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PLANNING COMMISSION PUBLIC HEARING

TO: PLANNING COMMISSION/DESIGN REVIEW BOARD

FROM: ASHLEE MACDONALD, AICP, PRINCIPAL PLANNER *Am*
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THROUGH: EVA CUTRO, AICP, PLANNING MANAGER *EC*
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MEETING DATE: AUGUST 7, 2024

SUBJECT:

- A. GP24-01 GENERAL PLAN UPDATE: REQUEST TO IDENTIFY THE CENTRAL BUSINESS DISTRICT WITHIN THE GENERAL PLAN
- B. Z24-07 LDC TEXT AMENDMENT: REQUEST TO AMEND THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER 1 ZONING REGULATIONS, SECTION 2.0 TERMS.

STRATEGIC INITIATIVE: Prosperous Community

By adopting the proposed amendments, the Town will position itself to timely and effectively respond to the requirements of House Bill 2721 (2024).

RECOMMENDED MOTION

- A. For the reasons set forth in the staff report, staff requests that Planning Commission move to recommend to the Town Council approval of GP24-01, a Minor General Plan Amendment to revise the Gilbert General Plan to designate a Central Business District; and

- B. For the reasons set forth in the staff report, staff requests that Planning Commission move to recommend to the Town Council approval of Z24-07, an LDC Text Amendment to the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations; Section 2.0 Terms; relating to Central Business District.

DISCUSSION

In an effort to stay on top of market trends and state regulations staff, continually, evaluates the content of the Land Development Code (LDC) and General Plan. With the recent end to the legislative session, staff has identified the need to update the General Plan and Land Development Code to comply with recently adopted legislation impacting land use within the state. The legislature, with the adoption of House Bill 2721 (HB2721, 2024), requires that municipalities with a population of 75,000 persons or more adopt regulations related to middle housing (duplexes, triplexes, fourplexes and townhomes). As a first step to the implementation of this new statute the town is seeking to identify a Central Business District. A subsequent text amendment will be brought forward authorizing the development of duplexes, triplexes, and fourplexes on lots zoned for single-family residential use within one mile of the Central Business District pursuant to HB2721 (2024).

HB2721 (2024) defines Central Business District as “an area or series of areas designated by a municipality that are primarily nonindustrial and that attract community activity, including the entire geographic area that the municipality has officially designated as its downtown or equivalent on the effective date of the section.” Based on this definition, staff will be requesting that Town Council, on August 6, 2024, adopt the Heritage District as the Town’s Central Business District pursuant to HB2721 (2024).

General Plan Amendment

In order to identify the location of the Central Business District within the Town’s General Plan, staff proposes to update the Growth Areas Framework section by indicating within the Heritage District Growth area that the Heritage District has been designated as a Central Business District. Staff proposes to add language as follows:



Heritage District

The area is generally defined as one-third of a mile south of Guadalupe Road on the north, extends one-quarter mile to the east and west of Gilbert Road and one-eighth of a mile south of Elliot Road. The Heritage District Growth Area is the historic downtown center of Gilbert and is covered by a Redevelopment Plan. It is also designated as a Character Area within this General Plan [and has been designated as a Central Business District pursuant to House Bill 2721 \(2024\)](#). The adopted Redevelopment Plan covers land use, architectural character, streetscape and other issues specific to the downtown. It also sets forth a unique review process required for this area. The Heritage District is a prime location for infill development ranging from commercial to high density residential to tourism/hospitality uses.

LDC Text Amendment

As an initial step to implementation of HB2721 (2024), staff is proposing the inclusion of a definition for Central Business District into the Land Development Code. The proposed definition will refer to Arizona Revised Statutes to ensure consistency with the Land Development Code and the state definition as shown follows:

CENTRAL BUSINESS DISTRICT: AS DEFINED IN A.R.S. § 9-462.10, AS AMENDED.

A future text amendment will be brought forward prior to January 1, 2026 and will include regulations related to middle housing within Single Family zoning districts as required by HB2721 (2024).

PUBLIC NOTIFICATION AND INPUT

A notice was advertised and published in The Arizona Republic newspaper, and an official notice was posted in four public places within the Town. The notification requirements of LDC Section 6.2.6 have been satisfied.

Staff has received no comment from the public on the proposed text amendments.

STAFF RECOMMENDATION

- A. For the reasons set forth in the staff report, move to recommend to the Town Council approval of GP24-01, a Minor General Plan Amendment to revise the Gilbert General Plan to designate a Central Business District; and
- B. For the reasons set forth in the staff report, move to recommend to the Town Council approval of Z24-07, an LDC Text Amendment to the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations; Section 2.0 Terms; relating to Central Business District.

Respectfully submitted,

Ashley MacDonald

Ashlee MacDonald, AICP
Principal Planner

Attachments and Enclosures:

- 1) Notice of Public Hearing



NOTICE OF PUBLIC HEARING

PURSUANT TO ARS Sections 39-204 & 9-462.04, NOTICE IS HEREBY GIVEN OF PUBLIC HEARING in the Town of Gilbert, Arizona, relating to the following requests for changes in land use regulations:

GP24-01 GILBERT 2024 GENERAL PLAN UPDATE: Request for a Minor General Plan Amendment to revise the Gilbert General Plan to designate a Central Business District, and make technical and conforming changes.

Z24-07 LDC TEXT AMENDMENT: Amendment the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations, Section 2.0 Terms. The effect of the amendment will be to add a definition for central business district, and make technical and conforming changes.

Z24-06 LDC TEXT AMENDMENT: Amendment to the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations, Section 5.2 Site Regulations. The effect of the amendment will be to clarify the Code, address backyard fowl, and make technical and conforming changes.

The applications and project files may be viewed by the public Monday through Thursday, 7:00 am to 6:00 pm at the Town of Gilbert, Planning and Development Services office located at 90 East Civic Center Drive, Gilbert, AZ. Written comments may be sent to Town of Gilbert, Planning and Development Services, 90 East Civic Center Drive, Gilbert, AZ 85296. Written comments may also be submitted at the public hearing. Any interested person may appear and be heard at the following public hearing:

The Town Council will hold a public hearing and discussion on Zoning matters set forth above, and may vote to approve, approve with conditions, or deny the requests set forth above at its meeting on:

**Town Council: Tuesday, August 20, 2024 at 6:30 p.m.
Gilbert Municipal Center, Council Chambers, 50 East Civic Center Drive, Gilbert, AZ**

Chaveli Herrera, Town Clerk