



Development Sub-Committee

AGENDA

Meeting 3: March 2, 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 Review meeting summary notes Scope and tasks of the group	Elisa Hamblin
3:20 pm	Draft Amendment Criteria Review of previous decisions Results and recommendations Discussion	Bayer Vella Chad Daines All
4:50 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

Monday, March 2, 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 2: February 17, 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
Michael Schoeppach
Stephen Roach
Bill Leedy
Barry Gillaspie

Staff:

Bayer Vella
Elisa Hamblin
Danielle Driscoll

Absent:

Don Cox
Diane Bristow

Welcome and Introductions

- Bayer Vella welcomed sub-committee members and thanked them for coming to second meeting
- Elisa Hamblin reviewed the agenda, packet, meeting notes and emails and worksheets
- Elisa talked about adding third sub-committee meeting to finish up work
 - Date: Monday, March 2, 3:00-5:00pm, Council Chambers

Meeting Business

- Bayer explained how the meeting would be divided into three topics (Major vs. Minor, Process, Findings) - based on information collected at the first meeting
- Based on the above three topics, which were highlighted in the sticky wall exercise and discussion, three top points of discussion were pulled from each of the three main topics
- The three main topics, and their 3 top points were written on a board for reference
- **Major Vs. Minor:**
 - 1. Change balance of # "major" vs "minor" amendments – more "minor"
 - 2. Significant changes to the type of development should require "major" regardless of acreage
 - 3. All changes to type of development on large expanses of land – "major"
- **Process:**
 - 1. Public info should be clear & accessible, & improve notifications
 - 2. A minimum of 2 neighborhood meetings for all amendments – "major" & "minor"
 - 3. Create consistency with General Plan & zoning code
- **Findings:**
 - 1. Align with the goals, policies & actions of the General Plan
 - 2. Build off what's existing/working in the current General Plan
 - 3. Strive for simplicity & easy interpretation
- The group then went through each topic and broke it down even more on three separate easel boards
 - **MAJOR VS. MINOR - 1:**
 - Agree – major more time & \$
 - Mixed use – could encourage with minor process
 - Less General Plan amendments overall



Development Sub-Committee

- Major – should contribute long-term financial future of Town – good for Town overall
- May need new paradigm / terms represent shifting mindset
 - Major plan change – Type I or Type II
- **MAJOR VS. MINOR - 2:**
- Attract employment options – major employer-real benefit, criteria incentives
- Retail, commercial distinction needed
- Residential
 - Retail – major
 - Office – minor
- Relatively close step on chart-minor
- 2 or 3 steps on chart – major
- Align with public perceptions
- Explain concepts with graphs/charts, examples for understanding
- **MAJOR VS. MINOR - 3:**
- Instead of acreage – may be other factors (size & condition of land), staff judgment? Discretion
- Proposed land use & zoning may impact approach
- Critical exploration – unintended consequences
- Distinction ex: lot size vs. density ↑↑↑
- Clarify employment terms – major employer vs. retailer options – threshold for primary jobs may be different
- Value in staff discretion – but need support
- Build in flexibility so better judgments are made – but still need framework – criteria to evaluate upon
- But also need burden of proof – applicant

- **PROCESS - 1:**
- Cost issues have to be considered
- Consider more community outreach
- Request of applicant to cover
- Ads, newspaper, Explorer option
 - Sources we use, share w/neighbors
- HOA contacts
- Evaluate distance for notices
- Info proactively – land that could re/develop
- **PROCESS – 2:**
- Good
- **PROCESS – 3:**
- Timing requirement – re-examine use zoning code language
- Zoning & General Plan together – too confusing?
 - Maybe exception only, high bar
 - But may offer clarity for those wanting details
 - Option to submit together?
- Get info out in front
- Application materials – common questions
- High bar employer & incubator/accelerator



Development Sub-Committee

- **FINDINGS:**
- Economic value – benefit to Town
- Quality design
- Burden of proof – applicant
- Market demand – appropriate?
 - The market changes, unresolvable
- Develop criteria that can be met
- Submittal requirement – info that can be found in zoning process – common Q’s
- Requirements for General Plan compliance is there – but reinforce – substantial compliance, with applicable Goals, Policies, Actions
 - Ex: safety, environment, manage growth
 - Meet top tier directions
- Market demand not required
- Interpretation danger – narrow down – fair
- Based on strong direction from community – survey & Vision and Guiding Principles results
 - Decision-makers interpret
- Identify points that apply
- Special area policies – remaining tool separate from criteria
- Findings have to be interdependent
- Risk with too many criteria – may complicate instead of simplify
- Financial stability – revenue stream
- Quantifiable data available to include with submittal

Homework and Next Steps

- Elisa told group packet containing info would go out in a week
- Next meeting will be on Monday, March 2

Public Comment Period

- No one was in audience for questions



Development and Infrastructure Services

Part 1: Major and Minor General Plan Amendment Thresholds

Type 1 Amendments

Type 1 Amendments involve significant changes to the Town's General Plan involving large parcels of land to different land use types. Such amendments may include changes from large lot residential to commercial use or decreases in open space.

Type 1 Amendments are defined as Major General Plan Amendments in State Law and involve a substantial alteration of the Town's land use mixture or balance as further specified in Section ___ of this Plan. Type 1 Amendments require more extensive neighborhood meetings, public hearings and a higher level of concurrence by Town Council for approval.

A Type 1 Amendment shall be required for any of the following changes to the General Plan:

1. Any text changes to a Goal, Policies and Action which, in the opinion of the Planning and Zoning Administrator, alters the intent or purpose of any Element, Goal, Policy or Action of the General Plan.
2. Any change to the Land Use Plan as follows:
 - a. Affecting 40 acres or more AND classified as a Type 1 amendment on Table 22-1. Table 22-1 includes all land use amendment scenarios and specifies the type of amendment required. Generally, a Type 1 amendment is required when a request involves 40 acres or more and a two-step increase in land use categories. For example, a 50 acre property proposed for amendment from Low Density 1 to Medium Density would require a Type 1 amendment.
 - b. Increasing the amount of High Density Residential by 10 acres or more.
 - c. Increasing the amount of Master Planned Community by 10 acres or more.
 - d. Decreasing neighborhood commercial office, community regional commercial or commerce office park land use designations, regardless of acreage.
 - e. Decreasing the amount of Open Space regardless of acreage.
 - f. Planning Area Boundary changes.
 - g. Amendments for properties outside the Urban Services Boundary.

Table 22-1 General Plan Amendment Matrix
 (To be used in determining type of amendment, in conjunction with 2.a. above)

Existing	Proposed Designation (Change To)																		
	R-LDR	LDR1	LDR2	MDR	HDR	MPC	RGC	NCO	CRC	COP	PSP & SCH 1	PARK	OS						
R-LDR																			
LDR1																			
LDR2																			
MDR																			
HDR																			
MPC																			
RGC																			
NCO																			
CRC																			
COP																			
PSP & SCH 1																			
PARK																			
OS																			
1. Public Schools are not subject to the amendment process																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 15px;">[Dark Gray]</td> <td>Type 1 Amendment</td> </tr> <tr> <td style="width: 20px; height: 15px;">[Light Gray]</td> <td>Type 2 Amendment</td> </tr> <tr> <td style="width: 20px; height: 15px;">[White]</td> <td>No Amendment</td> </tr> </table>														[Dark Gray]	Type 1 Amendment	[Light Gray]	Type 2 Amendment	[White]	No Amendment
[Dark Gray]	Type 1 Amendment																		
[Light Gray]	Type 2 Amendment																		
[White]	No Amendment																		

Designation Key

R-LDR	Rural Low Density Residential	(0 – 0.3 homes per acre)
LDR1	Low Density Residential 1	(0.4 – 1.2 homes per acre)
LDR2	Low Density Residential 2	(1.3 – 2.0 homes per acre)
MDR	Medium Density Residential	(2.1 – 5.0 homes per acre)
HDR	High Density Residential	(5.1+ homes per acre)
MPC	Master Planned Community	
RGC	Resort and Golf Course	
NCO	Neighborhood Commercial and Office	
CRC	Community/Regional Commercial	
COP	Commerce/Office Park	
PSP	Public/Semi Public	
SCH	Schools	
PARK	Parks	
OS	Open Space	

Type 2 Amendments

Type 2 Amendments involve smaller, less impactful changes to the General Plan and do not represent a substantial alteration of the Town’s land use mixture or balance. Type 2 amendments are not intended to be Major General Plan Amendments as provided by State Law.

Type 2 Amendments involve a more streamlined approval process, but still provide ample public outreach, neighborhood meetings and public hearings related to the amendment.

A Type 2 Amendment shall be required for any of the following changes to the General Plan:

1. Any text changes to a Goal, Policies and Action which, in the opinion of the Planning and Zoning Administrator, does not alter the intent or purpose of any Element, Goal, Policy or Action of the General Plan.

2. Any amendment not meeting the criteria for a Type 1 Amendment.
3. Amendments to the Urban Services Boundary.
4. Open Space trades resulting in no net loss of open space and which meet the environmental objectives expressed in the Environmentally Sensitive Lands section of the Zoning Code.
5. The Planning and Zoning Administrator may reclassify a Type 2 Amendment to a Type 1 Amendment based on the following findings:
 - a. High visibility of the property by a significant portion of the community, beyond visibility by adjacent property owners. Areas of high visibility include, but are not limited to locations along major thoroughfares, at major gateways into the community such as town limits and properties which are highly visible due to elevation.
 - b. The physical characteristics of the property such as environmental constraints, access or topography create significant environmental or grading impacts to the property.
 - c. The proposed density or type of development would create a significant and abrupt transition in land use in comparison with the adjacent area and development context. The change may impact the surrounding development character or signal an overall change to the future of the area.

Exceptions

The following shall not require a formal amendment to the General Plan and be reviewed administratively:

- a. All scriveners' errors will be subject to administrative approval. Scriveners' errors are unintentional clerical mistakes made during the drafting, publishing, and copying process.
- b. Public schools are not subject to the amendment process.
- c. Interpretations: ?

Part 2: General Plan Amendment Evaluation Criteria

General Plan Amendment evaluation criteria provides a tool for the Town to use to objectively assess the merits of a specific amendment request. The criteria identifies broad themes from the General Plan that an amendment should advance, as well as specific development related issues that will be evaluated by the Town in relation to the amendment request. The criteria provides a basic framework for Town decision making on amendment requests.

The criteria is purposely written using subjective language to enable review of potential applications covering the breadth of General Plan Element like community policing, land use, parks and transportation. The ultimate interpretation of the criteria will be made by Town Council. It shall be the burden of an applicant to submit information, studies and analysis which will enable all participants to adequately assess the request in relation to the criteria. The overarching measure of an amendment is the betterment of the community as a whole, while mitigating potential impacts.

The review and analysis shall include, but not limited to the following criteria:

1. Consistency with the Vision, Goals and Policies of the General Plan.
2. The amendment constitutes an overall improvement to the General Plan and is not solely for the good or benefit of the applicant(s).
3. The amendment will not adversely impact the community as a whole or a portion of the community by:
 - a. Significantly altering existing development character and land use patterns without adequate and appropriate buffers and graduated transitions in density and land use.
 - b. Adversely impacting existing uses with increased traffic or drainage without appropriate improvements to accommodate planned growth.
 - c. Adversely impacting other public services including police, fire, parks, water and wastewater without mitigation and improvements to accommodate planned growth.
 - d. Adversely impacting the safety of the community.
 - e. Impacting the natural beauty and environmental resources of the area in a manner inconsistent with the intent and purpose of the Towns environmental regulations.
4. Based on the importance of primary job creation to community building, commerce office park requests shall be evaluated based on the creation of primary jobs and advancement of General Plan policies relative to job growth. The applicant shall demonstrate that the request will be consistent with General Plan policies on job growth and will result in primary job creation as defined by policy published through the Town Manager's Office.

Part 3: General Plan Amendment Process:

General Plan Amendment Procedures

As the General Plan provides primary guidance for future decision making, the procedures for amendment include significant public outreach which provide for meaningful involvement in the amendment process.

Type 1 Amendments

Type 1 Amendments involve significant changes to larger properties to different land use types. As these amendments have the potential for greater impact to the surrounding area and the community as a whole, the Zoning Code establishes an enhanced process of public outreach as follows:

- Type 1 Amendments may only be filed one time during the year
- The Town will provide an amendment awareness program
- Neighborhood meetings throughout the process
- Enhanced public notice requirements
- Notice to adjacent communities, regional planning groups and State agencies for comment
- Enhanced public hearing requirements

The specific procedures for amendment to the General Plan are codified in the Oro Valley Zoning Code Revised (OVZCR) and ensure meaningful public input and involvement in the amendment process.

Type 2 Amendments

Type 2 Amendments involve smaller, less impactful changes to the General Plan, but still include a substantial public outreach process as follows:

- Type 2 Amendments may be filed any time during the year
- Neighborhood meetings throughout the process
- Enhanced public notice requirements
- Public hearings before the Planning and Zoning Commission and Town Council

The specific procedures for amendment to the General Plan are codified in the Oro Valley Zoning Code Revised (OVZCR) and ensure meaningful public input and involvement in the amendment process.

10 Year Updates

State law requires that a comprehensive update of the General Plan be undertaken at least once every 10 years. Changing conditions may warrant a comprehensive update or amendments to portions of the plan on a more frequent basis as determined by Town Council.