



Development Sub-Committee

AGENDA

Meeting 2: February 17, 2015

3:00 – 5:00 PM, Council Chambers

Schedule	Event	Presenter
3:00 pm	Welcome and Introductions	Bayer Vella
3:10 pm	Packet Review and Meeting Business Review meeting materials Scope and tasks of the group	Elisa Hamblin
3:20 pm	Discussion Major vs. Minor Amendment – Worksheet 1	All
3:50 pm	Discussion Amendment Process – Worksheet 2	All
4:20 pm	Discussion Amendment Findings – Worksheet 3	All
4:45 pm	Homework and Next Steps	Elisa Hamblin
4:55 pm	Public Comment Period	Open
5:00 pm	Adjourn	---

Notes:



Development Committee

SUB-COMMITTEE INFORMATION

Meeting Dates:

Monday, February 2, 3:00 – 5:00 pm
Administration Building, Kachina Conference Room

Tuesday, February 17, 3:00 – 5:00 pm
Administration Building, Council Chambers

Members:

- All Your Voice Development Committee members are welcome to attend
- If you are interested, we ask that you commit to attending both meetings and completing the necessary background review and preparation
- Guidelines from the Your Voice Committee Charter apply to the conduct and participation of this group

Tasks:

- Review state law regarding the required amendment process
- Review current requirements in the Focus 2020 General Plan
- Review sample requirements from other cities and towns
- Discuss trends and processes we've seen locally over the last ten years
- Draft new amendment criteria and requirements, within context of the Community's Vision and Guiding Principles
- Discuss implications of amendment criteria within the Town, how they may be used in the future
- Forward recommendations to the Development Committee for review
- Discuss at all-committee review level in April

What's Next:

- If interested, please notify project staff by the end of day on Thursday, January 29. Email Elisa Hamblin at ehamblin@orovalleyaz.gov and Bayer Vella at bvella@orovalleyaz.gov
- The first meeting packet will be emailed on Friday, January 30
- Review all the materials and come prepared to have a productive and collaborative discussion



Development Sub-Committee

SUMMARY NOTES

Meeting 1: February 2, 2015

We're in the INTRODUCTION STAGE

Our purpose is to give a **Project Overview** and have **Open Discussion**

Attendance

Present:

Kit Donley
 Bill Adler
 Don Cox
 Michael Schoeppach
 Stephen Roach
 Diane Bristow
 Bill Leedy
 Barry Gillaspie

Staff:

Bayer Vella
 Elisa Hamblin
 Danielle Driscoll

Welcome and Introductions

- Bayer Vella welcomed sub-committee members and thanked them for being part of the sub-committee
- Bayer described a 3-part exercise that he asked the group to participate in, the three parts 1) Criteria (major/minor amendments), 2) Process/Procedures (state law), 3) Findings (three findings of fact)
- Packet review, background layout

Meeting Business

- To get things started, Bayer asked a series of questions:
 - QUESTION 1: First impression about process: what's the first impression on the three parts (Criteria, process & findings)?
 - Bill Leedy: works reasonably well; broad wording; tightening can handcuff commission
 - Don Cox: well-intended, but grossly misused; would like findings to go away
 - Bill Adler: major limited to significant change to l.u. mixture; consistency not used same as intent
 - Stephen Roach: question about quantity, mixture; looking at endpoint
 - Diane Bristow: consistency with zoning code; doesn't need to be easy, but needs to be clear
 - Kit Donley: likes flexibility regulations good for town; look past individuals to see what's good for town
 - Michael Schoeppach: inconsistency with zoning & General Plan; application may be different
 - Barry Gillaspie: public trusts Vision & Guiding Principles; simpler for laymen to interpret whether applies to General Plan – reasonable and clear
- The question was asked why the sub-committee was there. Bayer answered that with the criteria, the Town is spending too much time trying to figure out what certain words mean; wording is an issue, can be better



Development Sub-Committee

- QUESTION 2: What have we done right? And what doesn't work?
 - Some of the "done right" answers were: neighborhood meetings, education and flexibility, put info in people's hands
 - Some of the "doesn't work" answers were: generality of wording, General Plan too big, ambiguous, signs at sights too small, HOA distribute info & receive
 - People feel the "fix is in already" & staff is in turn treated poorly because of this belief, give out more info, great deal of language is dreadful & needs to be fixed
- QUESTION 3: Considering communities view on this, where do we need to go?
 - Code needs to be updated, not just in this process, zoning code and General Plan alignment, resist change to start over, simplify, Vision & Guiding Principles are complicated, different criteria apply to different uses – may make difference on weighting criteria
- Bayer then asked the group to participate in a Sticky Wall exercise. Based on the three topics (Criteria, Procedures/Processes, Findings), each person was asked to place ideas under each topic.
- Based on their responses, Elisa Hamblin then reviewed with the group each sheet added to wall asking for similarities, clarifying questions. They then grouped similar statements which is below
 - **CRITERIA (major/minor):**
 - Major vs minor, public participation
 - Increase minor, retain neighbor participation
 - Major only in extreme cases
 - No minor
 - Make major amendments few & far between, suggest % of available land
 - (Minor) Same use class, no acreage qualifier
 - Should not be determined by acreage
 - How does it affect "land use balance"?
 - How does it affect "land use mix"?
 - Rural/low density to urban
 - (Major) Major intensity chg
 - 2 categories: existing town, annexations underdeveloped (> 100 acres, 1 section / 640 acres)
 - Move to form based
 - **PROCEDURES (process/steps/mtgs):**
 - Neighborhood mgts – 2; 1 before P&Z, 1 before council hearing
 - Mtg leaders should be aware & present with the intent of educating public on process & issues
 - Educate the public
 - Neighborhood mtgs that educate
 - Understandable to citizen
 - Use consistency with policies
 - Consistent with code
 - Align code and practice
 - Town website should better explain or diagram w/a picture the process
 - Community notification
 - Amendment signage



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- Select property for mixed use for form base
- Prioritize guiding principles to three
- Accept changes at anytime
- **FINDINGS (benchmarks/judge):**
 - Public trust understandable
 - Clarity of benchmarks
 - Make it simple
 - Understandable to citizens
 - Look at “board of adjustment” criteria as example
 - Based on: Oro Valley vision statement; guiding principles
 - Financial stability
 - Maintain rural, preserve scenery
 - Major amendment must be “substantially consistent” w/Plan
 - Quality of use
 - Economic impact to the town
- The group then discussed in detail about what was put on the sticky wall

Homework and Next Steps

- Think about what others have said in meeting
 - Bayer explained that this meeting was “concepts” and next meeting will be “specifics”
- Come to next meeting with ideas on where you want to go
- Elisa Hamblin will send out next meeting packet
- She thanked everyone for collaboration and asked the group to come with solutions
- Next meeting: February 17

Public Comment Period

- No one was in audience for questions

Hamblin, Elisa

From: stfatha@aol.com
Sent: Tuesday, February 03, 2015 2:00 PM
To: Hamblin, Elisa; Vella, Bayer
Cc: TUCSONBASS@aol.com; kitdonley@gmail.com; barrygillaspe@gmail.com; MichaelSchoeppach@comcast.net; leedyjr@yahoo.com; sfroach@comcast.net; dianebristow@hotmail.com
Subject: criteria - Major / Minor

For the group's consideration.

Since the goals and policies of the General Plan haven't been established yet, it would be pre mature to require an application for amendment to comply with goals and policies. It may be a safe assumption that policies will incorporate the meaning of one or more of the guiding principals.

Rather than having a set of criteria for residential and another for commercial, I prefer one set to apply to either one.

"An application for a major amendment to the General Plan must provide convincing evidence of consistency with at least two of the three requirements, as follows:

- a. The application represents a significant financial asset, and
- b. The application provides primary employment opportunities, and
- c. The application maintains the character of the immediate area, with a design that contributes to the conservation of natural and scenic resources."

It seems to me that the above simplifies and improves the readability from the current while incorporating three of the most significant principals.

The chart of Major and Minor Amendments should be amended to show as a minor amendment those proposals that would create no change in use than currently designated; a change in density greater than twice the present designation or a change in intensity of use to regional from the current designation.

Bill Adler

Hamblin, Elisa

From: stfatha@aol.com
Sent: Saturday, January 31, 2015 7:30 PM
To: Hamblin, Elisa; Vella, Bayer
Cc: mrzinkin@msn.com; jhornat@comcast.net; sfroach@comcast.net; bgillaspie@gmail.com; MichaelSchoeppach@comcast.net; TUCSONBASS@aol.com
Subject: Criteria

What follows is a compromise for me from the criteria in place presently, and represents a proposed solution rather than identification of the problem.

"The proposal complies with the Goals and Policies of the General Plan with special emphasis upon Oro Valley's interest in further primary job development; the Town's need for additional tax revenue and strong evidence that the approval of the amendment maintains Oro Valley's small town character."

The success of this language depends upon:

More precise language within the goals and policies

Consensus within Town leadership and advisory boards with regard to maintaining Oro Valley's " Unique Identity as a Special Place "

Suggest - volunteer application for advisory board membership add space for applicant's answer to the above.
- Staff communication on new development address their analysis of proposal achieving the above.

Other communities within the sub committee's packet do not include reference to that community's consistency with their Town's public outreach, vision and guiding principals.

I've ignored staff's suggestion to increase parcels at 5 acres be a major amendment. Major Amendments have the likely outcome that Oro Valley will maintain that small town, unique character.

This is intended for distribution to the sub committee.

Bill Adler



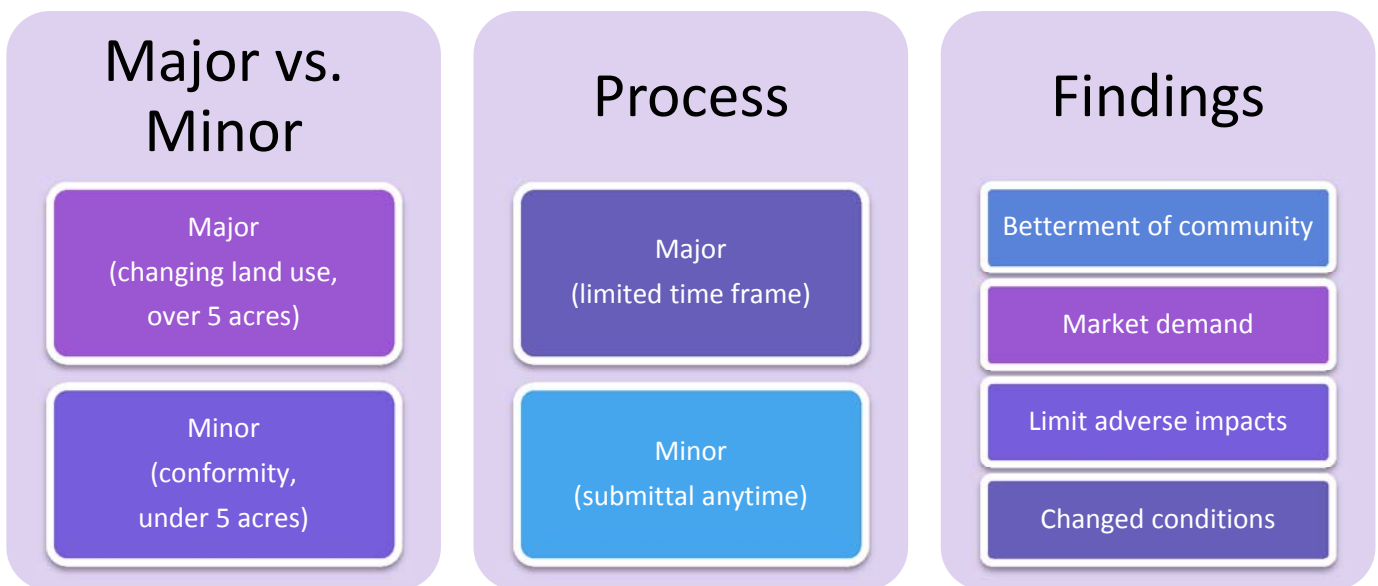
Development Sub-Committee

WORKSHEETS

Meeting 2: February 17, 2015

There are three major considerations for a General Plan amendment. These include the determination of major vs. minor, process and findings. These are described in greater detail in the enclosed memo and are summarized in the graphic below.

GENERAL PLAN AMENDMENTS



Please spend some time brainstorming and writing down your ideas on these worksheets for discussion at the upcoming meeting.

The following three worksheets are separated into three sections:

1. EXISTING: General Plan and Zoning Code

This section outlines the current regulatory framework existing in the General Plan (Focus 2020) and the Zoning Code (Section 22.2). More information about state requirements can also be found in Arizona Revised Statutes (§9-461.05-.06)

2. RESOLUTION: Ideas Brainstormed by the Sub-Committee at Meeting 1

This section outlines ideas from the Sub-Committee that were written and posted on the 'sticky wall'

3. ACTION: Your Suggestions For Change

This is your chance to write down your concrete ideas for what should be incorporated in the new plan

Worksheet 1: Major vs. Minor Amendment

EXISTING: General Plan and Zoning Code	
Major Amendment	Minor Amendment
Emphasizes natural beauty and rural/low-density lifestyle, contiguous land uses. All parcels over 5 acres are considered "major".	
Major: based on the utility boundary and change of land use (favoring open space, parks, rural low-density, and neighborhood commercial and office).	Minor: parcels ≤ 5 acres that are contiguous to existing land use, conform to existing land use or previous zoning.
<p>One or more of the criteria:</p> <ul style="list-style-type: none"> All amendments beyond the Urban Services Boundary (USB) will be major amendments. All other amendments will be determined based on Figure 1, the General Plan Amendment Matrix. <p>Further specification from Oro Valley Zoning Code</p> <ul style="list-style-type: none"> A change in land use designation that is expressed as a major amendment in Figure 1, unless the proposal meets the criteria listed in 22.2.C.2.b or 22.2.C.2.c. Text changes that add or rescind any element, policy, objective or goal to the Plan. Text changes that substantially alter the intent of any element, policy, objective or goal. 	<p>Any text or map change that does not meet the criteria for a major amendment. Additional criteria for a minor amendment include:</p> <ul style="list-style-type: none"> All amendments that are five acres or less in size and that are contiguous to like existing land use categories will be minor amendments. All amendments to the Land Use Map to bring its designations into conformity with either existing land uses or Pima County zoning at the time of the annexation to the Town of Oro Valley will be minor amendments. <p>Further specification from Oro Valley Zoning Code</p> <ul style="list-style-type: none"> Any change in land use designation that is expressed as a minor amendment in Figure 1. Text changes that clarify any part of an element, policy, objective or goal without substantially altering the intent. Public schools are not subject to the amendment process.

RESOLUTION: Ideas Brainstormed by the Sub-Committee at Meeting 1

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|--|--|
| <ul style="list-style-type: none"> Major vs minor, public participation Increase minor, retain neighbor participation Major <u>only</u> in extreme cases No minor Make major amendments few & far between, suggest % of available land (Minor) Same use class, no acreage qualifier Should not be determined by acreage | <ul style="list-style-type: none"> How does it affect "land use balance"? How does it affect "land use mix"? Rural/low density to urban (Major) Major intensity chg 2 categories: existing town, annexations underdeveloped (> 100 acres, 1 section / 640 acres) Move to form based |
|--|--|

ACTION: Your Suggestions For Change

EXISTING: General Plan and Zoning Code

Major Amendment Process	Minor Amendment Process
<ol style="list-style-type: none"> 1. Application Submittal (January 1st to April 30th*) 2. Public Notification <ul style="list-style-type: none"> • Town policies for notification of General Plan amendments must be followed in notifying property owners of a neighborhood meeting. * (state law) • Public notification for all public hearings shall be given not less than fifteen (15) days prior to the scheduled hearing date. * (state law) 3. Neighborhood Meeting <ul style="list-style-type: none"> • Prior to submittal of a formal application for all changes to the Land Use Map. * • If there are any substantive changes to the application after formal submittal, an additional neighborhood meeting will be required. * • Must occur no more than two (2) months prior to submittal. * 4. First Planning and Zoning Commission Hearing (state law) 5. Neighborhood Meeting (same Zoning Code specification as above) 6. Second Planning & Zoning Commission Hearing (state law) 7. Town Council Hearing (toward end of year *) (state law) 8. Town Council Adoption or Denial of Resolution <ul style="list-style-type: none"> • Adoption of major amendment requires two-thirds (2/3) vote of the Town Council. * (state law) <p>* Indicates further specification from the OV Zoning Code</p>	<p>May only be submitted during two, two-month periods of the year so that they may be coordinated.* Text amendments may not require neighborhood meetings.*</p> <ol style="list-style-type: none"> 1. Application Submittal 2. Public Notification <ul style="list-style-type: none"> • Town policies for notification of General Plan Amendments must be followed to achieve a neighborhood meeting. * 3. Neighborhood Meeting <ul style="list-style-type: none"> • At least one (1) neighborhood meeting must be provided prior to submittal of a formal application for all proposed changes to the Land Use Map. * • Additional meetings for text amendments may be required at the discretion of the Planning and Zoning Administrator. * 4. Formal Application Submittal 5. Planning and Zoning Commission Hearing 6. Town Council Hearing 7. Town Council Adoption or Denial of Resolution <p>* Indicates further specification from the OV Zoning Code</p>

RESOLUTION: Ideas Brainstormed by the Sub-Committee at Meeting 1

- | | |
|---|--|
| <ul style="list-style-type: none"> • Neighborhood mtgs – 2; 1 before P&Z, 1 before council hearing • Mtg leaders should be aware & present with the intent of educating public on process & issues • Educate the public • Neighborhood mtgs that educate • Understandable to citizen • Use consistency with policies • Consistent with code • Align code and practice | <ul style="list-style-type: none"> • Town website should better explain or diagram w/a picture the process • Community notification • Amendment signage • Select property for mixed use for form base • Prioritize guiding principles to three • Accept changes at anytime |
|---|--|

ACTION: Your Suggestions For Change



memo

Town of Oro Valley

To: Development Sub-Committee members
 From: Hamblin, Elisa
 Cc: Vella, Bayer
 Date: 2/9/2015
 Re: **UPDATE** on Research on General Plan Amendment Major vs. Minor, Process and Findings

The following **updated memo** is being provided to the Development Sub-Committee members as a reference to assist in the completion of their work. **The new version includes Marana and Queen Creek in the existing analysis of Major vs. Minor amendments and amendment process, as well as a new section on amendment findings. All new sections have bold, red titles.**

State Requirements

Question: What does the State of Arizona require of General Plan Amendments?

Findings:

General Plan Update

A **General Plan Update** is the adoption of or re-adoption of one or more elements of the General Plan. This adoption or re-adoption of the General Plan must be approved by an affirmative vote of at least two-thirds of the members of the legislature and ratified by the voters. The State of Arizona requires that the General Plan be updated and ratified by the residents of the municipality at least once every ten years (Growing Smarter/Plus statutes).

Major Amendment Process Requirements

The governing body is required to adopt written procedures that must provide **effective, early and continuous public participation** from all geographic, ethnic, and economic areas of the municipality in the development and **major amendment** of General Plans.

Procedures must include:

- a) Broad dissemination of proposals and alternatives
- b) Opportunity for written comments
- c) Public hearings after effective notice
- d) Open discussions, communications programs and information services
- e) Consideration of public comment

Adoption or re-adoption of any General Plan or "major amendment" must be approved with an affirmative vote of at least 2/3 of the members of the legislative body. All major amendments proposed for adoption shall be presented at a single public hearing during the calendar year the proposal is made. (Arizona Revised Statutes (§9-461.05))

Major Amendment State Definition

For the purposes of this subsection, "major amendment" means a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element. The municipality's general plan shall define the criteria to determine if a proposed amendment to the general plan effects a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element.
 (Arizona Revised Statutes (§9-461.06))

Minor Amendment State Definition

There are no state requirements or definitions for minor amendments.

Amendment Findings

There are no state requirements or definitions for amendment findings, which further justify amendment adoption.

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Major vs. Minor Amendment

Question 2: How does the Town of Oro Valley General Plan distinguish major vs. minor amendments? How does this compare to other municipalities of Arizona?

Findings:

See Table 1 (pages 4-6) which contains the “major” and “minor” amendment distinction and structure of select Arizona municipalities: Oro Valley, Flagstaff, Marana, Scottsdale, Tucson, and Queen Creek. These cities were examined to illustrate a range of approaches across the State.

Oro Valley

The current general plan, *Focus 2020*, states that “an amendment is any change that occurs between the scheduled Plan updates. Such amendments may involve a **change to the Land Use Map** for specific properties or a change to the **text** within an existing element of the Plan.” This means that amendments have been accepted for submittal between *Focus 2020* ratification in November 2005, and commencement of the 2015 scheduled Plan update. Any new amendment submittals must wait until 2016 when voters either ratify the new General Plan or fail to approve the new General Plan (in which case the current plan remains in effect).

Flagstaff

Flagstaff considers **parcel size related to the current and proposed land use** change. This method is intended to ease the path of amendments that follow the General Plan (minor amendments), and more closely consider amendments that do not (major amendments).

Marana

Marana major vs. minor amendments focus on land use changes over 80 acres, two-step increase in land use designation, and changes that compromise their Road Network priorities. None of these are applicable to Oro Valley.

Scottsdale

Scottsdale, like Oro Valley, considers both the current and proposed land use changes by category. It also considers **parcel size related to planning zone**. This allows it to restrict land use changes in specific areas of town by parcel size (by either 10 or 15 acres or more).

Tucson

Tucson major vs. minor amendments references the Future Growth Scenario Map and development to parcels 65 acres or more. The **Future Growth Scenario Map** technique, guides public and private growth investments in new/underdeveloped areas such as campuses, mixed-use corridors, and potential annexation area in order to accommodate Pima Association of Government’s 2040 population projection. It recognizes existing, stable neighborhoods and areas, and offers a non-regulatory starting place to consider refinement of existing plans and future specific planning.

Queen Creek

Queen Creek major vs. minor amendments **maintains low-density residential land use** by prioritizing restrictive non-residential land use, and conversion to residential. It discourages increasing residential density and conversion to non-residential land use.

Analysis:

Under Oro Valley’s current major vs. minor amendment definitions under *Focus 2020*, major amendments focus on the Urban Services Boundary and land use changes that don’t reflect the “open space/rural community character” of Oro Valley. Minor amendments focus on land use contiguous to existing or pre-annexation land use for parcels 5 acres or less. The attention paid to land use and urban services directly reflects the limited size of Oro Valley, and acts like an urban growth boundary. However, the area size distinction, that all parcels over 5 acres are automatically considered a Major amendment, is particularly stringent. None of the other examined municipalities have major vs. minor distinctions for lots under 10 acres.

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Table 1: Updated General Plan Amendment Major vs. Minor

	“Major” Amendment	“Minor” Amendment
Oro Valley	Emphasizes natural beauty and rural/low-density lifestyle, contiguous land uses. All parcels over 5 acres are considered “major”.	
<i>General Plan: Focus 2020</i>	Major: based on the utility boundary and change of land use (favoring open space, parks, rural low-density, and neighborhood commercial and office).	Minor: parcels ≤ 5 acres that are contiguous to existing land use, conform to existing land use or previous zoning.
	<p>One or more of the criteria:</p> <ul style="list-style-type: none"> All amendments beyond the Urban Services Boundary (USB) will be major amendments. All other amendments will be determined based on Figure 1, the General Plan Amendment Matrix. <p>Further specification from Oro Valley Zoning Code 22.2</p> <ul style="list-style-type: none"> A change in land use designation that is expressed as a major amendment in Figure 1, unless the proposal meets the criteria listed in 22.2.C.2.b or 22.2.C.2.c. Text changes that add or rescind any element, policy, objective or goal to the Plan. Text changes that substantially alter the intent of any element, policy, objective or goal. 	<p>Any text or map change that does not meet the criteria for a major amendment. Additional criteria for a minor amendment include:</p> <ul style="list-style-type: none"> All amendments that are five acres or less in size and that are contiguous to like existing land use categories will be minor amendments. All amendments to the Land Use Map to bring its designations into conformity with either existing land uses or Pima County zoning at the time of the annexation to the Town of Oro Valley will be minor amendments. <p>Further specification from Oro Valley Zoning Code 22.2</p> <ul style="list-style-type: none"> Any change in land use designation that is expressed as a minor amendment in Figure 1. Text changes that clarify any portion of an element, policy, objective or goal without substantially altering the intent. Public schools are not subject to the amendment process.
Flagstaff	Categorizes amendment proposals, then distinguishes between “major” and “minor”	
<i>Regional Plan 2030: Place Matters</i>	Major: Utility, particular land use change and associated “greater than” area size, conservation land protection, densify economic activity on/near existing centers, corridors, and streets.	Minor: land use change for smaller parcels (typically 10-20 acres or less), continue economic activity densification.
	<p>Urban Growth Boundary</p> <ul style="list-style-type: none"> Any expansion of the urban growth boundary that requires an expansion of utility infrastructure as determined in a utility analysis. <p>Area Types</p> <ul style="list-style-type: none"> Any change to the boundaries of employment areas to urban, suburban, or rural area types. Urban to suburban greater than 10 acres. Urban to rural of any size. Suburban to urban greater than 10 acres. 	<p>Urban Growth Boundary</p> <ul style="list-style-type: none"> Any expansion of the urban growth boundary if there is no expansion of utility infrastructure as determined in a utility analysis. <p>Area Types</p> <ul style="list-style-type: none"> Any change from urban, suburban, or rural types to employment area type. Urban to suburban less than or equal to 10 acres. Suburban to urban less than or equal to 10 acres. Suburban to rural less than or equal to 5 acres.

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	<ul style="list-style-type: none"> Rural to suburban greater than 20 acres. Rural to urban of any size. <p>Open Space</p> <ul style="list-style-type: none"> Any reduction to the boundary of land purchased for conservation. <p>Activity Centers & Corridors</p> <ul style="list-style-type: none"> Any commercial activities proposed outside of the activity center and along a corridor that is not contiguous to the activity center. Addition of a new activity center. Addition of a corridor or great street. Extension of a corridor or great street more than a ¼ mile in length. <p>Other</p> <ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Rural to suburban less than or equal to 20 acres. <p>Open Space</p> <ul style="list-style-type: none"> Any expansion of land for conservation (assuming no regional plan amendment fee). <p>Activity Centers & Corridors</p> <ul style="list-style-type: none"> Any commercial activities proposed outside of the activity center that are contiguous to the activity center. Any commercial activities proposed outside of the activity center that are not contiguous but are located on a great street or corridor. Development of existing activity center or corridor. Relocation of an activity center within the same general area. Minor adjustments to an activity center or corridor pedestrian shed. Extension of a corridor or great street ¼ mile in length or less. <p>Other</p> <ul style="list-style-type: none"> Proposed policy (text) changes to the General Plan and other land use plans, such as Open Space Plan, Parks & Recreation Plan, etc.
<p>Marana</p> <p><i>2010 General Plan</i></p>	<p>Major: Change in land use over 80 acres, increase restrictive land use designation, alteration of adopted Road Network.</p> <ul style="list-style-type: none"> Change in any land use designation exceeding 80 acres (not including Master Planning Areas). Two-step increase change of the current land use designation Proposal that results in a significant alteration, or diversion from an area of the adopted Road Network including, but not limited to, a change in functional classification. 	<p>Minor: A minor amendment is any proposal that does not meet the criteria for a major amendment.</p>
<p>Scottsdale</p> <p><i>General Plan: Future in Focus</i></p>	<p>Major: Any amendment that compromises the spirit and intention of mission statement, categorized into the following.</p> <p>Change in Land Use</p> <ul style="list-style-type: none"> Natural Open Space/Rural Neighborhood into Urban Neighborhood/Resort and Tourism <p>Area of Change</p> <p>A change in the land use designation that includes the following gross acreages:</p> <ul style="list-style-type: none"> Planning Zones A1, A2, B <ul style="list-style-type: none"> 10 acres or more 	<p>Minor: An amendment that does not meet the “major” amendment criteria is considered a “non-major” amendment.</p> <p>Area of Change</p> <p>There exist acreage criteria overriding incentives. Any amendment that meets stated conditions will <i>not</i> be considered a major amendment.</p>

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	<ul style="list-style-type: none"> • Planning Zones C1, C2, C3, D, E1, E2, and E3 <ul style="list-style-type: none"> ○ 15 acres or more <p>Character Area</p> <ul style="list-style-type: none"> • A proposal to change the land use category that does not clearly demonstrate compliance with the guidelines and standards embodied within an approved character area plan <p>Water/Wastewater Infrastructure</p> <ul style="list-style-type: none"> • A proposal to change the planned land use category that results in premature increase in size of master planned water transmission or sewer collection facility. 	
<p>Tucson</p> <p><i>General & Sustainability Plan 2013: Plan Tucson</i></p>	<p>Major: Changes or additions to the Future Growth Scenario Map, consistent land use proposals, +65 acres.</p> <ul style="list-style-type: none"> • The site of a development proposal is not covered by an adopted specific plan. • The Future Growth Scenario Map Building Block designation for the site as depicted on the Future Growth Scenario Map must be changed to maintain consistency with the development proposal. • The proposed development site consists of 65 or more acres. 	<p>Minor: All other amendments.</p> <p>All amendments to Plan Tucson that are not a new or re-adopted general plan or a major amendment are considered minor amendments and shall be processed in accordance with State and City of Tucson regulations concerning timing, notice, public hearing, and action.</p>
<p>Queen Creek</p> <p><i>Queen Creek General Plan: Keeping Queen Creek Unique</i></p>	<p>Major: Changes in residential land use classification (less or more dense residential) over 40 acres, residential to non-residential over 10 acres.</p> <ul style="list-style-type: none"> • A land use change from one residential classification to another residential classification that is either: <ul style="list-style-type: none"> ○ Lower residential density than General Plan adopted land use classification, greater than 40 acres. ○ Higher residential density than General Plan adopted land use classification, greater than 40 acres. • Residential land use classification change to a non-residential classification, greater than 10 acres. 	<p>Minor: Changes in non-residential land use classification (more or less restrictive), non-residential to residential over 20 acres.</p> <ul style="list-style-type: none"> • A land use change from one non-residential classification to another non-residential classification that is either: <ul style="list-style-type: none"> ○ Higher (more restrictive) classification than General Plan adopted land use classification, greater than 40 acres. ○ Lower (less restrictive) classification than General Plan adopted land use classification, greater than 20 acres. • Non-residential land use classification change to residential classification, greater than 20 acres.

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Amendment Process

Question 3: What *process* does the Town of Oro Valley require of General Plan Amendments? How does this compare to other municipalities of Arizona?

Findings:

See Table 2 (pages 9-10) for major and minor amendment processes by Arizona municipalities.

The Oro Valley amendment process, outlined by the General Plan *Focus 2020*, differs from other Arizona municipalities in two major ways:

1. Major Amendment: Shall include two Neighborhood Meetings, one prior to the Planning and Zoning Commission Hearing, and one prior to the Town Council Hearing.
2. Minor Amendment: May only be submitted during two, two-month periods of the year.

Furthermore, the amendment process outlined by the General Plan *Focus 2020* is in conflict with the Oro Valley Zoning Code. The Oro Valley Zoning Code 22.2 states that:

1. Major Amendment:
 - a. At least two (2) neighborhood meetings should be provided prior to submittal of a formal application for all changes to the Land Use Map. If there are any substantive changes to the application after formal submittal, and additional neighborhood meeting will be required
 - b. Neighborhood meetings must occur not more than two (2) months prior to submittal. The meetings must be facilitated by Town of Oro Valley staff.
2. Minor Amendment: May be submitted at any time of the year.

In the case of conflicts such as this, the Oro Valley Zoning Code is followed.

Analysis:

Two Neighborhood Meetings

The inclusion of two Neighborhood Meetings in the major amendment application process goes beyond the Arizona State requirements of dissemination of information and public outreach, and supports the neighbor-as-stakeholder character of Oro Valley. Furthermore, it provides a 'feedback loop', as neighbors can give feedback at the first meeting, applicants can respond to neighbor and Planning Hearing feedback privately, then bring proposal adjustments to the second Neighborhood Meeting to strengthen the communication and relationship with surrounding neighbors. However, no other Arizona municipalities we examined require two Neighborhood Meetings.

The General Plan's recommendation for the two Neighborhood Meetings to occur prior the Planning and Zoning Commission Hearing and prior to the Town Council Hearing suggest that these meetings were intended to keep neighbors informed of any proposal adjustments prompted by the Planning and Zoning Commission Hearing. The Zoning Code Neighborhood Meeting schedule is required to be in close proximity with submittal, before hearings, and if there are substantial changes suggests. This suggests that the current amendment process is intended to more closely involve neighbors through the entire amendment process, proposal adjustments, and keep them informed. The conflict between the General Plan and the Zoning Code may warrant review to ensure efficient and effective amendment process and communication.

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Minor Amendment Submittal Windows

The General Plan requirement that minor amendments be submitted during one of the two, two-month periods of the year is different from the other Arizona municipalities reviewed. The other municipalities currently allow minor amendments to be submitted at any time. The two submittal periods were reflective of the development climate of Oro Valley in 2005. Now, there is less land to be developed, parcels are smaller, and the type of development the economic climate of Oro Valley can support is quite different. The Zoning Code reflects this change by allowing minor amendments to be submitted at any time during the year. The minor amendment submittal process conflict between the General Plan and Zoning Code may warrant further review to ensure it adequately reflects the current development and economic climate while ensuring efficiency.

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Table 2: Updated General Plan Amendment Process

	Major Amendment Process	Minor Amendment Process
<p>Oro Valley</p> <p><i>General Plan: Focus 2020</i></p>	<ol style="list-style-type: none"> 1. Application Submittal (January 1st to April 30th*) 2. Public Notification <ul style="list-style-type: none"> • Town policies for notification of General Plan amendments must be followed in notifying property owners of a neighborhood meeting. * (state law) • Public notification for all public hearings shall be given not less than fifteen (15) days prior to the scheduled hearing date. * (state law) 3. Neighborhood Meeting <ul style="list-style-type: none"> • Prior to submittal of a formal application for all changes to the Land Use Map. * • If there are any substantive changes to the application after formal submittal, an additional neighborhood meeting will be required. * • Must occur no more than two (2) months prior to submittal. * 4. First Planning and Zoning Commission Hearing (state law) 5. Neighborhood Meeting (same Zoning Code specification as above) 6. Second Planning and Zoning Commission Hearing (state law) 7. Town Council Hearing (toward end of year *) (state law) 8. Town Council Adoption or Denial of Resolution <ul style="list-style-type: none"> • Adoption of major amendment requires two-thirds (2/3) vote of the Town Council. * (state law) <p>* Indicates further specification from the Oro Valley Zoning Code 22.2</p>	<p>May only be submitted during two, two-month periods of the year so that they may be coordinated.* Text amendments may not require neighborhood meetings.*</p> <ol style="list-style-type: none"> 1. Application Submittal 2. Public Notification <ul style="list-style-type: none"> • Town policies for notification of General Plan Amendments must be followed to achieve a neighborhood meeting. * 3. Neighborhood Meeting <ul style="list-style-type: none"> • At least one (1) neighborhood meeting must be provided prior to submittal of a formal application for all proposed changes to the Land Use Map. * • Additional meetings for text amendments may be required at the discretion of the Planning and Zoning Administrator. * 4. Formal Application Submittal 5. Planning and Zoning Commission Hearing 6. Town Council Hearing 7. Town Council Adoption or Denial of Resolution <p>* Indicates further specification from the Oro Valley Zoning Code 22.2</p>
<p>Flagstaff</p> <p><i>Regional Plan 2030: Place Matters</i></p>	<p>Approx. 10 Months</p> <ol style="list-style-type: none"> 1. Pre-application meeting (deadline April 1st) 2. Neighborhood Meeting 3. Application Completed (deadline May 1st) 4. DRB reviews conceptual application, returns comments 5. Regional Plan Application submittal 6. Final Application submittal (deadline July 1st) 7. Staff review and analysis 8. City hosted public meetings 	<p>Same process, no deadlines. May be presented at any time of the year, and may be applied for concurrent to a rezoning request.</p>

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	<ol style="list-style-type: none"> 9. Planning Commission Public Hearing 1 (October) 10. Planning Commission Public Hearing 2 11. City and Council Public Hearings (December) 12. City and Council Adoption or Denial of Resolution 	
<p>Marana</p> <p><i>2010 General Plan</i></p>	<ol style="list-style-type: none"> 1. Pre-Application meeting 2. Submit formal application 3. Notice of proposal to nearby land owners, comments received 4. Neighborhood Meeting/Public Notice 5. Staff Review 6. Public notice 7. Planning Commission Hearing 8. Town Council Hearing, approval or denial of proposal 	Can be processed concurrently with a rezoning request and approved at public hearing by simple majority of the Town Council.
<p>Scottsdale</p> <p><i>General Plan: Future in Focus</i></p>	<ol style="list-style-type: none"> 1. Pre-Application meeting 2. Neighborhood Meeting/Public Notice 3. Application Completed (Deadline in April) 4. City Review 5. Revisal of any issues 6. Development Review Board hearing 7. Information distributed to public for PC Hearings 8. PC Remote Hearing 9. PC Hearing 10. CC Hearing 	<p>May be presented at any time of the year.</p> <ol style="list-style-type: none"> 1. Pre-Application meeting 2. Neighborhood Meeting/Public Notice 3. Application Completed 4. City Review 5. Revisal of any issues 6. Development Review Board hearing 7. Information distributed to public for PC Hearing 8. PC Hearing 9. CC Hearing
<p>Tucson</p> <p><i>General & Sustainability Plan 2013: Plan Tucson</i></p>	<ol style="list-style-type: none"> 1. Pre-Application meeting 2. Neighborhood Meeting 3. Application Completed 4. Planning Commission study session 5. Planning Commission public hearing 6. Mayor and Council public hearing 7. Mayor and Council decision 8. Denied: request to reconsider/ appeal, or applicant complies with adopted plan policy; Approved: Applicant proceeds with rezoning 	Same process, no deadlines. May be presented at any time of the year.
<p>Queen Creek</p> <p><i>Queen Creek General Plan: Keeping Queen Creek Unique</i></p>	<ol style="list-style-type: none"> 1. Pre-Application meeting 2. Submit formal application 3. Neighborhood Meeting/Public Notice 4. Staff Review 5. Public notice 6. Planning Commission Hearing 7. Town Council Hearing, approval or denial of proposal 	Minor Amendment requests are processed and considered by the Town Council in conjunction with the rezoning request and site plan/plat approval describing the proposed use of the property if the change is made. Can be considered at any time.

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Amendment Findings

Question 4: What *findings* does the Town of Oro Valley require of General Plan Amendments to be adopted? How does this compare to other municipalities of Arizona?

Findings:

Amendment findings require that the amendment proposal “shall be based on consistency with the vision, goals, and policies of the General Plan”. Applicants for the amendment “shall have the burden of presenting facts and other materials to support” its conformance with the General Plan. Amendment findings are presented and justified during the Planning and Zoning Commission Hearing(s) and the Town Council Hearing.

See Table 3 (page 12). Oro Valley and Marana are the only municipalities examined that require amendment findings in their General Plans. Oro Valley and Marana differ only slightly. Oro Valley requires amendments to “contribute to the socio-economic betterment, while achieving community and environmental compatibility”. Marana explicitly lists specific targets to achieve the same goals.

The further findings specification of the Oro Valley Zoning Code 22.2 requires justification that **the community has changed**, and that the amendment is a necessary response to these changes.

Analysis:

The slight difference between Oro Valley and Marana amendment findings are basically stylistic differences.

The Zoning Code requirement to justify that an amendment is necessary to respond to community changes could be considered for findings inclusion in the new General Plan.

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Table 3: **New** General Plan Amendment Findings

<p>Oro Valley</p> <p><i>General Plan: Focus 2020</i></p>	<p>The disposition of the General Plan amendment proposed shall be based on consistency with the vision, goals, and policies of the General Plan, with special emphasis on:</p> <ol style="list-style-type: none"> 1. Is sustainable by contributing to the socio-economic betterment of the Community, while achieving community and environmental compatibility. 2. Reflects market demand which leads to viability and general community acceptance. 3. Will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development process. <p>Zoning Code 22.2 Further specification</p> <ol style="list-style-type: none"> 4. The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification. <p>The applicant for the amendment shall have the burden of presenting facts and other materials to support these conditions.</p>
<p>Flagstaff</p>	<p>None</p>
<p>Marana</p> <p><i>2010 General Plan</i></p>	<p>Making responsible choices for how we manage, and direct the use of land will provide a means for achieving long-lasting measures of individual and community well-being.</p> <p>The disposition of the General Plan amendment proposed shall be based on consistency with the vision, goals, and policies of the General Plan, with special emphasis on:</p> <ol style="list-style-type: none"> 1. The three overriding principles of the Marana 2010 General Plan: Quality of life, Sustainability and Linkages. The proposed change will: <ol style="list-style-type: none"> a. Improve Marana’s Quality of Life by providing sustainable choices in regards to land use, commerce and employment, education, recreation, public safety, aesthetic appeal, transportation/efficient mobility, health, and housing variety, and/or; b. Enhances Marana’s Quality of Life by ensuring Marana’s citizens have clean air and water, climate, culture/heritage, open space, public transportation, wildlife and natural resources. 2. Reflects market demand which lead to viability and general community acceptance. 3. Will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development process. <p>The applicant for the amendment shall have the burden of presenting facts and other materials to support these conditions.</p>
<p>Scottsdale</p>	<p>None</p>
<p>Tucson</p>	<p>None</p>
<p>Queen Creek</p>	<p>None</p>

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Conclusion

The main question with the current Oro Valley major vs. minor amendments is that all parcels over five acres to change in land use are considered major amendments. This was intended to give the Town more oversight in enforcing the values set in the Oro Valley General Plan Amendment Matrix (see Figure 1). However, from the research presented above there are other effective major vs. minor distinction that can strive to guide land use changes towards the overall vision of a general plan.

As stated through this memo, the following alternatives and conflicts could be examined through the committee process:

The **General Plan Amendment Matrix** should be reevaluated and updated to reflect the current land use makeup of the Town and the desired land uses of the residents, as expressed in Phase 1 of *Your Voice, Our Future Project*. This matrix could either be reincorporated into the new General Plan, or can serve as guiding material for alternative major vs. minor amendment distinction.

If the General Plan Amendment Matrix is to be used as major vs. minor amendment distinction, the option of **associating parcel size to current and proposed land use change** could be considered. See Flagstaff's major vs. minor amendments in Table 1 (pages 4-6). The parcel size associated with each land use change should reflect the needs expressed by residents and the overall vision of the General Plan.

Alternatively, the major vs. minor amendments could **associate parcel size with planning zones**, as Scottsdale has done. This option would require careful drawing of planning zones and intense analysis to justify the associated area size.

The major amendment process requirement of **two Neighborhood Meetings** may warrant review, as there is a conflict between the General Plan and Zoning Code. This requirement should be efficient, effective, and reflect the community character.


The **minor amendment process submittal window** conflicts between the General Plan, which requires submittal in one of two two-month periods, and the Zoning Code, which allows submittal at any time in the year. The minor amendment process submittal timing could be examined to ensure it reflects the current economic and development climate, and is an efficient and effective process.


The further specification of the Zoning Code, which requires findings that **changing community conditions justify the amendment** or modification, inclusion in the new General Plan could be explored.


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Figure 1: Oro Valley General Plan Amendment Matrix
Major vs. Minor Amendments: Change in Land Use

Table 1: General Plan Amendment Matrix													
Existing Designation ^{1,4} (Change From)	Proposed Designation (Change To)												
	R-LDR	LDR1	LDR2	MDR	HDR	MPC	RGC	NCO	CRC	COP	PSP& SCH	PARK	OS
R-LDR	✕	■	■	■	■	■	■	■	■	■	■		
LDR1		✕		■	■	■	■	■	■	■	■		
LDR2			✕	■	■	■	■	■	■	■	■		
MDR				✕	■	■			■	■	■		
HDR					✕	■			■				
MPC ²	See footnote #2 below												
RGC	■	■	■	■	■	■	✕		■	■			
NCO	■	■	■	■	■	■		✕	■	■		■	
CRC	■	■	■	■	■	■			✕		■		
COP				■	■					✕	■		
PSP and SCH ³						■					✕		
PARK	■	■	■	■	■	■		■	■	■	■	✕	
OS	■	■	■	■	■	■	■	■	■	■	■		✕

Major Amendment 

Minor Amendment 

No Amendment 

Notes:

1. For a complete definition of the land use designations, please refer to page 30.
2. Amendments to areas designated as MPC will be treated, per the General Plan Amendment Matrix Table, based on the land use and density of the MPC designation. If no specific land uses and densities are called out for the MPC (see Special Area Policies starting on page 35), it will be treated, for the purpose of an amendment only, as MDR and NCO (no more than 10%).
3. Excluding Public Schools. Public schools are not subject to the amendment process.
4. See Special Area Policies starting on page 35.

Figure 1: Oro Valley General Plan Amendment Matrix, Oro Valley General Plan, "Focus 2020", 2005