

# Description and Analysis of Proposed Amendments to Chapter 3 – How this Plan Works

## Description of Key Changes and Rationale

The Flagstaff Regional Plan 2030 (Regional Plan) was ratified by voters in May 2014. In May to June 2015, The Comprehensive Planning staff presented the first annual report to the Commission and the Council. The first Annual Report included the following proposed task:

**“Amendment Task 1:** Make list of major and minor plan amendments clearer and more comprehensive. The table “Proposed Regional Plan Amendment Processes” on page III-9 does not include a complete list of possible amendments and some requirements are unclear. The changes to the text can be processed as a minor amendment starting in 2015. This work was given a high priority because it affects all subsequent amendments.”

Council gave direction to staff to move forward with these planned updates and re-affirmed that direction in December 2105, when adopting the first major plan amendment to the Regional Plan. In addition to the amendment’s purpose as supported by Council, staff is also proposing changes within Chapter 3 that clarify the procedures for minor plan amendments, the role of Specific Plans and minor changes to other Chapter content to ensure clarity for all users of the Plan. Overall, staff believes that these changes will result in a process that is explicit, well-reasoned and fair to the public and applicants.

### Changes Proposed to Major Plan Amendment Criteria

The Regional Land Use and Transportation Plan (RLUTP) was the Plan that preceded Regional Plan. The RLUTP had 18 parcel-specific land use categories that determine compliance. Because the land use categories were more specific, the document took a simpler approach to major plan amendment categories and adopted the following:

- Category 1: Any increase of intensity of residential land use category of 80 acres or more;
- Category 2: A change from a residential land use classification to a non-residential land use category of 40 acres or more; and
- Category 3: Any change of non-residential land use category of 20 acres or more.

The Regional Plan has a more flexible land use classification system, but more detailed criteria for major plan amendment categories. The current table describing criteria for major plan amendments in the Regional Plan includes a list of minor plan amendments that are not exhaustive and have been confusing in several cases. Under A.R.S. 9-461.06, any change to the Regional Plan after ratification must be processed as a minor amendment if it is not identified as a major amendment category. Appendices are therefore the only part of the document that can be updated without following the plan amendment procedures and approval from the City Council.

The table on page 2 compares the current criteria in the Regional Plan and the criteria proposed under this plan amendment. Each subheading that follows explains the rationale for the proposed changes and their origin.

Table 1: Comparison of Current and Proposed Criteria for Major Plan Amendments

Category	Current Criteria	Proposed Criteria
<b>Urban Growth Boundary</b>	Any expansion of the urban growth boundary that requires an expansion of utility infrastructure as determined in an utility analysis	Expansion of the urban growth boundary that requires an expansion of public utility infrastructure, except where services are already provided, or for the purpose of designating Parks/Open Space area type.
<b>Employment Area Type</b>	Any change to the boundaries of employment areas to urban, suburban, or rural area types	Reduction of the employment area type, unless offset by an exchange of acres within the same master planned area.
<b>Urban to Rural Area Type</b>	<ul style="list-style-type: none"> <li>Urban to rural of any size</li> <li>Rural to urban of any size</li> </ul>	Changes from urban to rural or rural to urban area types.
<b>Parks/Open Space Area Type</b>	Any reduction to the boundary of land purchased for conservation. (Only applied to Open Space)	Reduction of the land designated for conservation and active or passive recreation.
<b>Urban to Suburban and Suburban to Rural</b>	<ul style="list-style-type: none"> <li>Urban to suburban greater than 10 acres</li> <li>Suburban to urban greater than 10 acres</li> </ul>	<ul style="list-style-type: none"> <li>In activity centers, changes to area types that reduce the range of intensity, density and mix of uses, except where done to protect natural or cultural resources.</li> <li>In neighborhoods and along commercial corridors, more than ¼ mile from an activity center, changes from suburban to urban area types.</li> </ul>
<b>Rural to Suburban</b>	<b>Rural to suburban greater than 20 acres</b>	<b>Option A: Treat all changes from Rural to Suburban as minor amendments (original proposal)</b> <b>Option B: Keep current category.</b> <b>Option C: Only require a major amendment for Rural area types more than ¼ mile from an activity center</b>
<b>Activity Centers</b>	Addition of a new activity center; Specific Plan needed	<ul style="list-style-type: none"> <li>Addition or deletion of an activity center</li> <li>Moving the center of an activity center more than ½ mile from its original location.</li> <li>Reduction in the category of an activity center (urban to suburban, suburban to rural, or regional to neighborhood) without creating a proportional increase in the scale of an activity center elsewhere in the Flagstaff region.</li> </ul>
<b>Corridors and Great Streets</b>	<ul style="list-style-type: none"> <li>Any commercial activities proposed outside of the activity center and along a corridor that is not contiguous to the activity center.</li> <li>Addition of a corridor or great street; Specific Plan needed.</li> <li>Extension of a corridor or great street more than a 1/4 mile in length.</li> </ul>	No major amendment categories specific to Corridors or Great Streets. All amendments would be processed as minor amendments. See Urban/Suburban/Rural for related amendment.
<b>Special Districts</b>	No category	Creation of a new special district, or reduction in the size of a special district.
<b>Goals and Policies</b>	No category	Add or delete a goal or policy in any chapter of the Plan.

Each heading below explains how the category and related criteria were addressed prior to 2014 under the RLUTP, how it is treated under the current plan, how it is proposed to be treated and if there are any other options in how to amend in Chapter 3.

#### *Urban Growth Boundary*

Under the RLUTP, expanding the urban growth boundary was not a major plan amendment. The current Regional Plan was designed to accommodate a 100 year water supply through the land uses proposed. All of the areas within the urban growth boundary have a utilities analysis, such as the West Route 66 Corridor Study, or were included in the 100 year water supply assumptions. Providing utility services beyond this boundary requires a reexamination of assumptions in the Regional Plan and the Utilities Master Plan. The changes are proposed to clarify the meaning of a “utility analysis,” and to make an exception when providing minor utilities for open spaces and parks.

#### *Employment Area Type*

Under the RLUTP, changes to employment or industrial land uses were minor unless the change exceeded 20 acres. With the current Regional Plan, the supply of suitable vacant and redevelopable lands for research and development, business parks and industrial uses was carefully analyzed to create adequate supply and site selection for business attraction and the long term economic security of the community. The scarcity of the land and its relative value to meeting the community’s long range projections supported protection of this area type with a major plan amendment category. Several of these areas are already master planned business parks or places where a master plan would be advisable for future development. For this reason, staff proposes that minor flexibility to allow for employment area types to be relocated in the interest of achieving master plan goals would be allowable. Staff also recommends that changes from Employment to Special Districts and Parks/Open Space be elevated to major plan amendments, since these requests could have the same impact on the available supply as Urban, Suburban and Rural. This would not restrict the ability to have park space within business parks, so long as the uses are compatible with and in support of the areas purpose.

#### *Urban to Rural Area Type*

In the Regional Plan, Urban Neighborhoods are generally laid out on a grid, two stories and taller and eight units per acres or more (Page IX-35), while Rural Neighborhoods are typically 0.2 to 1 unit per acres and may be clustered to protect open space. These two area types are so fundamentally different that a major plan amendment is assumed to be warranted if a change from one to the other is proposed. The proposed amendment would not make any substantive changes to this category.

#### *Parks/Open Space Area Type*

Under the RLUTP, parks and open space land use changes did not require a major plan amendment. Under the current Regional Plan, open space is elevated to a major plan amendment but parks, which may or may not be designated for open space, are not. The proposed amendment would expand the land use category from only those “purchased for conservation” to any “designated for conservation and active or passive recreation.” Expanding the definition requires some flexibility because some areas within open space and parks are also used for utilities or other public facilities. Therefore the footnote for this category states, “Public facilities, such as tanks, utilities, roads, and staging areas may be located within the Parks/Open Space area type. If these facilities have substantially altered the natural environment or created a brownfield site, removing them from the Parks/Open Space designation may be processed as a minor amendment. Expansion of such facilities does not require a plan amendment.” This would allow for expansion of utilities and roads in and around parks.

### *Urban/Suburban/Rural*

In the RLUTP, the land use map was parcel-specific and major plan amendments were only required for land use changes that exceeded 20, 40 or 80 acres depending on the proposal. In the current Regional Plan, the equivalent map is generalized and requires amendments for area type changes that exceed 10 or 20 acres. This is counterintuitive and has been a subject of much discussion since the plan was adopted. There have been cases of parcels with more than one area type and proposals that fell just under the threshold, which have been discussed in pre-application meetings. Staff proposes that the intent of these criteria can be maintained without a specific acre threshold. This would be achieved by requiring a major amendment for projects that reduce the range of intensity, density, and mix of uses for an activity center, except where it is done to protect cultural or natural resources, and outside of activity centers, where the change is from suburban to urban. This change would have the effect of concentrating growth in activity centers and preventing haphazard urban development.

### *Rural to Suburban*

In the current Regional Plan, there is a major plan amendment category for “Rural to Suburban greater than 20 acres.” Staff’s original proposal for the Rural to Suburban category was to have all amendments be minor because conditions of approval cannot be as effectively enforced when attached to a plan amendment compared to a zoning case. Public comment since the Planning and Zoning Commission’s review has been centered on this issue and so staff is offering to City Council two alternatives for consideration. It is important to note that of the area currently zoned either Estate Residential or Rural Residential, most will eventually be converted to Suburban or Urban Area Types per the Future Growth Illustration. The remaining Rural Area Type only exists on 4.4% of the area within the Urban Growth Boundary (See Map in Attachment D for details). Pros and cons to each option for changes from Rural to Suburban are summarized below and explained in more detail in Attachment D. Council may select an option for inclusion in the final amendment.

**Option A:** Treat all changes from Rural to Suburban as minor amendments (original proposal)

Pros: Amendment will be accompanied by a precise zoning request and likely a site plan. Conditions of approval can be effectively attached to the zoning request.

Cons: Fewer public meetings and notice, minor status may leave perception that it is less important

**Option B:** Keep current category.

Pros: Would allow smaller projects to use the minor plan amendment category (Some may see that as a con)

Cons: Amendments with 19 acres would still be large enough to impact rural character but would not be treated the same as a 20 acres proposal.

**Option C:** Require a major amendment for changes from Rural to Suburban area types more than ¼ mile from an activity center

Pros: Would provide the most opportunities for public comment; would separate plan amendment issues and zoning case.

Cons: Major plan amendment proposals could be very different from the subsequent zoning requests as long as the request fell within the characteristics of the area-place type (i.e. Suburban Neighborhood).

**Recommendation:** Staff supports either Option A or Option C. Option B would create an arbitrary barrier between proposals that staff does not support.

### *Activity Centers*

Activity centers were a concept in the RLUTP but locations for them were not mapped. The current Regional Plan identified their locations and calibrated the transportation, infrastructure, sustainability and open space goals and maps to the activity centers through scenario-based charrettes and modeling. Moving or altering activity centers could have systematic impacts on the ability of the Plan to meet its goals and to sustainably support the City's projected growth and job demand.

Currently, Chapter 3 has very few categories for major plan amendments and there are many potential scenarios that could significantly alter the Plan assumptions that do not require a major amendment. For example, without a major plan amendment process, it would be difficult for staff to evaluate what other calibrations the plan might need in order to relocate an activity center or decrease its intensity. One of the biggest impacts that would go without analysis would be how transportation choices would be altered or how many jobs or housing units would be deficit. Therefore, staff has proposed more robust categories for changes to activity centers that would still allow for specific plans to clarify the parcel-level refinement and compatibility issue, and would allow limited flexibility in moving the commercial core (within ½ mile) without additional procedural requirements.

### *Corridors and Great Streets*

The RLUTP did not consider transportation corridors as a land use category. The current Regional Plan has major plan amendment categories for commercial corridors and Great Streets. The original content of the Regional Plan was unclear which map should be used to identify corridors but this was corrected by the major plan amendment processed last year. The amendment also added many corridors throughout the City to comply with Arizona State law about the content of the General Plan. This both clarified and expanded the breadth of the major plan amendment categories in the current Regional Plan beyond their original intent.

State law requires that the General Plan have a map that shows all collectors and arterials. The categories pertaining to corridors and Great Streets are themselves problematic in this context because they place limitations on expansion of the transportation that may be necessary to fully support the Future Growth Illustration and meet the requirements of the State law. For instance, subdivision plats do not require a Regional Plan compliance analysis, except for dedications to the City, which occurs at the end of the plat process. If a subdivision plat proposes a new collector road that serves commercial land uses that otherwise comply with the Regional Plan, a major plan amendment would be required under the current rules. This would cause unnecessary delay and red tape for development of housing and businesses.

The category for commercial activities outside of activity centers and along corridors is also problematic because it is an amendment that does not actually amend any map in the Regional Plan. Under the RLUTP, specific land uses were mapped and under the current Regional Plan area and place types are generalized. Therefore, a new commercial use could require a plan amendment even though it would not make any changes to the Future Growth Illustration. It is more appropriate to address those concerns in the analysis of plan compliance.

Some members of the public have been concerned that removing these categories would fast-track changes along major corridors. Removing these major plan amendment categories related to corridors would be unlikely to result in a different pattern or intensity of commercial and mixed use development because much of the land along commercial corridors is already zoned for those uses. An analysis of the City's commercial corridors (Access, Circulation, and Freeway) shows that 95% of the parcels within a half block are already zoned Highway Commercial or Community Commercial, which both allow mixed-use buildings in the City of Flagstaff. A few exceptions are the northeast corner of Downtown, S. Beaver St. and San Francisco St.

(Southside), Mt. Elden Hills and Ft. Valley Rd. All of these locations, except for Ft. Valley Road, did not originally require major plan amendments but were added to Map 25 as part of the Major Plan amendment last year. Both Downtown and the Southside neighborhood, are in the Urban Area Type that allow commercial uses along corridors. Mt Elden Hills is managed by restrictive covenants and a Homeowner's Association. Ft. Valley Road has congestion issues that make it an unlikely place to increase density and it has widely separated activity centers that are intended to be the areas of concentrated growth.

### *Special Districts*

Staff is, therefore, proposing that these categories be added to those requiring major plan amendments. Currently, all changes to Special Districts are considered minor amendments in the current Regional Plan. Special Districts are mixed use employment centers that have a campus-like setting, primarily NAU, Lowell Observatory and Flagstaff Medical Center. This place type category was created to capture locations that did not quite fit the Employment area type, and it was not intended that this category would be widely used. Staff believed that new districts could be proposed as a way of avoiding compliance with Regional Plan goals and policies for Employment Areas since there are no goals for Special Districts. Likewise, reducing the size of a Special District could hurt the ability of a major employer to be retained and to grow.

### *Goals and Policies*

Under RLUTP and the Regional Plan, all text amendments were and are minor amendments. However, reviewing the potential categories with former members of the CAC brought forward the concern about how much time had been spent crafting the content of these policies and their importance to the Regional Plan. Staff, therefore, proposes that adding or deleting goals and policies require a major plan amendment category, unless those changes are proposed as part of a comprehensive Specific Plan, such as the High Occupancy Housing Plan. The category would not prevent modifications to the goals and policies but would prevent them from being deleted or added without substantial public process.

This proposed category also clarifies that only the City (staff, Council, Commissions) can recommend changes to goals and policies. This is actually already the case because of who would be able to get standing to recommend a change but the footnote makes this clearer. A resident did approach the front counter this year with a request to change language in the plan that they individually did not like, which would undermine the community's voice in shaping the content of the Regional Plan through ratification in 2014.

### *Changes made through a Specific Plan*

The Urban Growth Boundary, Urban/Suburban/Rural, Activity Centers and Goals and Policies categories are all proposed to have footnotes that allow for amendments proposed as part of a specific plan to be processed as a minor plan amendment. The rationale for allowing this exception is that specific plans, typically take a year or more to develop and they must follow all the same procedural steps as a major plan amendment per Title 11. So the only difference between a major amendment and a minor amendment with a specific plan is the annual timeline that major amendments must adhere to. Adding flexibility to this requirement ensures the same level of public notification and involvement but allows more time to negotiate complicated, multi-property-owner issues or development master plans for large areas.

### Clarifications regarding Minor Plan Amendments

In the current Regional Plan, the table describing amendment criteria includes an incomplete list of possible amendments to the plan. This list has been confusing when an applicant has been proposing something that was not included in the table on current Page III-9. Since the State law requires that all changes that are not major are minor amendments, the proposed Chapter 3 has removed this column of the table and replaced it with a bulleted list providing some examples.

The proposal also clarifies the timing of amendments. Changes to background information and public infrastructure may occur without an action that can trigger a plan amendment. For instance, new Historic District could be designated by the State, or the Arizona Game and Fish Department could update their wildlife corridor data. Likewise, the City could realign a road or upgrade sewer lines in a neighborhood without any action that would require a plan amendment. The only changes that cannot be brought forward without plan compliance are rezoning and annexations applications.

Under the proposal, rezoning and annexation applicants would be required to pay the fee and submit an application for a plan amendment (major or minor, if part or all of their proposal requires an amendment to Maps 21 and 22 (Future Growth Illustration), or 24 (Activity Centers). With their application, they would update any other related maps in the Regional Plan, including Map 25 (Road Network Illustration). If the application complies with Maps 21, 22 and 24, but would result in changes to other maps, such as moving a historic resource, then they would not amend the Plan with their application. In this case, the analysis for Regional Plan compliance would disclose the action, and the minor plan amendment would be part of the annual update that the City will propose along with the Regional Plan Annual Report, starting in 2017.

The rationale for this is that all other maps in the Regional Plan were created to inform Map 21 and 22 (Future Growth Illustration), based on related sustainability, transportation, historic resources, utilities and natural resource preservation indicators. The basis for the location of activity centers and urban areas included these parameters and were calibrated to balance the trade-offs underlying the goals and policies in the plan. Therefore, a project which meets the criteria for its area-place type is a refinement of other maps in the Regional Plan, but falls within the expected range of variability for the document overall.

#### Changes related to Specific Plans

Specific Plans are discussed on Pages III-8 and III-13 of the proposed Chapter 3. The current Regional Plan states:

*Over the past decade, the City of Flagstaff's RLUTP proposed the development of special study area plans to deal with unique community and neighborhood issues, including, for example, the Southside 2005 Plan and the La Plaza Vieja Neighborhood Plan (2011). These study area plans were developed in close coordination with local residents.*

*This new Flagstaff Regional Plan does not supersede these plans. They will remain in effect except for any provisions that may conflict with this new Plan, until such times as the plans are amended or repealed by the City Council.*

This statement is factually inaccurate, and has led to confusion on numerous occasions. The statement is false because:

- A study cannot supersede a Regional Plan because the plan is ratified by voters.
- Neither the Southside Plan nor the La Plaza Vieja Plan were adopted specific plans at the time, and therefore, these plans could not be used as part of the rationale for denying requests for rezoning.
- Specific Plans adopted by different mechanisms have different legal standing in relation to the Zoning Code and the Regional Plan( i.e. Resolution or Ordinance).

Comments received about the draft replacement text made it clear that the first attempt to clarify these distinctions was too detailed and confusing. Staff proposes a short and more concise version of the

distinctions surrounding specific plan adoption in the final draft. Some commenters preferred the existing language but leaving in a false statement would not make the status of plans different than they currently are treated. It would only lend itself to more confusion.

As discussed in *Changes made through a Specific Plan*, the proposed amendment to Chapter 3 would allow changes that meet Urban Growth Boundary, Area Types, Activity Centers, and Goals and Policies major plan amendment criteria to be proposed as part of a specific plan and processed as a minor amendment under those circumstances. They would need to follow the same notification and meeting procedures as a major plan amendment would require. Specific Plans typically take more than a year to develop and adopt and carefully look how the plan is implemented in a certain area. They are meant to resolve the trade-offs between plan goals and policies and prioritize them. In the process of doing this, an adjustment to land use or plan direction may be proposed that would apply to a specific area or City-wide. Staff believes that given this level of public involvement, a major plan amendment would be a duplication of effort in these cases.

### Role of City Council

On Page III-5, staff proposed edits to paragraph describing how the Council will use the Plan and generated numerous comments. The main purpose was to clarify that the Council does not review all development applications and that administrative applications do not have to consider the Regional Plan direction, only the standards and guidelines of the City Codes (Zoning, Engineering, Wastewater, etc.). The changes proposed between draft and final are intended to address public concerns while correcting the factual errors in the original paragraph.

### Non-substantive changes

Staff is also proposing non substantive changes throughout the section to clean up the relationship between the plan and the City Code, highlight new content on the first page, adjust headings, correct historical information, reorganize content to make it easier to follow, correct typos and provide clearer wording that matches other laws, regulations and policies.

## Regional Plan Analysis

### Relevant Goals and Policies

Policy CC.1.3. Design development patterns to maintain the open character of rural areas, protect open lands, and protect and maintain sensitive environmental areas like mountains, canyons, and forested settings.

Policy LU.1.6. Establish greater flexibility in development standards and processes to assist developers in overcoming challenges posed by redevelopment and infill sites.

Policy NH.6.1. Promote quality redevelopment and infill projects that are contextual with surrounding neighborhoods. When planning for redevelopment, the needs of existing residents should be addressed as early as possible in the development process.

Goal ED.1. Create a healthy environment for business by ensuring transparent, expeditious, and predictable government processes.

Policy ED.1.2. Steadily improve access to easily understandable public information.

### Analysis

The analysis underlying the Regional Plan's Future Growth Illustration carefully balances the competing demands of the community for population and economic growth, natural and cultural resource protection, and long term resiliency and sustainability. The overall strategy to achieve this balance is to emphasize redevelopment and infill opportunities as a means to protect open space and rural landscapes and promote a sustainable community. The amendments proposed to Chapter 3 of the Regional Plan are trying to keep with that intent in a manner that is more transparent and well-reasoned. The changes would provide greater protection for job generating land uses essential to our economy, protect the growth centers for infill and redevelopment, distribute growth in a manner that supports an efficient use of our transportation system, and prioritizes the protection of areas designated for open space. Even though Chapter 3 is still not a snoozy beach-read, we believe that the process and underlying assumptions would be more explicit under the proposed amendments and that would result in a fairer process for all parties.

In terms of options related to the Rural to Suburban Area Types category, Option C would do the most to support Regional Plan Policy CC.1.3. and Policy NH.6.1. Option A would do the most to support Goal ED. 1 and Policy ED.1.2. This trade-off is meaningful and has been left open for the City Council to consider.