

TOWN OF PARADISE VALLEY

General Plan Amendments

Town Council Study Session

October 25, 2018



KEY QUESTION

- Does the Council want to add provisions to the Town Code specifying the distinctions between major amendment and minor amendments to the General Plan and the review and approval processes for general plan amendments?



BACKGROUND

- The Arizona Revised Statutes, in §9-461.05(A), requires municipalities to include provisions in their adopted general plans that identify changes or modifications to the plan that constitute amendments and major amendments to the general plan
- While the Town's current General Plan identifies the types of proposed changes to the General Plan that constitute major amendments and minor amendments, the process and timing for applications to amend the General Plan are not specified in the General Plan or Town Code



LEGAL REQUIREMENTS

- The Town’s current General Plan, at Section 9.4 provides that “major amendments” to the general plan are:
 - changes to the General Plan land use map that would provide for a “greater density classification” for a particular property or geographic are
 - any changes to the circulation map that would change a particular roadway to a “higher capacity classification”
- The distinction between major and minor amendments is important as state law requires that major amendments are subject to a higher standard of procedural review and public scrutiny that are basically the same review requirements specified for the adoption of a general plan itself, with the exception of ratification by popular election



CURRENT PROCESS

- General Plan §9.4.1.1 states that “The Town shall identify and implement a transparent application process for the consideration of General Plan amendments”
- However, the Town does not currently have any process identified in the Town Code or otherwise
- In the past the Town has waited to see if any property owners in the Town desired to file a GP amendment application and then adopt a resolution setting forth the Process
- In some years the deadline to file for a Major Amendment was in August (Cottonwoods application) and in other years it was in May (Franciscan Renewal Center application)



BETTER PROCESS

- A better practice would be to adopt provisions in the Town Code that would specify the distinctions and have a specified annual deadline (the second Thursday in April is suggested as such date) for major amendment applications along with specified public input requirements that comply with the statutory requirements in Arizona
- The Town Code provisions should also specify hearing requirements and public outreach to ensure that the application and review process is transparent and open



NEXT STEPS

- Draft ordinance No 2018-20 is a starting point to obtain Council input on having a more specific and predictable GP amendment application and review process
- The draft ordinance adds a new Section 2-5-2.J to the Town Code relating to proposed amendments to the General Plan
- Adopting these provisions and making them a permanent part of the Town Code will further the goal of having a transparent application and review process for both major and minor amendment applications



QUESTIONS?

