieving the goals of streamlined development review processes, consistency of reviews and predictability afforded by utilizing the FBC.

SUMMARY OF THE CHANGES AND EXPLANATION:

Designing developments for active streetscapes:

The intended purpose for the restriction of the location of certain uses to be behind a ground floor active commercial use or not on the ground floor of buildings is to ensure spaces at the pedestrian scale and visible from public view are occupied by active uses, such as retail that harness pedestrian visibility and interaction for its optimum functionality. The term ‘active uses’ as generally used in the FBC refers to uses found along streets or walkways that attract high pedestrian traffic and interaction between the public Right-of-Way and those uses. The location of retail and other active uses on ground floors of buildings also help create vibrant streetscapes and foster the urban form intended to be achieved through the implementation of the FBC.

Over the past years, the City has reviewed and approved several development requests along Main Street such as the Grid and sections of Mesa and Main development that include active commercial uses along street frontages. However, after several discussions with the development community, it has become apparent that requiring 100 percent of the ground floor of buildings in the T5MS to be occupied by active commercial uses along street frontages is unrealistic, especially when the development is first constructed and also as the City is still continuing to attract pedestrian foot traffic to its downtown core areas; therefore it has become necessary to adjust the FBC requirement to allow sections of the ground floor of building frontages in the T5MS to be occupied by uses such as multi residence. However, still require such spaces to be designed to be able to transition to commercial uses whenever there is a market demand for such spaces for active commercial uses.

From various discussions with the development community, staff has also identified that requiring 100% of the ground floor of building frontages in the T5MS to be strictly occupied by active commercial uses are sometimes counterintuitive to the goals of creating continuous active streetscape in those areas. Specifically, such a requirement can discourage larger developments that have large street frontages but inadequate demand for commercial spaces. Also, allowing mixed uses on the ground floor street frontage, including residential, can promote continuous and active use of adjacent sidewalks throughout the day and provide natural human surveillance on the streetscape.

The specific changes, as discussed, are to remove the current restriction on certain uses in the T5MS that are controlled with footnote (P2) in Sections 11-58-3(B) and 11-58-10(G) of the FBC and introduce a new footnote (P4) to allow a section of the ground floor of buildings to be occupied by uses such as multi-residence when located in a building with a certain street frontage and size. The current text for the existing foot note (P2) and the new footnote (P4) are shown below:

Existing footnote (P2) (Sections 11-58-3(B) and 11-58-10(G) of the FBC)

² Allowed only on upper floor(s) or behind an allowed ground floor use

New Footnote (P4) (Sections 11-58-3(B) and 11-58-10(G) of the FBC)

⁴ Not allowed on the ground floor unless behind an allowed ground-floor use, except the use may occupy up to 50% of the ground floor if: i) the development site is 5 acres or more; ii) the building where the ground floor use is located is greater than 100,000 square feet and has more than 200 linear feet of frontage on a front street; iii) the ground floor space is designed and will be constructed to an assembly occupancy class (as that term is defined in the Mesa Building Code); iv) the design of the

project encourages transition of the ground floorspace to active commercial uses in the future by complying with FBC building form and private frontage standards for commercial uses; v) the building design, site design, and amenities of the project are unique and conform to the intent and purpose of the FBC.

The proposed changes of removing uses with footnote P2 in the T5MS zone and replacing them with the newly proposed footnote (P4) in the land use tables are listed below:

Health//fitness Facility ≤ 3,000 sf > 3,000 sf
Studio, art, dance, martial arts, music, etc. ≤ 1,500 sf ≤ 3,000 sf > 3,000 sf
Meeting Facility, public or private ≤ 5,000 sf
Dwelling: Multi-Unit Residence
Home Occupation: Main Building, ≤ 300 sf, ≤ 2 employees
Day Care Center
Lodging: Bed and Breakfast Hotel Hostel Inn/Lodge
Medical Services: Medical/Dental Office
Office: Professional, administrative ≤ 5,000 sf > 5,000 sf
Veterinary Services

RECOMMENDATION

After thorough evaluation of the City’s FBC and research, staff is recommending approval of the proposed changes to the Form-Based Code.