14. PLAN ADMINISTRATION

The successful preparation of the *Peoria General Plan* was a prodigious effort requiring months of extensive community involvement, the engagement of all levels of government, the coordinated efforts of numerous City departments, the review and support of adjacent communities, the State Department of Commerce and the local business community. However, much work remains to be done. More specifically, an outstanding plan will do the community little good if relegated to "sitting on the shelf." To obtain the most out of the *Peoria General Plan*, a major focus needs to be placed on plan administration.

The Plan Administration section is organized in the following manner:

- 14.a. General Plan Implementation
- 14.b. General Plan Update
- 14.c. General Plan Amendments
- 14.d. Official Public Notice
- 14.e. Public Participation Plan
- 14.f. Adoption
- 14.g. Classifying General Plan Amendments

The purpose of this section is to examine each of these components in detail and to provide guidelines for ensuring that the *Peoria General Plan* is implemented, amended when necessary and regularly updated. Although each of these components is unique, they have at least one common denominator. To be successful, they must be comprehensive or inclusive in scope. At

the local government level, this means that all City departments should understand the plan and use it as a foundation for making decisions. At another level, other units of government should be cognizant of the goals and objectives of the *Peoria General Plan* and coordinate their efforts to complement the Plan. Finally, the general public and the local business community should understand and support the Plan. When all of these entities are working in concert to achieve the common goals and objectives articulated in the Plan, significant progress can be made and all aspects of plan administration will be successful.

14.a. GENERAL PLAN IMPLEMENTATION

Although every community's implementation program should be unique and based upon specific goals, objectives and resources, state legislation provides a common starting point for plan implementation. Recognizing the importance of plan implementation, the Arizona legislature has mandated municipal planning agencies to undertake the following actions to effectuate the plan:

- Investigate and make recommendations to the legislative body upon reasonable and practical means for putting into effect the General Plan in order that it will serve as a pattern and guide for the orderly growth and development of the municipality and as a basis for the efficient expenditure of its funds relating to the subjects of the General Plan. The recommended measures may include plans, regulations, financial reports and capital budgets.

- Render an annual report to the legislative body on the status of the plan and progress in its application.

- Endeavor to promote public interest in and understanding of the General Plan and regulations relating to it.

- Consult and advise with the general public, public officials and agencies, public utility companies, civic, educational, and other organizations to advance the vision and goals of the General Plan.

- Upon adoption of a General Plan, every governmental, judicial and quasi-judicial agency or commission should provide a list of proposed plans for capital improvements or construction within or partially within the City of Peoria. The agency shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. Such coordinated program shall be submitted to the municipal planning agency for review and report to such agency as to conformity with the adopted General Plan.

- All acquisitions and dispositions of real property shall be reported to the Community Development Department to ensure conformity with the General Plan and supporting Specific Area Plans. The planning agency shall render its report as to conformity with such adopted General Plan within forty days after submittal.

Therefore, when preparing Peoria's implementation program, the foundation of the plan should acknowledge these mandates and insert them into the implementation program as essential starting points.

In many ways, the most important element of the entire planning process is plan implementation. If the planning process is successful, one of the major benefits of preparing a General Plan is engaging and energizing the entire community. If community involvement was comprehensive, and political support from the Mayor, Council and Plan Commission is enthusiastic, the foundation has been laid to successfully implement the goals and objectives of the *Peoria General Plan*. To accomplish this, an implementation plan or action plan is necessary.

Each Element of the General Plan includes an Implementation Program that includes:

Implementation Measure	Lists the action necessary to carry out each element of the General Plan.
Lead Department/Agency	Identifies the responsible City department for accomplishing that particular measure.
Projected Timeframe	Identifies and prioritizes the timeframe for the measure to be initiated.
Potential Funding Sources	Lists the potential funding, City staff, volunteer or other community resource necessary to carry out the implementation action.

14.b. GENERAL PLAN UPDATE

In accordance with Arizona State Statutes (A.R.S. 9-461.06), the General Plan is effective for a period of ten years, at which time the governing body shall either adopt a new General Plan or re-adopt the existing General Plan. In the interim, the Planning and Zoning Commission, the Community Development Department, and other City departments should review, monitor, and provide recommendations for amendments on an annual basis to ensure that goals, objectives, and policies continue to meet the changing needs of the community, that data is up-to-date, and that the implementation program is functioning properly.

14.c. GENERAL PLAN AMENDMENTS

RATIONALE FOR AMENDING THE GENERAL PLAN

Several factors argue for making amendments to the *Peoria General Plan* difficult. First, the planning process leading up to the adoption of the Plan was a rigorous process involving many formal

and informal public meetings and public hearings over a considerable period of time. These meetings were supplemented with individual interviews, written surveys, and other methods that were used to determine the community's goals and objectives regarding the development of the City of Peoria. To precipitously make changes to the Plan might invalidate the entire process and undermine community confidence. Additionally, a typical amendment to a General Plan usually entails less public scrutiny and is less comprehensive in scope.

Nonetheless, the City must continually reexamine the Plan to respond to the changing social, economic, and other demographic trends associated with dynamic growth within the City and region. Development pressures directly impact land use, traffic patterns, socio-economic conditions, provision of City services, and a host of other factors which must be addressed so that the General Plan remains effective and relevant. Significant changes in any of these factors can trigger a need to amend the Peoria General Plan. Because the General Plan is, by its very nature, general, an in-depth examination of a specific property or area within the community may reveal characteristics that are inconsistent with the policies and details of the Plan. This in no way, however, negates the intent or guidance set forth in the Plan to provide for orderly growth and development within the City or adequate service provision for residents.

The most prudent policy when considering Plan amendments is to carefully evaluate the benefits to the community and consistency with the Plan's guidance and overall intent, and by maintaining a balance between inflexible adherence to the Plan (resulting in few or no amendments) and an over-elastic flexibility (resulting in indiscriminate changes).

STATUTORY REQUIREMENTS FOR AMENDING THE GENERAL PLAN

The manner of amending the General Plan is set forth in Arizona Revised Statutes, specifically, A.R.S. 9-461.06. The City, public or private agencies, and private individuals may initiate a proposal for

a General Plan Amendment. Major Amendments are subject to an annual process whereby all Major Amendment proposals are considered during the same time frame as scheduled by the local government. Major Amendment proposals must be considered for approval during the same calendar year in which they were initiated, and are subject to enhanced requirements for the notification, participation, and adoption processes.

If the City determines that severe hardship could be created for the City, the City Council may direct the initiation of the Plan Amendment process. However, amendments to the *Peoria General Plan* cannot be enacted as emergency measures and are subject to public referendum.

Local governments must adopt written procedures to provide structured, predictable, and continuous public participation in the development and consideration of amendments to the General Plans from all geographic, ethnic, and economic areas of the City of Peoria. These procedures should provide for the following:

- The broad dissemination of proposals and alternatives.
- The opportunity for written comments.
- Public hearings after effective notice.
- Open discussions, communications programs, and information services.
- Consideration of public comments.
- Consulting with and advising public officials and agencies, the County, school districts, associations of governments, public land management agencies, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations, property owners and citizens to secure maximum coordination of plans and to indicate properly located sites for all public purposes on the General Plan.

The City of Peoria meets and exceeds statutory requirements in an effort to provide a wide dissemination of information related to

plan amendments, encourage and support constructive discussion in the community, and ensure that changes to the Plan are supported by the community. Peoria provides notice to the public, public agencies, property owners, and other entities through Official Public Notice and also through a Public Participation Process as outlined below.

14.d. OFFICIAL PUBLIC NOTICE

To ensure adequate scrutiny of proposals for Major Amendments to the General Plan, State Statutes mandate that local governments provide notice of the proposal a minimum of sixty (60) days prior to providing notice of public hearing.

60-DAY NOTICE

A minimum of sixty (60) days prior to providing notice of the first public hearing, the local government must transmit the proposal to the Planning and Zoning Commission and City Council and provide review copies to the following entities:

- The planning agency of the county in which the municipality is located.
- Each county or municipality that is contiguous to the corporate limits of the municipality or its area of extraterritorial jurisdiction.
- The regional planning agency within which the municipality is located.
- The department of commerce or any other state agency that is subsequently designated as the General Planning agency for this state.
- The Department of Water Resources
- Any person or entity that requests in writing to receive a copy of the proposal.

NOTICE OF PUBLIC HEARING

For both Major and Minor amendments to the General Plan, the City provides notice of public hearings before the Planning and

Zoning Commission and City Council at least fifteen (15) but not more than thirty (30) calendar days prior to the hearing date as follows:

- Publishing at least once in a newspaper of general circulation
- For Land Use Amendments, posting within public view within the area proposed for amendment
- For Land Use Amendments, mailing of public notice by first class mail to each owner of real property within the Notification Area, which consists of the subject property and the surrounding properties within the prescribed distance as shown below:

Size of Subject Property	Notification Distance/Area
< 40 acres	300 ft
From > 40 acres to < 320 acres	600 ft
> 320 acres	900 ft

14.e. PUBLIC PARTICIPATION PROCESS

For all Major Amendments to the General Plan, applicants shall provide a Citizen Participation Process. The purpose of the Public Participation Process is to ensure that the community is informed of proposed changes to the General Plan and provide a forum for public involvement and resolution of concerns prior to the public hearing process. In accordance with State Statutes, the City must "adopt written procedures to provide effective, early, and continuous public participation in the development and major amendment of general plans…" The Statutes call for the broad dissemination of information and an opportunity for public discussion and comment. Peoria's Public Participation Plan exceeds statutory requirements.

Within thirty (30) days of filing of a General Plan Amendment with the Peoria Planning Division, the applicant shall hold a meeting with affected residents as defined above In Table 14.c.1 for Notification. Following the meeting, the applicant shall provide a written report to the Planning Division setting forth points discussed, an attendance list with attendee addresses, and any modifications to the proposed plan. In the event that substantial revisions are made to the proposed plan, planning staff may, at its discretion, require that the applicant hold a(n) additional meeting(s) with the affected residents and provide the respective report(s).

In the event that a rezoning application is filed concurrently with the General Plan Amendment application, a single Participation Plan meeting all required criteria shall suffice.

14.f. ADOPTION

Major Amendments are subject to more stringent requirements for adoption than are Minor Amendments. Major Amendments to the General Plan require a minimum of two public hearings, at distinct locations, before the Planning and Zoning Commission, and a third public hearing before the City Council. Minor Amendments require a minimum of one public hearing before the Planning and Zoning Commission. Approval of a Major Amendment requires the affirmative vote of at least two-thirds of the members of the Peoria City Council.

For both Major and Minor Amendments to the General Plan, the City shall find that the proposal substantially demonstrates or exhibits conformance with the following evaluative criteria. Approval of General Plan Amendments is based on the five criteria shown below, with the fifth criterion being applicable only to Major Amendments, which shall be considered in concert to determine the merit of the project in meeting the intent of the General Plan.

i. The development pattern contained in the Land Use Plan inadequately provides appropriate optional sites for the use or change proposed in the amendment.

ii. The amendment constitutes an overall improvement to the General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.

iii. The amendment will not adversely impact the community as a whole or a portion of the community by:

- Significantly altering acceptable existing land use patterns,
- Requiring larger and more expensive improvements to roads, sewer or water delivery systems than are needed to support the prevailing land uses and which, therefore, may impact developments in other areas,
- Adversely impacting existing uses because of increased traffic on existing systems, or
- Affecting the livability of the area or the health and safety of the residents.

iv. That the amendment is consistent with the overall intent of the General Plan and other adopted plans, codes and ordinances.

For Major Amendments to the General Plan, the City shall consider the following evaluative criterion together with the above criteria:

v. Provides a positive benefit to the community without unduly impacting the City's water supplies as demonstrated through the application of the economic value per gallon of water measure contained within the City's adopted *Principles of Sound Water Management.*

14.g. CLASSIFYING GENERAL PLAN AMENDMENTS

A major amendment is triggered when a development proposal submitted for consideration by the City results in a change to the land use plan that would substantially alter the City's planned mixture or balance of land uses. Proposals that do not meet the substantiality test are either (a) Minor General Plan Amendments; or (b) do not require any General Plan Amendment. The City has identified the following variables to determine whether a development proposal necessitates an amendment and to delineate the type, if applicable.

1. MAJOR GENERAL PLAN AMENDMENTS

TABLE 14-1
MAJOR GENERAL PLAN AMENDMENTS

NUMBER	MAJOR AMENDMENT CRITERIA
1.	A change in residential land use designation exceeding 80 acres AND: ▪ Two-step change in residential land use category OR ▪ Change to a non-residential or mixed-use land use designation except Park/Open Space and Public/Quasi Public.
2.	A change in non-residential or mixed-use land use designation exceeding 80 acres.
3.	Any material alteration, deletion or change to the functional classification of any roadway identified on the Circulation Plan, except that amendments to the Circulation Plan resulting from an amended Specific Area Plan shall be deemed a minor amendment to the General Plan.
4.	All Park/Open Space land use designation changes to land use designations other than Residential 0-2 dwelling units per acre or Public/Quasi-Public land use designations.
5.	Any proposal that in aggregate includes changes in land use designations exceeding 320 acres.

6.	Changes to Specific Plans or Area Plans that increase the total number of dwelling units or non-residential intensity (GFA or FAR) by more than 10%.
7.	Planning Area Boundary changes.
8.	Text changes to the General Plan that conflict with or alter the intent of any goal, objective or policy as determined by the Community Development Director or designee.

2. MINOR GENERAL PLAN AMENDMENTS

a. All other changes not expressly classified as a Major General Plan Amendment and/or exempt ("No General Plan Amendment required").

3. NO GENERAL PLAN AMENDMENT REQUIRED

a. No amendment is required if the zoning change results in a correlative district within the underlying land use category as illustrated in Table 14-2 (General Plan / Zoning Correlation); and

For example, if a proposal seeks to rezone a site from R1-35 to R1-18, no amendment would be required. Both zoning districts result in a density and character that advances the Residential Estate designation as described in the Land Use Element. Secondarily, it should be noted that the Plan encourages a diversity of housing types to meet the needs of all income and age segments.

b. Projects requesting a change of land use density from Residential Medium (5-8 du/ac) to Residential Low (2-5 du/ac) or Residential Low (2-5 du/ac) to Residential Estate (0-2 du/ac) may be processed without the requirement for a General Plan amendment and shall be deemed compliant with the Land Use Element of the General Plan; and

c. Any minor shift in alignment to any roadway without change in functional classification, as determined by the Engineering Director.

TABLE 14-2
GENERAL PLAN / ZONING CORRELATION

GENERAL PLAN LAND USE		EXISTING ZONING
DESIGNATION	DENSITY (DU/AC)	DISTRICT[1]
RESIDENTIAL ESTATE	0-2	SR-43/35, R1-43, R1-35, R1-18
RESIDENTIAL LOW	2-5	R1-12, R1-10, R1-8
RESIDENTIAL MEDIUM	5-8	R1-6, RM-1
RESIDENTIAL MEDIUM HIGH	8-15	RM-1
RESIDENTIAL HIGH	15+	RM-1
OFFICE COMMERCIAL	N/A	O-1, C-1
NEIGHBORHOOD COMMERCIAL	N/A	PC-1, C-2
COMMUNITY COMMERCIAL	N/A	PC-2, C-3, C-4
REGIONAL COMMERCIAL	15+	C-4, C-5
BUSINESS PARK	N/A	BPI
BUSINESS PARK / INDUSTRIAL	N/A	BPI, PI-1, I-1
INDUSTRIAL	N/A	PI-1, I-1, I-2
PARK / OPEN SPACE[2]	0-1	SR-43/35, R1-43, R1-35
PUBLIC / QUASI-PUBLIC	N/A	ALL ZONES
MIXED-USE DESIGNATIONS	SEE BELOW[3]	OTMU, PAD, PCD

1 A PAD (10-600 ACRES) OR PCD (600+ ACRES) MAY BE USED TO IMPLEMENT ANY OF THE LAND USE DESIGNATIONS IDENTIFIED ABOVE.

2 PARKS AND OTHER OPEN SPACE MAY BE LOCATED IN ANY ZONING DISTRICT.

3 REFER TO THE RELEVANT SECTIONS IN THE LOOP 303 SPECIFIC AREA PLAN, CENTRAL PEORIA REVITALIZATION PLAN OR GENERAL PLAN MIXED-USE GUIDELINES (LAND USE ELEMENT) FOR THE DENSITY PRESCRIPTIONS.