



Zoning Code Amendment Planning and Zoning Commission Staff Report

CASE NUMBER: OV1501056

MEETING DATE: November 16, 2015

AGENDA ITEM: 1

STAFF CONTACT: Chad Daines, Principal Planner
cdaines@orovalleyaz.gov (520) 229-4896

Applicant: Initiated by Town Council

Request: Zoning Code Amendment – Public Participation

Recommendation: Study Session – Discussion and direction only

SUMMARY:

Town Council has initiated this amendment process to update the Zoning Code to reflect current practices for conducting neighborhood meetings. On November 5, 2014, Town Council assigned Councilmembers Zinkin and Hornat to work with staff to review the proposed changes.

The current provisions of the Zoning Code outline the timing and sequencing of neighborhood meetings. It also enables the Planning and Zoning Administrator to approve alternate methods which achieve meaningful input and are consistent with the intent. Over time, the neighborhood meeting process has evolved necessitating revisions to the Zoning Code and Standard Operating Procedures (SOP) for clarity and to create alignment with current practices.

The current Zoning Code is specific and detailed in terms of the meeting content and sequencing of meetings. Although standardization is important, it is equally important to retain a certain level of flexibility to tailor the neighborhood meeting process to be effective in addressing the particular aspects and issues associated with a specific development application.

The proposed Zoning Code revisions are provided in Attachment 1 and the proposed revisions to the SOP are provided in Attachment 2.

The SOP is intended to be adopted administratively by the Planning and Zoning Administrator as a management tool. It is provided as an attachment to this report for informational purposes only. Also provided as information and for feedback purposes is a Neighborhood Survey form, which is also not subject to Commission vote.

As this item is scheduled for a Study Session for discussion and direction only, no formal action from the Commission will be taken.

BACKGROUND/DISCUSSION

Current Zoning Code and SOP

The current Zoning Code language and SOP were adopted in 2009 following input from a committee comprised of advisory board members, elected officials and interested parties. The 2009 SOP is provided as Attachment 3 for reference. The neighborhood meeting process has evolved over time, necessitating minor revisions to the Zoning Code and SOP, which are outlined below.

The Zoning Code and 2009 SOP outline a specific timing and sequencing of neighborhood meetings as follows:

Meeting 1 (Educational Session): This meeting is intended to provide information on existing conditions, zoning, general plan, application processing and criteria used in evaluation of the proposal. The applicant may not participate in this education session.

Meeting 2 (Applicant Presentation): This meeting is intended for the applicant to present the specific development proposal, identify issues and strive to find mutually acceptable solutions.

Both meetings are currently required to occur prior to formal submittal of the application.

This approach has been used in past neighborhood meetings and has frustrated residents who leave the first meeting without a complete understanding of the specific project being proposed by the applicant. The primary focus for residents at neighborhood meetings is to gain an understanding of the project and how it may impact their property and the current process does not provide project details until the second neighborhood meeting. This structure delays necessary time for residents and the developer to interact.

Proposed Zoning Code and SOP

Over time, a common approach has evolved to provide a staff overview/education and applicant presentation at the first neighborhood meeting. The second and subsequent meetings then become an opportunity to focus on issues raised by residents at the first meeting and to strive for issue resolution.

This alternative approach has become the normal method approved by the Planning and Zoning Administrator as it provides residents an understanding of both the Town process and the proposed development at the first meeting and enables the second and subsequent meeting to focus on resident issues. Although alternative approaches are enabled by the Zoning Code, this amendment has been initiated to reflect this common approach to neighborhood meetings which has evolved over time.

The specific changes proposed in the Zoning Code amendment and amended SOP are as follows:

- Elimination of the specific meeting content and sequencing requirements, which have been moved to the amended SOP. The amended content requirements in the SOP enables staff overview and applicant presentation at the first meeting and provides for second and subsequent meetings to focus on resident issues.
- This approach of providing more detail in the SOP versus the zoning Code enables the Town to make improvements to the meeting content and structure without requiring a Zoning Code amendment. This approach is recommended because best practice in meeting facilitation evolve and are not static. Additionally, approaches to neighborhood involvement vary, depending on the specific issues involved with a particular case.
- The amended SOP also allows alternative formats for third and subsequent meetings to include open houses, small group meetings, consensus workshops and on-site meetings. These alternative approaches are helpful in tailoring meetings to provide detailed information particular to a case, focus on issues unique to a development and provide effective methods to resolve resident issues.
- Amends the timing of meetings to require the first meeting to occur prior to formal submittal, the second meeting prior to public hearings and allowing subsequent meetings during the public hearing process to address issues raised and in an effort to create solutions. This enables residents to be involved throughout the project as it evolves, rather than only being involved at the beginning stages of the process.
- Includes a formal requirement for a mailed notice at least 15 days prior to each meeting.
- Deletes language within the General Plan and PAD sections of the Zoning Code to provide a single Zoning Code section addressing neighborhood meetings for clarity and simplicity.
- A Neighborhood Meeting Survey form has been developed (Attachment 4) to receive resident input on neighborhood meetings with the goal of continuous

improvement of the neighborhood meeting process to best serve resident's needs.

- The SOP and Neighborhood Survey have been provided for discussion and feedback, but are not subject to Commission vote.
-

CONCLUSION

In summary, the amended Zoning Code and amended SOP reflect current practice in the conduct of neighborhood meetings, which has been more favorably received by residents than the approach established by the Zoning Code.

The modified sequencing of meetings enables residents to gain an understanding of the Town process and proposed development in the first meeting and then allows for subsequent meeting to focus and on resident issues and strive for issue resolution and consensus. The amended SOP also enables flexible approaches and methods to find solutions to neighborhood issues, which is the primary objective of the neighborhood meeting process.

RECOMMENDATION:

As this is a Study Session, this item is for discussion and direction to staff only with no formal action taken by the Commission.

SUGGESTED MOTIONS:

N/A

ATTACHMENTS:

1. Proposed Zoning Code Amendment
2. Proposed Public Participation and Notification Policy
3. 2009 Participation and Notification Policy
4. Neighborhood Meeting Survey



Bayer Vella, AICP Planning Division Manager