



CITY OF SURPRISE
Planning and Zoning Commission Work Session Agenda
16000 N. Civic Center Plaza
Surprise, AZ 85374

Thursday, July 10, 2014 @ 5:00 PM
 COUNCIL CHAMBERS

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CALL TO ORDER.

- A. Roll Call
- B. Pledge of Allegiance
- C. Current Events and Reports – Pursuant to A.R.S. §38-431.02(k) the chief administrator, presiding officer or a member of a public body may present a brief summary of current events without listing in the agenda the specific matters to be summarized, provided that 1) The summary is listed on the agenda; and 2) The public body does not propose, discuss, deliberate or take legal action at that meeting on any matter in the summary unless the specific matter is properly noticed for legal action.
- D. Staff Reports

Planning and Zoning Commission Work Session Agenda:

CALL TO THE PUBLIC:

INSTRUCTIONS: In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission on any item not on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

- E. Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the Board\Commission. There will be no separate discussion on these items unless a board member or commissioner requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

CONSENT AGENDA:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

ITEM #	DISTRICT #	ITEM DESCRIPTION	STAFF RECOMMENDATION/ PRESENTED BY
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#1 District Citywide Presentation and discussion on development: General Plan to Site Plan

No Action
Donna Bronski,
Legal
Department

OTHER BUSINESS:

ADJOURNMENT:

SHERRY ANN AGUILAR, CITY CLERK, CMC

POSTED: July 2, 2014 at 3:25 PM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Planning and Zoning Commission Work Session

July 10, 2014 @ 5:00:00 PM

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Board Meeting Date:	July 10, 2014	Contact Person:	Donna Bronski, Legal Department
Submitting Department:	CD Boards and Commissions	District:	Citywide
Staff Recommendations:	No Action		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Presentation and discussion on development: General Plan to Site Plan

Motion:

Discussion only

Background:

Financial Impact Statement:

ATTACHMENTS:

Click to download

[Tool Box Presentation](#)

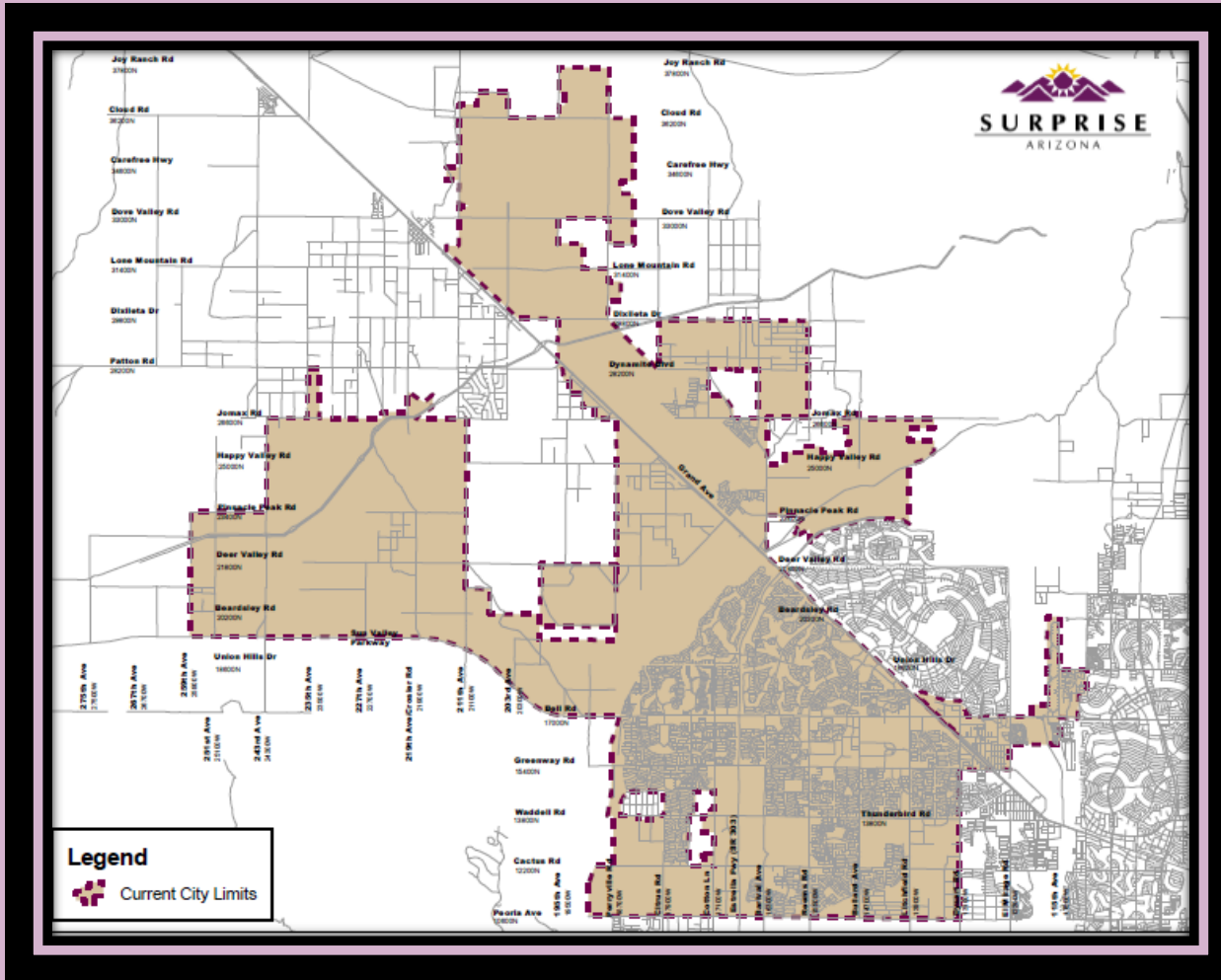
External Attachment Links:

Meeting Requirements:

Powerpoint	x	Video	White Board	Other	x
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Presentation Speaker Names (spelling and titles for TV captions):

Donna Bronski, Deputy City Attorney



Toolbox – General Session

5/19/2014

The City of Surprise, Arizona

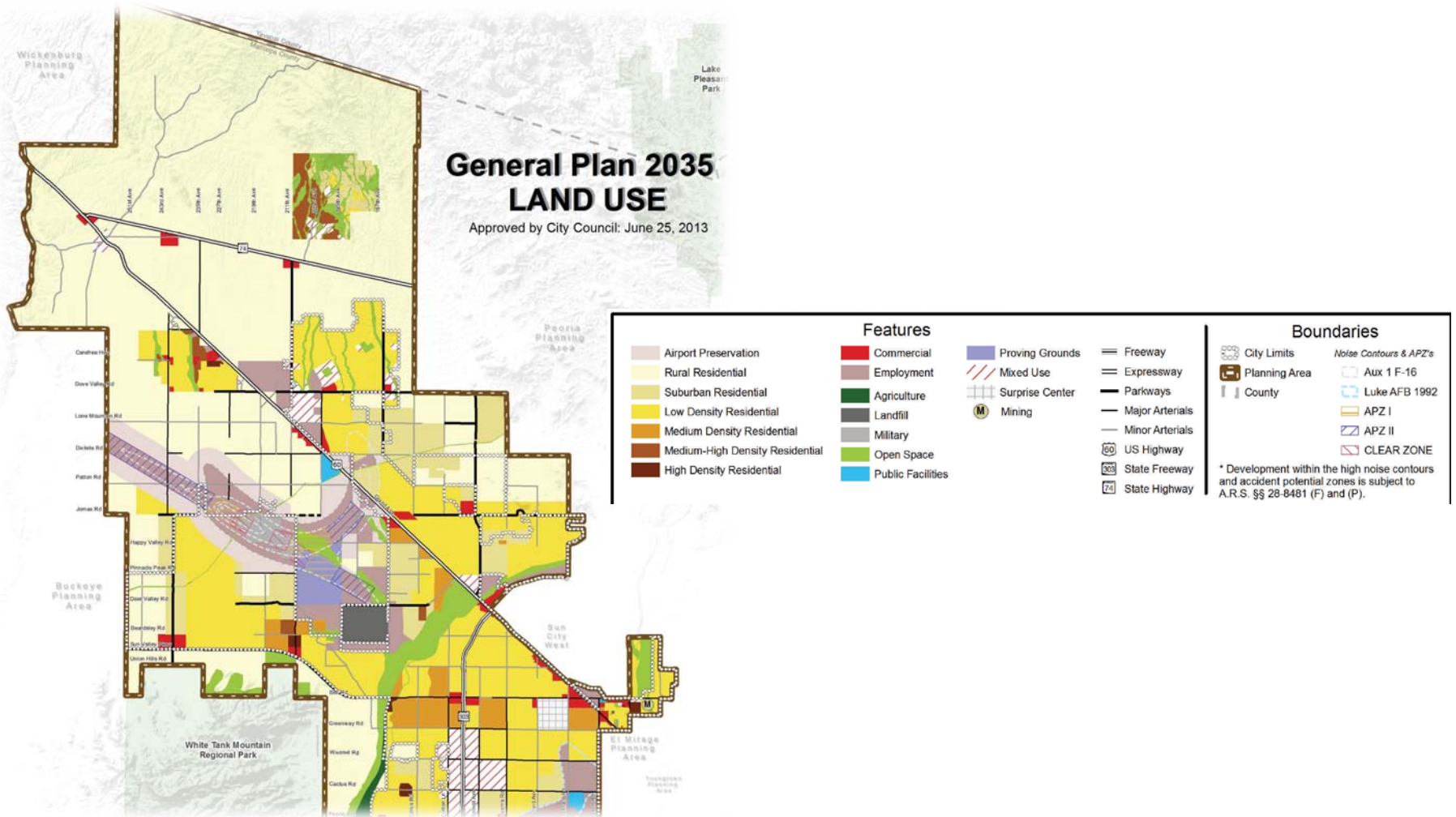


Planning Pyramid

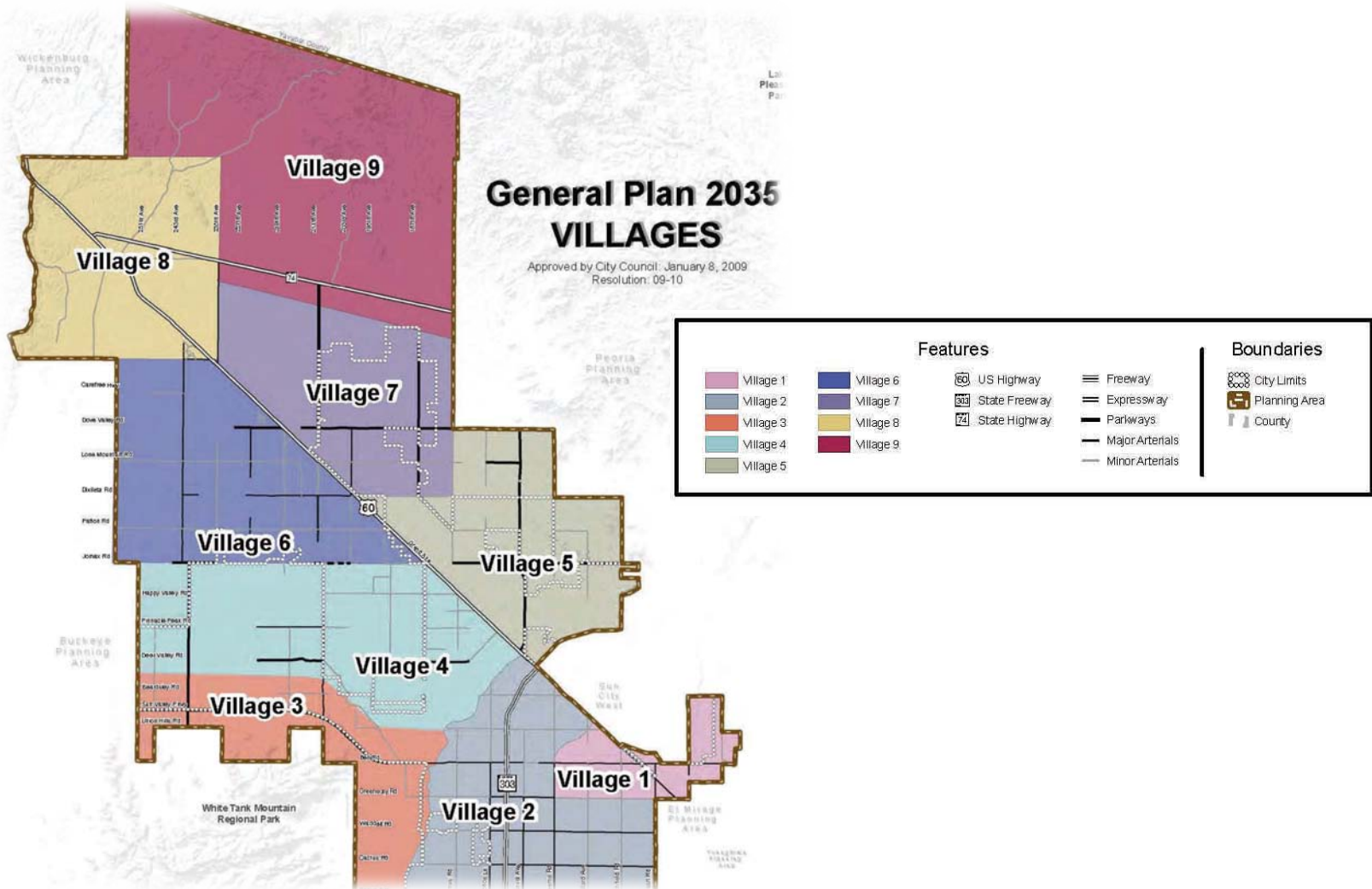
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2035 Land Use Map



2035 Villages Map



Strategic Plans

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- The “Strategic Plan” – Updated at Budget Retreat
- Master Plans – Being Updated
 - Water Master Plan
 - Transportation Master Plan
 - Sports/Recreation Master Plan
 - Parks & Trails Master Plan
- Other Council Policies
 - Annexation Policy

The Strategic Plan

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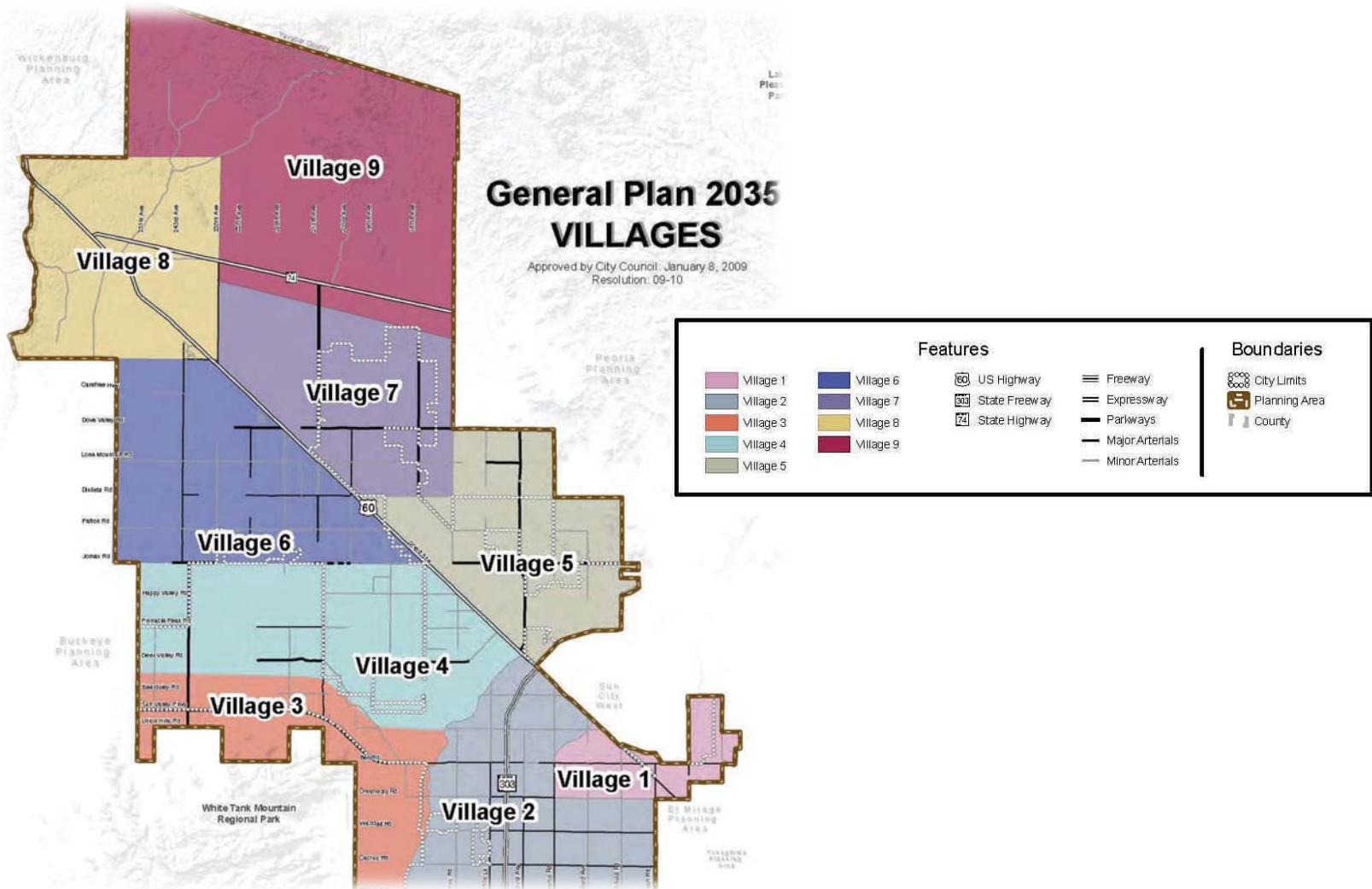
- “Develop a high standard of community life through shared vision, superior service, and sustainable practices.”
- Strategic priorities:
 - Transportation
 - Economic development
 - Community lifestyle
 - Sustainability
 - Tourism
 - Education
 - Public safety

Specific Plans

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- Specific plans are more precise plans for a smaller segment of the City, though on a more regional level.
- Specific Plans called for in the General Plan are called Village Plans.
- They are adopted using a process similar to the General Plan.

2035 Villages Map



Villages – Current Status

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- Village 1 – Adopted
- Village 2
- Village 3 – Adopted
- Village 4
- Village 5 – Under construction
- Village 6-9

Zoning and Other Tools

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- Zoning and other tools regulate development to encourage or limit development in such a way as to achieve the ultimate goals set out in the General, Strategic and Specific Plans.
- Tools include:
 - Zoning
 - Development Agreements
 - Infrastructure
 - Platting

Players in the Process

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- City Council
- Zoning Administrator
- Planning & Zoning Commission
- Board of Adjustment
- The Development Team

Role of the City Council

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- Establish Policies, Goals and Objectives
- Initiate, adopt, and amend:
 - a comprehensive, long-range General Plan
 - specific plans, regulations, programs, and legislation as needed for the systematic implementation of the General Plan
- Establish necessary boards, commissions or committees to implement the General Plan
- Consider and approve development agreements, impact fees, budget allocations, etc.

Role of the Zoning Administrator

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- The City Manager, or designee
- Responsible for enforcing zoning ordinances
 - Land use/building
 - Sign
 - Parking
 - Design standards
- Primary “interpreter” of zoning regulations
 - Can issue written interpretations

Planning & Zoning Commission

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- Responsible for Review and Recommendation to City Council:
 - General Plan & Village Plans
 - P&Z Regulations (SUDC)
 - “official Character Pattern and Zoning Maps”
- Responsible for review and approval of:
 - Site Plans
 - Major Site Plan Amendment
 - Conditional Use

Board of Adjustment

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- Responsible for reviewing request for a variance and appeal of a Zoning Administrator Decision.
 - Variance is departure from zoning in unique circumstances for very limited purposes (e.g. structure height/width).
 - Zoning Administrator Decisions include zoning determinations.
- Quasi-judicial body and the final decision maker.

Development Team

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- Management
- Planning Staff
- Legal
- Development Subcommittee

Working together to facilitate positive movement toward Council's Vision and Goals

What is “Zoning”?

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- Zoning is a legislative act that creates an enforcement document – the Ordinance
- Regulates land use to assure community goals are met:
 - Defines community character,
 - Ensures health, safety, aesthetics, and public values,
 - Prohibits land use for destructive purposes,
 - Groups together or separates land uses.

What “Zoning” is NOT.

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Zoning is not:

- Subdivision Design
- Site Orientation
- Architectural Regulation
- Site Engineering
- Construction Standards
- A Contract

What's in a Zoning Ordinance

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- Zoning Ordinances should include:
 - Specific descriptions of land uses permitted or disallowed (vague = void)
 - Stipulations /Conditions
- Proper notice required or void

Zoning is one of Council's Principle Tools to Meet its Strategic Goals

Stipulations / Conditions

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- Regularly applied to Zoning Ordinances and Preliminary Plats
- Stipulations and Conditions are the same: things that must be done for the zoning or preliminary plat to become effective.
- Conditions subsequent – A condition after zoning becomes effective, that if not satisfied, can invalidate the zoning (requires specific process).

Who can Zone?

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- The City has the right to regulate land use, limited only by
 - Vesting of property
 - Constitutional considerations
- Property owners may **request** a change in the zoning, Council not required to approve.

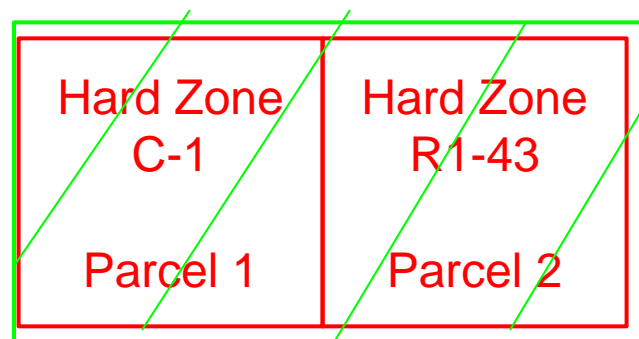
Hard Zoning v. Overlay Districts

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- Hard zoning is set of consistent land use rules that apply to all properties with the same zoning classification.
 - Traditional is R-1, C-2, etc.
 - PAD permits mixed traditional uses within the same zone.
- An Overlay District modifies the applicable Hard Zoning

Hard Zoning v. Overlay Districts

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Overlay



Example

You have Parcel 1 and Parcel 2.

1 is commercial and 2 is residential.

The City doesn't want bars in this area, so it adds a new rule that "overlays" the hard zoned area rules, saying they can keep all their original rules with this one additional rule of no bars.

Entitlement vs. Vesting

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“Entitlement” is the current development rules/regulations that apply to a property

“Vesting” is the point at which the property zoning cannot be changed without the consent of the current owner and occurs when an owner relies on a construction permit to the owners detriment (substantial monetary expenditures or property improvement).

State Lands v. City Zoning

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- Zoning of State Land, whether in or out of the City, is controlled by the state.
- Negotiations regarding zoning can be made as part of Annexation.
- The purpose of State Land is to raise funds.

Open Space Zoning

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- Public funds may be used for open space preservation.
- Private property/state trust land cannot be zoned as open space without owner consent.
- Alternatives:
 - Minimum lot size
 - Eminent Domain

Proposition 207

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- Also known as “Private Property Rights Protection Act”
- This was to amend ARS Title 12, Chapter 8, by adding article 2.1
- Essentially says that if a government regulation causes property value to drop, then the City must reimburse the difference.

Development Agreements

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- A written contract between the City and one or more corporate entities (developer) that establishes the developer's responsibility regarding development of a specified area. The development agreement may include design standards, community master plan, project phasing, infrastructure development, etc..
- Lives beyond life of council that adopts it.

Platting

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- Platting is the process by which property is subdivided
- Plats govern the configuration of lots and installation of infrastructure.
- Two part process, Preliminary and Final

Preliminary v. Final Plat

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- Preliminary plats are a discretionary part of the approval process.
- Preliminary plats can contain conditions/stipulation.
- Final plats must be approved if they are consistent with the preliminary plat and the conditions/stipulations approved.
- Final plats should not contain stipulations or conditions.

Annexation

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- Annexation is a political process that allows a city to expand its boundaries by adding land that is currently outside its City limits.
- Requires Owners consent.

GPLET

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- Government Property Lease Excise Tax program
- Used to incentivize development by reducing a project's operating costs by replacing the real property tax with an excise tax.
- The excise tax is established for the building type of use and is calculated on the gross square footage of building.
- GPLET requires that the land and improvements be conveyed to a government entity and leased back for private use.

Job Training Credits

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- The Arizona Job Training reimbursable grant is a job-specific reimbursable grant that supports the design and delivery of customized training plans for employers creating new jobs or increasing the skill and wage levels of current employees.
- An employer creating new jobs can apply for a grant to receive up to 75% of their eligible training expenses reimbursed.
- An employer seeking to supplement their current training plan and increase the skill level of their employees may apply for a grant to receive up to 50% of their eligible training expenses reimbursed.
- Funds are provided by Arizona Commerce Authority.

Creative Incentives

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- Creative incentives are a way for developers to get help with the developing process (permits, resources, money, approval) by doing a creative act for the City.
- The City will benefit from the creative action, and reciprocates assistance to the developer (ergo, not gifting).
 - An example is a new pizza delivery service wants to develop and the City will waive certain fees so long as they paint their cars Eggplant to match Surprise's color scheme.
- This will draw attraction to other potential businesses for economic development of Surprise.

Special Districts

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- Special taxing districts are portions of the City that agree to tax themselves to receive certain services in these areas provided to them.
- Includes for example:
 - SLIDS (Street Light Improvised Districts)
 - Parkway Improvement Districts
 - Enhanced Municipal Service Districts

CFD

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- Community Facilities Districts is a method to finance construction/purchasing of public infrastructure, which benefits the “ultimate owner” and “real property.”
- CFD’s are statutory special taxing districts with borrowing powers (bonding) created within the boundaries of the City.
- Is a way to finance/enhance local services.
- It is disliked because there is a lack of transparency and predictability to future property owners in the district.

Government Financing Tools

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- Bonds (e.g. IDA, Improvement district, etc.)
- State programs (e.g. job training tax credits, GPLET, single business district)
- Federal programs (e.g. CDBG in low income areas)

Partnerships

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- Partnerships are a cost/resource/time saving technique that is available to the City and private companies so long as they comply with the gift clause.
- These can include:
 - ▣ IGA (Intergovernmental Agreements)
 - ▣ Public-Private partnerships
 - ▣ Development Agreements

Things to Consider

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- Everything cannot be done all at once.
- Planning ahead.
- Everything Costs:
 - Time
 - Resources
 - Money
- How does this decision play into the overall strategy.
- Understand the consequences of action.