



**Planning Commission**

**TO:** PLANNING COMMISSION

**FROM:** EVA CUTRO, AICP, PLANNING MANAGER *EC*  
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**MEETING DATE:** JANUARY 4, 2023

**SUBJECT:** Z22-18 LDC TEXT AMENDMENT: CITIZEN REVIEW AND INITIATION OF AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER 1 ZONING REGULATIONS, SECTION 2.0 TERMS, RELATED TO THE DEFINITIONS OF BUILDING ATTACHED, BUILDING SETBACK (FRONT, REAR AND SIDE) AND BUILDING SETBACK AREA (FRONT, REAR AND SIDE). THE EFFECT OF THE AMENDMENT WILL BE TO CLARIFY WHEN A BUILDING IS CONSIDERED ATTACHED AND CLARIFY THE DEFINITION OF BUILDING SETBACKS AND BUILDING SETBACK AREA, ESPECIALLY FOR IRREGULAR SHAPED LOTS.

**STRATEGIC INITIATIVE:** Exceptional Built Environment

The proposed text amendments will improve certain development standards and clarify how they are defined. The built environment is directly affected by the efficiency and effectiveness of the Land Development Code implementation.

**RECOMMENDED MOTION**

- A. Staff requests the Planning Commission initiate a text amendment to the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations, Section 2.0 Terms; and

- B. Conduct a Citizen Review meeting to discuss the proposed Land Development Code text amendment pertaining to clarifying the definitions of “Building, attached”, “Building Setback” (front, rear, and side), and “Building Setback Area”.

## DISCUSSION

On a continual basis, staff seeks ways to improve the content and usefulness of the Land Development Code (LDC). This is often in response to customer needs and citizen expectations for a high quality built environment.

At this point Staff has not finalized specific language associated with this potential amendment, but has identified the following sections for revision:

### Section 2.0 Terms

**Building.** Any structure for the shelter or support of any use or occupancy.

**Attached.** A structure which has at least part of a wall in common with another building or is connected by a solid or semi solid roof structure. This excludes walls and fences.

The language for “Attached” could be more descriptive. Staff is considering requiring:

1. A continuous roofline instead of a solid or semi solid attachment;
2. A maximum separation between the buildings if they do not share a wall;
3. Direct doorways under the continuous roofline from one building to the other if they do not share a wall; and,
4. Matching architecture to assure the building appears to be a single structure.

### Section 2.0 Terms

**Lot Line.** Any property line bounding a parcel of land.

**Front.** The front lot line shall be determined as follows:

**Corner Lot.** The front lot line of a corner lot is the shortest lot line abutting a street from which access may be taken. If the street lines are the same length, anyone may be considered the front lot line.

**Double-Frontage (Through) Lot.** Each frontage from which access is permitted shall be deemed a front lot line. The front lot line for lots having vehicular access only via an alley shall be the lot line abutting the local or collector street.

**Flag Lot.** The front lot line of a flag lot shall be determined at the time of a Final Subdivision Plat. If no Final Subdivision Plat is required, the front lot line shall be established at the time a building permit is issued.

**Interior Lot.** The front property line of an interior lot shall be the line abutting a street.

**Other.** For lots other than the types listed above, front lot lines shall be established at the time of Final Subdivision Plat. If no Final Subdivision Plat is required, the front lot lines shall be established at the time of building permit

**Rear.** A singular lot line opposite the front lot line. If the side property lines meet in a point, the rear lot line shall be assumed to be a lot line not less than ten (10) feet in length drawn parallel to the front property line.

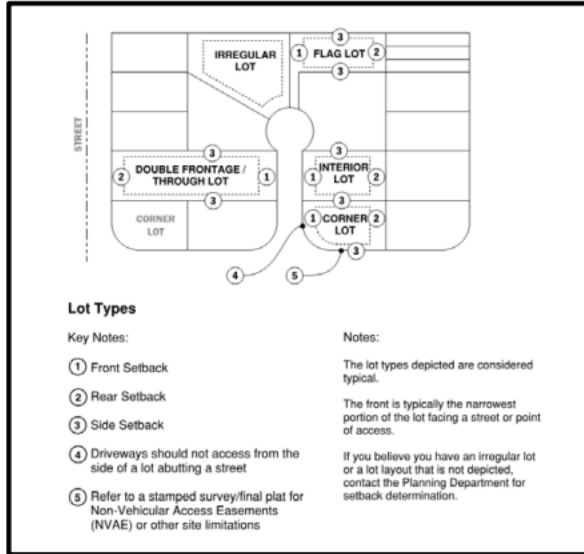
Additional criteria could be established to aid staff in identifying the front yard on lots bordering more than one street. Suggested criteria for determining front yard includes:

1. The direction the front door faces;
2. What is shown on a subdivision plat;
3. What is in harmony with other, adjacent, front yards; and,
4. The street with the lower classification and/or higher pedestrian traffic.

Another consideration could be a neighborhood notification should someone wish to change their front yard.

The “rear” yard definition could also be revised. It currently restricts the rear to a “singular” lot line. On lots with more than four sides it may be desirable for a lot to have more than one rear lot line, if this is in harmony with the surrounding properties.

Lastly, the new graphic in our Land Development Code could be updated to show the front lot line on an irregular lot.



## 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

- A. Staff requests the Planning Commission initiate a text amendment to the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations, Section 2.0 Terms; and
- B. Conduct a Citizen Review meeting to discuss the proposed Land Development Code text amendment pertaining to clarifying the definitions of “Building, attached”, “Building Setback” (front, rear, and side), and “Building Setback Area”.

Respectfully submitted,

*Eva Cutro*

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