



## Planning Commission

**TO:** PLANNING COMMISSION

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**MEETING DATE:** OCTOBER 5, 2022

**SUBJECT:** Z22-13 MIXED USE ZONING DISTRICTS: CITIZEN REVIEW AND INITIATION OF TEXT AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER 1 ZONING REGULATIONS, SECTION 2.0 TERMS, SECTION 3.0 BASE ZONING DISTRICTS AND USE REGULATIONS, SECTION 4.0 OVERLAY DISTRICT REGULATIONS, SECTION 5.0 SUPPLEMENTAL REGULATIONS, AND CHAPTER 2 DESIGN GUIDELINES AND STANDARDS, RELATED TO THE CREATION OF THREE NEW BASE ZONING DISTRICTS MIXED-USE/SMALL (MU/S), MIXED-USE/LARGE (MU/L), AND MIXED-USE/REGIONAL (MU/R).

**STRATEGIC INITIATIVE:** Exceptional Built Environment

This strategic initiative provides direction to prioritize well-maintained and sustainable infrastructure. The proposed text amendment would create three mixed-use zoning districts to provide greater flexibility in administering a variety of development proposals through the Land Development Code (LDC).

## RECOMMENDED MOTION

- A. Staff requests the Planning Commission initiate a text amendment to the Town of Gilbert LDC, Chapter 1 Zoning Regulations, Section 2.0 Terms, Section 3.0 Base Zoning Districts and Use Regulations, Section 4.0 Overlay District Regulations, Section 5.0 Supplemental Regulations, and Chapter 2 Design Guidelines and Standards; and
- B. Conduct a Citizen Review meeting to discuss the proposed Land Development Code text amendment pertaining to the creation of three new base zoning districts: Mixed-Use/Small (MU/S), Mixed-Use/Large (MU/L), and Mixed-Use/Regional (MU/R).

## BACKGROUND

### History

Date	Description
<i>April 2, 2014</i>	The Planning Commission recommended approval to Town Council of case Z13-04, adding Use Permit Findings for Multi-Family Use in Regional Commercial and a new term for “Mixed-Use Development”.
<i>May 1, 2014</i>	The Town Council approved Ordinance No. 2487 (Z13-04) adding Use Permit Findings for Multi-Family Use in Regional Commercial and a new term for “Mixed-Use Development.”
<i>December 6, 2017</i>	The Planning Commission recommended approval to Town Council for Z17-1019, adding Guidelines for Multi-Family Uses in Regional Commercial.
<i>March 8, 2018</i>	The Town Council approved Ordinance No. 2650 (Z17-1019), adding Chapter II <u>Design Standards and Guidelines</u> , Article 1.10 <u>Integrating Multi-Family Uses in Regional Commercial Zoning Districts Design Guidelines</u> .
<i>October 22, 2018</i>	At the Fall Retreat, Town Council discussed creating a Mixed-Use zoning district and provided direction to staff to amend the LDC to remove the Conditional Use Permit provisions for Multi-Family Uses in Regional Commercial and to retain the loft unit above component.
<i>November 13, 2018</i>	At the Joint Town Council/Planning Commission meeting, a recap of the Fall Retreat discussion was provided along with next steps of initiating a LDC text amendment.
<i>January 9, 2019</i>	The Planning Commission initiated a LDC text amendment (Z18-31) to create a mixed-use zoning district or overlay zoning district and conducted the Citizen’s Review as a study session item. Z18-31 was withdrawn.

<i>June 20, 2019</i>	The Town Council approved Ordinance No. 2716 (Z18-30), which repealed Multi-Family as a conditional use in Regional Commercial, related cross-references, design standards and methods for the use permit findings. Loft Unit Above use was retained as a permitted use by right in Regional Commercial.
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Developing a zoning framework for mixed-use development in Gilbert is an identified policy action for realizing the publicly approved goals of the General Plan and other Town plans and policies. Numerous efforts have been taken to implement mixed-use development in Gilbert. Research assessments on best practices for mixed-use development from “benchmark communities” were previously completed by planning staff in 2014 and 2019, and an additional capstone partnership with the School of Geographical Sciences and Urban Planning at Arizona State University in 2011 resulted in the creation of a visionary document for the future of mixed-use development in Gilbert.

In 2014, new zoning definitions were created in anticipation of implementing mixed-use zoning, and a new ordinance was passed allowing for residential uses in commercial zones in order to begin the transition toward mixed-use development in Gilbert. However, a desire to create a more robust set of tools for promoting mixed-use was identified in the years following the 2014 ordinance. At the 2018 Fall Council Retreat, Councilmembers and staff shared unified concerns that development efforts to date, under the Land Development Code provisions at the time, had not resulted in projects “with the desired integration of uses, compact design, pedestrian orientation, or transportation connectivity.” The Planning Commission and Town Council met jointly following the Retreat to recap the discussion on mixed-use development and identify the next steps for producing a more permanent set of mixed-use standards.

Thus, an effort was taken in 2019 to begin exploring a mixed-use zoning overlay district. It was initiated by Planning Commission, and the original ordinance allowing some types of residential development in commercial areas was repealed.

The language of the 2020 General Plan reflects the desire to develop a mixed-use zoning framework in Gilbert, referencing mixed-use development 35 times in various chapters and identifying the creation of mixed-use zoning districts as a “short-term” implementation item approved by voters. However, at this time, Gilbert does not yet offer a mixed-use zoning district or overlay, and mixed-use development remains difficult to implement.

**Overview**

Staff is requesting that the Planning Commission initiate a zoning text amendment (Z22-13) to create mixed-use zoning districts while adding tools for ensuring the quality of resulting mixed-use development. Along with the initiation, staff requests that Planning Commission conduct a citizen review of the proposed text amendment to the Town Land Development Code in order to create three new base zoning districts to accommodate

mixed-use development at various scales compatible with existing development within the Town. The final form of the proposed zoning districts and required accompanying amendments will be informed by a internal and external peer assessment, previous feedback from Councilmembers and staff, best practices gathered from both the development industry and planning academics, and past efforts to provide tools for mixed-use zoning in Gilbert. The initiation will be the first step towards satisfying “short-term” Implementation Action Item CM-1.D:

*“Update the Land Development Code (LDC) to include mixed-use guidelines consistent with this General Plan.”*

## DISCUSSION

### *Introduction to Mixed-Use Development*

This proposed text amendment will create mechanisms by which mixed-use development can be realized within the Town of Gilbert. Per the Land Development Code Section 2.0 Terms, **Mixed-Use Development** is defined as:

*“a coordinated development plan with a functional integration of residential and non-residential uses, where a variety of different living activities (live, work, shop, and play) are in close proximity (walking distance) to most residents, resulting in measurable reductions in traffic impacts.”*

When designed and developed carefully, mixed-use development can provide a positive impact on many Town services and local conditions, from reductions in traffic caused by new development to increases in open space and amenities for Town residents. Mixed-use development is intended to promote efficient land use while creating environments which are more conducive for public life and “placemaking,” creating more places which contribute to community identity and sense of place. Mixed-use development can often accomplish these goals for a host of community types, ranging from low-density rural towns to large urban places.

Mixed-use is far from a new concept in urban planning, nor is it a new concept in the Town of Gilbert. Mixed-use development was an essential component of city building in the United States prior to the implementation of local and federal policies in the mid-20th century. The Town of Gilbert historically featured many mixed-use structures, most including residential units above storefronts and offices in the early burgeoning days of the community.

Today, Gilbert has seen an increase of mixed-use developments, including Agritopia, Cooley Station and the Heritage District, all of which contribute to the vibrancy of the local community, establish Gilbert’s regional identity, and improve the quality of local neighborhoods. Many of these projects overcame significant barriers to development which threatened to hinder their creation, relying on complex development agreements or

less transparent zoning configurations to be realized. As the Town transitions to a planning landscape which is focused on infill development and the development market shifts toward a greater focus on building mixed-use developments, there is a clear need for the Town to respond accordingly. The Town must play a central role in providing pathways for the creation of more unique and vibrant mixed-use communities, which will maintain Gilbert’s quality-of-life and distinctiveness for the decades to come.

***Relationship with 2020 General Plan***

Any text amendment of the zoning ordinance must also clearly demonstrate how the amendment will enable the Town to better realize the goals and policies of the General Plan and associated documents. Mixed-use development has been clearly sought after as a strategy for realizing the goals and policies of the current Town General Plan, and has been identified as a short-term implementation step (CM-1.D) for realizing the will of voters approving the plan in 2020.

The creation of mixed-use zoning districts takes critical strides toward completing various short-term and continuous implementation steps in the 2020 General Plan or creates tools which are essential to realizing other implementation steps in the plan (see Chapter 7: Plan for Action). These implementation steps are within a range of community goals, including:

**Implementation Steps Aided by Mixed-Use Zoning**

<b><i>CM-2: Focus on Quality Development</i></b>	
<b>CM-2.A</b>	Continue to implement and update as needed the LDC Design Standards and Guidelines to promote excellence in the design of new buildings and public spaces.
<b>CM-2.B</b>	Amend Chapter II of the Land Development Code to promote building and street designs that respect the existing natural, historic, and cultural characteristics of Gilbert’s activity centers and corridors.
<b><i>CM-3: Foster Vibrant Gathering Places</i></b>	
<b>CM-3.A</b>	Continue to innovate the LDC to support public spaces that are designed for people. This should include public spaces activation guidance that focuses on reduced onsite parking, limited parking lot areas between public ROW and buildings, design elements that enhance visual impressions from the street, multimodal access, placemaking element and the safety and enjoyment of the onsite pedestrian experience.
<b>CM-3.C</b>	Encourage mixed-use development along proposed or existing high-capacity transportation or transit corridors.
<b>CM-3.D</b>	Develop tools to help revitalize or repurpose under-utilized and underperforming retail/commercial areas.
<b>CM-3.F</b>	Within development or redevelopment projects, promote a wide variety of passive or active activities within public spaces.
<b><i>CM-4: Promote Our Neighborhoods</i></b>	

<b>CM-4.J</b>	Create site plan review tools to ensure new residential, mixed-use and commercial developments adjacent to single-family neighborhoods are compatible by incorporating appropriate design, scale, height transition, and connectivity to seamlessly integrate with existing neighborhoods.
<b>CM-5: Provide Diverse, High-Quality Housing</b>	
<b>CM-5.D</b>	Encourage more mixed-income developments that include modern amenities within defined growth areas to create more economically stable and diverse neighborhoods.
<b>OP-4: Manage Our Infrastructure</b>	
<b>OP-4.E</b>	Create programs to improve infrastructure capacity, efficiency and function to facilitate new development or reinvestment in existing neighborhoods.

In addition, creating tools to allow a large diversity of mixed-use development types can help meet a wide variety of community goals and policies within the 2020 General Plan, including:

**Goals and Policies Supported by Mixed-Use Zoning**

<b>CM-1: Encourage a Balanced Land Use Framework</b>	<b>CM-2: Focus on Quality Development</b>
<ul style="list-style-type: none"> <li>- Ensure the Town maintains a land use framework that supports a highly livable community through the efficient use of land and resources</li> <li>- Encourage high-quality housing in suitable areas that can accommodate a variety of lifestyles, households, ages, market preferences and incomes</li> <li>- Support placement of compatible commercial uses and community services that integrate access to daily needs into residential neighborhoods</li> <li>- Guide a greater diversity of housing types and densities, retail and commercial centers, and employment opportunities into identified growth areas where significant change is foreseeable</li> </ul>	<ul style="list-style-type: none"> <li>- Preserve and maintain Gilbert’s attractive appearance and quality of development that provide a sense of place</li> <li>- Encourage the reduction of the urban heat island effect</li> <li>- Design roadways to safely and efficiently accommodate multiple modes of travel while creating attractive corridors.</li> </ul>
<b>CM-3: Foster Vibrant Gathering Places</b>	<b>CM-4: Promote Our Neighborhoods</b>
<ul style="list-style-type: none"> <li>- Proactively improve the public realm to support a pedestrian-friendly, high-quality and distinctive built environment</li> <li>- Apply principles that ensure a safe and welcoming environment when designing individual structures or master-planned communities</li> </ul>	<ul style="list-style-type: none"> <li>- Recognize, sustain, and promote the quality and character of existing residential neighborhoods as they mature, and as new development occurs nearby</li> <li>- Facilitate the activation, redevelopment, or revitalization of Gilbert’s aging or under-utilized commercial and industrial properties and structures</li> </ul>

<ul style="list-style-type: none"> <li>- Connect neighborhoods, retail and employment areas with a system of pedestrian and bicycle routes and trails</li> </ul>	<ul style="list-style-type: none"> <li>- Support infill development that is designed to acknowledge the surrounding context</li> </ul>
<p><b>CM-7: Bring Us Together</b></p>	
<ul style="list-style-type: none"> <li>- Promote a wide variety of well-designed and maintained public and private open spaces that will encourage and support community interaction and recreational activity for all ages</li> <li>- Expand and promote opportunities for all residents to connect socially and participate fully in the vitality of Gilbert</li> </ul>	

The creation of mixed-use design standards ensures that the visions cast for various Character Areas and Growth Areas can be realized with the highest degree of quality. Other goals of the General Plan, including strategic increases in connectivity and increasing the quality and spread of open space within the Town, are more easily realized with mixed-use development standards as a tool for planners and Town staff to use. By providing a mixed-use zoning framework and accompanying development standards, the Town will have more tools to protect and bring to fruition the will of the residents of Gilbert.

**Summary of Proposed Mixed-Use Zoning**

In summary, the desired effect of the text amendment (Z22-13) will be to create the following:

- Three (3) base zoning districts allowing for mixed-use developments at varying scales of development
- Use regulations specifying allowed and conditionally allowed uses for each proposed base zoning district
- Accompanying Land Development Code amendments to ensure the effectiveness and legal validity of proposed base zoning districts
- Mixed-Use Development Design Standards booklet designed to ensure high-quality mixed-use development compatible with existing development in Gilbert

If the Planning Commission approves the staff recommendation as listed below, the next step will be a study session presentation and staff report on the details of the abovementioned items; this will provide the Planning Commission an opportunity to direct staff with feedback only, and no formal decision would be expected at that time.

## PUBLIC NOTIFICATION AND INPUT

A notice of initiation and citizen review was advertised and published in The Arizona Republic newspaper, and an official notice was posted in four public places within the Town of Gilbert limits at Greenfield Public Library, Chamber of Commerce, Perry Public Library, and Civic Center Municipal Building II. The notification requirements of LDC Section 6.2.6 have been satisfied. Staff has received no comment from the public at this time.

## STAFF RECOMMENDATION

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Respectfully submitted,



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