



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

Thursday, March 19, 2015 @ 6:00 PM
 COUNCIL CHAMBERS - Amended items 3, 4 and 5 on March 12, 2015 at 1:45 PM

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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 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:

			STAFF RECOMMENDATION/
ITEM #	DISTRICT #	ITEM DESCRIPTION	PRESENTED BY

- | | | | |
|----|-------------------|---|--|
| #1 | District Internal | <u>Consideration and action on the March 5, 2015 Planning and Zoning Commission minutes, including exhibits.</u> | Approve
Heather
Donaldson,
Community
Development |
| #2 | District 5 | <u>Consideration and action regarding a Major Site Plan for Texas Roadhouse Restaurant located on the southwest side of Grand Avenue, southeast of Parkview Place, within the Park Place PAD.</u> | Approve
Robert Kuhfuss,
Community
Development |

REGULAR AGENDA ITEM - PUBLIC HEARING:

			STAFF RECOMMENDATION/
ITEM #	DISTRICT #	ITEM DESCRIPTION	PRESENTED BY
#3	District Citywide	<u>Consideration and action on a Zoning Text Amendment regarding the regulation of donation bins within the City of Surprise.</u>	Approve Hobart Wingard - Community Development
#4	District Citywide	<u>Consideration and action on the Consolidated Plan 2015-2019 for the Community Development Block Grant Program.</u>	Approve Christina Ramirez, Human Services and Community Vitality
#5	District Citywide	<u>Consideration and action on the 2015-2016 Community Development Block Grant Annual Action Plan funding recommendations.</u>	Approve Christina Ramirez, Human Service and Community Vitality

OTHER BUSINESS:

- | | | | |
|----|-------------------|--|---|
| #6 | District Internal | <u>Discussion for future agenda items.</u> | No Action
Eric Fitzer,
Community
Development |
|----|-------------------|--|---|

ADJOURNMENT:

SHERRY ANN AGUILAR, CITY CLERK, CMC

POSTED: March 12, 2015 at 1:50 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

March 19, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 19, 2015	Contact Person:	Heather Donaldson, Community Development
Submitting Department:	CD Boards and Commissions	District:	Internal
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the March 5, 2015 Planning and Zoning Commission minutes, including exhibits.

Motion:

I move to approve the March 5, 2015 Planning and Zoning Commission minutes, including the two exhibits.

Background:

Financial Impact Statement:

No Financial Impact

ATTACHMENTS:

Click to download

- ☐ [March 5, 2015 minutes](#)
 - ☐ [Speaker's Handout - text only](#)
 - ☐ [Speaker's Handout- photos only](#)
-

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):

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

March 5, 2015 / 6:00 PM

**COUNCIL CHAMBERS
16000 North Civic Center Plaza
Surprise, AZ 85374**

CALL TO ORDER.

Chair Steve Somers called the Planning and Zoning Commission Meeting to order at 6 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on Thursday, March 5, 2015.

A. ROLL CALL

In attendance were Chair Somers, Vice Chair Ken Chapman and Commissioners Peter Pervi, Dennis Smith, Jerry Hoyler and Mathew Keating. Commissioner Matthew Bieniek was absent.

STAFF PRESENT:

Community Development Director Eric Fitzer, Deputy City Attorney Donna Bronski, Assistant Director Chris Boyd, Long Range Planning Manager Lloyd Abrams, Planner Hobart Wingard, and Planning and Zoning Commission Secretary Heather Donaldson.

COUNCIL MEMBERS PRESENT:

None

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

D. STAFF REPORT

Eric Fitzer, Director, advised the Commission of the Original Town Site Community Chat taking place at the Villanueva Recreation Center on Wednesday, March 18th at 6:00 p.m.

CALL TO THE PUBLIC:

Chair Somers called to the public to discuss any issues not noted on the agenda. Hearing no comments, Chair Somers closed the call to the public.

CONSENT AGENDA:

No Items

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

Item 1 – INTERNAL – Consideration and action on the February 19, 2015 Planning and Zoning Commission minutes.

Commissioner Smith made a motion to approve the Planning and Zoning Commission Minutes for February 19, 2015. Vice Chair Chapman seconded the motion. The motion passed with 5 yes votes, one abstained (Jerry Hoyler) and one absence.

Item 2 – CITYWIDE – Discussion on a Zoning Text Amendment regarding the regulation of donation bins within the City of Surprise.

Hobart Wingard, Planner II, presented the project to the Commission. Staff recommends approval of a Zoning Text Amendment to institute regulations for donation bins within the City of Surprise.

Chair Somers opened the Call to the Public:

Benjamin Graff, Withey Morris, PLC – representing Goodwill of Arizona – This is an excellent idea and ordinance. Recommends notarization authorization requirement not only in City policy but through City ordinance. Property owners should be able to remove bin if creating blight. Mr. Graff provided each Commissioner with a handout that is attached hereto.

Kristin Greene, Molera and Alvarez - represents American Textile Recycling Services (for profit). Recommends maintenance schedules for bins including removal of property guidelines. Requests due process for property owner's removal of a bin once they rescind the right to place it on a property. Concerned that paint used to paint on permit numbers will not be permanent. Requesting notarization requirements are in effect for all TUP's, and not just donation bins. Please allow property to owner to both revoke permits and sign for permits.

Jim Mapstead, former member of City of Phoenix Planning Commission, speaking on behalf of the Coalition of the Neighborhood Activists and Property Managers in Phoenix who support the regulation of donation bins in Phoenix communities. Many donation bins are dropped on commercial property without the permission of property owners. Concerned that many bin owners are for profit entities who sell items out of state and local charities do not receive the funds. Notarization is critical component of this text amendment. Supports property owners' rights to revoke permit and remove bin.

Chair Somers closed the Call to the Public.

The Commission discussed:

- Rights of City to remove donation bins
- Property owner's rights/control
- Temporary use permit coverage and timelines
- Parking spaces lost to donation bins
- Fee structure for permits, renewal fees, etc.
- Private property owner's process to remove a bin (City should not be involved)
- City website to disclose dollar amounts attributed to charity for non-profit donation bin companies
- Phone numbers need to be posted on donation bins / Phone number with an actual person who answers the line rather than a voicemail or dial tone
- Revenue generated per bin
- Church owned private bins on church property
- Process when applicant applies for donation bin permit
- Notarization – shifting the burden on the City
- Internal monitoring of bins (duplicate permit numbers painted on bins) – Permanent sticker on the bin from the City

Item 3 – DISTRICT 6 – Discussion regarding Project Heart.

Eric Fitzer, Director, presented the project to the Commission. He addressed the following points:

- IRIS Worldwide – World Headquarters in Japan
- IRIS USA – leading manufacturer of high-quality storage products
- Western Regional Headquarters in Surprise, AZ
- Company & City Investments
- Anticipated project timeline
- Preliminary Site Plan

The Commission discussed:

- Relationship between rail-line and loading docks, silos, etc.
- Elevation / vegetation
- Full time jobs
- Spec warehouse to the East (in relation to size)
- Citywide groundbreaking ceremony and grand opening ceremony

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

None

OTHER BUSINESS:

Item 4 – INTERNAL - Discussion for future agenda items.

None

ADJOURNMENT:

Hearing no further business, Chair Somers adjourned the Planning and Zoning Commission meeting at 7:12 p.m.

Eric Fitzer
Community Development Director

Steve Somers, Chair
Planning and Zoning Commission

The foregoing instrument is a full, true and correct copy of the original document on file in the office of the City Clerk, City of Surprise, Arizona.

ATTEST BY:

Heather Donaldson, Commission Secretary

DATE:

MEMORANDUM

To: City of Surprise Planning and Zoning Commission

FROM: Withey Morris, PLC

RE: Donation Bin Text Amendment; Proposed Revisions/Additions

Date: March 5, 2015

This memorandum and its attachments provide a summary of issues surrounding the growing number of donation drop boxes popping up in commercial shopping centers and neighborhoods in the City of Surprise. We have also provided recommended revisions to the proposed City of Surprise Donation Bin Text Amendment based on a review of the best practices of other municipalities. The following exhibits are attached to this memorandum for your review:

Exhibit A: Recommended Redline Revisions to Donation Bin Text Amendment

Exhibit B: Photographs of Blighted Donation Bins throughout the Valley

Exhibit C: City of Phoenix Donation Bin Ordinance

General Issues and Background Regarding Donation Drop Boxes

- (1) Uncontrolled Proliferation: Six years ago, it is estimated only 500 drop boxes existed within the Valley. Today, approximately 7000 drop boxes are placed on almost every commercial corner and shopping center and throughout neighborhood centers.
- (2) Property Owner Authorization: All permanent and temporary land uses require **written and notarized** authorization from the property owner. However, most drop box operators are placing boxes on properties in the middle of the night without property owner authorization. In many jurisdictions, "Charitable" or "Donation" drop boxes are the only land use completely unregulated by the City. Many municipalities are not requiring written, notarized proof of owner authorization, as they would with any other rezoning, use permit, or other land use application.
- (3) Regulation will Help All Legitimate Non-Profits: This proposed regulation will not harm legitimate non-profit companies using drop boxes (i.e., the Salvation Army and Big Brothers Big Sisters). Non-profit companies obtaining proper owner

authorization will not be negatively impacted. Proper regulations will allow the good actors to continue the use of legitimate and charitable drop boxes.

- (4) The Bad Actors: In many cases, the drop box operators are actually for-profit companies misleading the public. For example, for-profits intentionally place drop boxes in Goodwill parking lots and paint them "Goodwill Blue" to confuse donors. Some drop boxes may "partner" with a local charity in order to place an inviting picture of those in need on the front of the box, but research shows in some cases the for-profit companies are giving less than 1% of the profits to the charity. The public donates upon the false belief they are giving to charity. In fact, calling the number shown on a drop box can result in a recorded message stating, "your donation is not tax deductible."
- (5) Arizona is a Target Location/Climate: The Valley has been specifically targeted because of our ideal weather and the charitable nature of our residents. In Arizona, donated items can sit in bins for weeks without a risk of mold or other damaging elements.
- (6) Exportation of Donated Items: It is estimated the 7000 drop boxes throughout the valley result in over 200 million pounds of donated goods being removed from Arizona. Whereas donations to local non-profits (i.e., Goodwill, Salvation Army, Big Brothers Big Sisters) result in a direct benefit to our community, drop box donations strip our community of the intended benefit. In most cases, for-profit companies are selling donated items out-of-state or even out of the country as raw products. Clothing donations are often sold in bulk and used for industrial rag material in foreign industries.
- (7) Unmaintained Drop Boxes = Blight: In many cases, the boxes remain unmonitored for weeks at a time and are allowed to overflow into the parking lot. Surveys of local drop boxes have shown stacks of furniture, garbage, clothing, and other goods thrown next to the box. This, in turn, attracts the homeless and others to rummage through the unsecured materials. The boxes themselves can be a dangerous attractive nuisance if not maintained or properly latched. Local fire and police representatives state numerous criminal activities are associated with the boxes, including theft, vandalism/graffiti, and arson.
- (8) Drop Boxes = Code Violations: Currently, unauthorized bins are placed within required parking spaces, landscape setbacks, City right-of-way, and parking landscape islands – all of which are violations of municipal zoning ordinances. Some drop boxes result in obstruction of onsite vehicular circulation. Large drop boxes are also being used as illegal signage viewable from major arterial streets.
- (9) Removing Unauthorized Bins is a Near Impossibility: Various shopping center owners have provided first-hand accounts of failed attempts to remove nefarious drop boxes. If a box is physically removed by the owner, and at the owner's expense, a new box will show up in the middle of the night. In one example in

Peoria, a commercial parking lot contained 14 drop boxes and after months of efforts by the property owner to remove these boxes, one or two boxes consistently continue to show up on the property. Moreover, property owners have even been threatened with law suits for removing the drop box company's "property." Currently, property owners struggle to find support on this issue from their local governments.

- (10) Regulation of Drop Boxes = Protection of Private Property Rights: Arizona prides itself upon its unequivocal protection of private property rights. Yet, in this case, for-profit companies are permitted to place drop boxes on commercial and even residential properties without the property owner's authorization – a clear act of trespass. Furthermore, property owners are road-blocked from removing these unauthorized land uses. Municipalities drafting regulations should specifically include the express authority of the property owner to remove unauthorized and/or unwanted drop boxes from their property.

Conclusion

The effective regulation and enforcement of donation drop boxes is a prudent and necessary responsibility for every jurisdiction in Arizona. Currently, rogue drop box operators are committing thousands of acts of trespass upon Arizona's commercial shopping center property owners each year. Without a municipal ordinance to rely upon, these owners are left powerless to remove an ever-growing intrusion. These commercial property owners are the very citizens who are responsible for accumulating millions of dollars in annual construction and sales tax revenue for our municipalities. At its core, municipalities have determined that drop boxes, as a land use, must be regulated by the applicable zoning ordinance and enforced by the local neighborhood services and/or code enforcement department.

Simply put, unregulated drop boxes perpetuate and encourage an illegal land use, host a source of significant blight/nuisance within our towns and cities, open up areas of liability for towns, cities, and property owners, and deprive our local charitable organizations from the opportunity to turn recycled goods into a revenue source for non-profit endeavors which directly benefit our citizens.

Zoning Text Amendment
(Suggested Revisions in BLUE)

**The Regulation of Donation Bins within the City of
Surprise – Legislative Edit**

Sec. 122-47. RESERVED –~~Temporary use/special event permit.~~

~~The temporary use/special event permit allows for short term activities that may be appropriate on an interim basis without requiring full compliance with the development standards of the land use district or by which the city may permit seasonal or transient uses not otherwise permitted.~~

~~(a) Approval criteria:~~

~~(1) Conditions may be applied to the issuance of the permit and periodic review may be required;~~

~~(2) The permit may be granted for a particular use and not for a particular person or company;~~

~~(3) Any use or structure requiring sanitary facilities shall locate the sanitary facilities on the same lot as a host structure unless independent water and sewer service is provided.~~

~~(4) The operation and maintenance of the temporary use/special event shall be in a manner compatible with existing uses on adjoining properties and in the surrounding area. Conditions to be considered shall include, but are not limited to, the following:~~

~~a. Adequate parking;~~

~~b. Hours of operation;~~

~~c. Site location including ingress and egress, trip generation, and, if applicable, pedestrian accessibility;~~

~~d. The nature, scope, location and manner of operation of the use shall not constitute a health and/or safety hazard to the public.~~

~~e. Assurance of compliance with health, building, fire, electrical, plumbing, and all other appropriate codes shall be required;~~

~~f. Site lighting;~~

~~g. Security considerations; and~~

~~h. Any other conditions that may have a detrimental effect on the city or on surrounding properties.~~

~~{Ord. No. 09-12, § 2(Exh. A), 5-14-09}~~

37
38 **Sec. 122-105. - Temporary ~~u~~Uses. PERMITS**

39 THE TEMPORARY USE PERMIT ALLOWS FOR ACTIVITIES THAT MAY BE
40 APPROPRIATE ON AN INTERIM BASIS WITHOUT REQUIRING FULL COMPLIANCE
41 WITH THE DEVELOPMENT STANDARDS OF THE LAND USE DISTRICT OR BY
42 WHICH THE CITY MAY PERMIT SEASONAL OR TRANSIENT USES NOT
43 OTHERWISE PERMITTED.

44
45 When allowed, temporary uses shall be subject to the following requirements:

46 (a) APPROVAL CRITERIA:

- 47 (1) CONDITIONS MAY BE APPLIED TO THE ISSUANCE OF THE PERMIT AND
48 PERIODIC REVIEW MAY BE REQUIRED;
- 49 (2) THE PERMIT MAY BE GRANTED FOR A PARTICULAR USE AND NOT FOR A
50 PARTICULAR PERSON OR COMPANY;
- 51 (3) ANY USE OR STRUCTURE REQUIRING SANITARY FACILITIES SHALL
52 LOCATE THE SANITARY FACILITIES ON THE SAME LOT AS A HOST
53 STRUCTURE UNLESS INDEPENDENT WATER AND SEWER SERVICE IS
54 PROVIDED.
- 55 (4) THE OPERATION AND MAINTENANCE OF THE TEMPORARY USE/SPECIAL
56 EVENT SHALL BE IN A MANNER COMPATIBLE WITH EXISTING USES ON
57 ADJOINING PROPERTIES AND IN THE SURROUNDING AREA. CONDITIONS
58 TO BE CONSIDERED SHALL INCLUDE, BUT ARE NOT LIMITED TO, THE
59 FOLLOWING:
- 60 a. ADEQUATE PARKING;
- 61 b. HOURS OF OPERATION;
- 62 c. SITE LOCATION INCLUDING INGRESS AND EGRESS, TRIP
63 GENERATION, AND, IF APPLICABLE, PEDESTRIAN ACCESSIBILITY;
- 64 d. THE NATURE, SCOPE, LOCATION AND MANNER OF OPERATION OF THE
65 USE SHALL NOT CONSTITUTE A HEALTH AND/OR SAFETY HAZARD TO
66 THE PUBLIC;
- 67 e. ASSURANCE OF COMPLIANCE WITH HEALTH, BUILDING, FIRE,
68 ELECTRICAL, PLUMBING, AND ALL OTHER APPROPRIATE CODES
69 SHALL BE REQUIRED;
- 70 f. SITE LIGHTING;
- 71 g. SECURITY CONSIDERATIONS; AND
- 72 h. ANY OTHER CONDITIONS THAT MAY HAVE A DETRIMENTAL EFFECT ON
73 THE CITY OR ON SURROUNDING PROPERTIES.

74 (b) A temporary use permit shall be issued for a maximum of:

- (1) Sixty days for one event uses, such as Christmas tree sales; or
- (2) Four event periods during a calendar year with each event period lasting no more than four days during each period; or
- (3) During the time of construction when the temporary use is for the temporary placement of a construction trailer on a construction site-; OR

(4) DONATION BINS MAY BE PERMITTED FOR A RENEWABLE DURATION NOT TO EXCEED 12 MONTHS OR AS DETERMINED BY THE CITY. EACH RENEWAL REQUIRES A NEW TEMPORARY USE PERMIT APPLICATION AND FEE. DONATION BIN TEMPORARY USE PERMITS WILL BE RENEWED 30 DAYS PRIOR TO THE FIRST DAY OF EVERY YEAR. IF AN APPLICANT SUBMITS FOR A TEMPORARY USE PERMIT PRIOR TO THE 30 DAY RENEWAL PERIOD, THE PERMIT WILL NOT EXCEED THE DURATION OF THE CURRENT CALENDAR YEAR AND THE PERMIT FEES WILL BE PRORATED.

- (c) Temporary sales or display of goods for special event use or fundraising use are allowed only if they are related to a particular seasonal, cultural, traditional, or community activity or event use. The following uses may be permitted:

- (1) Carnivals, circuses, festivals, fairs, holiday and special events;
- (2) Concerts, exhibitions, and special performances;
- (3) Temporary retail sales of arts, crafts, souvenirs, gifts, food, and other goods;
- (4) Temporary retail sales of Christmas trees, or other seasonally related sales;
- (5) Grand opening events, tent sales, sidewalk sales, and other events that include commercial activities or commercial related activities in areas that are not used for commercial purposes;
- (6) Religious/revival gatherings;
- (7) Political/organizational rallies;
- (8) Parades, races, walk or bike-a-thons, and sports tournaments;
- (9) School events;
- (10) Garage or yard sales held in excess of 32 hours or two times a year.

- (d) Portable storage containers shall be subject to the following requirements:

- (1) The temporary placement of a portable storage container on any residential lot for the purpose of loading and unloading household contents shall be permitted for a period of time not exceeding seven days in a calendar year.
- (2) In all non-residential districts, portable storage containers are permitted only in accordance with the following:
 - a. As a temporary use during construction, remodeling, or redevelopment of permanent on-site building and facilities. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the city manager or designee may require additional measures to ensure compatibility

- 114 with adjacent land uses such as increased setbacks, screen walls, landscaping,
115 exterior materials and color.
- 116 b. As a temporary use that is periodic, intermittent, or isochronal and accessory
117 to a primary permitted use. In addition to specifying and limiting the number,
118 size, location, and duration of the storage containers, the city manager or
119 designee may require additional measures to ensure compatibility with
120 adjacent land uses such as increased setbacks, screen walls, landscaping,
121 exterior materials and color.
- 122 c. In no case shall such storage containers be located in required landscape
123 areas, open space, retention basins, drive aisles, fire lanes, required parking
124 spaces, loading zones, or any other location that may cause hazardous
125 conditions, constitute a threat to public safety, or create a condition detrimental
126 to surrounding land uses and developments.
- 127 (e) Construction trailer shall be subject to the following requirements:
- 128 (1) The construction trailer shall remain on site only for the duration of an active permit.
129 Abandoned trailers shall not be permitted on the site.
- 130 (2) The construction trailer, attendant parking and storage areas shall be located on
131 site so as not to interfere with safe ingress and egress to developed areas or areas
132 under construction.
- 133 (3) The construction trailer shall be removed prior to issuance of a final certificate of
134 occupancy.
- 135 (f) DONATION BINS SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS:
- 136 (1) DONATION BINS ARE ONLY PERMITTED IN COMMERCIAL, BUSINESS PARK,
137 INDUSTRIAL, AND CIVIC ZONING DISTRICTS.
- 138 (2) CHURCHES, SCHOOLS AND OTHER PUBLIC FACILITIES LOCATED IN
139 RESIDENTIAL ZONING DISTRICTS MAY BE PERMITTED.
- 140 (3) DONATION BINS SHALL BE LOCATED ON A PAVED SURFACE.
- 141 (4) DONATION BINS SHALL NOT BE LOCATED WITHIN THE FRONT OR CORNER
142 SIDE SETBACKS, REQUIRED LANDSCAPED AREAS OR WITHIN REQUIRED
143 PARKING SPACES.
- 144 (5) DONATION BINS SHALL NOT OBSTRUCT PEDESTRIAN OR VEHICULAR
145 CIRCULATION, OR BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY,
146 DRIVE AISLES, FIRE LANES, LOADING ZONES, OR ANY OTHER LOCATION
147 THAT MAY CAUSE HAZARDOUS CONDITIONS, OR CONSTITUTE A THREAT
148 TO THE PUBLIC HEALTH, SAFETY, AND WELFARE.
- 149 (6) THERE SHALL BE NO MORE THAN ONE (1) DONATION BIN ON PROPERTIES
150 LESS THAN ONE (1) ACRE IN SIZE, NO MORE THAN TWO (2) DONATION
151 BINS ON PROPERTIES OR COMMERCIAL CENTERS OF ONE (1) TO THREE
152 (3) ACRES IN SIZE, AND NO MORE THAN FOUR (4) DONATION BINS ON A
153 COMMERCIAL CENTER GREATER THAN THREE (3) ACRES IN SIZE. NO

MORE THAN TWO (2) DONATION BINS SHALL BE CLUSTERED TOGETHER AND LOCATED WITHIN 1,000 FEET OF ANY OTHER DONATION BIN.

(7) EACH DONATION BIN SHALL HAVE A FIRMLY CLOSING AND LOCKING¹ LID.

(8) EACH DONATION BIN SHALL BE CLEARLY MARKED TO IDENTIFY THE SPECIFIC ITEMS AND MATERIALS REQUESTED TO BE COLLECTED FOR DONATION.

(9) EACH DONATION BIN SHALL BE CLEARLY MARKED TO IDENTIFY THE CITY OF SURPRISE TEMPORARY USE PERMIT NUMBER WITH CONTRASTING PAINT. THE NUMBERS SHALL BE A MINIMUM OF TWO (2) INCHES HIGH AND LOCATED ON THE DEPOSIT FACE OF THE DONATION BIN.

(10) THE ENTITY PLACING THE BIN SHALL SUBMIT TO THE CITY, AS PART OF THE TEMPORARY USE PERMIT APPLICATION, WRITTEN AND NOTARIZED PERMISSION AUTHORIZATION² OF THE PROPERTY OWNER CONSENTING TO THE PLACEMENT AND MAINTENANCE OF THE DONATION BIN.

(11) THE CITY MAY CONSIDER PRIOR PERMIT REVOCATIONS, CITIZEN COMPLAINTS, NOTICES OF VIOLATION, AND FRAUDULENT APPLICATION INFORMATION WHEN GRANTING OR DENYING NEW OR RENEWED TEMPORARY USE PERMITS FOR DONATION BINS.³

~~(10)~~(12)

~~(11)~~(13) THE NAME AND TELEPHONE NUMBER OF THE ENTITY OBTAINING THE TEMPORARY USE PERMIT SHALL BE AFFIXED TO THE DONATION BIN ON AN AREA NO LARGER THAN ONE (1) FOOT BY ONE (1) FOOT.

~~(12)~~(14) DONATION BINS SHALL HAVE A CAPACITY NO GREATER THAN SIX (6) CUBIC YARDS.

~~(13)~~(15) ALL DONATED ITEMS MUST BE COLLECTED AND STORED IN THE DONATION BIN AND ALL CONTENTS CLEARED NO LESS THAN ONCE A WEEK. ANY ITEMS OR MATERIALS LEFT OUTSIDE OF THE DONATION BIN

¹ Without the requirement of a required locking mechanism, drop box operators may place hazardous bins accessible to children and other interested parties within the City of Surprise.

² Given the drop box industry's history of trespass and unauthorized placement of bins on property without ownership authorization, other jurisdictions have required notarization within the ordinance in order to place the burden of proof upon the applicant or drop box operator to provide evidence the true owner of record or his duly authorized agent provided authorization. Without notarization, the burden is shifted to the City of Surprise to use valuable City Staff time and efforts to verify the validity of each ownership authorization.

³ The revised language proposed above clarifies City Staff may consider prior revocations, violations, and also false statements within application information when granting or denying Temporary Use Permits.

182 SHALL BE REMOVED WITHIN 24 HOURS OF DISCOVERY OR NOTIFICATION,
183 WHICHEVER OCCURS FIRST.

184 (14)(16) IF A DONATION BIN IS DAMAGED OR VANDALIZED, IT MUST BE
185 REMOVED WITHIN FIVE (5) BUSINESS DAYS OF DISCOVERY OR
186 NOTIFICATION. IF THERE IS A PUBLIC HEALTH, SAFETY OR WELFARE
187 CONCERN PURSUANT TO THE AUTHORITY GRANTED TO THE CITY, THE
188 DONATION BIN MUST THEN BE REMOVED WITHIN 24 HOURS OF
189 DISCOVERY OR NOTIFICATION.

190 (15)(17) IT IS THE JOINT RESPONSIBILITY OF THE PROPERTY OWNER OR
191 AUTHORIZED AGENT AND THE ENTITY OBTAINING THE TEMPORARY USE
192 PERMIT TO KEEP THE AREA AROUND THE DONATION BOXES FREE OF
193 LITTER AND DEBRIS, AND REMOVE ANY GRAFFITI WITHIN (24) HOURS OF
194 DISCOVERY OR NOTIFICATION, WHICHEVER OCCURS FIRST.

195 (16)(18) IT IS THE RESPONSIBILITY OF THE ENTITY OBTAINING THE
196 TEMPORARY USE PERMIT TO MAINTAIN THE DONATION BIN PAINTED OR
197 OTHERWISE UN-RUSTED AND UN-DENTED AND IN GOOD REPAIR.

198 (19) THIS ORDINANCE AUTHORIZES THE CITY OR PROPERTY OWNER⁴
199 TO REMOVE AND DISPOSE OF ANY DONATION BIN (INCLUDING ITS
200 CONTENTS) WHICH IS UNAUTHORIZED, UNPERMITTED, OR IS OTHERWISE
201 IN VIOLATION OF THIS ORDINANCE.

202 (20) THE PROPERTY OWNER SHALL CONTROL THE TEMPORARY USE
203 PERMIT. THE PERMITTEE OR DONATION BIN OPERATOR DOES NOT
204 CONTROL THE TEMPORARY USE PERMIT UNLESS HE/SHE IS ALSO THE
205 PROPERTY OWNER. AS SUCH, THE PROPERTY OWNER MAY RESCIND
206 HIS/HER AUTHORIZATION FOR THE DONATION BIN AT ANY TIME AND THE
207 PERMIT SHALL BE REVOKED. NOTHING IN THIS ORDINANCE PROHIBITS
208 A PROPERTY OWNER FROM REMOVING A DONATION BIN REGARDLESS
209 OF WHETHER THE BIN IS PERMITTED OR UNPERMITTED. A PROPERTY
210 OWNER RETAINS THE RIGHT TO REMOVE AND DISPOSE OF AN
211 UNWANTED DONATION BIN AND ITS CONTENTS AT ANY TIME.⁵

⁴ In order for this ordinance to be enforceable and allow for the ultimate remedy of donation bin removal, this section must clearly provide both the City and the Property Owner with authority to remove drop boxes. Without this clarification, the ordinance can be used by drop box operators to argue a Property Owner does not have the authority to remove unauthorized and/or unwanted drop boxes.

⁵ This section ensures the City of Surprise is protecting the private property rights of its commercial shopping center owners. At all times, it is the property owner who must control the temporary use permit and have the ability to revoke his/her authorization and the associated permit. This language also assures a drop box operator cannot use the ordinance against a property owner wishing to remove a donation box from his/her property. Sections 19 and 20 above ensure both the City and the Property Owner have the ability to remove and dispose of an unwanted, unauthorized, unpermitted, and/or violating donation boxes from a property.

(17)(21)

SEC. 122-105. - Definitions.

COMMERCIAL CENTER. A LOCATION WHERE, REGARDLESS OF THE NUMBER OF PARCELS, ECONOMIC, SOCIAL, CULTURAL, AND ADMINISTRATIVE SERVICES ARE PROVIDED. THE COMMERCIAL CENTER WILL PROVIDE COMMON CIRCULATION, PARKING, AND UTILITY FACILITIES THAT SERVICE THE COMMERCIAL CENTER. A COMMERCIAL CENTER WOULD BE A CONTIGUOUS FACILITY AND WOULD NOT CROSS PUBLIC STREETS.

DONATION BIN. ANY CONTAINER, STORAGE UNIT, OR STRUCTURE, OTHER THAN A PRIMARY BUILDING OR ACCESSORY BUILDING(S), THAT IS USED FOR THE COLLECTION OF CHARITABLE OR FOR-PROFIT DONATED ITEMS BY THE GENERAL PUBLIC, INCLUDING BUT NOT LIMITED TO CLOTHING, HOUSEHOLD GOODS, TOYS, BOOKS, AND NEWSPAPERS.

Blight / Nuisance



Lack of regulation on number of bins or impact on parking.

In your Neighborhood?

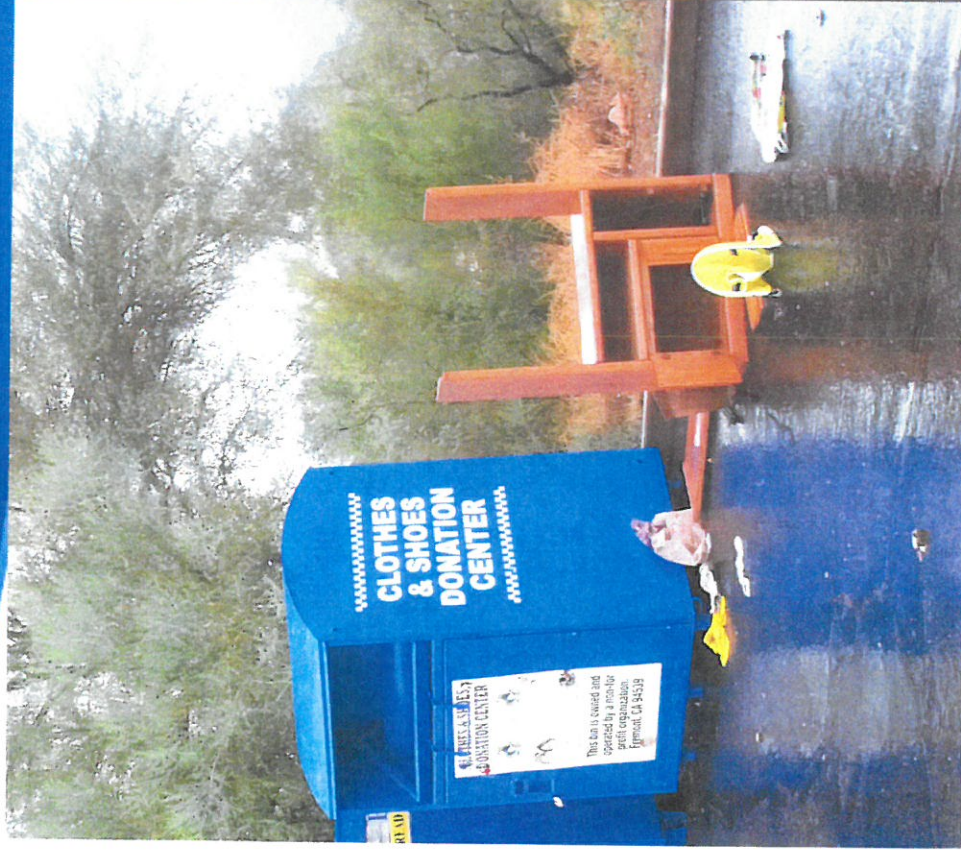


Blight



[illegible]

Maintenance & Pick Ups



Maintenance & Pick Ups



Graffiti



ROW Obstruction



Safety Hazard



Safety Hazard



32nd Street & Baseline Road

Blight



Parking & Blight



Parking Spaces



Dumping



Dumping



Dumping



708 Temporary uses.

A. Purpose. The purpose of the temporary uses section is to regulate limited duration uses not otherwise allowed in the applicable zoning districts. *3 *5

The Planning and Development Director may issue an administrative temporary use permit upon written request and submission of an application. Any approval is contingent upon this section, city policy, and written stipulations contained on the permit. +5

A temporary use permit allows for a temporary use that does not meet the requirements of an administrative temporary use permit. An application per Section 307 shall be filed to request approval of a temporary use permit. +5

B. General Regulations. These provisions apply to both administrative temporary use permits and temporary use permits. Temporary uses shall mean either a land use or a structure on the parcel. *5

1. Temporary uses shall be accessory to the primary use on the lot, and may be either indoors or outdoors. The Planning and Development Director may waive this requirement based upon the following criteria: +5

a. There exists a substantial need for it to be considered a primary use for a limited period of time, +5

b. Necessary to enjoy reasonable and substantial property rights, +5

c. Will not create an adverse impact on other properties or persons within the vicinity. +5

2. The Planning and Development Director may revoke a temporary use permit if any conditions or stipulations are not met. +5

3. Temporary uses or structures shall not be permitted within a Planned Unit Development (PUD) zoning district unless otherwise authorized in the PUD. This provision does not apply to PUDs with an adopted ordinance prior to August 6, 2011, the effective date of Ordinance No. G-5644. +5

C. Administrative Temporary Use Permit. An administrative temporary use permit (ATUP) is subject to the following: +5

1. An administrative temporary use permit is required for the following uses or analogous uses: +5

a. Community or other special events on commercial properties. +5

b. Interim surface parking or temporary event parking. +5

c. Promotional events for commercial retail or service businesses. +5

d. Temporary residential dwelling units or residential accessory structures during construction. +5

- e. Temporary employment offices during construction. +5
 - f. Portable searchlights. +5
 - g. Promotional vehicle sales for sites with a minimum of 20 contiguous acres in size and conducted by an existing licensed auto dealership. +5
 - h. Temporary generators. +5
 - i. Temporary construction yards or staging areas. +5
2. Applicants shall submit the following: +5
- a. Application form. +5
 - b. Address or location of property. +5
 - c. Notarized letter of authorization from the property owner of record or a person who has been granted written authorization by the owner to act on his behalf giving permission to have the specified use on the property. If a notarized letter from the property owner is not provided then a notarized letter from the person who has been granted written authorization by the property owner to act on his behalf shall be provided at the time of application. The agent must be approved to authorize and locate a container on the parcel. A permit may be revoked if fraudulent materials are submitted as part of the application process. +6
 - d. Letter of authorization from the property owner giving permission to hold the event on specified days and times. +5 *6
 - e. Site plan showing the location of event on subject property. +5 *6
 - f. Submittal fee in accordance with Appendix A of the Zoning Ordinance. +5 *6
3. The Planning and Development Director shall review applications and may grant approval based upon the following criteria: +5
- a. The use shall not cause a significant increase in odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions. +5
 - b. The use shall comply with all other codes and ordinances. +5
 - c. The use shall not reduce the number of parking spaces below the number required by the Zoning Ordinance for the existing uses. +5
 - d. Dates, times, duration, and other requirements shall be in accordance with the following, or as otherwise may be limited by the Planning and Development Director and listed on the permit. +5
 - (1) The approval of the following shall not exceed a length of five consecutive days with a maximum of five events per calendar year and a maximum of two events per month: +5
 - (a) Community or other special events on commercial properties. +5

- (b) Promotional vehicle sales for sites with a minimum of 20 contiguous acres in size conducted by an existing licensed auto dealership. +5
- (c) Temporary event parking. +5
- (2) The approval of the following shall not exceed a length of five consecutive days with a maximum of 12 events per calendar year and a maximum of two events per month: +5
 - (a) Promotional events for commercial retail or service businesses. +5
 - (b) Portable searchlights. +5
- (3) The following uses may be approved for up to one year: +5
 - (a) Temporary residential dwelling units or residential accessory structures during construction. +5
 - (b) Temporary employment offices during construction. +5
 - (c) Temporary generators. +5
 - (d) Temporary construction yards or staging areas. +5
 - (e) Interim surface parking. +5
- e. The use shall not emit direct light that is greater than one foot candle at the property line or broadcast sound beyond the boundaries of the property on which the use is conducted unless approved by the Planning and Development Director. +5
- f. An administrative temporary use permit for a parcel may be denied when the property owner has been issued a notice of violation that was related to previous temporary uses within the last two years. +5
- 4. Uses that require an administrative temporary use permit may not be altered or expanded unless approved by the Planning and Development Director. +5
- D. Temporary Use Permits.** Other than a mobile vendor use or mobile vending unit, a temporary use permit shall be obtained pursuant to Section 307 as follows: +2 *5
 - 1. The Zoning Administrator may grant a temporary use permit for up to 36 months. A time extension of no more than six months may be granted only through an additional use permit hearing. +2 *5
 - 2. The following will apply to sites with approved use permits prior to August 6, 2011, the effective date of Ordinance No. G-5644: If the temporary use is recurring and occurs less than 50 days during the calendar year, then a use permit must be obtained for each of the first two years. In the third and consecutive, subsequent years, no use permit approval shall be required to continue the temporary use permitted by the use permit upon complying with the following: (a) payment of the application fee set forth in the City Code; and (b) upon a finding by the Zoning Administrator that the temporary use has not been detrimental to persons residing or working in the vicinity, to adjacent property or to the neighborhood. +2 *5

E. A nonresidential use in a residential district may have a temporary use upon a finding by the Zoning Administrator that the temporary use meets the following criteria: +2 *5

1. The subject parcel must have its primary driveway on an arterial street. Ingress and egress to the site during the time period the temporary use is functioning is restricted to arterial street driveways. +2 *5
2. The subject parcel shall have no zoning violations on record for the previous 12 months. +2 *5
3. The use or structure shall comply with all other applicable codes and ordinances. +2 *5
4. The approval shall not exceed a length of three consecutive days (excluding installation and removal) with a maximum of four events per calendar year. +2 *5
5. The use or structure shall be set back a minimum of 50 feet from the lot line of any adjacent residential use. +2 *5
6. The number of parking spaces shall not be reduced below the number of spaces required by the Zoning Ordinance or below ten percent of the spaces provided, whichever is greater. +2 *5
7. The use shall not be conducted between the hours of 10:00 p.m. and 8:00 a.m. +2 *5
8. No direct light or sound associated with such use or structure shall be visible or broadcast beyond the boundaries of the lot. +2 *5
9. A third party, commercial use that is unrelated to the primary use of the subject parcel may not sell retail merchandise indoors or out-of-doors, unless the third party is a nonprofit organization. +2 *5
10. A fee has been paid in an amount equal to the minor promotional event fee set forth in the zoning fee schedule of this code. +2 *5

F. Reserved. -5

G. A searchlight may be located within a C-1, C-2, C-3, A-1, A-2, Commerce Park, PSC, or RSC district so long as it is not placed within one hundred fifty feet of an occupied residence. +1

H. A searchlight display may consist of two searchlights. Additional lights may be authorized with a use permit. +1

I. A searchlight display may be located on a property for twelve days in any calendar year. Additional days may be authorized with a use permit. +1

1. A searchlight display may be located on a shopping center containing seventy-five acres or more or at the Veterans Memorial Coliseum so long as said light is not placed within three hundred feet of an occupied residence, notwithstanding the provisions of subsection G. +1
2. Notwithstanding the other provisions of this section, a searchlight may be displayed at a grand opening within one hundred fifty feet of an occupied residence and shall not be displayed for more than three days in any calendar year. +1

J. A form, furnished by the Planning and Development Department, shall be submitted to the Planning and Development Department for each searchlight display. If not submitted prior to the occurrence, it shall be postmarked no later than the date of the display. +1

K. No searchlight shall be operated between the hours of 11:00 p.m. and dawn. +1

L. Charitable Drop Box Container Permit. A charitable drop box container permit is subject to the following: +6

1. An annual permit is required for the following uses or analogous uses: +6

a. Charitable drop box containers. +6

(1) Containers are permitted in C-0, C-1, C-2, C-3, and Commerce Park Zoning Districts. Containers are also permitted on residentially zoned properties with public assembly uses. +6

(2) Must be a container constructed of painted metal, rubber, wood, or plastic, and shall be maintained in a safe and non-blighted condition. The owner or operator of a container shall remove any material left in and around the container within 24 hours of receiving written notification from the property owner, or City of Phoenix. If more than 25 percent of a container is damaged or vandalized, it must be removed within five business days of written notification. If there is a public health, safety or welfare concern pursuant to Chapter 27 of the City Code, the container must then be removed within 24 hours of written notification. +6

(3) The container shall be no more than six cubic yards in capacity and must have a locking lid or a latch that meets the requirements of Chapter 27 of the City Code. There shall be no more than two containers on any one property or center, whichever is most restrictive. A property may contain one 12-cubic-yard container in lieu of two six-cubic-yard containers. The Planning and Development Director may approve more than two containers on properties that are greater than 10 acres in size if the additional containers are located on a different street frontage and spaced a minimum of 500 feet from the other containers. +6

(4) The container shall be clearly marked to identify the specific items and materials requested to be left for donations, the name, telephone number and email address of the owner or operator of the container that may be used for contact at any time. A notice shall also be on the container that items shall not be left outside of the container and a statement that no hazardous materials may be placed inside the containers pursuant to Chapter 27 of the City Code. The container shall also list the name of the non-profit entity that shares the donated item profits. +6

(5) Containers shall not be permitted in a location that impacts required parking vehicular circulation, loading zones, or landscaping. +6

(6) Each container may be permitted for up to one year. Each container permit may be renewed on an annual basis pursuant to compliance with Section 708.C.3. +6

(7) The City may consider prior permit revocations due to fraudulent application information when granting new charitable drop box permits. +6

(8) A property owner shall control the permit not the permittee. As such, the owner or authorized agent may rescind their authorization for the container at any time and the permit shall be revoked. +6

(9) Permits are not required when the container is in compliance pursuant to Section 608.E.1. +6

Date of Addition/Revision/Deletion - Section 708

- +1 Addition on 6-3-1992 by Ordinance No. G-3530
- +2 Addition on 1-20-1999 by Ordinance No. G-4155
- *2 Revision on 1-20-1999 by Ordinance No. G-4155
- *3 Revision on 10-4-2000 by Ordinance No. G-4298 (effective 2-1-2001)
- *4 Revision on 4-17-2002 by Ordinance No. G-4426, eff. 5-17-2002
- +5 Addition on 7-6-2011 by Ordinance No. G-5644, eff. 8-5-2011
- 5 Deletion on 7-6-2011 by Ordinance No. G-5644, eff. 8-5-2011
- *5 Revision on 7-6-2011 by Ordinance No. G-5644, eff. 8-5-2011
- +6 Addition on 10-2-2013 by Ordinance No. G-5846, eff. 1-1-2014
- *6 Revision on 10-2-2013 by Ordinance No. G-5846, eff. 1-1-2014



CITY OF SURPRISE
Planning and Zoning Commission

March 19, 2015 @ 6:00:00 PM

Back Print

Board Meeting Date:	March 19, 2015	Contact Person:	Robert Kuhfuss, Community Development
Submitting Department:	CD Boards and Commissions	District:	5
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action regarding a Major Site Plan for Texas Roadhouse Restaurant located on the southwest side of Grand Avenue, southeast of Parkview Place, within the Park Place PAD.

Motion:

Motion to approve a Major Site Plan for Texas Roadhouse Restaurant subject to staff recommended stipulation 'A' as listed in the staff report.

Background:

Christine Otis of Greenberg/Farrow, on behalf of Surprise Valley, LLC, submitted a request for a Major Site Plan Amendment relating to a currently vacant property located within the Park Place PAD.

Financial Impact Statement:

All activity related to ongoing development in the City of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ☐ [FS14-421 - Texas Roadhouse - Staff Report](#)
- ☐ [FS14-421 - Texas Roadhouse - Case Map](#)
- ☐ [FS14-421 - Texas Roadhouse - Vicinity Map](#)
- ☐ [FS14-421 - Texas Roadhouse - Narrative](#)
- ☐ [FS14-421 - Texas Roadhouse - Site Plan](#)
- ☐ [FS14-421 - Texas Roadhouse - Landscape Plan](#)
- ☐ [FS14-421 - Texas Roadhouse - Elevations](#)

- ☐ [FS14-421 - Texas Roadhouse - Sign Package](#)
- ☐ [FS14-421-Texas Roadhouse-Presentation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

Presentation Speaker Names (spelling and titles for TV captions):

Robert Kuhfuss, Planner II

Eric Fitzer, Director



COMMUNITY DEVELOPMENT DEPARTMENT

Date: March 19, 2015

To: Planning and Zoning Commission

From: Eric Fitzer, Community Development Director
Robert H. Kuhfuss, AICP, Planner II

Re: FS14-421 – Texas Roadhouse
Major Site Plan

Introduction

Catherine Otis of Greenburg/Farrow, on behalf of Surprise Valley, LLC, submitted an application for a Major Site Plan to allow a new restaurant to be located on a vacant infill lot generally located along the southwest side of Grand Avenue, to the southeast of Parkview Place.

History

August 8, 1996: The City Council approved the original PAD for Park Place under case PAD91-01.

October 9, 1997: The City Council approved a Major Amendment to the Park Place PAD for the purpose of amending the Design Guidelines under case PADA95-49.

August 14, 2014: Staff held a Concept Review meeting with the applicant under CR14-288.

October 30, 2014: The applicant filed the subject application under FS14-421.

December 12, 2014: Staff issued 1st review comments relating to the subject application.

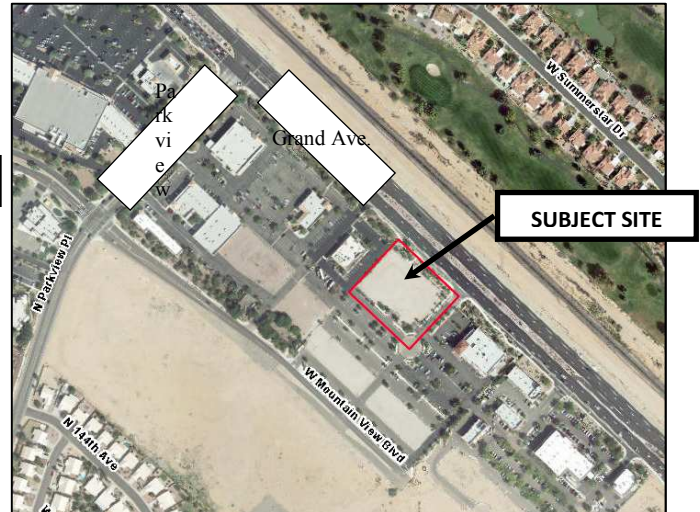
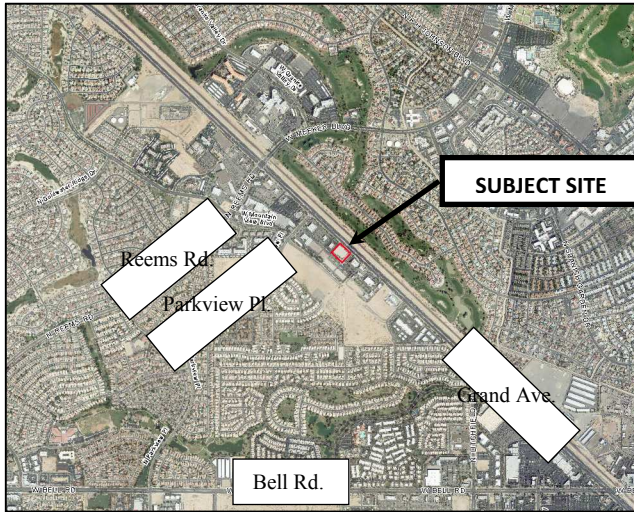
February 10, 2015: The applicant filed their 2nd submittal.

Staff Review

Location:

The approximately 1.73-acre subject property is located in a largely commercial area located in the vicinity of Reems Road and Grand Avenue. The immediate area is partially built-out, with existing buildings located to the northwest and southeast of the site. A parking lot and additional vacant pads are located to the southwest of the site.

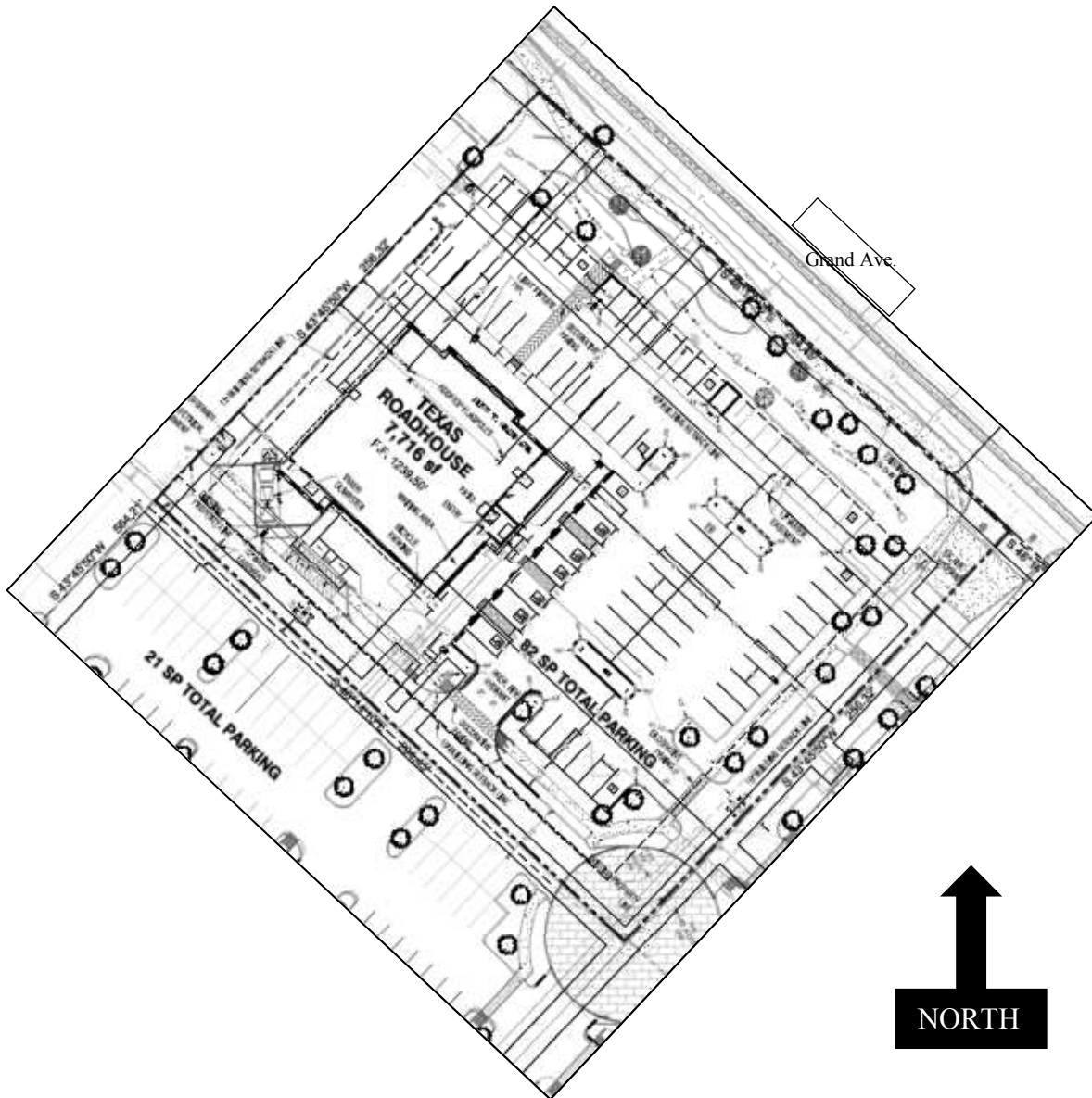
[The following aerial photographs depict the conditions present in the area.]



Site Design:

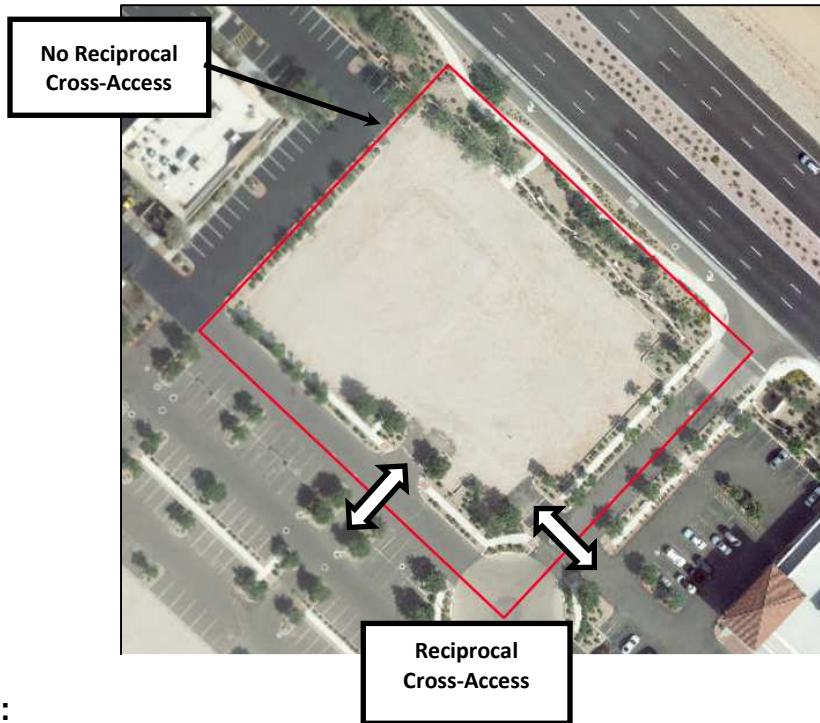
The applicant proposes a single-story building of approximately 7,716 square feet. The building will be located in the western corner of the site, which will place the front of the building roughly in line with the neighboring restaurant located to the northwest. The trash enclosure will be located near the extreme western corner of the building and will take access from the external circulation drive. A total of 82 parking spaces will be located on site with the balance of the required parking located off-site on the existing parking lot to the southwest. One loading space will be located adjacent to the trash enclosure. The site plan is depicted on the following page and is included in the attachments.

[Site plan image on following page.]



The existing pad is partially developed with landscaping medians located in the vicinity of the northwest, southwest and southeast property lines, as well as the Grand Avenue frontage. Existing drive aisles are located between the southwest and southeast property lines and the adjacent landscaping, and enjoy reciprocal cross-access leading to and from Grand Avenue and Parkview Place. While physical access to the neighboring Outback Steakhouse property exists near the northern corner of the site, it does not appear from the documentation provided by the applicant that legal cross-access exists between these two properties. Staff has included stipulation "A" to address this issue.

[See aerial photo on following page.]



Architecture:

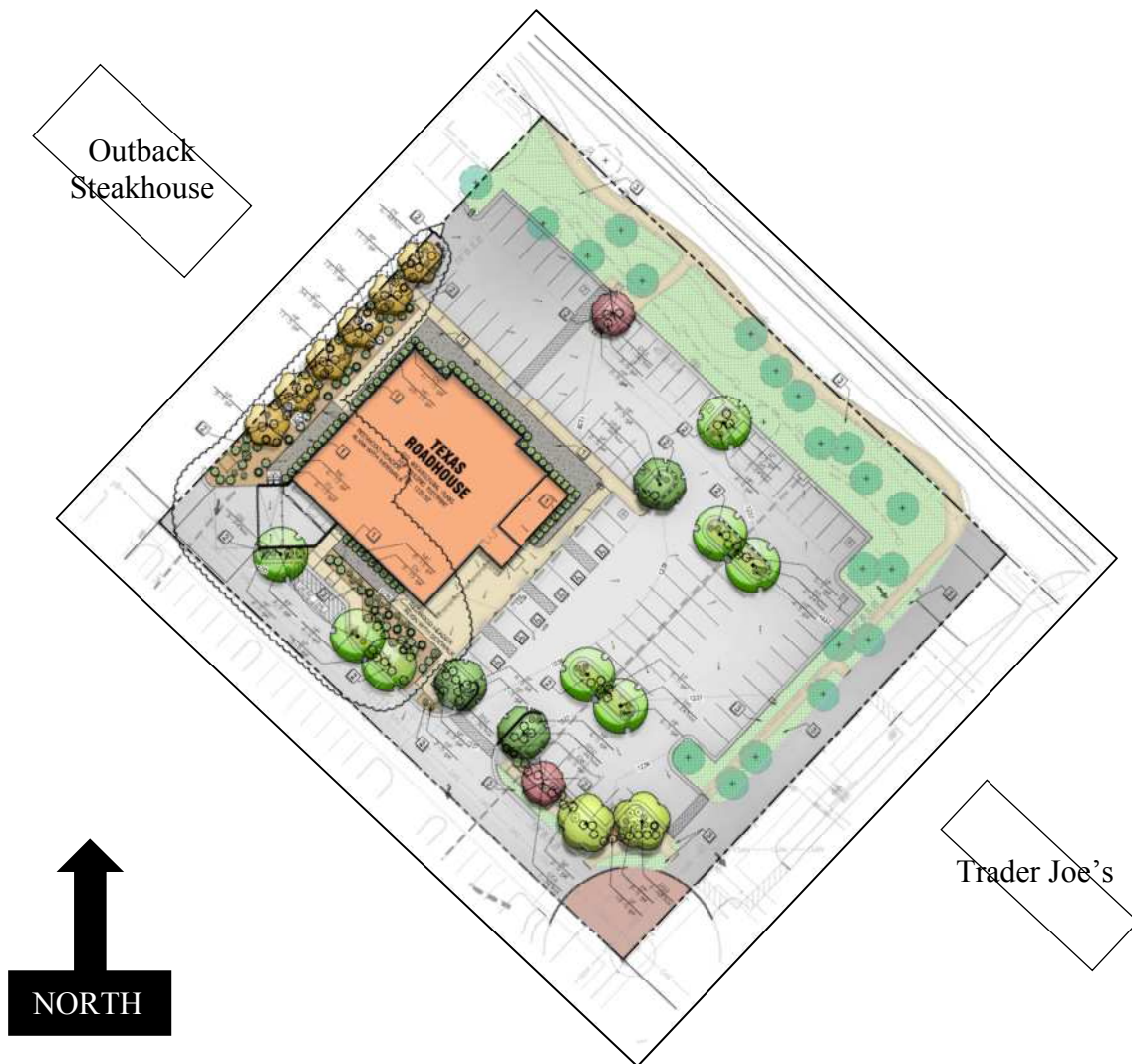
The proposed building is prototypical of Texas Roadhouse restaurants; however, the applicant has been very amenable to certain changes which will add to the amenity of the area. These include the use of faux stone as opposed to red brick to better match the stonework used elsewhere in the development, the extension of shed roofs and the addition of faux windows to break up the large wall planes, and the rotation of the trash enclosures to provide better screening and access.

[The following image depicts the northeast elevation, which is the elevation that will face Grand Avenue. All four elevations are included in the attachments.]



Landscape Plan:

The perimeter of the site is currently landscaped; however, there will be certain modifications to that landscaping as it relates to the reconfiguration of the southwest side of the property near the proposed trash enclosures and loading zone. Within the interior of the site, the applicant proposes additional landscaping adjacent to the building and within the parking area.



Pedestrian Connectivity:

As depicted in the preceding image, there is existing pedestrian connectivity from the subject site to the sidewalk along Grand Avenue. Using decorative paving material, the applicant will extend that connection to a new sidewalk that will wrap around the perimeter of the building except for the service area located at the western corner of the building. The existing sidewalk also extends around to the southeast and southwest, with existing pedestrian

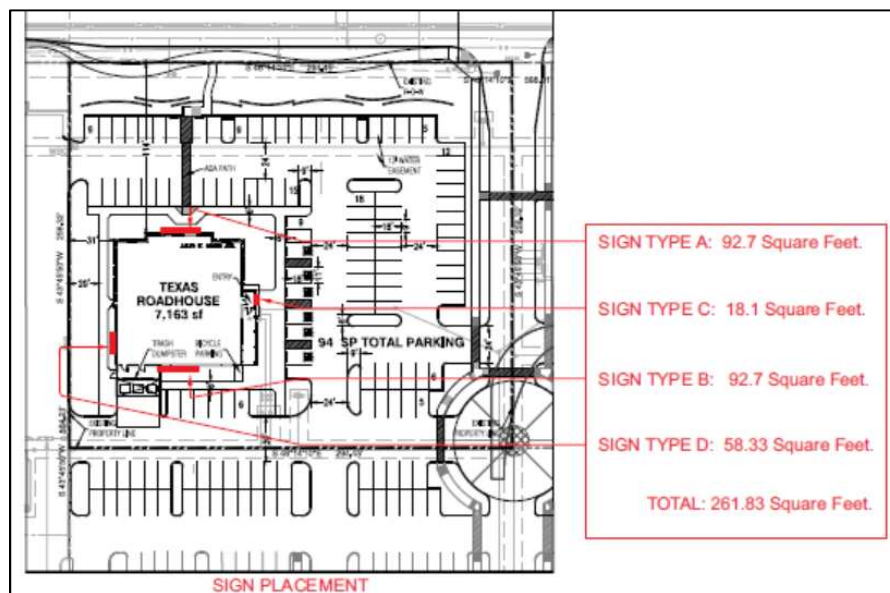
connectivity leading from the subject site to the Trader Joe's site located to the southeast. Pedestrian connectivity from the subject site to the Outback Steakhouse property to the northwest will be via the aforementioned Grand Avenue sidewalk.

Photometric Plan:

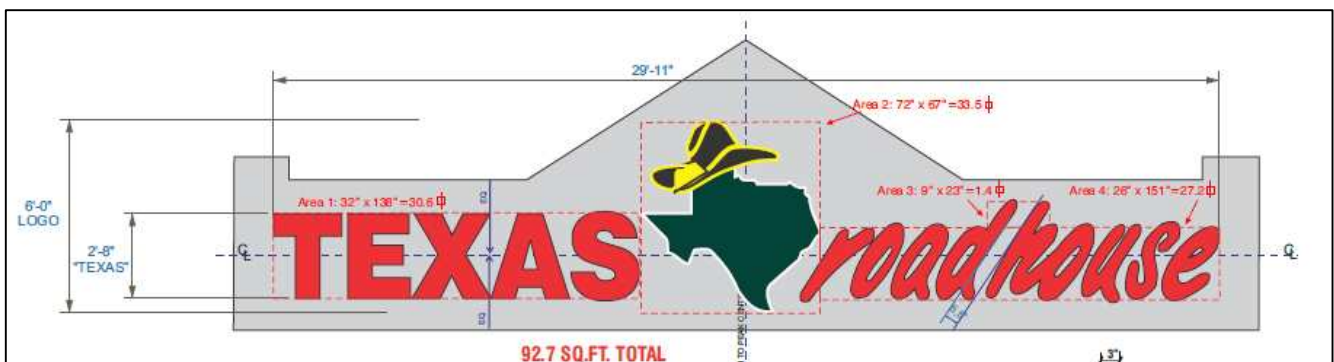
The applicant included a lighting photometric study with the application. This study demonstrates compliance with the SUDC.

Signage:

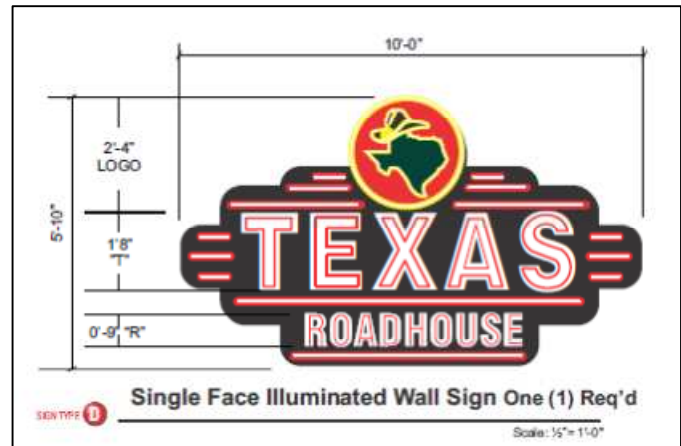
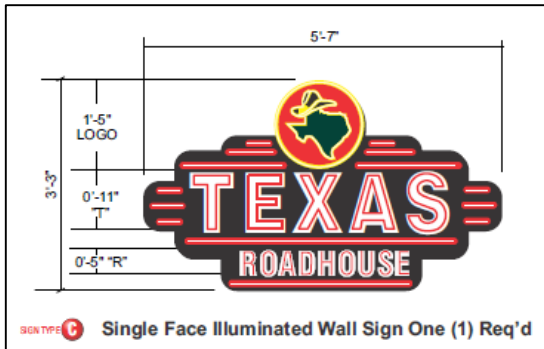
The applicant included a sign package with this proposal, which depicts four different exterior sign types as depicted below.



Sign Type A will be located on the Grand Avenue frontage and will consist of raised channel lettering and neon tubing faced with a clear acrylic panel set against the wall's exterior finish material. Sign Type B is essentially the same as Sign Type A and will be located on the opposite side of the building.



Sign Types C and D will also consist of raised channel lettering and logos with neon tubing covered by a clear acrylic panel. Sign Type C will be located over the main entrance, while slightly larger Sign Type D will be located on the northwest elevation.



Findings:

- The proposal meets the provisions of the Park Place PAD as applicable.
- The proposal meets the provisions of the SUDC as applicable.
- There are no objections to the approval of the proposed development that are not addressed by the recommended stipulations.

Recommendation:

Based on the findings listed above, staff recommends the Commission approve case FS14-421 subject to stipulation 'A' as follows:

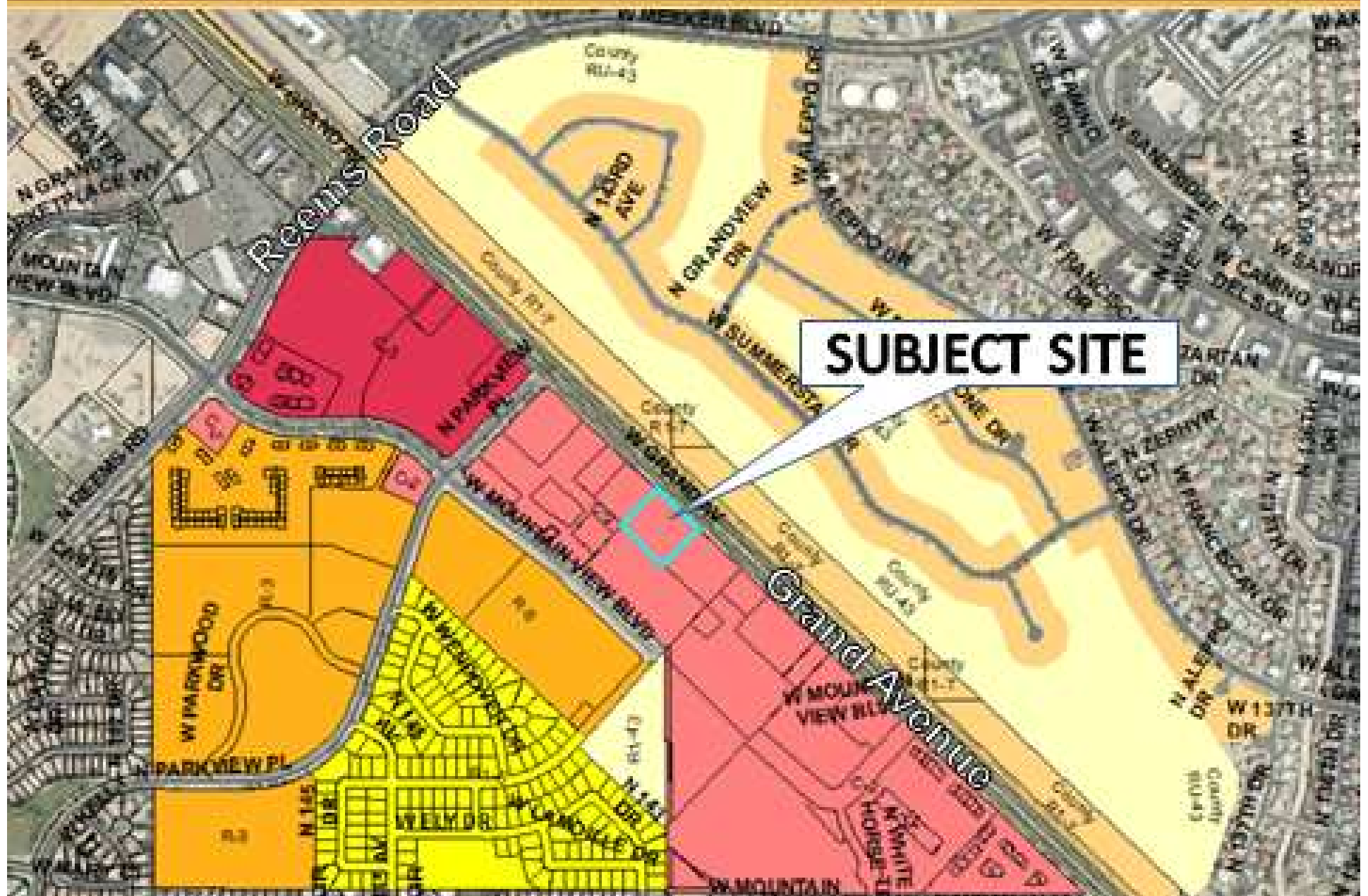
- A. Prior to issuance of any construction permit relating to the development of the subject property, the applicant shall provide evidence to the satisfaction of the City of Surprise of a reciprocal cross access easement between the subject property and the property immediately adjacent to the northwest boundary of the site (APN 503-60-540), or shall provide a revised site plan and landscape plan that depicts the existing physical access between these two properties as being removed in lieu of landscaping that is consistent with the balance of the site.

Attached:

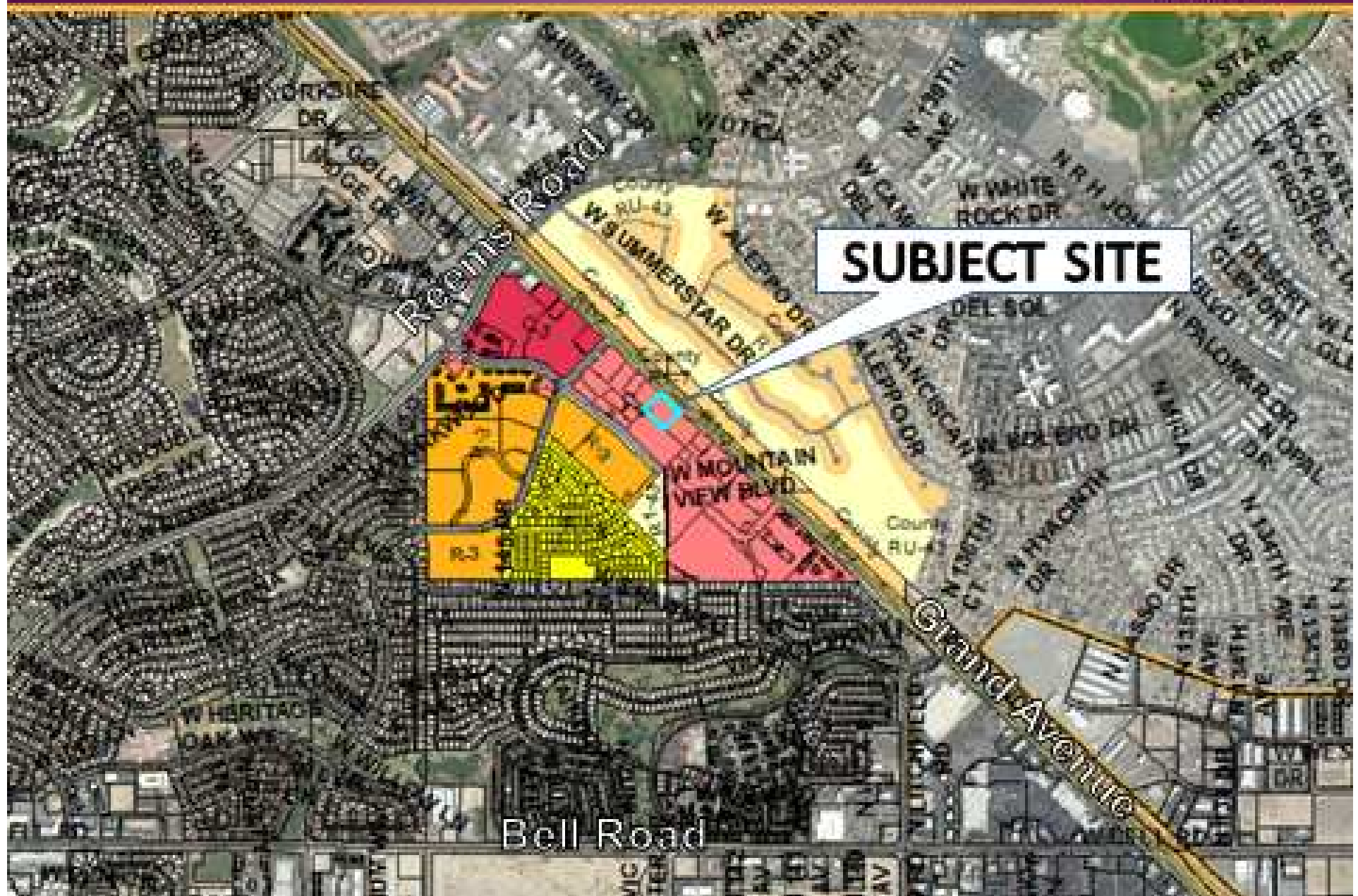
Case Map (1 page)
Vicinity Map (1 page)
Narrative Report (2 pages)
Site Plan (8-1/2 x 11, 1 page)
Landscape Plan (color version, 8-1/2 x 11, 1 page)
Elevations (color version, 8-1/2 x 11, 1 page)
Sign Package (8-1/2 x 11, 7 pages)

Site Plan (11 x 17, 1 sheet)
Landscape Plan (color version, 11 x 17, 1 sheet)
Elevations (color version, 11 x 17, 1 sheet)
Sign Package (11 x 17, 7 sheets)

SURPRISE
AIRLINES



URPRIS
ARIZONA





Texas Roadhouse
Surprise, Arizona

The proposed 1.74 acre parcel is located within the Park Place PAD at Grand Avenue & Parkview Place in the City of Surprise.

Texas Roadhouse wants to provide a place where the whole family can enjoy a hearty, good meal with service that is friendly, energetic and enthusiastic. This is a value based 'scratch based food' concept. Hand-cut steaks award winning ribs, fresh-baked bread and made from scratch side items are the standard at Texas Roadhouse.

Texas Roadhouse is proposing to construct a 7,240 square foot restaurant & 476 square foot patio for a total of 7,716 SF.

Parking is reciprocal for the overall commercial area and Texas Roadhouse will be providing a total of eighty-eight spaces within the immediate lease parcel with an additional fifteen spaces directly adjacent to meet the 103 total required stalls. Bicycle parking is provided for a total of six spaces. Decorative pavement is proposed at pedestrian crossing.

Landscaping provided is a combination of protecting existing landscaping in place and providing an abundance of new landscaping to meet or exceed code. 5,906 SF of landscaping is provided within the parking lot including twenty-eight trees and in excess of 15% requirement. A combination of shrubs and river rock are proposed around the building perimeter.

Building architecture consists of a stone base & columns, cedar siding & shutters, green trim and metal roof. The canopy on the rear elevation & a portion of the northwest elevation has been extended and signage is proposed on all four sides to allow patrons to locate the restaurant from within the larger development.

Operations:

- Texas Roadhouse hours of operation are generally from 4:00 p.m. to 10:00 p.m. Monday – Friday, 11:00 a.m. to 11:00 p.m. Saturday and 11:30 a.m. to 10:00 p.m. on Sunday.
- There are typically twenty employees on shift during peak hours.
- Deliveries:
 - Produce delivery 4-5 times per week in the morning on a small to medium truck, by local company
 - Beer delivery – once per week, during day, on large truck by a local company



- Linen delivery – up to two times per week on small truck by local company
- Sygma (Sysco) – Up to two times per week on large truck by local company
- (Box trucks, refrigeration trucks & semi-trailer trucks ranging in size from 13'-18' for small trucks and +/-24' in length for medium/large trucks)

All deliveries occur during non-business hours.

PROJECT TEAM

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional.

ISSUE/REVISION RECORD

DATE	DESCRIPTION
08/27/14	COORDINATION SET
10/21/14	PERMIT SET
11/24/14	BID SET
12/24/14	PERMIT RESPONSE #1

PROFESSIONAL SEAL



PROFESSIONAL IN CHARGE
KURT KOETHER, PLA

LICENSE NO. 53789

PROJECT MANAGER
MIKE HOLMES

QUALITY CONTROL
KURT KOETHER

DRAWN BY
REX CAYABAB

PROJECT NAME

TEXAS
ROADHOUSE

SUPRISE
ARIZONA

14175 W. GRAND AVE



PROJECT NUMBER

20140302.0

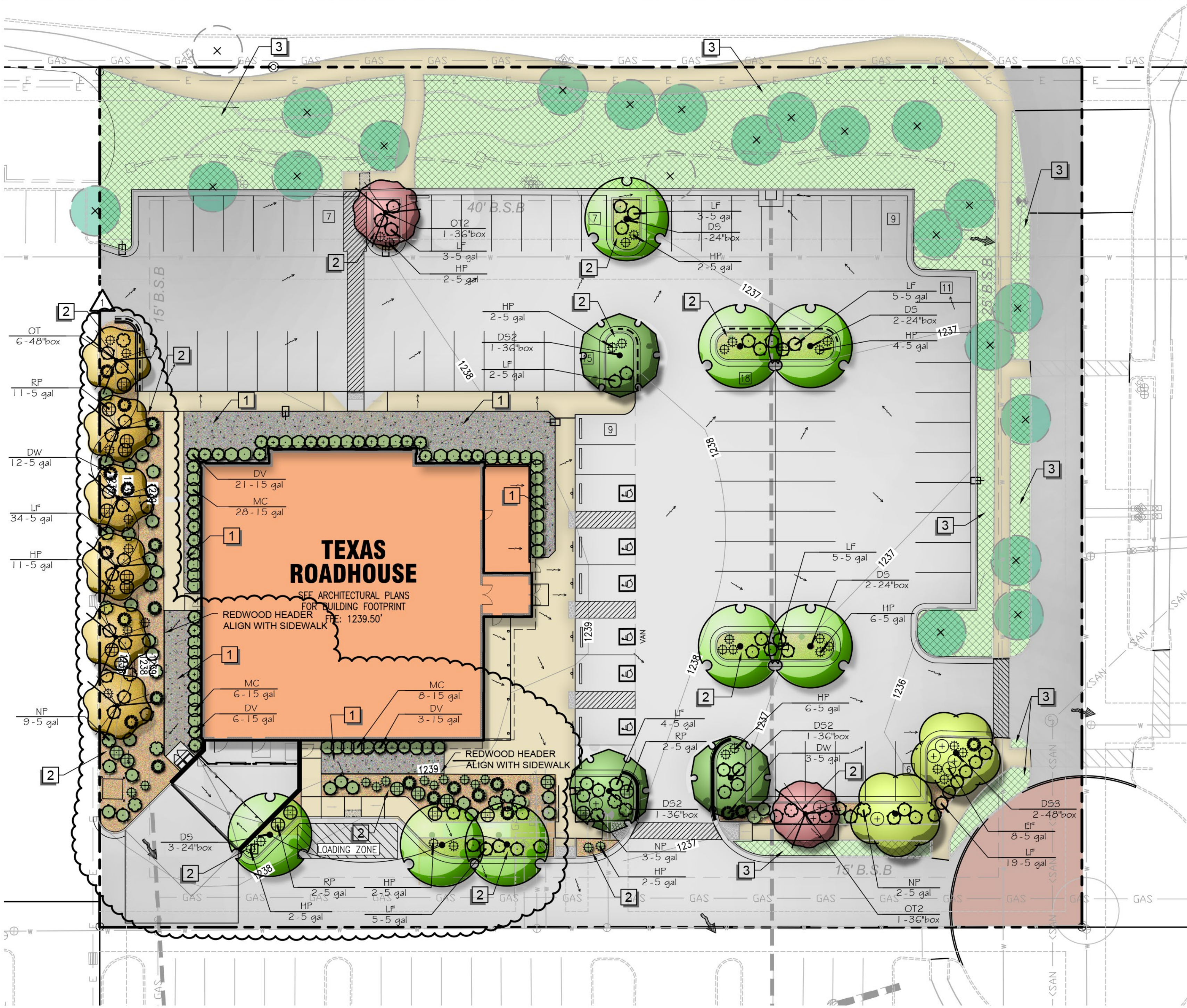
SHEET TITLE

PLANTING PLAN

SHEET NUMBER

L4.0

NOT ISSUED FOR CONSTRUCTION



PLANT SCHEDULE

TREES

DS

DS2

DS3

EXT

OT2

OT

CODE

QTY

BOTANICAL NAME

COMMON NAME

CONT.

CALIPER

DS

DS2

DS3

EXT

OT2

OT

CODE

QTY

BOTANICAL NAME

COMMON NAME

CONT.

HEIGHT

DS

DS2

DS3

EXT

OT2

OT

CODE

QTY

BOTANICAL NAME

COMMON NAME

CONT.

HEIGHT

DS

DS2

DS3

EXT

OT2

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CODE

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BOTANICAL NAME

COMMON NAME

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COMMON NAME

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BOTANICAL NAME

COMMON NAME

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CONT.

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BOTANICAL NAME

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HEIGHT

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DS2

DS3

EXT

OT2

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CODE

QTY

BOTANICAL NAME

COMMON NAME

CONT.

HEIGHT

DS



FRONT ELEVATION (NORTHEAST)



RIGHT ELEVATION (NORTHWEST)



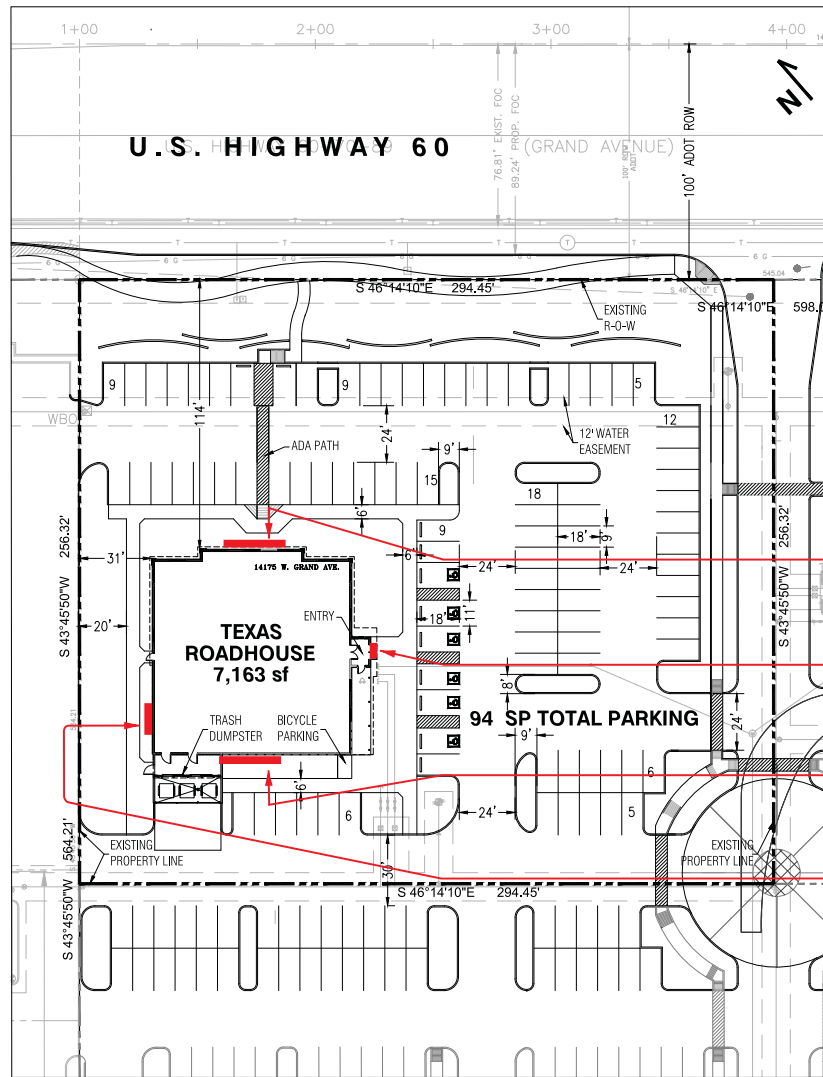
REAR ELEVATION (SOUTHWEST)



LEFT ELEVATION (SOUTHEAST)

EXTERIOR FINISH SCHEDULE			
BUILDING ITEMS WOOD SIDING, TRIM, & WOOD SHUTTERS	DESCRIPTION PRE-STAINED CEDAR HENRY POOR LUMBER 3200 REAGAN DRIVE LAFAYETTE, IN 47906 CONTACT: DOUG MILLER PHONE: 800-255-7913 CEDARTONE TWP #1501 STAIN FORMULA	BUILDING ITEMS ENTRY DOOR FRAME & DOWNSPOUTS	DESCRIPTION PAINT #3: SHERWIN WILLIAMS #2195 ROADSIDE, ACRYLIC OR ENAMEL, GLOSS BASE (DTM) FINISH COLOR TO MATCH PRE-STAINED CEDAR - PRIMER/TWO FINISH COATS
		METAL DOORS AND FRAMES	PAINT #4: SHERWIN WILLIAMS ENAMEL GLOSS BLACK - PRIMER/TWO FINISH COATS
	FRONT ENTRANCE DOORS	METAL DOORS (FAUX WOOD) CECO DOOR "MADERA" (CS-5) PHONE: 270.441.7171	THIN STONE VENEER
TRIM	PAINT #1 SHERWIN WILLIAMS PAINTS 2 COATS GREEN ENAMEL OIL OR ACRYLIC BASE. (R2 MAROON 1/32, N1 RAW UMBER 16/32, W1 WHITE 22/32, B1 BLACK 44/32, Y3 DEEP GOLD 2 OZ & 5/32, G2 NEW GREEN 4 OZ & 54/32). (DTM UD SEMI)	METAL ROOF	GALVALUME 5 V-CRIMP COLOR: GALVALUME METAL SALES 800-747-1206
METAL FLASHING AND GUTTERS	PAINT #2 SHERWIN WILLIAMS PAINTS 2 COATS GREEN ENAMEL OIL OR ACRYLIC BASE. (R2 MAROON 1/32, N1 RAW UMBER 16/32, W1 WITE 22/32, B1 BLACK 44/32, Y3 DEEP GOLD 2 OZ & 5/32, G2 NEW GREEN 4 OZ & 54/32). (DTM UD SEMI)	DUMPSTER GATES & BOLLARDS	PAINT #4: SHERWIN WILLIAMS ENAMEL GLOSS BLACK - PRIMER/TWO FINISH COATS

DISCLAIMER NOTE:
THE COLORS DEPICTED ON THESE ELEVATIONS ARE FOR GRAPHIC REPRESENTATION PURPOSES ONLY. PLEASE REFER TO MATERIAL BOARD FOR ACTUAL SAMPLE OF COLORS AND TEXTURES



SIGN TYPE A: 92.7 Square Feet.

SIGN TYPE C: 18.1 Square Feet.

SIGN TYPE B: 92.7 Square Feet.

SIGN TYPE D: 58.33 Square Feet.

TOTAL: 261.83 Square Feet.



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Revisions:
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Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date: _____
 Landlord Approval/Date: _____

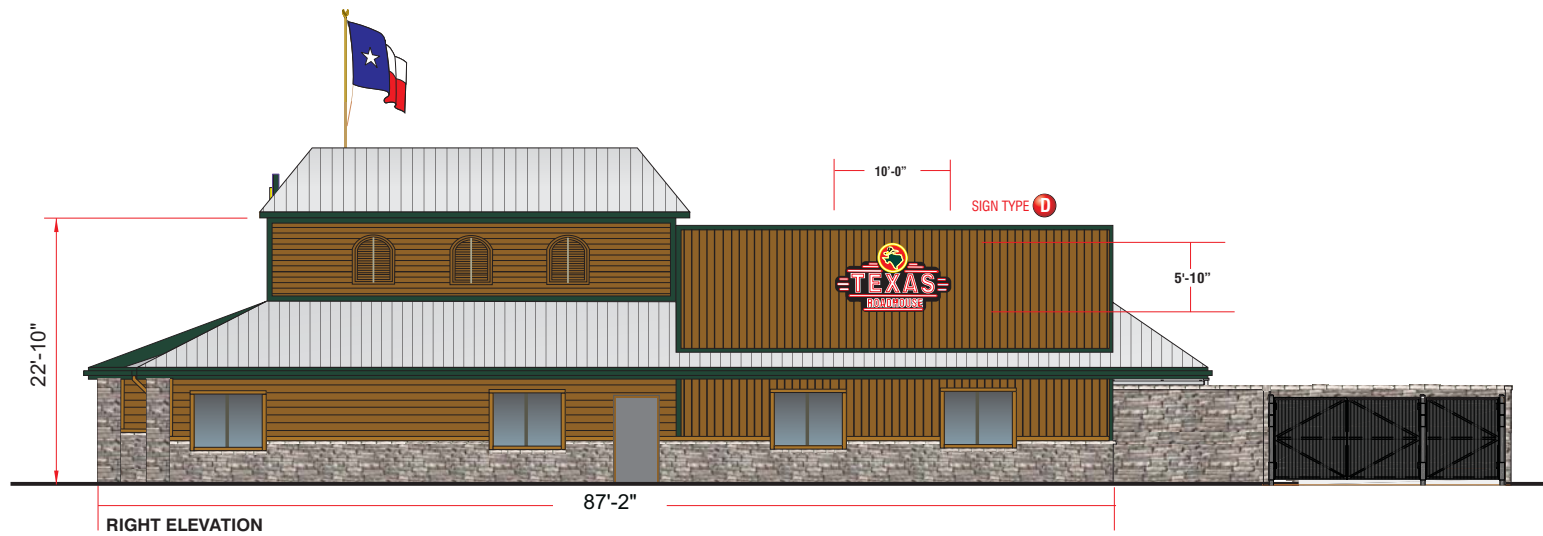
Account Rep: Randy Cearlock
 Project Manager: S. Maeser
 Drawn By: S. Maeser

UL Underwriters Laboratories Inc. nfc ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
 SEQ U.S. HIGHWAY 60
 & PARKVIEW PLACE
 SURPRISE, AZ

Job Number: 23-27113-10
 Date: AUGUST 26, 2014
 Sheet Number: 2 of 6
 Design Number: 23-27113-10R1

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SCALE : 3/32" = 1'-0"



SCALE : 3/32" = 1'-0"



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Revisions:
R1:12/19/14-SM-Revised Elevations and reduced Signs B and D per City Comments.

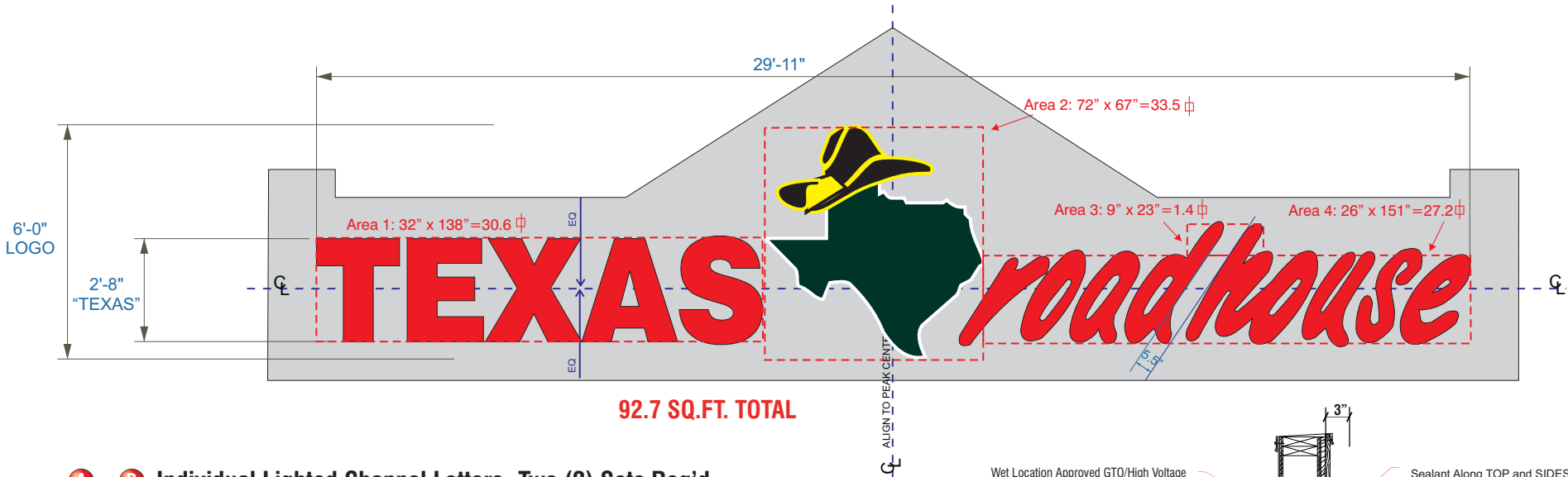
Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match
Client Approval/Date: _____
Landlord Approval/Date: _____

Account Rep: **Randy Cearlock**
Project Manager: **S. Maeser**
Drawn By: **S. Maeser**
UL Underwriters Laboratories Inc. nfc ELECTRICAL TO USE U.S.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
TEXAS roadhouse
SEQ U.S. HIGHWAY 60
& PARKVIEW PLACE
SURPRISE, AZ

Job Number: **23-27113-10**
Date: **AUGUST 26, 2014**
Sheet Number: **3** Of **6**
Design Number: **23-27113-10R1**

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SIGN TYPE **A** and **B** Individual Lighted Channel Letters- Two (2) Sets Req'd.

SCOPE OF WORK:

Manufacture and install channel letters having remote transformers located in accessible area behind wall.

SCALE : 3/8" = 1'-0"

INSTALLER IS RESPONSIBLE FOR:

PROVIDING AND INSTALLING ALL COMPONENTS REQUIRED TO RUN SECONDARY WIRING (CONNECTORS, GTO CONDUIT, ETC.) TO BE DETERMINED BY LOCAL CODE AND SITE CONDITIONS.
PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

ELECTRICAL REQUIREMENTS PER SIGN

Total: 16.8 Amps

(2) 120V 20A Circuit Required .

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS.

MATERIAL FINISH COLORS

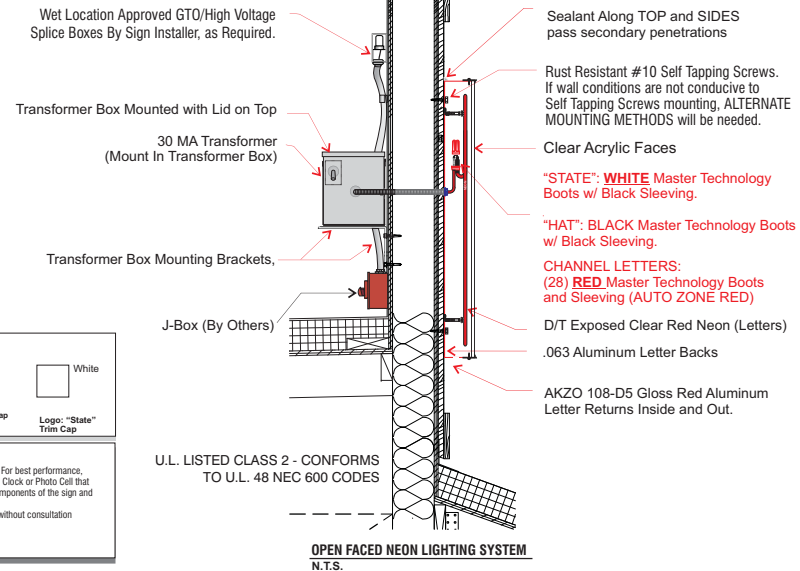
Letters: Returns and Face	Letters	Logo: "State" Returns and Face	Logo: "State"	Logo: "State"	Logo: "Hat" Returns, Face and Trim Cap.	Logo: "Hat"	Logo: "Hat"	Letter Face and Logo.	Letter Trim Cap	Logo: "State" Trim Cap
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CUSTOMER TO PROVIDE:

ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN:
A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Health Sign's requirement.

Any deviation from the above recommendations may result in:
1. Damage to or improper operation of the sign(s).
2. Delays and additional costs.

Notes:
- Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
- Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Health Sign Co. will void the warranty.



FEDERAL HEALTH

SIGN COMPANY
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Revisions:

R1:12/19/14-SM-Revised Elevations and reduced Signs B and D per City Comments.

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Client Approval/Date:

Landlord Approval/Date:

Account Rep: Randy Cearlock

Project Manager: S. Maeser

Drawn By: S. Maeser

Underwriters Laboratories Inc. nfc ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:

TEXAS
roadhouse
SEQ U.S. HIGHWAY 60
& PARKVIEW PLACE
SURPRISE, AZ

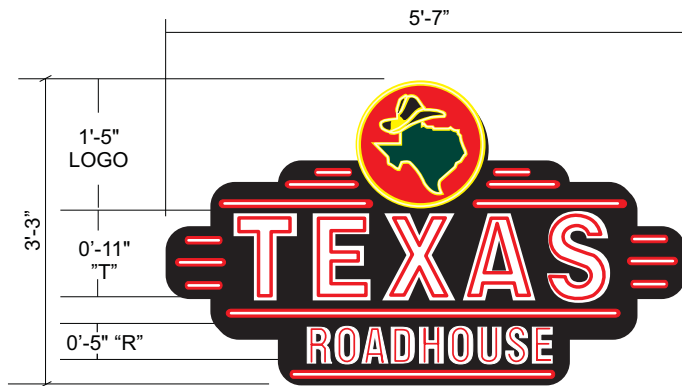
Job Number: 23-27113-10

Date: AUGUST 26, 2014

Sheet Number: 4 of 6

Design Number: 23-27113-10R1

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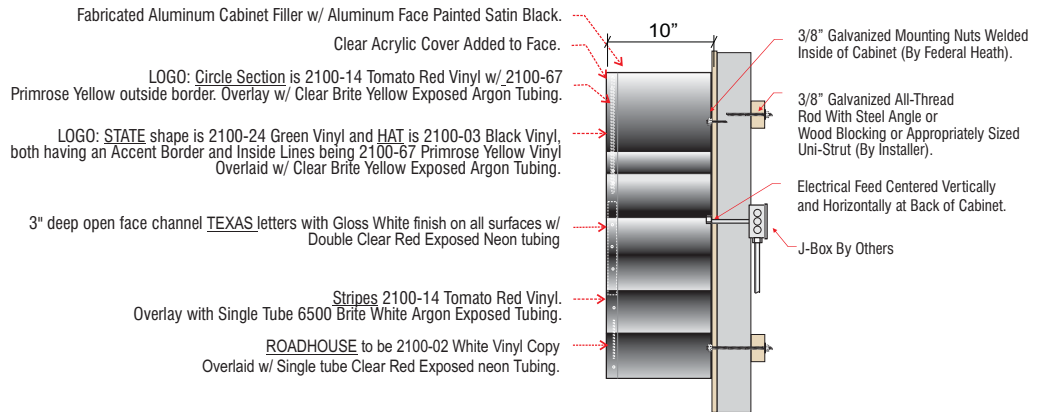
SIGN TYPE C Single Face Illuminated Wall Sign One (1) Req'd

SCOPE OF WORK:

Manufacture and install S/F illuminated wall sign.

Scale: 3/4"= 1'-0"

18.1 SQ. FT TOTAL



Typical Cabinet End View

CUSTOMER TO PROVIDE:

(For New / Remodel Construction) ADEQUATE BEHIND THE WALL BACKING AND ACCESS AS REQUIRED TO INSTALL SIGNAGE. CUSTOMER TO FORWARD COPY OF FINAL APPROVED SIGNAGE DRAWINGS TO BUILDING SITE CONTACT SO THAT THESE PROVISIONS CAN BE MADE DURING CONSTRUCTION AND PRIOR TO SIGN INSTALLATION.

ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT) TO BE BY CERTIFIED ELECTRICIAN:
A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Health Sign's requirements.

Any deviation from the above recommendations may result in:
1. Damage to or improper operation of the sign(s).
2. Delays and additional costs.

Notes: 1. Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
2. Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Health Sign Co. will void the warranty.

INSTALLER IS RESPONSIBLE FOR:

PROVIDING AND INSTALLING ALL COMPONENTS REQUIRED TO RUN SECONDARY WIRING (CONNECTORS, GTO CONDUIT, ETC.) TO BE DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

SEALING BUILDING PENETRATIONS WITH SILICONE TO PREVENT MOISTURE PENETRATION @ EXTERIOR LOCATIONS..

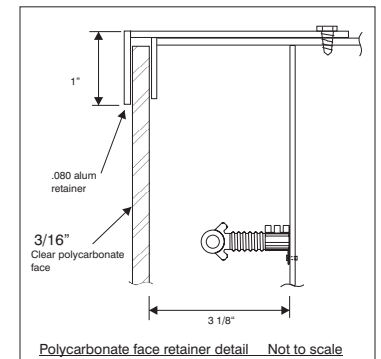
ELECTRICAL REQUIREMENTS

Total: 7.72 Amps

(1) 120V 20A Circuit Required.

ALL BRANCH CIRCUITS
SHALL BE DEDICATED TO

MATERIAL FINISH COLORS



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Revisions:

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Client Approval/Date:

Landlord Approval/Date:

Account Rep: Randy Cearlock

Project Manager: S. Maeser

Drawn By: S. Maeser

UL Underswriters Laboratories Inc. nfc ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:

TEXAS roadhouse
SEQ U.S. HIGHWAY 60
& PARKVIEW PLACE
SURPRISE, AZ

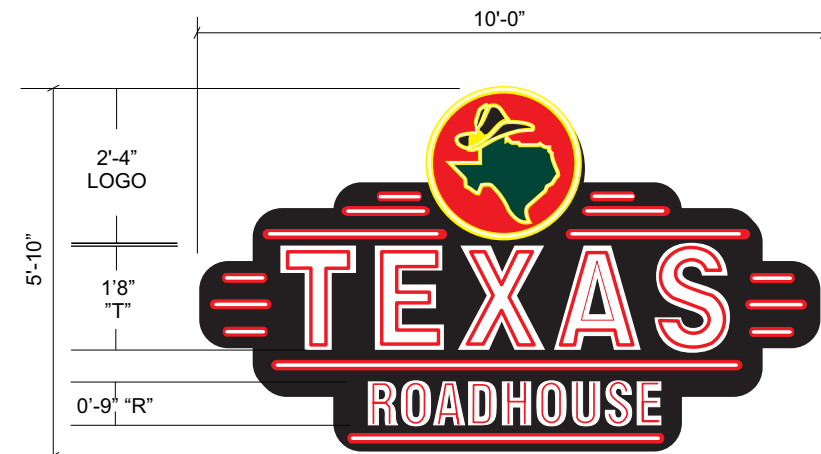
Job Number: 23-27113-10

Date: AUGUST 26, 2014

Sheet Number: 5 Of 6

Design Number: 23-27113-10R1

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SIGN TYPE **D**

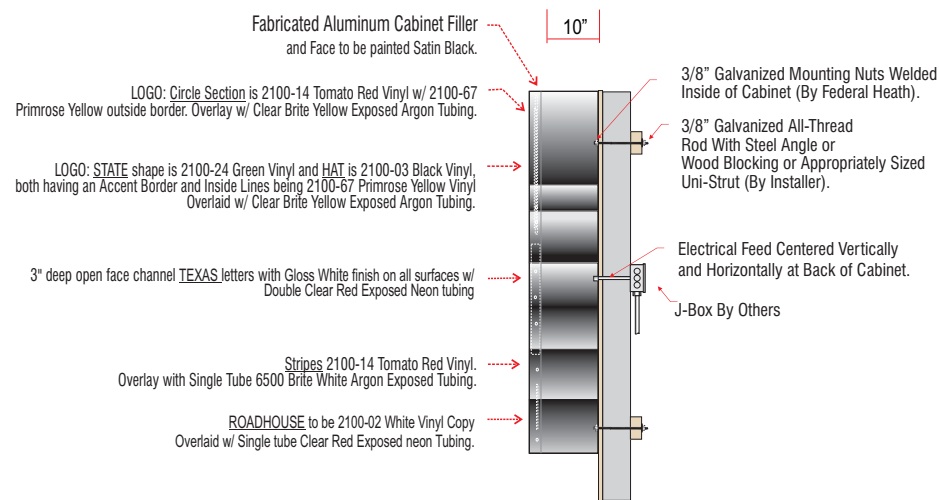
Single Face Illuminated Wall Sign One (1) Req'd

Scale: 1/2" = 1'-0"

SCOPE OF WORK:

Manufacture and install S/F illuminated wall sign.

58.33 SQ. FT TOTAL



Typical Cabinet End View

CUSTOMER TO PROVIDE:

(For New / Remodel Construction) ADEQUATE BEHIND THE WALL BACKING AND ACCESS AS REQUIRED TO INSTALL SIGNAGE. CUSTOMER TO FORWARD COPY OF FINAL APPROVED SIGNAGE DRAWINGS TO BUILDING SITE CONTACT SO THAT THESE PROVISIONS CAN BE MADE DURING CONSTRUCTION AND PRIOR TO SIGN INSTALLATION.

ALL BRANCH PRIMARY ELECTRICAL SERVICE, CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT) TO BE BY CERTIFIED ELECTRICIAN.

A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Health Signs requirement.

Any deviation from the above recommendations may result in:

1. Damage to or improper operation of the sign(s).
2. Delays and additional costs.

Notes: © Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
© Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Health Sign Co. will void the warranty.

INSTALLER IS RESPONSIBLE FOR:

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PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

SEALING BUILDING PENETRATIONS WITH SILICONE TO PREVENT MOISTURE PENETRATION @ EXTERIOR LOCATIONS..

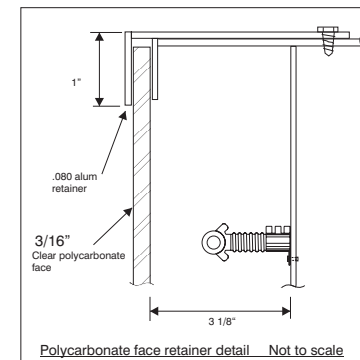
ELECTRICAL REQUIREMENTS

Total: **9.6** Amps

(1) 120V 20A Circuit Required.

ALL BRANCH CIRCUITS
SHALL BE DEDICATED TO

MATERIAL FINISH COLORS



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Landlord Approval/Date:

Account Rep: **Randy Cearlock**

Project Manager: **S. Maeser**

Drawn By: **S. Maeser**

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Project / Location:

TEXAS
road house
SEQ U.S. HIGHWAY 60
& PARKVIEW PLACE
SURPRISE, AZ

Job Number: **23-27113-10**

Date: **AUGUST 26, 2014**

Sheet Number: **6** of **6**

Design Number: **23-27113-10R1**

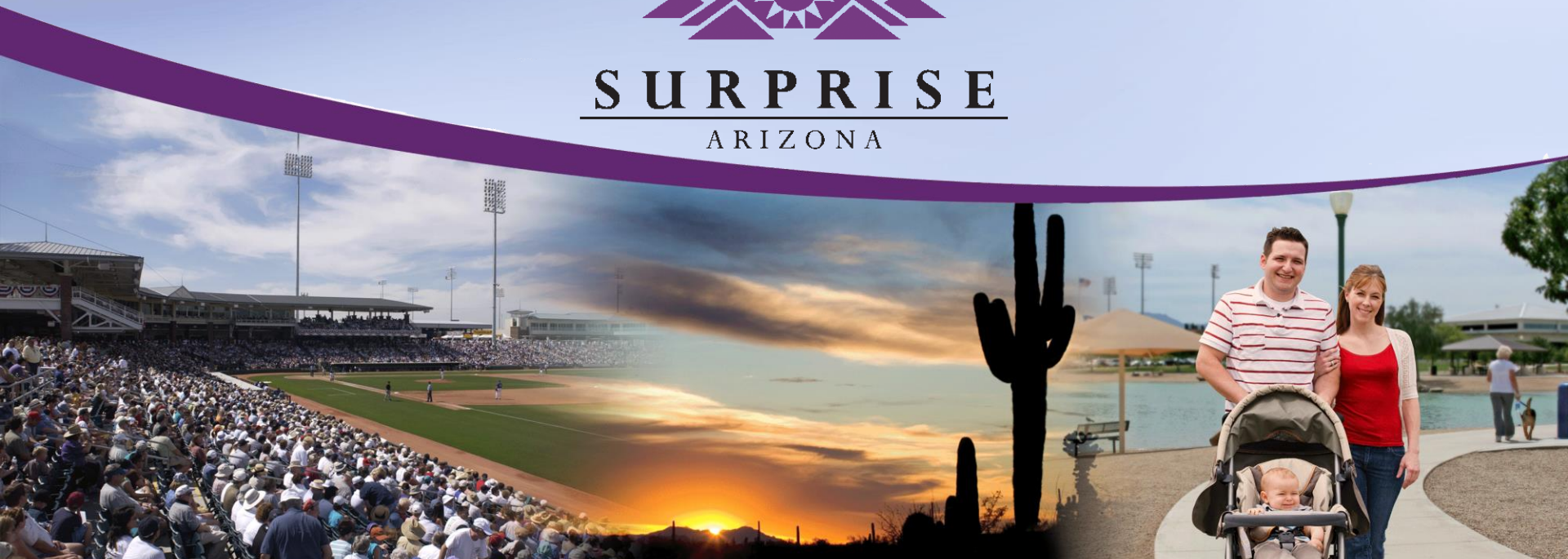
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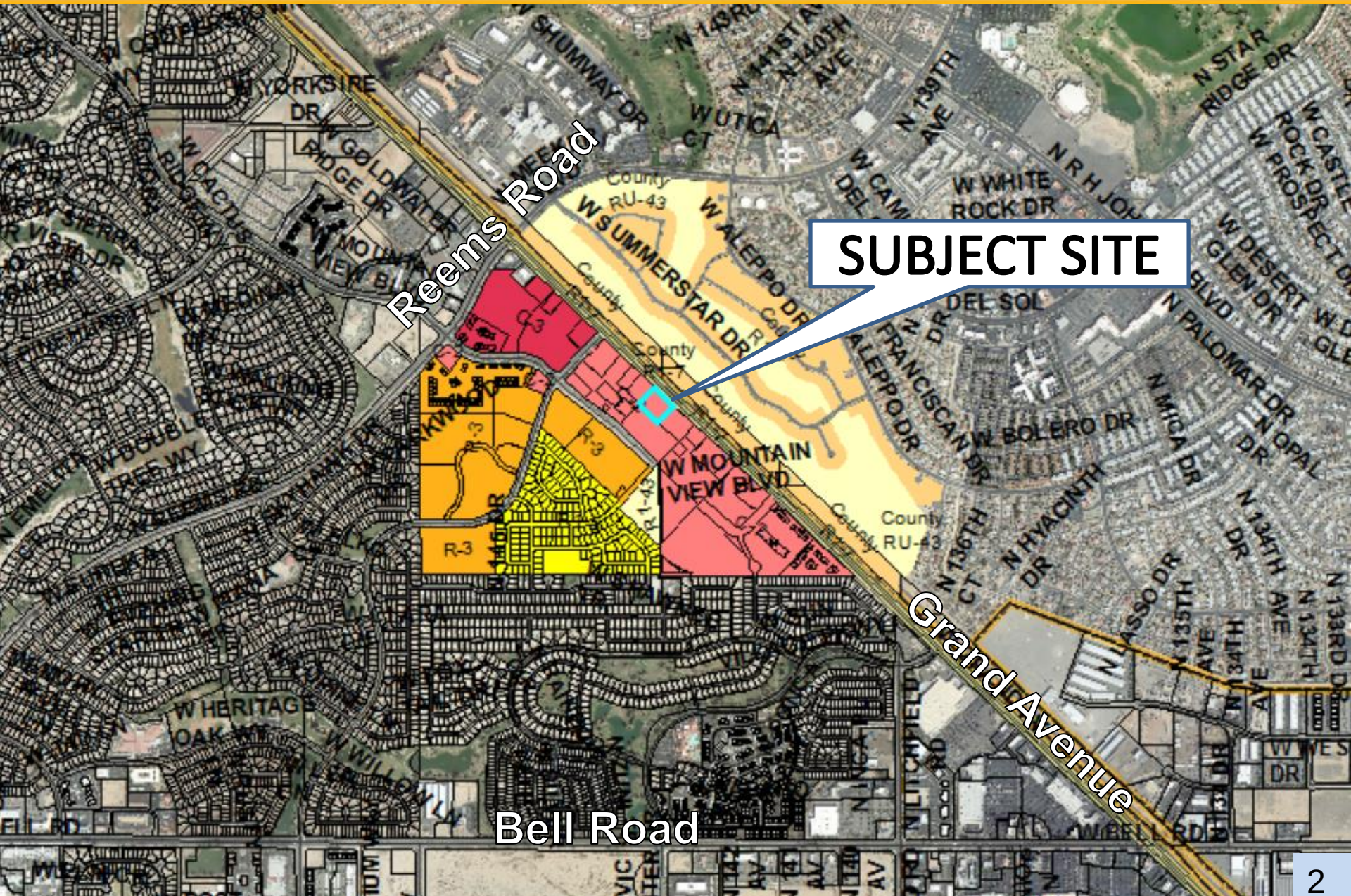
Texas Roadhouse

FS14-421

Planning and Zoning Commission

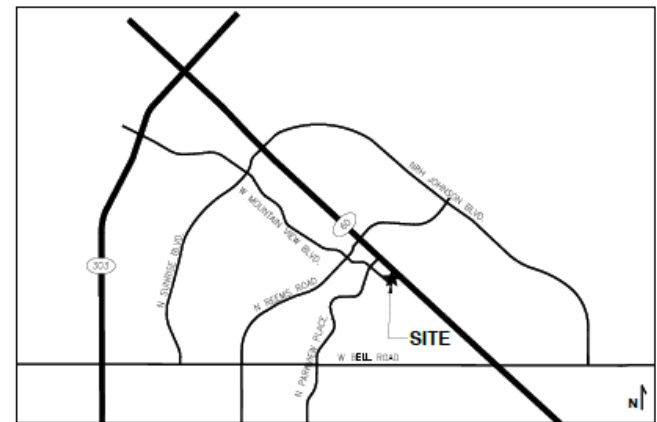
March 19, 2015









[illegible]

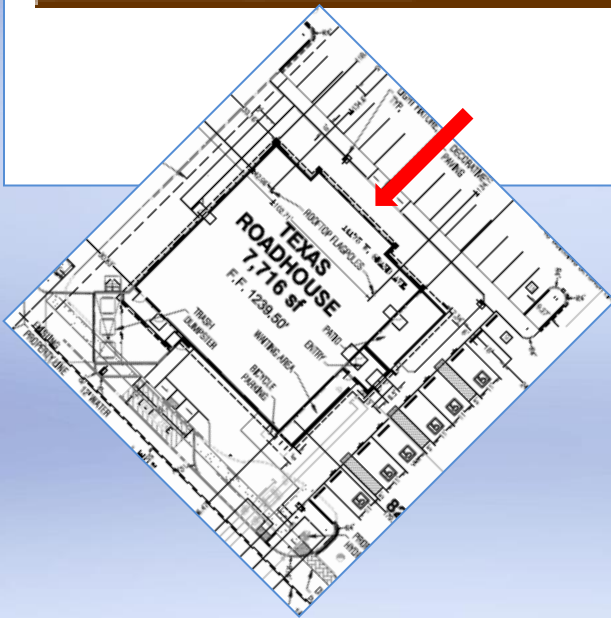
KEY MAP (1"=60')



ELEVATIONS (Front/Grand Avenue)



FRONT ELEVATION (NORTHEAST)

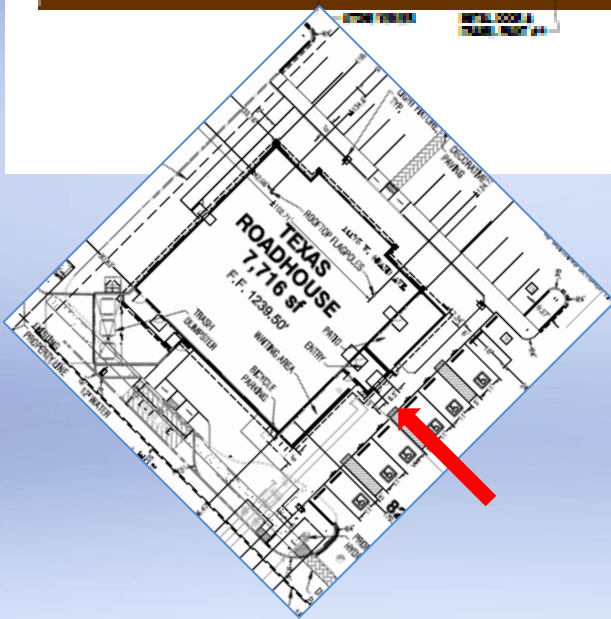


- Use of faux stone ILO red brick
- Addition of faux windows
- Extension of rooflines

ELEVATIONS



LEFT ELEVATION (SOUTHEAST)

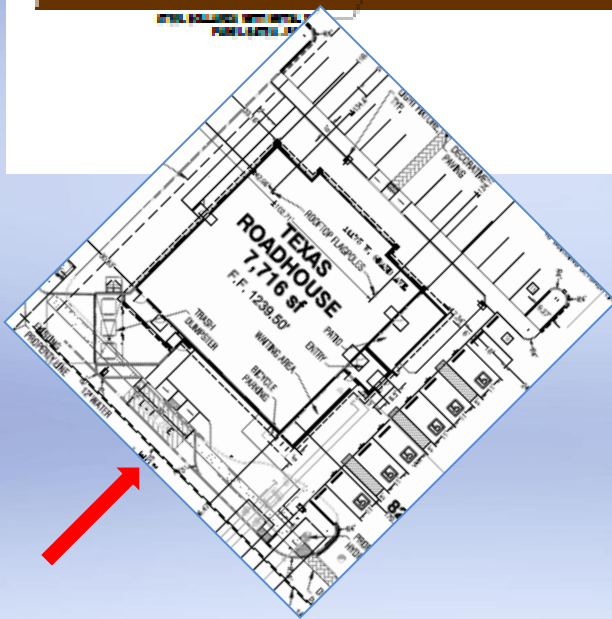


- Use of faux stone ILO red brick
- Addition of faux windows
- Extension of rooflines

ELEVATIONS



REAR ELEVATION (SOUTHWEST)

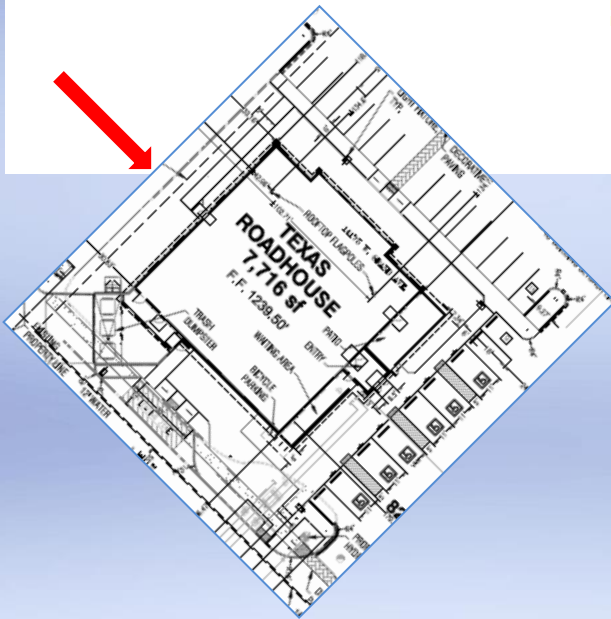


- Use of faux stone ILO red brick
- Addition of faux windows
- Extension of rooflines

ELEVATIONS

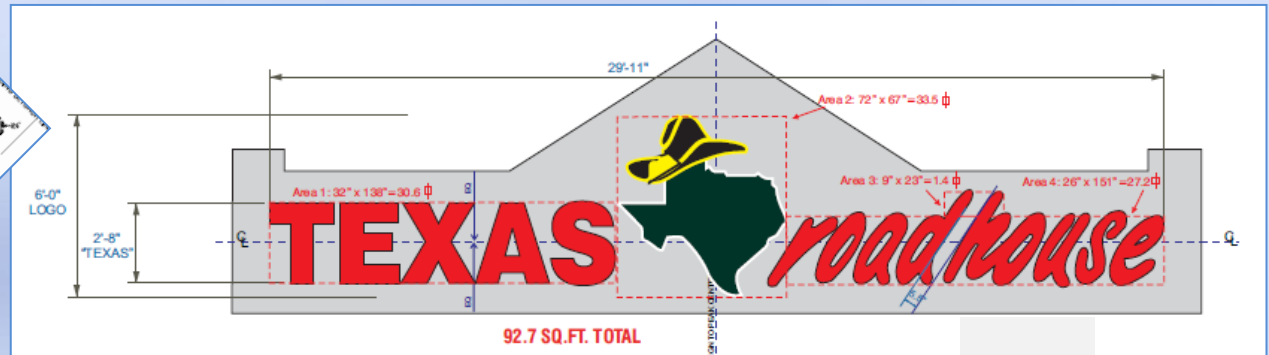
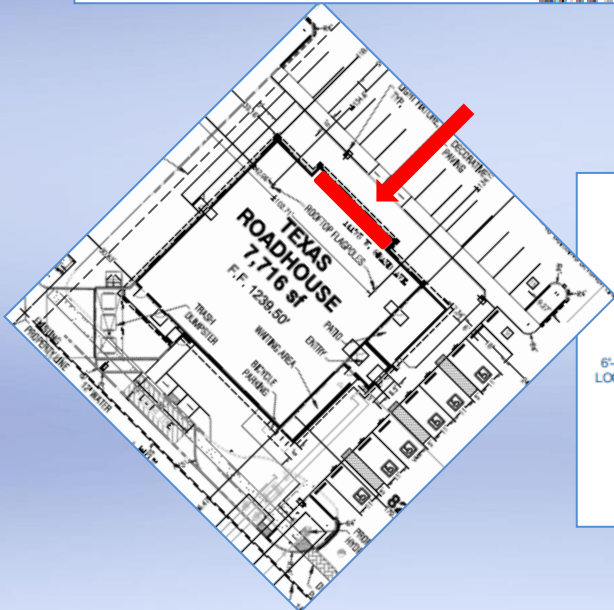


RIGHT ELEVATION (NORTHWEST)

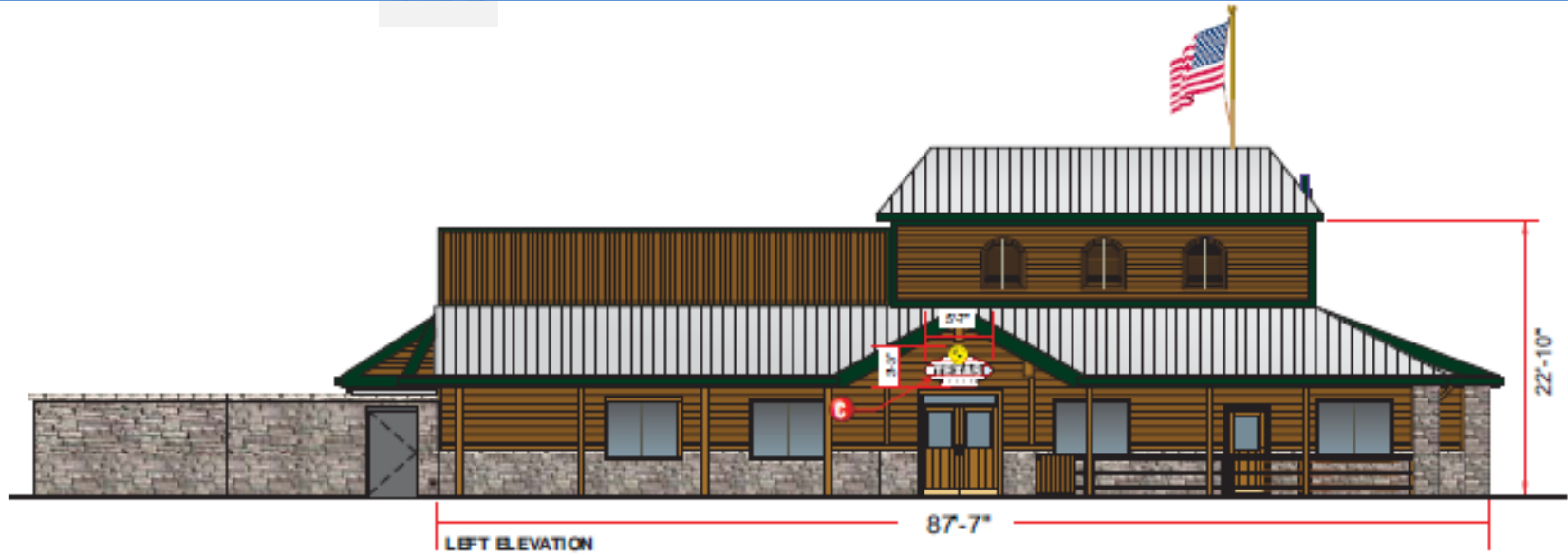


- Use of faux stone ILO red brick
- Addition of faux windows
- Extension of rooflines

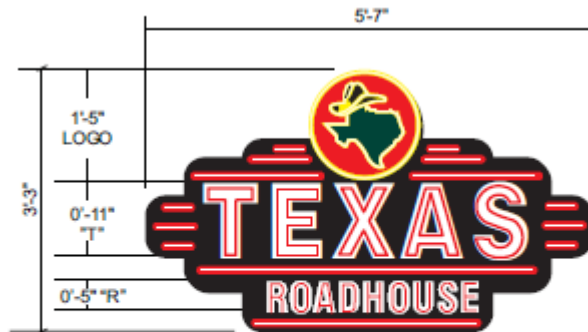
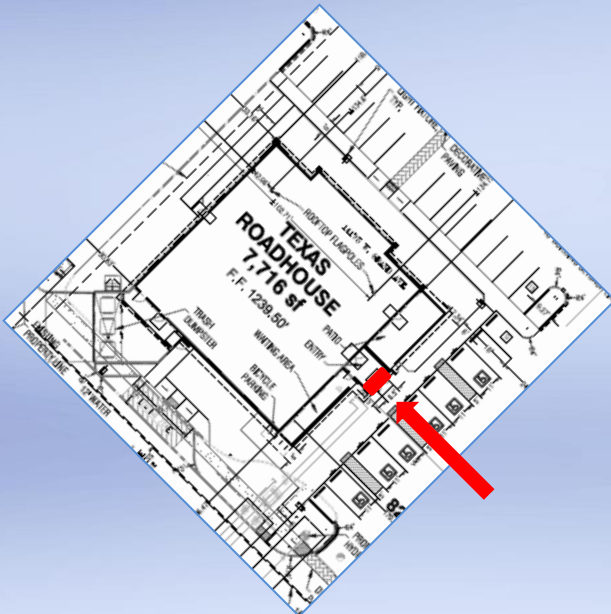
SIGNAGE (Front/Grand Avenue Elevation)



SIGNAGE (Left/Southeast Elevation)



SCALE: 3/32" = 1'-0"



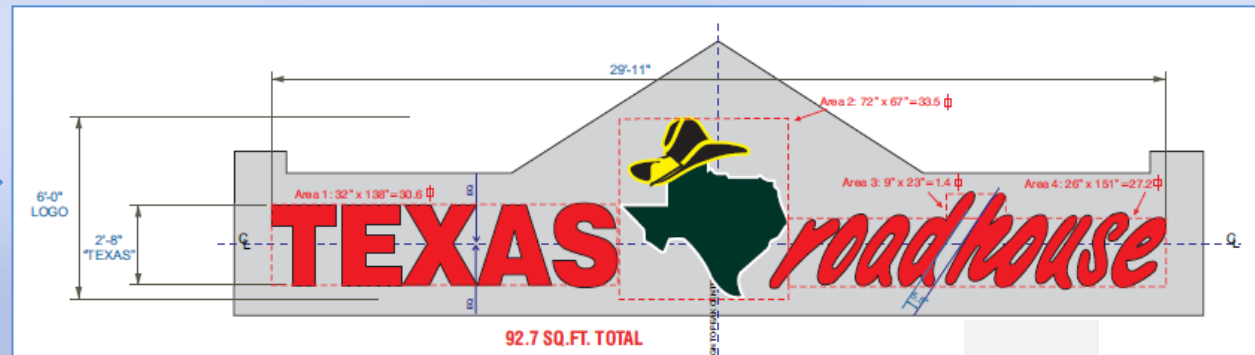
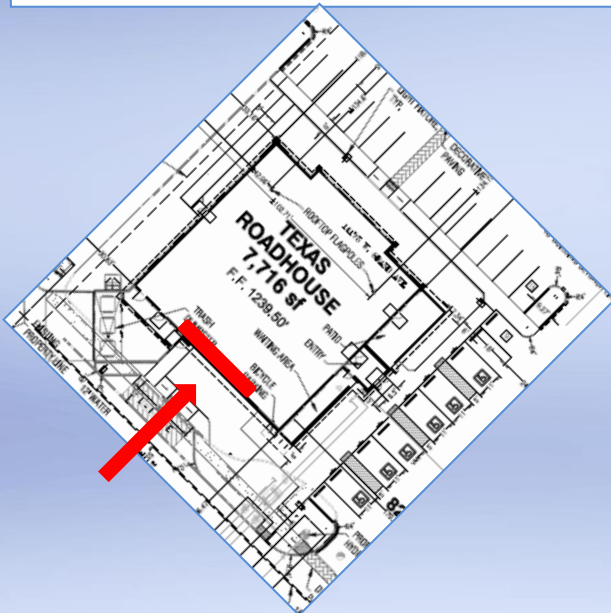
Single Face Illuminated Wall Sign One (1) Req'd

SCOPE OF WORK:

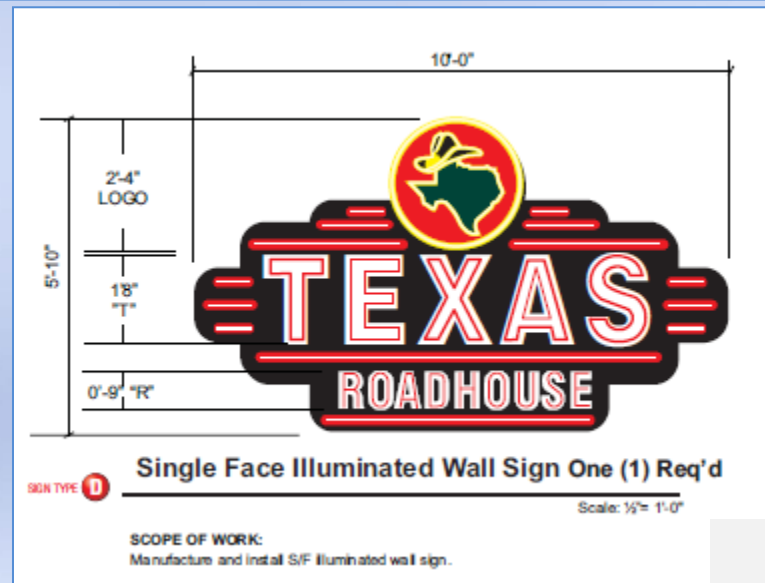
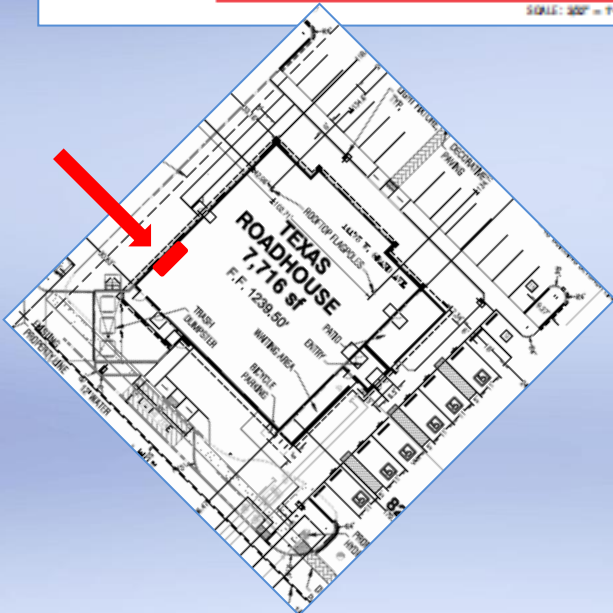
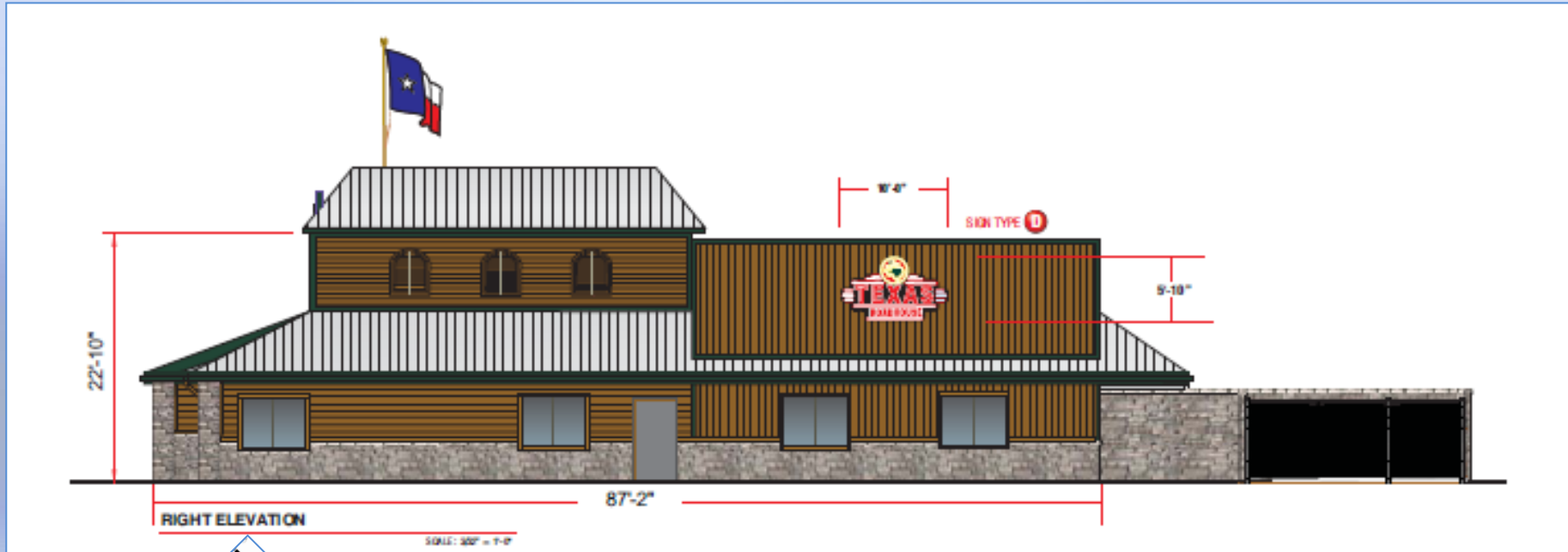
Manufacture and install S/F illuminated wall sign.

Scale: 3/4" = 1'-0"

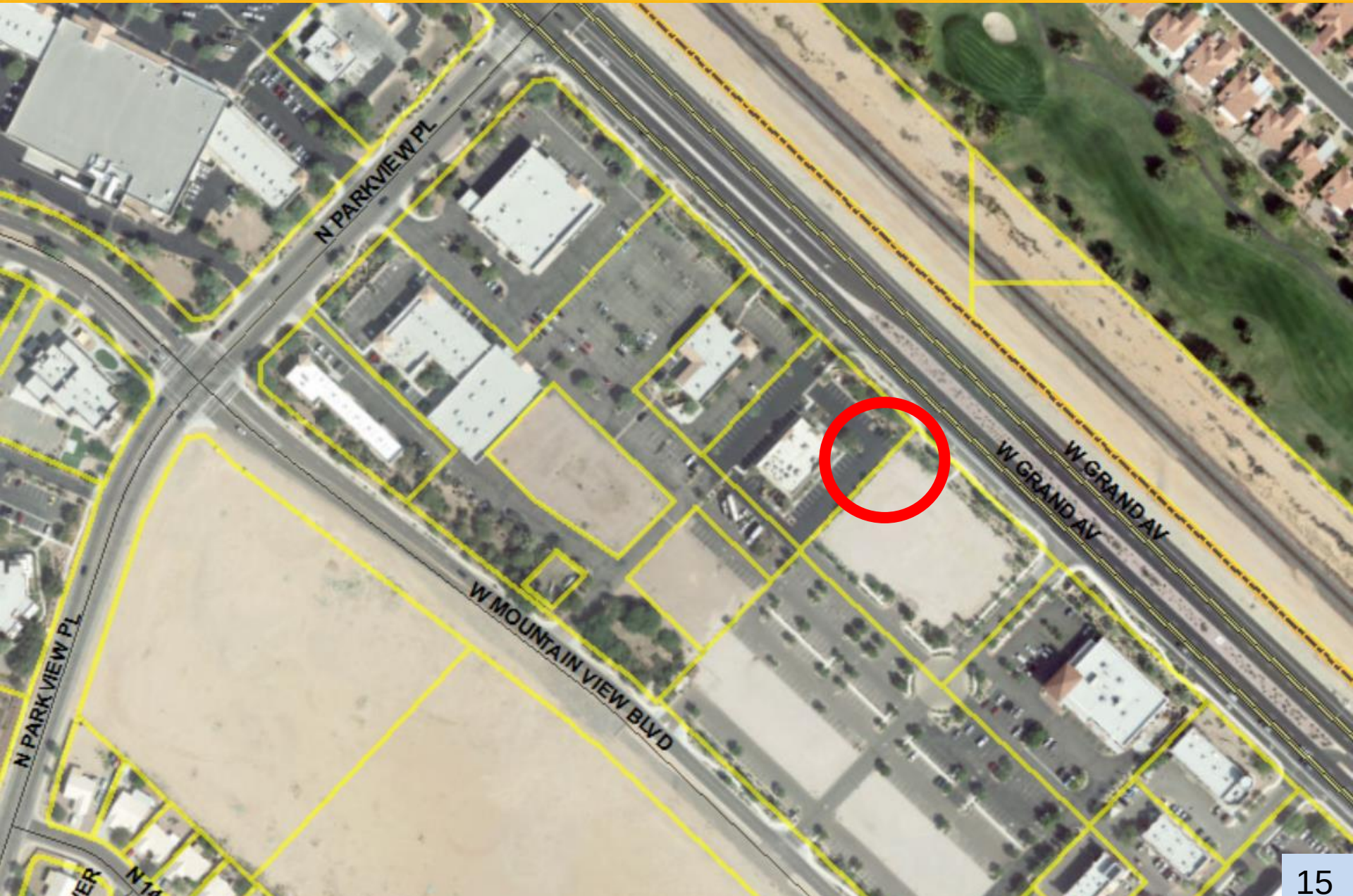
SIGNAGE (Rear/Southwest Elevation)



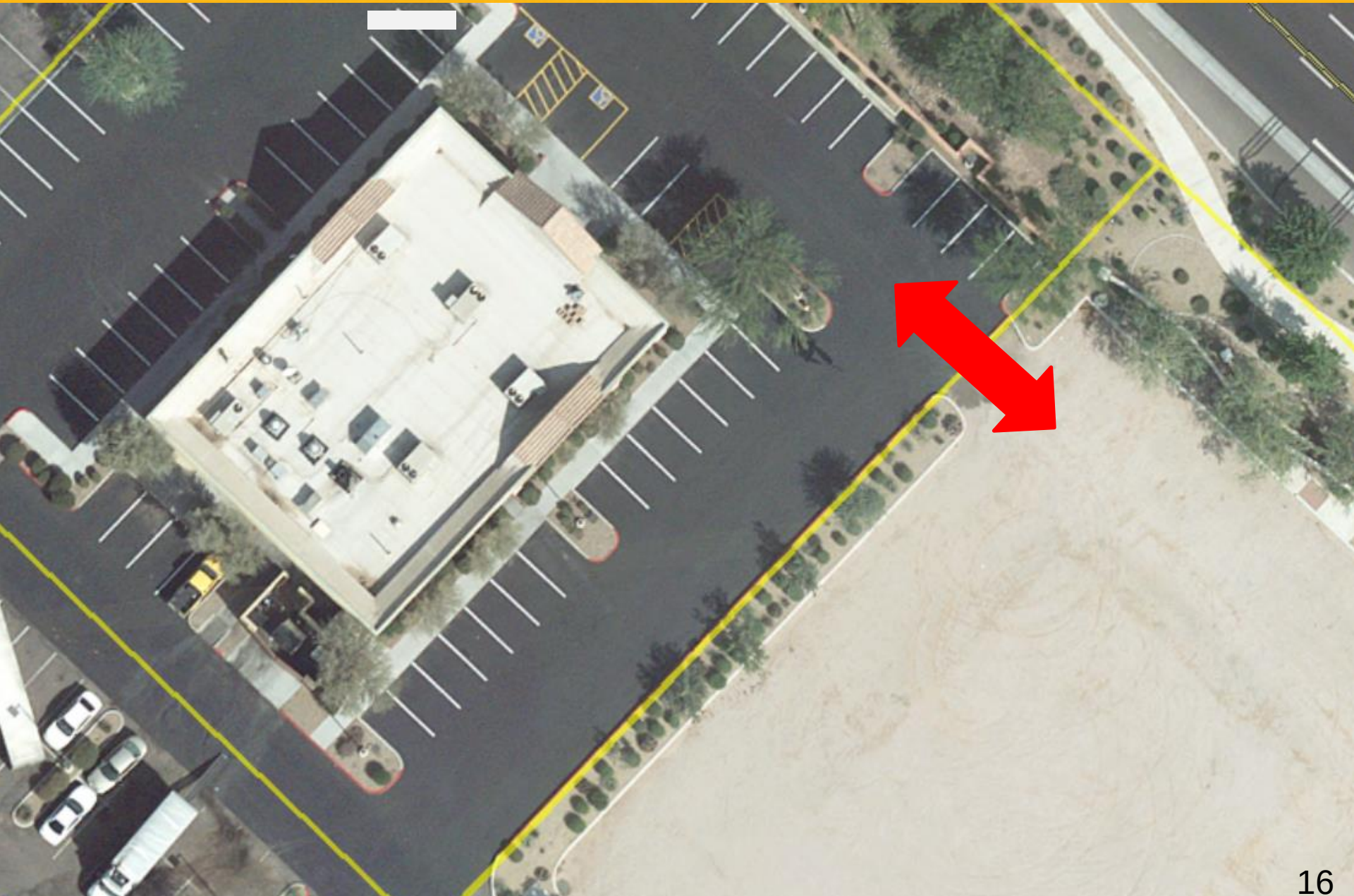
SIGNAGE (Right/Northwest Elevation)



RECIPROCAL CROSS ACCESS



RECIPROCAL CROSS ACCESS



RECIPROCAL CROSS ACCESS



Questions or Comments?





CITY OF SURPRISE
Planning and Zoning Commission

March 19, 2015 @ 6:00:00 PM

Back Print

Board Meeting Date: March 19, 2015 Contact Person: Hobart Wingard - Community Development
Submitting Department: District: Citywide
Staff Recommendations: Approve

Consent	Regular	Public Hearing	x	Report/Discussion
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Agenda Wording:

Consideration and action on a Zoning Text Amendment regarding the regulation of donation bins within the City of Surprise.

Motion:

I move to recommend approval to the Mayor and City Council of a Zoning Text Amendment regarding the regulation of donation bins within the City of Surprise.

Background:

Due to citizen concern, the increasing number of donation bins locating within the City, and the lack of any regulations concerning said bins, the City of Surprise is proposing this Zoning Text Amendment to regulate donation bins for the entire City.

Financial Impact Statement:

This Zoning Text Amendment will have little, if any, impact on the City of Surprise economy and job base.

ATTACHMENTS:

Click to download

- ☐ [FS15-013 - Donation Bins Zoning Text Amendment - Staff Report](#)
- ☐ [FS15-013 - Donation Bins Zoning Text Amendment - Legislative Edit A](#)
- ☐ [FS15-013 - Donation Bins Zoning Text Amendment - Legislative Edit B](#)
- ☐ [FS15-013 - Donation Bins Zoning Text Amendment - Legislative Edit C](#)
- ☐ [FS15-013 - Donation Bins Zoning Text Amendment - Presentation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

Presentation Speaker Names (spelling and titles for TV captions):

Hobart Wingard, Planner II

Eric Fitzer, Director



COMMUNITY DEVELOPMENT DEPARTMENT

Date: March 19, 2015

To: Planning and Zoning Commission

From: Eric Fitzer, Director
Lloyd Abrams, Long Range Planning Manager
Hobart Wingard, Planner
hobart.wingard@surpriseaz.gov 623-222-3156

Re: **FS15-013, Zoning Text Amendment for the Regulation of Donation Bins within the City of Surprise**

Introduction

Attached is the proposed Zoning Text Amendment for the Commission's consideration and action to address recent citizen concerns and the unregulated placement of donation bins within the City of Surprise.

Background

The city has not at any time have regulations regarding donation bins. Resident concerns regarding aesthetics and placement of these bins initiated an internal discussion and donation bin inventory and found that the city has approximately 65 of these donation bins distributed around the City. An inventory list is attached to this request.

Proposal

The proposed amendment will allow for regulations regarding donation bins. After staff performed an inventory of the existing bins, other municipalities were contacted and found that this issue is an ever-increasing issue and many municipalities have only recently enacted legislation regarding donation bins. Staff utilized the criteria for regulating from many of these municipalities.

The text amendment being proposed will require these facilities to register these bins with a temporary Use Permit that would have to be applied for annually. The bins are limited to Commercial, Business Park, Industrial and Civic zoning districts. There are exceptions allowed in residential zoning districts for churches, schools, and public facilities.

The text amendment also regulates the location, size, maintenance, and identification of the donation bins. The quantity and grouping of these bins is also restricted by this amendment. These parameters are determined by the size of the property or commercial center. In no case will groupings of greater than two (2) donation bins be allowed or located within 1,000 feet of other donation bins or groupings.

The text of the amendment has been changed as interpreted by the author. Because of the primary concern regarding owner authorization, three (3) variations of the revised text has been included. These changes are as follows:

Version A - The language regarding owner authorization is removed from the proposed ordinance because the policy regarding Temporary Use Permits currently requires a notarized signature of the owner.

Version B - The language is such that owner authorization is included with the ordinance.

Version C - The language is written to allow owner or authorized agent authorization into the ordinance

It should be noted that staff's original changes to the ordinance are shown in red while the newly added language is shown in blue on all three (3) documents.

Staff has also taken this opportunity to combine two (2) sections of code regarding temporary uses into a single section. The sections are 122-47, Temporary use/special event permit, and 122-105 – Temporary uses. The fundamental portion of Section 122-47 was added to Section 122-105 and renamed "Temporary Use Permits."

Recommendation

Staff recommends approval of FS15-013, Version ___, a Zoning Text Amendment to institute regulations for donation bins within the City of Surprise

Attachments

Zoning Text Amendment and Donation Bin Inventory

Version A

Zoning Text Amendment

**The Regulation of Donation Bins within the City of
Surprise – Legislative Edit**

Sec. 122-47. RESERVED --~~Temporary use/special event permit.~~

~~The temporary use/special event permit allows for short-term activities that may be appropriate on an interim basis without requiring full compliance with the development standards of the land use district or by which the city may permit seasonal or transient uses not otherwise permitted.~~

~~(a) Approval criteria:~~

~~(1) Conditions may be applied to the issuance of the permit and periodic review may be required;~~

~~(2) The permit may be granted for a particular use and not for a particular person or company;~~

~~(3) Any use or structure requiring sanitary facilities shall locate the sanitary facilities on the same lot as a host structure unless independent water and sewer service is provided.~~

~~(4) The operation and maintenance of the temporary use/special event shall be in a manner compatible with existing uses on adjoining properties and in the surrounding area. Conditions to be considered shall include, but are not limited to, the following:~~

~~a. Adequate parking;~~

~~b. Hours of operation;~~

~~c. Site location including ingress and egress, trip generation, and, if applicable, pedestrian accessibility;~~

~~d. The nature, scope, location and manner of operation of the use shall not constitute a health and/or safety hazard to the public.~~

~~e. Assurance of compliance with health, building, fire, electrical, plumbing, and all other appropriate codes shall be required;~~

~~f. Site lighting;~~

~~g. Security considerations; and~~

~~h. Any other conditions that may have a detrimental effect on the city or on surrounding properties.~~

~~(Ord. No. 09-12, § 2(Exh. A), 5-14-09)~~

37
38 **Sec. 122-105. - Temporary ~~u~~Uses. PERMITS**

39 THE TEMPORARY USE PERMIT ALLOWS FOR ACTIVITIES THAT MAY BE
40 APPROPRIATE ON AN INTERIM BASIS WITHOUT REQUIRING FULL COMPLIANCE
41 WITH THE DEVELOPMENT STANDARDS OF THE LAND USE DISTRICT OR BY
42 WHICH THE CITY MAY PERMIT SEASONAL OR TRANSIENT USES NOT
43 OTHERWISE PERMITTED.
44

45 When allowed, temporary uses shall be subject to the following requirements:

46 **(a) APPROVAL CRITERIA:**

- 47 (1) CONDITIONS MAY BE APPLIED TO THE ISSUANCE OF THE PERMIT AND
48 PERIODIC REVIEW MAY BE REQUIRED;
- 49 (2) THE PERMIT MAY BE GRANTED FOR A PARTICULAR USE AND NOT FOR A
50 PARTICULAR PERSON OR COMPANY;
- 51 (3) ANY USE OR STRUCTURE REQUIRING SANITARY FACILITIES SHALL
52 LOCATE THE SANITARY FACILITIES ON THE SAME LOT AS ~~A~~ THE HOST
53 USE OR STRUCTURE UNLESS INDEPENDENT WATER AND SEWER
54 SERVICE IS PROVIDED.
- 55 (4) THE OPERATION AND MAINTENANCE OF THE TEMPORARY USE/SPECIAL
56 EVENT SHALL BE IN A MANNER COMPATIBLE WITH EXISTING USES ON
57 ADJOINING PROPERTIES AND IN THE SURROUNDING AREA. CONDITIONS
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- 61 b. HOURS OF OPERATION;
- 62 c. SITE LOCATION INCLUDING INGRESS AND EGRESS, TRIP
63 GENERATION, AND, IF APPLICABLE, PEDESTRIAN ACCESSIBILITY;
- 64 d. THE NATURE, SCOPE, LOCATION AND MANNER OF OPERATION OF
65 THE USE SHALL NOT CONSTITUTE A HEALTH AND/OR SAFETY
66 HAZARD TO THE PUBLIC;
- 67 e. ASSURANCE OF COMPLIANCE WITH HEALTH, BUILDING, FIRE,
68 ELECTRICAL, PLUMBING, AND ALL OTHER APPROPRIATE CODES
69 SHALL BE REQUIRED;
- 70 f. SITE LIGHTING;
- 71 g. SECURITY CONSIDERATIONS; AND
- 72 h. ANY OTHER CONDITIONS THAT MAY HAVE A DETRIMENTAL EFFECT
73 ON THE CITY OR ON SURROUNDING PROPERTIES.

74 **(b) A temporary use permit shall be issued for a maximum of:**

- (1) Sixty days for one event uses, such as Christmas tree sales; or
- (2) Four event periods during a calendar year with each event period lasting no more than four days during each period; or
- (3) During the time of construction when the temporary use is for the temporary placement of a construction trailer on a construction site-; OR

(4) DONATION BINS MAY BE PERMITTED FOR A RENEWABLE DURATION NOT TO EXCEED 12 MONTHS OR AS DETERMINED BY THE CITY. EACH RENEWAL REQUIRES A NEW TEMPORARY USE PERMIT APPLICATION AND FEE. DONATION BIN TEMPORARY USE PERMITS WILL BE RENEWED 30 DAYS PRIOR TO THE FIRST DAY OF EVERY YEAR. IF AN APPLICANT SUBMITS FOR A TEMPORARY USE PERMIT PRIOR TO THE 30 DAY RENEWAL PERIOD, THE PERMIT WILL NOT EXCEED THE DURATION OF THE CURRENT CALENDAR YEAR AND THE PERMIT FEES WILL BE PRORATED.

- (c) Temporary sales or display of goods for special event use or fundraising use are allowed only if they are related to a particular seasonal, cultural, traditional, or community activity or event use. The following uses may be permitted:

- (1) Carnivals, circuses, festivals, fairs, holiday and special events;
- (2) Concerts, exhibitions, and special performances;
- (3) Temporary retail sales of arts, crafts, souvenirs, gifts, food, and other goods;
- (4) Temporary retail sales of Christmas trees, or other seasonally related sales;
- (5) Grand opening events, tent sales, sidewalk sales, and other events that include commercial activities or commercial related activities in areas that are not used for commercial purposes;
- (6) Religious/revival gatherings;
- (7) Political/organizational rallies;
- (8) Parades, races, walk or bike-a-thons, and sports tournaments;
- (9) School events;
- (10) Garage or yard sales held in excess of 32 hours or two times a year.

- (d) Portable storage containers shall be subject to the following requirements:

- (1) The temporary placement of a portable storage container on any residential lot for the purpose of loading and unloading household contents shall be permitted for a period of time not exceeding seven days in a calendar year.
- (2) In all non-residential districts, portable storage containers are permitted only in accordance with the following:
 - a. As a temporary use during construction, remodeling, or redevelopment of permanent on-site building and facilities. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the city manager or designee may require additional measures to ensure compatibility

- with adjacent land uses such as increased setbacks, screen walls, landscaping, exterior materials and color.
- b. As a temporary use that is periodic, intermittent, or isochronal and accessory to a primary permitted use. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the city manager or designee may require additional measures to ensure compatibility with adjacent land uses such as increased setbacks, screen walls, landscaping, exterior materials and color.
- c. In no case shall such storage containers be located in required landscape areas, open space, retention basins, drive aisles, fire lanes, required parking spaces, loading zones, or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses and developments.
- (e) Construction trailer shall be subject to the following requirements:
- (1) The construction trailer shall remain on site only for the duration of an active permit. Abandoned trailers shall not be permitted on the site.
- (2) The construction trailer, attendant parking and storage areas shall be located on site so as not to interfere with safe ingress and egress to developed areas or areas under construction.
- (3) The construction trailer shall be removed prior to issuance of a final certificate of occupancy.
- (f) DONATION BINS SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS:
- (1) DONATION BINS ARE ONLY PERMITTED IN COMMERCIAL, BUSINESS PARK, INDUSTRIAL, AND CIVIC ZONING DISTRICTS. CHURCHES, SCHOOLS AND OTHER PUBLIC FACILITIES LOCATED IN RESIDENTIAL ZONING DISTRICTS MAY BE PERMITTED.
- (2) DONATION BINS SHALL BE LOCATED ON A PAVED SURFACE.
- (3) DONATION BINS SHALL NOT BE LOCATED WITHIN THE FRONT OR CORNER SIDE SETBACKS, REQUIRED LANDSCAPED AREAS OR WITHIN REQUIRED PARKING SPACES.
- (4) DONATION BINS SHALL NOT OBSTRUCT PEDESTRIAN OR VEHICULAR CIRCULATION, OR BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY, DRIVE AISLES, FIRE LANES, LOADING ZONES, OR ANY OTHER LOCATION THAT MAY CAUSE HAZARDOUS CONDITIONS, OR CONSTITUTE A THREAT TO THE PUBLIC HEALTH, SAFETY, AND WELFARE.
- (5) THERE SHALL BE NO MORE THAN ONE (1) DONATION BIN ON PROPERTIES LESS THAN ONE (1) ACRE IN SIZE, NO MORE THAN TWO (2) DONATION BINS ON PROPERTIES OR COMMERCIAL CENTERS OF ONE (1) TO THREE (3) ACRES IN SIZE, AND NO MORE THAN FOUR (4) DONATION BINS ON A COMMERCIAL CENTER GREATER THAN THREE (3) ACRES IN

154 SIZE. NO MORE THAN TWO (2) DONATION BINS SHALL BE CLUSTERED
155 TOGETHER AND LOCATED WITHIN 1,000 FEET OF ANY OTHER DONATION
156 BIN.

157 (6) EACH DONATION BIN SHALL HAVE A FIRMLY CLOSING LID.

158 (7) EACH DONATION BIN SHALL BE CLEARLY MARKED TO IDENTIFY THE
159 SPECIFIC ITEMS AND MATERIALS REQUESTED TO BE COLLECTED FOR
160 DONATION.

161 (8) EACH DONATION BIN SHALL BE CLEARLY MARKED TO IDENTIFY THE
162 CITY OF SURPRISE TEMPORARY USE PERMIT NUMBER WITH
163 CONTRASTING PAINT. THE NUMBERS SHALL BE A MINIMUM OF TWO (2)
164 INCHES HIGH AND LOCATED ON THE DEPOSIT FACE OF THE DONATION
165 BIN.

166 ~~(9) THE ENTITY PLACING THE BIN SHALL SUBMIT TO THE CITY WRITTEN~~
167 ~~PERMISSION OF THE PROPERTY OWNER CONSENTING TO THE~~
168 ~~PLACEMENT AND MAINTENANCE OF THE DONATION BIN.~~

169 (9) THE PROPERTY OWNER WILL CONTROL THE TEMPORARY USE PERMIT.
170 AS SUCH THE OWNER OR AUTHORIZED AGENT MAY RECIND THEIR
171 AUTHORIZATION BY SUBMITTING A CANCELLATION REQUEST TO THE
172 CITY IN WRITING. AT THE REQUEST OF THE PROPERTY OWNER, THE
173 PERMIT WILL BE REVOKED.

174 (10) THE NAME AND TELEPHONE NUMBER OF THE ENTITY OBTAINING
175 THE TEMPORARY USE PERMIT SHALL BE AFFIXED TO THE DONATION
176 BIN ON AN AREA NO LARGER THAN ONE (1) FOOT BY ONE (1) FOOT.

177 (11) DONATION BINS SHALL HAVE A CAPACITY NO GREATER THAN
178 SEVEN (7) CUBIC YARDS.

179 (12) ALL DONATED ITEMS MUST BE COLLECTED AND STORED IN THE
180 DONATION BIN AND ALL CONTENTS CLEARED NO LESS THAN ONCE A
181 WEEK. ANY ITEMS OR MATERIALS LEFT OUTSIDE OF THE DONATION BIN
182 SHALL BE REMOVED WITHIN 24 HOURS OF DISCOVERY OR
183 NOTIFICATION, WHICHEVER OCCURS FIRST.

184 (13) IF A DONATION BIN IS DAMAGED OR VANDALIZED, IT MUST BE
185 REMOVED WITHIN FIVE (5) BUSINESS DAYS OF DISCOVERY OR
186 NOTIFICATION. IF THERE IS A PUBLIC HEALTH, SAFETY OR WELFARE
187 CONCERN PURSUANT TO THE AUTHORITY GRANTED TO THE CITY, THE
188 DONATION BIN MUST THEN BE REMOVED WITHIN 24 HOURS OF
189 DISCOVERY OR NOTIFICATION.

190 (14) IT IS THE JOINT RESPONSIBILITY OF THE PROPERTY OWNER OR
191 AUTHORIZED AGENT AND THE ENTITY OBTAINING THE TEMPORARY USE
192 PERMIT TO KEEP THE AREA AROUND THE DONATION BOXES FREE OF

LITTER AND DEBRIS, AND REMOVE ANY GRAFFITI WITHIN (24) HOURS OF DISCOVERY OR NOTIFICATION, WHICHEVER OCCURS FIRST.

(15) IT IS THE RESPONSIBILITY OF THE ENTITY OBTAINING THE TEMPORARY USE PERMIT TO MAINTAIN THE DONATION BIN PAINTED OR OTHERWISE UN-RUSTED AND UN-DENTED AND IN GOOD REPAIR.

(16) THIS ORDINANCE AUTHORIZES THE CITY TO REMOVE AND DISPOSE OF ANY DONATION BIN (INCLUDING ITS CONTENTS) WHICH IS UNAUTHORIZED, UNPERMITTED, OR IS OTHERWISE IN VIOLATION OF THIS ORDINANCE.

(17) FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION MAY RESULT IN REVOCATION OF THE TEMPORARY USE PERMIT BY THE CITY MANAGER OR DESIGNEE.

(18) THE CITY MANAGER OR DESIGNEE MAY REVOKE THE TEMPORARY USE PERMIT ISSUED UNDER THE PROVISIONS OF THIS SECTION WHEN THE TEMPORARY USE PERMIT IS ISSUED IN ERROR OR ON THE BASIS OF INCORRECT, INACCURATE, INCOMPLETE, OR FRAUDULENT INFORMATION.

SEC. 122-105. - Definitions.

COMMERCIAL CENTER. A LOCATION WHERE, REGARDLESS OF THE NUMBER OF PARCELS, ECONOMIC, SOCIAL, CULTURAL, AND ADMINISTRATIVE SERVICES ARE PROVIDED. THE COMMERCIAL CENTER WILL PROVIDE COMMON CIRCULATION, PARKING, AND UTILITY FACILITIES THAT SERVICE THE COMMERCIAL CENTER. A COMMERCIAL CENTER WOULD BE A CONTIGUOUS FACILITY AND WOULD NOT CROSS PUBLIC STREETS.

DONATION BIN. ANY CONTAINER, STORAGE UNIT, OR STRUCTURE, OTHER THAN A PRIMARY BUILDING OR ACCESSORY BUILDING(S), THAT IS USED FOR THE COLLECTION OF CHARITABLE OR FOR-PROFIT DONATED ITEMS BY THE GENERAL PUBLIC, INCLUDING BUT NOT LIMITED TO CLOTHING, HOUSEHOLD GOODS, TOYS, BOOKS, AND NEWSPAPERS.

AUTHORIZED AGENT. A PERSON WHO IS A PRINCIPAL EXECUTIVE OFFICER OR OTHER CORPORATE OFFICER WITH SIGNATORY POWERS AS PER THE COMPANY'S BY-LAWS OR PER A VOTE OF THE DIRECTORS IF THE COMPANY IS A CORPORATION; A GENERAL PARTNER OR PROPRIETOR IF THE COMPANY IS A PARTNERSHIP OR SOLE PROPRIETORSHIP RESPECTIVELY; OR A DULY AUTHORIZED REPRESENTATIVE, THE INDIVIDUAL DESIGNATED ON THE PERMIT APPLICATION OR PERMIT COVER PAGE, IF SUCH REPRESENTATIVE IS RESPONSIBLE FOR THE OVERALL OPERATION OF THE FACILITY AND HAS THE AUTHORITY TO SIGN CONTRACTS, PERMITS, PERMIT APPLICATIONS, MONITORING RESULTS AND OTHER DOCUMENTS IN THE COMPANY'S NAME AND OTHERWISE BIND THE COMPANY.

Version B

Zoning Text Amendment

The Regulation of Donation Bins within the City of Surprise – Legislative Edit

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 - ~~a. Adequate parking;~~
 - ~~b. Hours of operation;~~
 - ~~c. Site location including ingress and egress, trip generation, and, if applicable, pedestrian accessibility;~~
 - ~~d. The nature, scope, location and manner of operation of the use shall not constitute a health and/or safety hazard to the public.~~
 - ~~e. Assurance of compliance with health, building, fire, electrical, plumbing, and all other appropriate codes shall be required;~~
 - ~~f. Site lighting;~~
 - ~~g. Security considerations; and~~
 - ~~h. Any other conditions that may have a detrimental effect on the city or on surrounding properties.~~

~~(Ord. No. 09-12, § 2(Exh. A), 5-14-09)~~

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Version C

Zoning Text Amendment

The Regulation of Donation Bins within the City of Surprise – Legislative Edit

Sec. 122-47. RESERVED --~~Temporary use/special event permit.~~

~~The temporary use/special event permit allows for short-term activities that may be appropriate on an interim basis without requiring full compliance with the development standards of the land use district or by which the city may permit seasonal or transient uses not otherwise permitted.~~

~~(a) Approval criteria:~~

- ~~(1) Conditions may be applied to the issuance of the permit and periodic review may be required;~~
- ~~(2) The permit may be granted for a particular use and not for a particular person or company;~~
- ~~(3) Any use or structure requiring sanitary facilities shall locate the sanitary facilities on the same lot as a host structure unless independent water and sewer service is provided.~~
- ~~(4) The operation and maintenance of the temporary use/special event shall be in a manner compatible with existing uses on adjoining properties and in the surrounding area. Conditions to be considered shall include, but are not limited to, the following:~~
 - ~~a. Adequate parking;~~
 - ~~b. Hours of operation;~~
 - ~~c. Site location including ingress and egress, trip generation, and, if applicable, pedestrian accessibility;~~
 - ~~d. The nature, scope, location and manner of operation of the use shall not constitute a health and/or safety hazard to the public.~~
 - ~~e. Assurance of compliance with health, building, fire, electrical, plumbing, and all other appropriate codes shall be required;~~
 - ~~f. Site lighting;~~
 - ~~g. Security considerations; and~~
 - ~~h. Any other conditions that may have a detrimental effect on the city or on surrounding properties.~~

~~(Ord. No. 09-12, § 2(Exh. A), 5-14-09)~~

37
38 **Sec. 122-105. - Temporary ~~u~~Uses. PERMITS**

39 THE TEMPORARY USE PERMIT ALLOWS FOR ACTIVITIES THAT MAY BE
40 APPROPRIATE ON AN INTERIM BASIS WITHOUT REQUIRING FULL COMPLIANCE
41 WITH THE DEVELOPMENT STANDARDS OF THE LAND USE DISTRICT OR BY
42 WHICH THE CITY MAY PERMIT SEASONAL OR TRANSIENT USES NOT
43 OTHERWISE PERMITTED.
44

45 When allowed, temporary uses shall be subject to the following requirements:

46 **(a) APPROVAL CRITERIA:**

- 47 (1) CONDITIONS MAY BE APPLIED TO THE ISSUANCE OF THE PERMIT AND
48 PERIODIC REVIEW MAY BE REQUIRED;
- 49 (2) THE PERMIT MAY BE GRANTED FOR A PARTICULAR USE AND NOT FOR A
50 PARTICULAR PERSON OR COMPANY;
- 51 (3) ANY USE OR STRUCTURE REQUIRING SANITARY FACILITIES SHALL
52 LOCATE THE SANITARY FACILITIES ON THE SAME LOT AS ~~A~~ THE HOST
53 USE OR STRUCTURE UNLESS INDEPENDENT WATER AND SEWER
54 SERVICE IS PROVIDED.
- 55 (4) THE OPERATION AND MAINTENANCE OF THE TEMPORARY USE/SPECIAL
56 EVENT SHALL BE IN A MANNER COMPATIBLE WITH EXISTING USES ON
57 ADJOINING PROPERTIES AND IN THE SURROUNDING AREA. CONDITIONS
58 TO BE CONSIDERED SHALL INCLUDE, BUT ARE NOT LIMITED TO, THE
59 FOLLOWING:
- 60 a. ADEQUATE PARKING;
- 61 b. HOURS OF OPERATION;
- 62 c. SITE LOCATION INCLUDING INGRESS AND EGRESS, TRIP
63 GENERATION, AND, IF APPLICABLE, PEDESTRIAN ACCESSIBILITY;
- 64 d. THE NATURE, SCOPE, LOCATION AND MANNER OF OPERATION OF
65 THE USE SHALL NOT CONSTITUTE A HEALTH AND/OR SAFETY
66 HAZARD TO THE PUBLIC;
- 67 e. ASSURANCE OF COMPLIANCE WITH HEALTH, BUILDING, FIRE,
68 ELECTRICAL, PLUMBING, AND ALL OTHER APPROPRIATE CODES
69 SHALL BE REQUIRED;
- 70 f. SITE LIGHTING;
- 71 g. SECURITY CONSIDERATIONS; AND
- 72 h. ANY OTHER CONDITIONS THAT MAY HAVE A DETRIMENTAL EFFECT
73 ON THE CITY OR ON SURROUNDING PROPERTIES.

74 **(b) A temporary use permit shall be issued for a maximum of:**

- (1) Sixty days for one event uses, such as Christmas tree sales; or
- (2) Four event periods during a calendar year with each event period lasting no more than four days during each period; or
- (3) During the time of construction when the temporary use is for the temporary placement of a construction trailer on a construction site-; OR

(4) DONATION BINS MAY BE PERMITTED FOR A RENEWABLE DURATION NOT TO EXCEED 12 MONTHS OR AS DETERMINED BY THE CITY. EACH RENEWAL REQUIRES A NEW TEMPORARY USE PERMIT APPLICATION AND FEE. DONATION BIN TEMPORARY USE PERMITS WILL BE RENEWED 30 DAYS PRIOR TO THE FIRST DAY OF EVERY YEAR. IF AN APPLICANT SUBMITS FOR A TEMPORARY USE PERMIT PRIOR TO THE 30 DAY RENEWAL PERIOD, THE PERMIT WILL NOT EXCEED THE DURATION OF THE CURRENT CALENDAR YEAR AND THE PERMIT FEES WILL BE PRORATED.

- (c) Temporary sales or display of goods for special event use or fundraising use are allowed only if they are related to a particular seasonal, cultural, traditional, or community activity or event use. The following uses may be permitted:

- (1) Carnivals, circuses, festivals, fairs, holiday and special events;
- (2) Concerts, exhibitions, and special performances;
- (3) Temporary retail sales of arts, crafts, souvenirs, gifts, food, and other goods;
- (4) Temporary retail sales of Christmas trees, or other seasonally related sales;
- (5) Grand opening events, tent sales, sidewalk sales, and other events that include commercial activities or commercial related activities in areas that are not used for commercial purposes;
- (6) Religious/revival gatherings;
- (7) Political/organizational rallies;
- (8) Parades, races, walk or bike-a-thons, and sports tournaments;
- (9) School events;
- (10) Garage or yard sales held in excess of 32 hours or two times a year.

- (d) Portable storage containers shall be subject to the following requirements:

- (1) The temporary placement of a portable storage container on any residential lot for the purpose of loading and unloading household contents shall be permitted for a period of time not exceeding seven days in a calendar year.
- (2) In all non-residential districts, portable storage containers are permitted only in accordance with the following:
 - a. As a temporary use during construction, remodeling, or redevelopment of permanent on-site building and facilities. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the city manager or designee may require additional measures to ensure compatibility

- with adjacent land uses such as increased setbacks, screen walls, landscaping, exterior materials and color.
- b. As a temporary use that is periodic, intermittent, or isochronal and accessory to a primary permitted use. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the city manager or designee may require additional measures to ensure compatibility with adjacent land uses such as increased setbacks, screen walls, landscaping, exterior materials and color.
- c. In no case shall such storage containers be located in required landscape areas, open space, retention basins, drive aisles, fire lanes, required parking spaces, loading zones, or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses and developments.
- (e) Construction trailer shall be subject to the following requirements:
- (1) The construction trailer shall remain on site only for the duration of an active permit. Abandoned trailers shall not be permitted on the site.
 - (2) The construction trailer, attendant parking and storage areas shall be located on site so as not to interfere with safe ingress and egress to developed areas or areas under construction.
 - (3) The construction trailer shall be removed prior to issuance of a final certificate of occupancy.
- (f) DONATION BINS SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS:
- (1) DONATION BINS ARE ONLY PERMITTED IN COMMERCIAL, BUSINESS PARK, INDUSTRIAL, AND CIVIC ZONING DISTRICTS. CHURCHES, SCHOOLS AND OTHER PUBLIC FACILITIES LOCATED IN RESIDENTIAL ZONING DISTRICTS MAY BE PERMITTED.
 - (2) DONATION BINS SHALL BE LOCATED ON A PAVED SURFACE.
 - (3) DONATION BINS SHALL NOT BE LOCATED WITHIN THE FRONT OR CORNER SIDE SETBACKS, REQUIRED LANDSCAPED AREAS OR WITHIN REQUIRED PARKING SPACES.
 - (4) DONATION BINS SHALL NOT OBSTRUCT PEDESTRIAN OR VEHICULAR CIRCULATION, OR BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY, DRIVE AISLES, FIRE LANES, LOADING ZONES, OR ANY OTHER LOCATION THAT MAY CAUSE HAZARDOUS CONDITIONS, OR CONSTITUTE A THREAT TO THE PUBLIC HEALTH, SAFETY, AND WELFARE.
 - (5) THERE SHALL BE NO MORE THAN ONE (1) DONATION BIN ON PROPERTIES LESS THAN ONE (1) ACRE IN SIZE, NO MORE THAN TWO (2) DONATION BINS ON PROPERTIES OR COMMERCIAL CENTERS OF ONE (1) TO THREE (3) ACRES IN SIZE, AND NO MORE THAN FOUR (4) DONATION BINS ON A COMMERCIAL CENTER GREATER THAN THREE (3) ACRES IN

154 SIZE. NO MORE THAN TWO (2) DONATION BINS SHALL BE CLUSTERED
155 TOGETHER AND LOCATED WITHIN 1,000 FEET OF ANY OTHER DONATION
156 BIN.

157 (6) EACH DONATION BIN SHALL HAVE A FIRMLY CLOSING LID.

158 (7) EACH DONATION BIN SHALL BE CLEARLY MARKED TO IDENTIFY THE
159 SPECIFIC ITEMS AND MATERIALS REQUESTED TO BE COLLECTED FOR
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DRAFT

Zoning Text Amendment Planning and Zoning Commission

March 19, 2015



CURRENT SITUATION



Inappropriate Locations

**Parking
Encroachment**



**Bins Set
Anywhere**



Refuse Around Bins



CURRENT PROPOSAL



- Requires Donation Bins with a yearly Temporary Use Permit.
- Restricts Donation Bins to Commercial, Business Park, Industrial and Public Facilities
- Ensure Bins are on Paved Surface
- Restrict the Placement of Bins from:
 - Required Parking Spaces
 - Rights-of-Way
 - Drive or Pedestrian Aisles
 - Fire Lanes
 - Loading zones

CURRENT PROPOSAL



- Discourage Clustering Bins Together:
 - 1 Bin for Properties of 1 Acre or Less
 - 2 Bins on Properties or Commercial Centers on 1 to 3 acres
 - No More Than 4 Bins on Commercial Centers Greater Than 3 Acres
 - Maximum of 2 bins clustered within 1,000 feet of each other
- Bins are to be Clearly Marked To Identify :
 - Types of Materials Collected
 - City of Surprise TUP Number
 - The Responsible Organizations Name
 - The Phone Number of the Responsible Organization

CURRENT PROPOSAL

- The Capacity of the Bin is no Larger than 7 Cubic yards
- Bins are to be Clearly Marked To Identify :
- Maintenance:
 - If Bins are Damaged they are to be Removed Within 5 Business Days
 - Debris and Graffiti to be 24 hours after Notification



DEFINITIONS

- Definitions to be Changes With This Ordinance:
 - Commercial Center



- Donation Bin



Citizen Review Meeting Held February 19, 2015 at City Hall

- Concerns included:
- Maintenance:
 - Question Regarding Fees
 - Owner Authorization
 - Split Between Owner vs. Agent
 - Owner Rights to remove Bin or Cancel TUP
 - City Currently Utilizes a Notarized Owner Authorization
- Size of Bin Raised from 6 cubic Yards to 7 cubic Yards
 - Enforcement

NEXT STEPS



- ~~February 19, 2015 – Citizen Review~~
- ~~March 5, 2015 – Planning and Zoning Workshop~~
- March 19, 2015 – Planning and Zoning recommendation
- April 7, 2015 – City Council workshop
- April 21, 2015 – City Council action
- May 21, 2015 – Ordinance in effect if approved

Staff Held Citizen Review Meeting on February 19, 2015

Questions or Comments?





CITY OF SURPRISE
Planning and Zoning Commission

March 19, 2015 @ 6:00:00 PM

Back Print

Board Meeting Date: March 19, 2015

Contact Person: Christina Ramirez, Human
Services and Community Vitality

Submitting
Department:

District: Citywide

Staff Recommendations: Approve

Consent	Regular	Public Hearing	x	Report/Discussion
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Agenda Wording:

Consideration and action on the Consolidated Plan 2015-2019 for the Community Development Block Grant Program.

Motion:

I move to recommend approval to the Mayor and City Council of the Consolidated Plan 2015-2019 for the Community Development Block Grant Program.

Background:

As an entitlement city, Surprise receives a yearly allotment of Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD). Per grant guideline, the city has the ability to designate up to 85% of the grant award to fund eligible administrative and Neighborhood Infrastructure improvements with the intent of serving low to moderate-income persons within the City of Surprise.

Financial Impact Statement:

N/A

ATTACHMENTS:

Click to download

- ☐ [CDBG - Consolidated Plan 2015-2019 - Staff Report](#)
 - ☐ [CDBG - Consolidated Plan 2015-2019](#)
 - ☐ [CDBG - Consolidated Plan 2015-2019 - Funding Recommendations](#)
 - ☐ [CDBG - Consolidated Plan 2015-2019 - Survey Results](#)
 - ☐ [PRESENTATION](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

Presentation Speaker Names (spelling and titles for TV captions):

Christina Ramirez, Neighborhood Services Supervisor

Michael Celaya, Director



HUMAN SERVICE AND COMMUNITY VITALITY DEPARTMENT

Date: March 19, 2015

To: Planning and Zoning Commission Members

From: Michal Celaya, Human Service and Community Vitality Director
Christina Ramirez, Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: CDBG-Consolidated Plan 2015-2019

Introduction

As an entitlement city, Surprise receives a yearly allotment of Community Development Block Grant (CDBG) funding from the U. S. Department of Housing and Urban Development (HUD). Per grant guidelines, the city has the ability to designate up to 85% of the grant award to fund eligible administrative, housing and public improvement services with the intent of serving low-to moderate-income persons within the City of Surprise. Within the designation, the city can designate a maximum of up to 15%

Today's Planning and Zoning Commission meeting is aimed at assisting the Commission in deciding if proposed projects meet grant criteria while filling community needs. Once the recommendation is determined, it will be forwarded to Council for consideration. Upon approval by City Council, the CDBG Administration, Housing and Public Improvement Activities will be submitted to HUD as part of the Consolidated Plan 2015-2019 and Annual Action Plan 2015-16.

Background

CDBG administration is carried out with the Human Service and Community Vitality department. The neighborhood improvement projects will be placed out to bid in order to adhere to city procurement. As part of the CDBG public participation process 2 surveys were distributed to the residents of Surprise. The initial survey was distributed in September 2014 and a supplemental survey was conducted in February 2015. A total of 20% of the surveys were returned, in which priorities which were ranked as high will have priority funding in the first year Annual Action Plan 2015-2016. These priorities were used to implement projects that will improve the safety and quality of life of the residents living within the Original Town Site of Surprise. .

According to HUD regulations, CDBG funds may be used to provide Neighborhood Improvements (including labor, supplies, materials, project management and other costs), provided the service is:

- Serve low- to moderate-income persons in the City of Surprise through area benefit or serving a particular clientele like seniors, youth and families.

Funding Limit

CDBG Administration and Neighborhood Improvement related funding is limited to 85% of the annual CDBG allocation for the program year (PY). For example, the CDBG allocation for City of Surprise for the PY 2015-16 was \$551,309, 15% for Public Services in the amount of \$82,696;

20% Administration in the amount of \$110,261 thus the funding available to award for such projects is approx. \$468,613. Therefore the Commission is making project recommendations on an amount of \$551,309.

Previous Actions

Past Administration, Rehabilitation and Public Improvements funding levels have been as follow:

Housing Rehabilitation – owner occupied citywide

- 2010
- 2011
- 2012
- 2013 funded

Park and Recreational Facility Improvement – in OTS

- 2013 funded

Street Improvements – road reconstruction, sidewalk connectivity and ADA access

- 2011
- 2014 funded

Façade Improvements for Commercial – OTS

Public Services – to include training for youth

- 2010
- 2011
- 2012
- 2013
- 2014 funded

Updated Actions

Year 1

- Water Feasibility Study
- Street Improvements
- Senior Center Parking Access
- Public Service

Year 2

- Water System Improvements
- Commercial Property /Building Improvements
- Public Service

Year 3

- Water System Improvements
- Business Development Grants
- Public Service

Year 4

- Water System Improvements
- Substandard Building Demolition
- Public Service

Year 5

- Water System Improvements
- OTS Lighting
- Public Service

Future Actions

- City Council Workshop: April 7, 2015
- City Council Public Hearing and approval April 21, 2015
- Submission to HUD as part of Consolidated Plan 2015-2019 and the Annual Action Plan 2015-16 by May 15, 2015.

Recommendations

Approval of administration and Neighborhood Improvement funding recommendations.



5 Year Strategic Plan

This document includes Narrative Responses to specific questions that grantees of the Community Development Block Grant, HOME Investment Partnership, Housing Opportunities for People with AIDS and Emergency Shelter Grants Programs must respond to in order to be compliant with the Consolidated Planning Regulations.

GENERAL

Executive Summary

5 Year Strategic Plan Executive Summary:

The City of Surprise Consolidated Plan is a comprehensive document that addresses the city's housing, community development and economic development needs. The Consolidated Plan 2015-19 comprehensively updates the previous four-year strategic plan covering the program years of 2010-2014. It also serves as the 2015 Action Plan. The Consolidated Plan is a combination of housing, community development, and public service plan, and acts as an application for the following two U.S. Department of Housing and Urban Development (HUD) entitlement programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships Program

The City of Surprise 2015 Annual Action Plan fiscal year runs from July 1, 2015 through June 30, 2016. The city's lead agency responsible for the plan's development is the Neighborhood Services Division, Human Service and Community Vitality Development Department. The executive summary includes objective and outcome expectations, as well as an evaluation of past performance. The 2015 Consolidated Plan states how the city intends to utilize its HUD entitlement funds in the areas of housing, community development, public services, and administration. The Consolidated Plan ties HUD grant-funded spending to other funding initiatives in the city that benefit low- and moderate-income residents.

Key components of the plan are:

- Needs assessment.
- Strategic goals.
- Delivery system.
- Accountability and performance measurement.

Primary categories of need that are addressed in the plan are:

- Infrastructure development.
- Housing.
- Public services to special needs populations.

Summary of Objective and Outcome Expectations

The City of Surprise performance measurement system is tied to the city's Original Townsite Revitalization Plan objectives and to the annual budget

process. In previous years, the Consolidated Plan provided an estimate of *output* measures in compliance with HUD's data system. The Consolidated Plan includes measures of performance to quantify longer-term goals by incorporating projected *outcome* measures. Quantifiable results-oriented goals for capital programs are tied to a unified framework for the benefit of low- and moderate-income residents.

- Preserve neighborhoods through infrastructure improvements in the targeted low-income area(s).
- Provide public services based on qualifications to special needs populations.
- Preserve neighborhoods through housing rehabilitation assistance to qualified homeowners.
- Preserve habitability of owner-occupied housing through emergency home repair assistance.
- Increase homeownership through downpayment assistance.
- Preserve affordability of quality rental housing through the Housing Choice Voucher program.
- Provide public service activities to city's youth, seniors, special needs persons, veterans, persons and families in crisis, and disabled persons through nonprofit agencies or other city departments.

Changes currently anticipated during the term of this plan:

- Inclusion of public services activities through the CDBG funding. Fifteen percent of CDBG allotted funding will be set aside for the public services as per CDBG guidelines.
- Inclusion of economic development activities through CDBG funding.

Past Performance Summary

Since becoming an entitlement community in 2006 for CDBG funding, infrastructure was identified as the city's highest priority and was aimed at the Original Townsite (OTS) of Surprise which is predominantly a low- to moderate-income resident area. Three flood drain improvement projects, one park improvements and one street improvement projects were carried out in the OTS. The infrastructure improvements aimed at creating a suitable living environment principally for the low- to moderate-income persons within the OTS of Surprise.

Implementation

This Consolidated Plan will serve as a guide for City of Surprise' endeavors in housing and community development during the next five years. The plan is updated annually through the adoption of the Annual Action Plan and may be amended from time to time as circumstances change. The Annual Action Plan and amendments to the Consolidated Plan will allow for public review and comment consistent with the Citizens Participation Plan.

Strategic Plan

Due every three, four, or five years (length of period is at the grantee's discretion) no less than 45 days prior to the start of the grantee's program year start date. HUD does not accept plans between August 15 and November 15.

Mission:

The mission of the City of Surprise is to enhance the quality of life through sustainable reconstruction of aging infrastructure systems and housing stock at the neighborhood level in order to develop healthy living environment.

General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed.

Community Profile

2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) and the basis for assigning the priority (including the relative priority, where required) given to each category of priority needs (91.215(a)(2)). Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.
3. Identify any obstacles to meeting underserved needs (91.215(a)(3)).

5 Year Strategic Plan General Questions response:

1.
Surprise is located in the northwest of the Phoenix Metropolitan Area (*Figure 1*). The Surprise Planning Area is bordered on the east by the cities of Peoria and El Mirage, on the west by the town of Buckeye, on the south by the city of Glendale, and on the northwest by the town of Wickenburg. Sun City and Sun City West, both unincorporated communities are adjacent to the eastern boundary of the planning area. Located within the Surprise Planning Area are the unincorporated communities of Morristown, Circle City, and Wittmann.

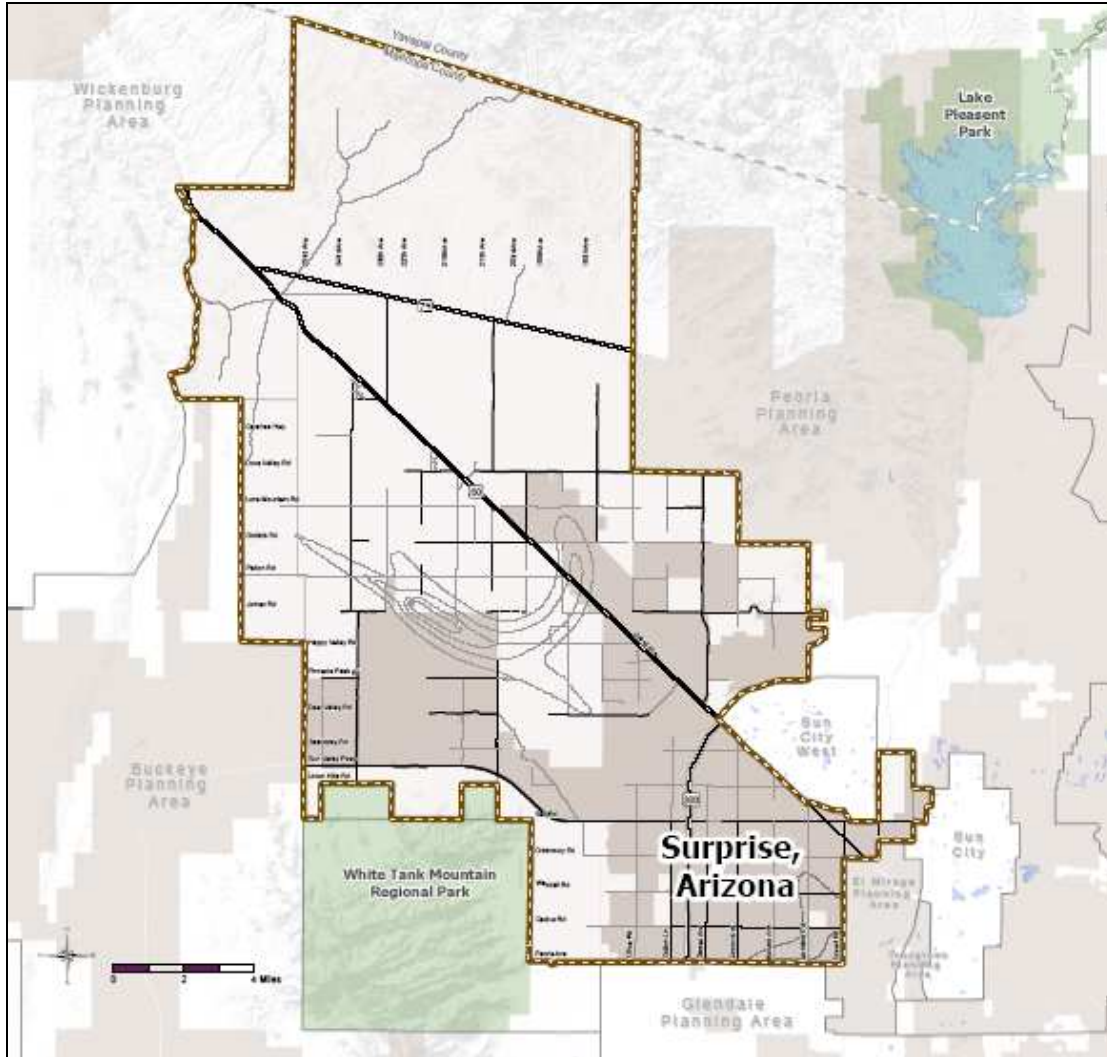


Figure 1: Surprise, AZ

Public facilities and infrastructure improvements with CDBG funds will only be undertaken in the Original Townsite (*Figure 2*) as area benefit activities targeted to the designated service area. This area is the only Census Tract (#608) in Surprise with a population that is more than 51% low and moderate income.



Figure 2: Original Townsite, Surprise, AZ

Economic development, public services, and other eligible activities under the CDBG program that directly benefit individuals will be provided throughout the community contingent on the eligibility of the applicant for the low- or moderate-income caveat.

2.

The system for establishing the target areas for the CDBG-funded activities are predicated upon the following criteria:

- The Original Townsite area targeted for CDBG investments under this plan is the lowest income Census Tract in City of Surprise.
- The community has targeted this area for investment in the *Original Townsite Revitalization Plan* and *Surprise Revitalization Strategic Plan*.
- Meeting the statutory requirements of the CDBG program.
- Coordination and leveraging of resources.
- Response to expressed needs.
- Long-term impact and sustainability.

- **The ability to measure or demonstrate progress and success.**

The steps in assignment of priority for specific activities selected for this plan are described further in the section on Priority Needs Analysis and Strategy.

3.

Funding Future

One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community development services. Although federal stimulus funding helps mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

Other obstacles to meeting underserved needs include:

- 1. Insufficient resources to meet all of the legitimate and eligible needs identified.**
- 2. Private ownership of incompatible land uses within the revitalization area.**
- 3. Public ownership of the water system in the revitalization area by another municipality.**
- 4. Environmental issues related to the location of Grand Avenue (US 60), the Railroad, and Luke Airforce Base.**

Managing the Process (91.200 (b))

- 1. Lead Agency. Identify the lead agency or entity for overseeing the development of the plan and the major public and private agencies responsible for administering programs covered by the consolidated plan.**
- 2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.**
- 3. Describe the jurisdiction's consultations with housing, social service agencies, and other entities, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons.**

***Note: HOPWA grantees must consult broadly to develop a metropolitan-wide strategy and other jurisdictions must assist in the preparation of the HOPWA submission.**

5 Year Strategic Plan Managing the Process response:

1.

The Neighborhood Services Division of the Human Services and Community Vitality Development is the lead agency for the City of Surprise Consolidated Plan. The Consolidated Plan along with the Annual Action Plan is authorized and approved by Mayor and the City Council upon the recommendation of the appointed Surprise Planning and Zoning Commission. Actions required

to accept and administer the CDBG and HOME funds are assigned to the City Manager or his designee.

2.

The City of Surprise has developed the Consolidated Plan with the input of several key city departments and divisions, county agencies, local nonprofit agencies and service organizations, community groups, boards and commissions, and citizens of Surprise.

To gather input from the citizens of Surprise, the city has adopted a Citizen Participation Plan that describes the citizens input process for the CDBG and HOME programs.

Significant steps in the planning process included:

- a) Creating a public participation plan to involve citizens of City of Surprise.**
- b) Establishment of needs assessment and priorities with other city departments and divisions.**
- c) Conducting a survey and mailed out a supplemental survey with citizens of the city and city officials to determine the high priorities needs.**
- d) Review of needs assessments and goals and objectives established with the Surprise CDBG and Quality of Life Commission members.**
- e) Conducting a City Council work session.**

3.

During the development of the Consolidated Plan, the following groups and city departments were interviewed and or returned surveys. These groups represent or serve the populations whose needs were considered in the Consolidated Plan:

- a) City of Surprise Community Development Department.**
- b) City of Surprise Community and Recreation Services.**
- c) City of Surprise Economic Development Department.**
- d) City of Surprise Public Works Department.**
- e) Maricopa HOME Consortium.**
- f) The Housing Authority of Maricopa County.**
- g) Maricopa County Community Development.**
- h) City of Surprise Planning and Zoning Commission.**
- i) Original Town Site Stakeholder Group**
- j) Area Congressional Representative response for the survey.**

Citizen Participation (91.200 (b))

- 1. Provide a summary of the citizen participation process.**
- 2. Provide a summary of citizen comments or views on the plan.**
- 3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.**
- 4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.**

*Please note that Citizen Comments and Responses may be included as additional files within the CPMP Tool.

5 Year Strategic Plan Citizen Participation response:

1.

Throughout the development of the Consolidated Plan, citizen input is encouraged. The City of Surprise provides its citizens many opportunities to provide input to the decision making process. Citizens are encouraged to attend and participate in City Council meetings, Planning and Zoning Commission meetings to solicit public input. These community engagement practices are designed to meet the needs and requirements of various programs and planning processes.

In accordance with 24 CFR 91.115(e), city staff has developed a Citizen Participation Plan (CPP) designed specifically for the Consolidated Plan. The CPP describes city policies relating to public hearings, public notices, and comment period. A schedule of citizen participation actions was developed at the beginning of the Consolidated Plan drafting.

Table 1: Schedule of Citizen Participation

Time	Activity
February 5, 2015	Planning and Zoning Commission Meeting on Consolidated Plan Priorities
December 2014 - February 26, 2015	Survey questionnaire for city residents and city staff
February 21, 2015	Planning and Zoning Commission Public Hearing on Annual Action and Consolidated Plan Priorities
March 3-April 3, 2015	30 day public comment period on Annual Action Plan and Consolidated Plan
April 7, 2015	City Council Public Hearing
April 21, 2015	City Council work session and approval
May 15, 2015	Submission to HUD

2.

TBD comments were received during the comment period and Public Hearings.

3.

To assist in obtaining broad-based participation, a city's mailing distribution list is used. The list includes public, private and social service agencies and individuals that request notices of meetings and hearings. Staff publishes public notices for both public meetings and hearings in Daily News-Sun an everyday publishing newspaper, in accordance with city notification practices.

As per the CPP, the public hearings were held at accessible locations. Electronic copies of the plan were made available on the city's website. Printed public notices were distributed in English and Spanish listing the locations where copies of the Consolidated Plan are available and inviting citizens to speak at the public meetings and hearings and/or submit written comments. Public meetings and hearings are accessible and sign language interpretation is available for public hearings and meetings on request.

4.

Citizens' request for highway access, road repairs, and other transportation improvements were not included as they do not qualify either under area benefit or limited clientele benefit caveat for the low- to moderate-income persons in the city.

Institutional Structure (91.215 (i))

1. Explain the institutional structure through which the jurisdiction will carry out its consolidated plan, including private industry, nonprofit organizations, and public institutions.
2. Assess the strengths and gaps in the delivery system.
3. Assess the strengths and gaps in the delivery system for public housing, including a description of the organizational relationship between the jurisdiction and the public housing agency, including the appointing authority for the commissioners or board of housing agency, relationship regarding hiring, contracting and procurement; provision of services funded by the jurisdiction; review by the jurisdiction of proposed capital improvements as well as proposed development, demolition or disposition of public housing developments.

5 Year Strategic Plan Institutional Structure response:

1.

The City of Surprise is the clearinghouse and facilitator for the activities as described by the Consolidated Plan. The City of Surprise is empowered to apply for and administer CDBG and other grant funds.

The Neighborhood Services Division of the Human Services and Community Vitality Development Department oversees the administration of all CDBG and HOME entitlement programs. The department is responsible for:

- **Program management and oversight.**
- **Interdepartmental coordination.**
- **Subrecipient contract administration and monitoring.**
- **Program evaluation.**
- **Consolidated Plan preparation, monitoring and evaluation.**
- **Periodic reporting to HUD.**

Other city departments and private agencies that participate in the implementation of federal-funded grants include:

- **City Council - formal approval body for policy making and release of funds.**
- **The Public Works Department - has experience in administering the procurement and Labor Standards requirements of federally funded projects.**
- **Financial management will be appropriately separated between the Finance Department and Community Development Department.**
- **Maricopa HOME Consortium is the lead agency for HOME funds and activities.**

- **The Maricopa County Human Services Department provides services in workforce development and special transportation**
- **The city is also served by a number of private nonprofit housing and health and human services providers and local church organizations like Habitat for Humanity, Benevilla and Adelante Health Services.**

2.

The major gap is the coordination of multiple organizations in regards with networking, ensuring that overlap of assignments is minimized, and facilitating more efficient use of resources.

For the first time as the city is carrying out public service activities under the CDBG program through an open application process, effective management of the subrecipients would be a challenge and will likely require additional training.

3.

The Housing Authority of Maricopa County (HAMC) has two public housing developments in Surprise and administers Housing Choice Vouchers in the private rental market. The operations of HAMC in Surprise have not been formalized since Surprise incorporated as a city and an intergovernmental agreement would be beneficial.

Monitoring (91.230)

1. **Describe the standards and procedures the jurisdiction will use to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.**

5 Year Strategic Plan Monitoring response:

The City of Surprise Neighborhood Services Division of the Human Services and Community Vitality Development Department oversees all grant-funded housing and community development programs and will be responsible for all performance measurement activities.

The Neighborhood Services Division is also responsible for the timely implementation of activities and projects. The City of Surprise will ensure that all grant-funded projects are monitored for compliance with the applicable city, state and federal laws. This will be accomplished using the city's current monitoring/contract compliance process for federal programs.

The Neighborhood Services Division monitors all proposed activities to ensure long-term compliance with program requirements. The objectives of these monitoring are to make sure that activities:

1. **Comply with all regulations governing their administrative, financial, and programmatic operations.**
2. **Achieve their performance objectives within schedule and budget.**

General Monitoring Procedures

Annually, with the preparation of Consolidated Annual Performance and Evaluation Report (CAPER), the Neighborhood Services Division will review whether the specific objectives outlined in this strategic plan are being

met. Furthermore, subsequent CAPERs will give an opportunity to address community priorities and if adequate resources are available to meet the objectives.

The City of Surprise relies upon all grant-funded entities to complete a Quarterly Performance Report (QPR) to assess project progress. Accomplishments for the quarter are identified including measurable outcomes, client information, time frames and quarterly costs.

Neighborhood Services Division also administers the Integrated Disbursement and Information System (IDIS).

The more formal monitoring begins with a risk assessment of all grant-funded projects and subrecipient contracts. The risk assessment considers size of the grant contract, changes in organizational structure, and how long it has been since the last on-site monitoring.

For the HOME programs, included is a annual peer review for each member of the Maricopa HOME Consortium. The peer monitoring is performed by representatives from other participating communities and may take the form of either a desk review or an on-site monitoring.

Subrecipient Monitoring:

All subrecipients of CDBG and HOME funds will be subject to monitoring. Fiscal monitoring will include review and approval of budgets, compliance with executed grant agreements, review of fiscal reports on a monthly or quarterly basis, and a review of audits on an annual basis. Additional monitoring will occur through on-site visits. These site visits will occur as necessary but will be conducted at least once every six months.

All subrecipients must identify the personnel working on the project; keep accurate records and filing systems to document program benefits and compliance; maintain an appropriate financial management system; submit to an audit; and submit a final report at closeout.

Affirmative and Outreach Monitoring

The city's contract compliance officer is responsible for ensuring affirmative marketing and minority outreach including Section 3 and Minority/Women Business Enterprise compliance, by using existing standards and procedures as prescribed under the CDBG and HOME programs.

Priority Needs Analysis and Strategies (91.215 (a))

1. Describe the basis for assigning the priority given to each category of priority needs.
2. Identify any obstacles to meeting underserved needs.

5 Year Strategic Plan Priority Needs Analysis and Strategies response:

1.

The priorities presented were developed by:

- **Weighing the severity of the need among all groups and subgroups in the city.**
- **Analyzing the current social, economic and housing conditions.**
- **Analyzing the relative needs of low- and moderate-income families.**
- **Assessing the resources likely to be available over the next five years.**

Priorities are relative and follow these classifications:

High: The city plans to use available Consolidated Plan funds for activities to meet the need during the Five-Year Strategic Plan.

Medium: The city plans to use any available funds, including Consolidated Plan funds, for activities to meet the need during the Five-Year Strategic Plan, and can assist organizations in seeking funds to meet the need.

Low: The city does not envision using any available Consolidated Plan funds for activities to meet the need during the Five-Year Strategic Plan.

Identified Feasible Priorities Based on Survey:

- **Veteran Programs**
- **Transportation infrastructure improvements**
- **Job creation/retention**
- **Youth centers/Youth activities**
- **Neighborhood Clean up**
- **Literacy Programs**
- **Health care**
- **Health care services**
- **Senior Center programs/activities**

Identified Feasible Priorities Based on Needs and Urgency:

- **Job training.**
- **Water system Improvements in OTS.**
- **Drainage Improvements in OTS.**
- **Lighting Improvements in OTS.**
- **Street Improvements.**
- **Youth training program.**
- **Youth recreation program.**
- **Veteran services**

2.

Funding Future

One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community

development services. Although federal stimulus funding helps mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

Other obstacles to meeting underserved include:

- a) Insufficient resources to meet all of the legitimate and eligible needs identified.**
- b) Private ownership of incompatible land uses within the revitalization area.**
- c) Public ownership of the water system in the Revitalization area by another municipality.**
- d) Environmental issues related to the location of Grand Avenue, the railroad, and Luke Airforce Base.**

Lead-based Paint (91.215 (g))

1. Estimate the number of housing units that contain lead-based paint hazards, as defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, and are occupied by extremely low-income, low-income, and moderate-income families.
2. Outline actions proposed or being taken to evaluate and reduce lead-based paint hazards and describe how lead based paint hazards will be integrated into housing policies and programs, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

5 Year Strategic Plan Lead-based Paint response:

1.

Assessment of the outside parameters of lead paint hazard for the City of Surprise has been calculated in the chart below utilizing data from the 2000 Census applied to the findings of a national study titled 'The prevalence of Lead Based Paint Hazards in U.S. Housing.'

Table 2:

Sample	Region	Surprise	Prevalence		Surprise	
			Sample	%w/hazards	Owner	Renter
Western Region			Western region	15%		
Owner renter split			Construction year			
Owner	69	88%	1978+w/hazards	3%	302	33
Renter	30	12%	1960-1977	8%	63	28
In poverty	14%	8.70%	1940-1959	43%	53	24
Income			Before 1940	69%	19	0
0-\$19,999	20%		Tenure			
\$20-39,999	27%		Owner	23%	437	
\$40-+	44%		Renter	30%		84
Calculations are derived from 2000 Census based on findings of "The prevalence of Lead Based Paint Hazards in U.S Housing" October 2002.			In poverty	38%	166	32
			W/children	25%	109	21

The Arizona Department of Health Services maintains records on the number of children reported to have elevated blood levels from any source. Since the year 2000, six (6) children have tested positive for elevated levels of lead in the bloodstream. During that time, two of the tests resulted in environmental investigations at the home. Neither of the home investigations revealed an apparent source for the lead.

2.

Housing assisted under any and all programs covered under this Consolidated Plan are inspected and/or tested prior to assistance as follows:

- a. The Housing Authority of Maricopa County inspects all rental units prior to occupancy by households who have Housing Choice Vouchers. For units built before 1978, chipped or peeling paint must be removed prior to occupancy.**
- b. For units built before 1978, chipped or peeling paint must be removed prior to occupancy. Renter and owner-occupied units built before 1978 that are being rehabilitated with CDBG or HOME funds must be professionally assessed and abated as part of the assisted contract.**
- c. Lead-based paint is not allowed or sold for residential construction after 1978. Newly constructed single-family or multifamily residences assisted with funding from the covered grants will be free of lead paint hazards.**

HOUSING

Housing Needs (91.205)

*Please also refer to the Housing Needs Table in the Needs.xls workbook

1. Describe the estimated housing needs projected for the next five year period for the following categories of persons: extremely low-income, low-income, moderate-income, and middle-income families, renters and owners, elderly persons, persons with disabilities, including persons with HIV/AIDS and their families, single persons, large families, public housing residents, victims of domestic violence, families on the public housing and section 8 tenant-based waiting list, and discuss specific housing problems, including: cost-burden, severe cost- burden, substandard housing, and overcrowding (especially large families).
2. To the extent that any racial or ethnic group has a disproportionately greater need for any income category in comparison to the needs of that category as a whole, the jurisdiction must complete an assessment of that specific need. For this purpose, disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least ten percentage points higher than the percentage of persons in the category as a whole.

5 Year Strategic Plan Housing Needs response:

Effective July 1, 2006, City of Surprise became a member of the Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessment be

consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium.

Priority Housing Needs (91.215 (b))

1. Identify the priority housing needs and activities in accordance with the categories specified in the Housing Needs Table (formerly Table 2A). These categories correspond with special tabulations of U.S. census data provided by HUD for the preparation of the Consolidated Plan.
2. Provide an analysis of how the characteristics of the housing market and the severity of housing problems and needs of each category of residents provided the basis for determining the relative priority of each priority housing need category.

Note: Family and income types may be grouped in the case of closely related categories of residents where the analysis would apply to more than one family or income type.

3. Describe the basis for assigning the priority given to each category of priority needs.
4. Identify any obstacles to meeting underserved needs.

5 Year Strategic Plan Priority Housing Needs response:

Effective July 1, 2006, the City of Surprise became a member of the Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessment be consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium.

Housing Market Analysis (91.210)

*Please also refer to the Housing Market Analysis Table in the Needs.xls workbook

1. Based on information available to the jurisdiction, describe the significant characteristics of the housing market in terms of supply, demand, condition, and the cost of housing; the housing stock available to serve persons with disabilities; and to serve persons with HIV/AIDS and their families. Data on the housing market should include, to the extent information is available, an estimate of the number of vacant or abandoned buildings and whether units in these buildings are suitable for rehabilitation.
2. Describe the number and targeting (income level and type of household served) of units currently assisted by local, state, or federally funded programs, and an assessment of whether any such units are expected to be lost from the assisted housing inventory for any reason, (i.e. expiration of Section 8 contracts).
3. Indicate how the characteristics of the housing market will influence the use of funds made available for rental assistance, production of new units, rehabilitation of old units, or acquisition of existing units. Please note, the goal of affordable housing is not met by beds in nursing homes.

5 Year Strategic Plan Housing Market Analysis responses:

Effective July 1, 2006, the City of Surprise became a member of the

Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessment be consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium.

Specific Housing Objectives (91.215 (b))

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve over a specified time period.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Strategic Plan Specific Housing Objectives response:

Specific Housing Objectives for the period of the Consolidated Plan include:

Table 3: National Objective met by: <i>Providing decent housing.</i>			
Desired outcome: <i>An increase in the number of quality affordable units.</i>			
Need to be addressed/ From the Needs Assessment	Goal to address high and medium priority needs	Activity and General Location	Anticipated sources of funding
Quality owner-occupied housing	Increase the quality of owner-occupied housing in older neighborhoods	Major and Minor Housing rehabilitation to low- and moderate-income households primarily located in the Original Townsite Area.	CDBG, HOME, Private loans and Owners' funds
Quality owner-occupied housing	Increase the availability of affordable owner-occupied housing	Support to the development of housing and neighborhoods by Habitat for Humanity.	Private financing, Sweat equity, HOME funds, Fee waivers, and NSP Program
Quality owner-occupied housing	Preserve habitability of owner-occupied housing	Emergency repair assistance.	State Housing Trust Funds, CDBG Funds
Quality affordable rental housing	Preserve affordability of quality rental housing in the private market	Levels of Housing Choice Voucher assistance citywide to preserve current assistance and preserve units where landlords opt out of assisted mortgages	Housing Choice Vouchers under an operating agreement with the Housing Authority of Maricopa County.

Affordable rental housing	Increase the supply of affordable rental housing	Acquisition/ rehabilitation assistance to preserve units affordable to low- and moderate-income renters as opportunities are presented by nonprofit housing providers.	HOME, affordable housing bonds, private financing
Affordable rental housing	Increase the supply of affordable rental housing	Acquisition/ new development assistance to add to the number of units affordable to low- and moderate-income renters.	HOME, Affordable housing bonds, Private financing, Low Income Housing Tax Credits

See the chart below for the performance measures for the above objectives.

Five-year Goals for Housing

Table 4: Priority Housing Needs (Households)		Priority		Unmet Need
Renter	Small Related	0-30%	H	236
		31-50%	H	267
		51-80%	M	239
	Large Related	0-30%	H	112
		31-50%	H	112
		51-80%	H	135
	Elderly	0-30%	H	130
		31-50%	H	142
		51-80%	M	112
	All Other	0-30%	H	312
		31-50%	H	250
		51-80%	M	257
Owner	Small Related	0-30%	M	138
		31-50%	H	152
		51-80%	H	400
	Large Related	0-30%	M	68
		31-50%	H	101
		51-80%	H	186
	Elderly	0-30%	H	296
		31-50%	H	277
		51-80%	H	263

	All Other	0-30%	M	113
		31-50%	H	86
		51-80%	H	182
Non-Homeless Special needs	Elderly	0-80%	H	126
	Frail Elderly	0-80%	H	168
	Severe Mental Illness	0-80%	H	165
	Physical Disability	0-80%	M	53
	Developmental Disability	0-80%	M	105
	Alcohol/Drug Abuse	0-80%	H	96
	HIV/AIDS	0-80%	M	15
	Victims of Domestic Violence	0-80%	H	45

Table 5: Priority Needs	5-YR. Goal Plan/Act	Year 1 Goal Plan/Act	Year 2 Goal Plan/Act	Year 3 Goal Plan/Act	Year 4 Goal Plan/Act	Year 5 Goal Plan/Act
Renters	119	24	24	24	24	24
0-30%	33	7	7	7	7	7
31-50%	17	3	3	3	3	3
51-80%	69	14	14	14	14	14
owners	135	27	27	27	27	27
0-30%	40	8	8	8	8	8
31-50%	56	11	11	11	11	11
51-80%	39	8	8	8	8	8
Homeless						
Individuals	0	0	0	0	0	0
Families	0	0	0	0	0	0
Non-Homeless Special Needs						
Elderly	64	13	13	13	13	13
Frail Elderly	23	5	5	5	5	5
Severe Mental Illness	4	1	1	1	1	1
Physical Disability	18	4	4	4	4	4
Developmental Disability	13	3	3	3	3	3
Alcohol/Drug Abuse	5	1	1	1	1	1
HIV/AIDS	2	0	0	0	0	0
Victims of Domestic Violence	5	1	1	1	1	1
Total	134	27	27	27	27	27

The above two tables are derived from the Maricopa Consortium Consolidated Plan for 2010-14. The estimated number of people in Surprise for each need category is determined by multiplying the category's county population by the percentage of Surprise population that is in the Maricopa County- 3%. The estimated number are derived from 2000 CHAS runs extrapolated to 2010.

Table 6: Priority Needs	5-YR. Goal Plan/Act	Year 1 Goal Plan/Act	Year 2 Goal Plan/Act	Year 3 Goal Plan/Act	Year 4 Goal Plan/Act	Year 5 Goal Plan/Act
CDBG						
Acquisition of existing rental units						
Production of new rental units						
Rehabilitation of existing rental units						
Rental assistance						
Acquisition of existing owner units						
Production of new owner units						
Rehabilitation of existing owner units	24	24	0	0	0	0
Homeownership assistance						
HOME						
Acquisition of existing rental units						
Production of new rental units						
Rehabilitation of existing rental units						
Rental assistance						
Acquisition of existing owner units						
Production of new owner units						
Rehabilitation of existing owner units	4	4				
Homeownership assistance						
HOPWA						
Rental assistance						
Short term rent/mortgage utility payments						
Facility based housing development	City of Surprise does not receive HOPWA funding					
Facility based housing operations						
Supportive Services						
Other						
NSP						
Production of new owner units	2	1	1	-	-	-
Homeownership assistance	24	8	8	8	-	-

Surprise is not eligible for funding for Housing Opportunities for People with AIDS and does not track housing assistance or set housing goals for persons with AIDS separate from housing assistance for persons with other

disabilities. Section 8 regulations do not authorize the collection of this information.

The goals listed in the chart above continue services and levels of service that have been provided in the past under operating agreements with Maricopa County Community Development, the Housing Authority of Maricopa and nonprofit housing providers.

2.

Resources anticipated to address these objectives include:

1. HUD funding

- a. Community Development Block Grants.**
- b. HOME Investment Partnerships funds.**
- c. Neighborhood Stabilization Program (NSP).**
- d. Housing Choice Vouchers.**

2. Low Income Housing Tax Credits issued through the state.

3. State and County IDA funding from

- a. Multifamily.**
- b. Single-Family bonds.**
- c. Mortgage Credit Certificates.**

4. Private funding

- a. Family Self-sufficiency escrow accounts.**
- b. IDEA grants.**
- c. Individual Development Accounts.**
- d. Unrestricted funds leveraged and matched by nonprofit housing providers.**
- e. Subsidized and unsubsidized private investments by private investors.**

Needs of Public Housing (91.210 (b))

In cooperation with the public housing agency or agencies located within its boundaries, describe the needs of public housing, including the number of public housing units in the jurisdiction, the physical condition of such units, the restoration and revitalization needs of public housing projects within the jurisdiction, and other factors, including the number of families on public housing and tenant-based waiting lists and results from the Section 504 needs assessment of public housing projects located within its boundaries (i.e. assessment of needs of tenants and applicants on waiting list for accessible units as required by 24 CFR 8.25). The public housing agency and jurisdiction can use the optional Priority Public Housing Needs Table (formerly Table 4) of the Consolidated Plan to identify priority public housing needs to assist in this process.

5 Year Strategic Plan Needs of Public Housing response:

The Housing Authority of Maricopa County (HAMC) administers the public housing and Section 8 subsidized housing programs for City of Surprise. Surprise' housing activities are planned and reported through the Maricopa Consortium Plan. See the 2010-2014 Consolidated Plan for the Maricopa HOME Consortium for more information.

Public Housing Strategy (91.210)

1. Describe the public housing agency's strategy to serve the needs of extremely low-income, low-income, and moderate-income families residing in the jurisdiction served by the public housing agency (including families on the public housing and section 8 tenant-based waiting list), the public housing agency's strategy for addressing the revitalization and restoration needs of public housing projects within the jurisdiction and improving the management and operation of such public housing, and the public housing agency's strategy for improving the living environment of extremely low-income, low-income, and moderate families residing in public housing.
2. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake to encourage public housing residents to become more involved in management and participate in homeownership. (NAHA Sec. 105 (b)(11) and (91.215 (k))
3. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation. (NAHA Sec. 105 (g))

5 Year Strategic Plan Public Housing Strategy response:

1. **Not Applicable**
2. **Not Applicable**
3. **HAMC is not designated as a "troubled agency."**

Barriers to Affordable Housing (91.210 (e) and 91.215 (f))

1. Explain whether the cost of housing or the incentives to develop, maintain, or improve affordable housing are affected by public policies, particularly those of the local jurisdiction. Such policies include tax policy affecting land and other property, land use controls, zoning ordinances, building codes, fees and charges, growth limits, and policies that affect the return on residential investment.
2. Describe the strategy to remove or ameliorate negative effects of public policies that serve as barriers to affordable housing, except that, if a State requires a unit of general local government to submit a regulatory barrier assessment that is substantially equivalent to the information required under this part, as determined by HUD, the unit of general local government may submit that assessment to HUD and it shall be considered to have complied with this requirement.;

5 Year Strategic Plan Barriers to Affordable Housing response:

1.
While the city's housing supply is large enough to meet demand, there is a significant disconnect between the supply of housing units and the location, price, and quality of the housing units. The housing stock has been growing and stands at 52,384 units as of 2013. This includes single-family units, multi-family units and mobile homes. An average of 2511 units has been built each year from 2008 through 2013. The average household size is now 2.75. More than half of Surprise's housing stock was built after 2000.

The City of Surprise is recognized for its affordability. First time homebuyers have been able to purchase quality homes in master planned neighborhoods. Monitoring housing affordability as the city matures will be important. The key is to ensure the widest range of housing to meet the needs of a growing city including the low- and moderate-income households.

The main contributors to the cost of housing in Surprise are:

- **The cost of vacant land and built residential property.**
- **The lack of a supply of land available for residential development outside of master-planned communities.**
- **The lack of supply of a variety of housing.**
- **The lack of available credit for low- and moderate-income persons.**

The growth of Surprise over the last 15 years can only be described as extreme. Much of this development has been in master-planned subdivisions with high amenities and innovative development patterns. The city's development standards are strict enough to support long-term neighborhood quality in the intense Arizona sun. The result has been rapid increases in the cost of housing that has been exacerbated by the recent run-up in the value of resale housing in all of Maricopa County.

The following table, although not required, documents the city's standing pursuant to the April 21, 2004 Federal Register Notice on the Affordable Communities Initiative.

America's Affordable Communities Initiative	U.S. Department of Housing and Urban Development	OMB approval no. 2535-0120 (exp. 06/30/2010)
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Public reporting burden for this collection of information is estimated to average 3 hours. This includes the time for collecting, reviewing, and reporting the data. The information will be used for encourage applicants to pursue and promote efforts to remove regulatory barriers to affordable housing. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

Questionnaire for HUD's Initiative on Removal of Regulatory Barriers Part A.

Local Jurisdictions. Counties Exercising Land Use and Building Regulatory Authority and Other Applicants Applying for Projects Located in such Jurisdictions or Counties

	1	2
1. Does your jurisdiction's comprehensive plan (or in the case of a tribe or TDHE, a local Indian Housing Plan) include a "housing element? A local comprehensive plan means the adopted official statement of a legislative body of a local government that sets forth (in words, maps, illustrations, and/or tables) goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within its planning jurisdiction and that includes a unified physical plan for the public development of land and water. If your jurisdiction does not have a local comprehensive plan with a "housing element," please enter no. If no,	☐ No	☒ Yes

skip to question # 4.		
2. If your jurisdiction has a comprehensive plan with a housing element, does the plan provide estimates of current and anticipated housing needs, taking into account the anticipated growth of the region, for existing and future residents, including low, moderate and middle income families, for at least the next five years?	☒ No	☐ Yes
3. Does your zoning ordinance and map, development and subdivision regulations or other land use controls conform to the jurisdiction's comprehensive plan regarding housing needs by providing: a) sufficient land use and density categories (multifamily housing, duplexes, small lot homes and other similar elements); and, b) sufficient land zoned or mapped "as of right" in these categories, that can permit the building of affordable housing addressing the needs identified in the plan? (For purposes of this notice, "as-of-right," as applied to zoning, means uses and development standards that are determined in advance and specifically authorized by the zoning ordinance. The ordinance is largely self-enforcing because little or no discretion occurs in its administration.). If the jurisdiction has chosen not to have either zoning, or other development controls that have varying standards based upon districts or zones, the applicant may also enter yes.	☐ No	☒ Yes
4. Does your jurisdiction's zoning ordinance set minimum building size requirements that exceed the local housing or health code or is otherwise not based upon explicit health standards?	☐ Yes	☒ No
5. If your jurisdiction has development impact fees, are the fees specified and calculated under local or state statutory criteria? If no, skip to question #7. Alternatively, if your jurisdiction does not have impact fees, you may enter yes.	☐ No	☒ Yes
6. If yes to question #5, does the statute provide criteria that sets standards for the allowable type of capital investments that have a direct relationship between the fee and the development (nexus), and a method for fee calculation?	☐ No	☒ Yes
7. If your jurisdiction has impact or other significant fees, does the jurisdiction provide waivers of these fees for affordable housing?	☒ No	☐ Yes
8. Has your jurisdiction adopted specific building code language regarding housing rehabilitation that encourages such rehabilitation through graduated regulatory requirements applicable as different levels of work are performed in existing buildings? Such code language increases regulatory requirements (the additional improvements required as a matter of regulatory policy) in proportion to the extent of rehabilitation that an owner/developer chooses to do on a voluntary basis. For further information see HUD publication: "Smart Codes in Your Community: A Guide to Building Rehabilitation Codes" (www.huduser.org/publications/destech/smartcodes.html)	☒ No	☐ Yes

9. Does your jurisdiction use a recent version (i.e. published within the last 5 years or, if no recent version has been published, the last version published) of one of the nationally recognized model building codes (i.e. the International Code Council (ICC), the Building Officials and Code Administrators International (BOCA), the Southern Building Code Congress International (SBCI), the International Conference of Building Officials (ICBO), the National Fire Protection Association (NFPA)) without significant technical amendment or modification. In the case of a tribe or TDHE, has a recent version of one of the model building codes as described above been adopted or, alternatively, has the tribe or TDHE adopted a building code that is substantially equivalent to one or more of the recognized model building codes? Alternatively, if a significant technical amendment has been made to the above model codes, can the jurisdiction supply supporting data that the amendments do not negatively impact affordability.	☐ No	☒ Yes
10. Does your jurisdiction's zoning ordinance or land use regulations permit manufactured (HUD-Code) housing "as of right" in all residential districts and zoning classifications in which similar site-built housing is permitted, subject to design, density, building size, foundation requirements, and other similar requirements applicable to other housing that will be deemed realty, irrespective of the method of production?	☒ No	☐ Yes
11. Within the past five years, has a jurisdiction official (i.e., chief executive, mayor, county chairman, city manager, administrator, or a tribally recognized official, etc.), the local legislative body, or planning commission, directly, or in partnership with major private or public stakeholders, convened or funded comprehensive studies, commissions, or hearings, or has the jurisdiction established a formal ongoing process, to review the rules, regulations, development standards, and processes of the jurisdiction to assess their impact on the supply of affordable housing?	☒ No	☐ Yes
12. *Within the past five years, has the jurisdiction initiated major regulatory reforms either as a result of the above study or as a result of information identified in the barrier component of the jurisdiction's "HUD Consolidated Plan?" If yes, attach a brief list of these major regulatory reforms.	☐ No	☒ Yes
13. Within the past five years has your jurisdiction modified infrastructure standards and/or authorized the use of new infrastructure technologies (e.g. water, sewer, street width) to significantly reduce the cost of housing?	☒ No	☐ Yes
14. Does your jurisdiction give "as-of-right" density bonuses sufficient to offset the cost of building below market units as an incentive for any market rate residential development that includes a portion of affordable housing? (As applied to density bonuses, "as of right" means a density bonus granted for a fixed percentage or number of additional market rate dwelling units in exchange for the provision of a fixed number or percentage of affordable dwelling units and without	☒ No	☐ Yes

the use of discretion in determining the number of additional market rate units.)		
15. Has your jurisdiction established a single, consolidated permit application process for housing development that includes building, zoning, engineering, environmental, and related permits? Alternatively, does your jurisdiction conduct concurrent, not sequential, reviews for all required permits and approvals?	☐ No	☒ Yes
16. Does your jurisdiction provide for expedited or "fast track" permitting and approvals for all affordable housing projects in your community?	☒ No	☐ Yes
17. Has your jurisdiction established time limits for government review and approval or disapproval of development permits in which failure to act, after the application is deemed complete, by the government within the designated time period, results in automatic approval?	☒ No	☐ Yes
18. Does your jurisdiction allow "accessory apartments" either as: a) a special exception or conditional use in all single-family residential zones or, b) "as of right" in a majority of residential districts otherwise zoned for single-family housing?	☒ No	☐ Yes
19. Does your jurisdiction have an explicit policy that adjusts or waives existing parking requirements for all affordable housing developments?	☒ No	☐ Yes
20. Does your jurisdiction require affordable housing projects to undergo public review or special hearings when the project is otherwise in full compliance with the zoning ordinance and other development regulations?	☐ Yes	☒ No
Total Points:	10	10

The comments provided above with some of the questions indicate that the city has reviewed policies and procedures and removed potential barriers when possible. The only barriers in the city that remain on the form above are due to their significant legal or financial costs.

2.

City of Surprise has an active strategy to promote homeownership and the preservation and management of existing residential property. To offset the increasing cost of housing in the private market, the city has undertaken a number of strategies to preserve and develop new affordable housing. These strategies include:

1. The use of general funds, and HOME funds for the preservation of existing affordable owner-occupied housing.
2. Support of for-profit and nonprofit developers in the construction of Tax Credit assisted rental housing for families and seniors.
3. Waiver of permit fees for assisted housing projects.
4. Development of Original Townsite Revitalization Plan which has already resulted in public investment in community facilities and infill construction of mixed income owner-occupied homes.
5. A public policy that dedicates 10% of primary property tax to

revitalization activities in community focus-areas including the Original Townsite. This allocation is not specifically dedicated to housing but it does support the infrastructure for residential revitalization. This program is currently suspended due to tough economic situation and whenever the program is reinstated the available funds will be utilized as stated.

HOMELESS

Homeless Needs (91.205 (b) and 91.215 (c))

*Please also refer to the Homeless Needs Table in the Needs.xls workbook

Homeless Needs— The jurisdiction must provide a concise summary of the nature and extent of homelessness in the jurisdiction, (including rural homelessness and chronic homelessness where applicable), addressing separately the need for facilities and services for homeless persons and homeless families with children, both sheltered and unsheltered, and homeless subpopulations, in accordance with Table 1A. The summary must include the characteristics and needs of low-income individuals and children, (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered. In addition, to the extent information is available, the plan must include a description of the nature and extent of homelessness by racial and ethnic group. A quantitative analysis is not required. If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates.

5 Year Strategic Plan Homeless Needs response:

City of Surprise' homeless needs and activities are planned and reported through the Maricopa Consortium Plan. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium for a complete description of these activities. Additional information is provided below.

The Maricopa Association of Governments Continuum of Care Subcommittee (MAG CoC) is the regional body that manages the collaborative efforts of communities and agencies in Maricopa County to plan for the needs of the homeless and access federal funding on behalf of agencies organized to address those needs. According to the '*Regional Plan to End Homelessness*' published by MAG CoC in March 2009, there are no homeless persons in the city (*Table 7*). However, the city did a Point in Time Homeless Street Count in February 2014 in conjunction with MAG and interviewed 2 homeless persons. The city will continue to do a periodic assessment of any new homeless person cases in the city and will act accordingly to mitigate the problems.

Table 7: Homeless Street Count

2008 Homeless Street Count

Municipal Summary Data

*All counts were conducted on Tuesday January 29, 2008.

MAG Region Totals

	Non-Chronically Homeless Male	Non-Chronically Homeless Female	Chronically Homeless Male	Chronically Homeless Female	Person in Families Adult Women	Persons in Families Adult Men	Persons in Families Children	Male Youth On Own	Female Youth On Own	Number of Families	2008 Total	2007 Total	Percent Change
Avondale Total	7	3	0	0	0	0	0	0	0	0	10	11	-9%
Buckeye Total	12	7	0	0	0	0	0	0	0	0	19	10	90%
Caretfree Total	0	0	0	0	0	0	0	0	0	0	0	1	-100%
Cave Creek Total	0	0	0	0	0	0	0	0	0	0	0	0	0%
Chandler Total	10	3	0	0	0	0	0	0	0	0	13	27	-52%
El Mirage Total	28	0	0	0	3	2	3	0	0	3	36	34	6%
Fountain Hills Total	0	0	0	0	0	0	0	0	0	0	0	0	0%
Gila Bend Total	1	1	3	0	2	0	3	0	0	1	10	19	-47%
Gilbert Total	1	1	4	1	0	0	0	0	0	0	7	8	-13%
Glendale Total	20	5	0	0	0	0	0	0	0	0	25	21	19%
Goodyear Total	15	0	0	0	0	0	0	0	0	0	15	9	67%
Guadalupe Total	47	11	0	0	7	6	6	0	0	3	77	26	196%
Litchfield Park Total	0	0	0	0	0	0	0	0	0	0	0	0	0%
Mesa Total	29	5	180	36	0	0	0	0	0	0	250	173	45%
Paradise Valley Total	0	0	0	0	0	0	0	0	0	0	0	0	0%
Peoria Total	3	2	10	1	0	0	0	0	0	0	16	18	-11%
Phoenix Total	1028	171	384	86	6	5	6	36	4	3	1726	2236	-23%
Queen Creek Total	3	0	0	0	0	0	0	0	0	0	3	20	-85%
Scottsdale Total	35	5	36	6	0	0	0	0	0	0	82	125	-34%
Sun City Total	0	0	0	0	0	0	0	0	0	0	0	1	-100%
Surprise Total	0	0	0	0	0	0	0	0	0	0	0	0	0%
Tempe Total	39	14	60	17	0	0	0	0	0	0	130	110	18%
Tolleson Total	5	0	0	0	0	0	0	0	0	0	5	2	150%
Wickenburg Total	0	0	0	0	0	0	0	0	0	0	0	0	0%
Youngtown Total	2	0	0	0	0	0	0	0	0	0	2	2	0%
TOTAL COUNTY	1285	228	677	147	18	13	18	36	4	10	2426	2853	-15%

*These numbers reflect a point-in-time count of homeless people seen on the streets on January 29, 2008 and does not include people staying in shelters, doubled up, or not seen that day.

Regional Plan to End Homelessness

7

*These numbers reflect a point-in-time count of homeless people seen on the streets on January 29, 2008 and does not include people staying in shelters, doubled up, or not seen that day.

Priority Homeless Needs

- Using the results of the Continuum of Care planning process, identify the jurisdiction's homeless and homeless prevention priorities specified in Table 1A, the Homeless and Special Needs Populations Chart. The description of the jurisdiction's choice of priority needs and allocation priorities must be based on reliable data meeting HUD standards and should reflect the required consultation with homeless assistance providers, homeless persons, and other concerned citizens regarding the needs of homeless families with children and individuals. The jurisdiction must provide an analysis of how the needs of each category of residents provided the basis for determining the relative priority of each priority homeless need category. A separate brief narrative should be directed to addressing gaps in services and housing for the sheltered and unsheltered chronic homeless.
- A community should give a high priority to chronically homeless persons, where the jurisdiction identifies sheltered and unsheltered chronic homeless persons in its Homeless Needs Table - Homeless Populations and Subpopulations.

5 Year Strategic Plan Priority Homeless Needs response:

Priority Homeless Needs

The needs chart below is developed directly from the '*Regional Plan to End Homelessness*' published by MAG CoC in March 2009.

Table 8 Part 1: Homeless Population		Sheltered		Un-sheltered	Total
		Emergency	Transitional		
1. Homeless Individuals		0	0	0	0
2. Homeless Families with Children		0	0	0	0
	2a. Persons in Homeless with Children Families	0	0	0	0
Total (lines 1 + 2a)		0	0	0	0
Part 2: Homeless Subpopulations		Sheltered		Un-sheltered	Total
1. Chronically Homeless		0		0	0
2. Severely Mentally Ill		0			
3. Chronic Substance Abuse		0			
4. Veterans		0			
5. Persons with HIV/AIDS					
6. Victims of Domestic Violence		0			
7. Youth (Under 18 years of age)					

Source: "*Regional Plan to End Homelessness*", MAG CoC, March 2009.

The definitions used for emergency and transitional housing:

Emergency Shelter means any facility with the primary purpose of providing temporary housing for homeless people.

Transitional Housing means any facility that has the goal of facilitating the movement of homeless people to permanent housing within 24 months.

Homeless Inventory (91.210 (c))

The jurisdiction shall provide a concise summary of the existing facilities and services (including a brief inventory) that assist homeless persons and families with children and subpopulations identified in Table 1A. These include outreach and assessment, emergency shelters and services, transitional housing, permanent supportive housing, access to permanent housing, and activities to prevent low-income individuals and families with children (especially extremely low-income) from becoming homeless. The jurisdiction can use the optional Continuum of Care Housing Activity Chart and Service Activity Chart to meet this requirement.

5 Year Strategic Plan Homeless Inventory response:

The Table below documents the inventory of beds in the County from the Update to the MAG Continuum of Care Plan to End Homelessness and the inventory of beds in Surprise from local records.

Table 8 Inventory/Beds	Shelter	Transitional	Permanent Supportive
Maricopa County			
Total	2694	2999	2523
Surprise			
Eve's Place	10 beds		
Catholic Charities		3 units	
Central AZ Shelter Services	1260 nights		
Surprise Total	10 beds	3 units	50 units

Homeless Strategic Plan (91.215 (c))

1. Homelessness— Describe the jurisdiction's strategy for developing a system to address homelessness and the priority needs of homeless persons and families (including the subpopulations identified in the needs section). The jurisdiction's strategy must consider the housing and supportive services needed in each stage of the process which includes preventing homelessness, outreach/assessment, emergency shelters and services, transitional housing, and helping homeless persons (especially any persons that are chronically homeless) make the transition to permanent housing and independent living. The jurisdiction must also describe its strategy for helping extremely low- and low-income individuals and families who are at imminent risk of becoming homeless.
2. Chronic homelessness—Describe the jurisdiction's strategy for eliminating chronic homelessness by 2012. This should include the strategy for helping homeless persons make the transition to permanent housing and independent living. This strategy should, to the maximum extent feasible, be coordinated with the strategy presented Exhibit 1 of the Continuum of Care (CoC) application and any other strategy or plan to eliminate chronic homelessness. Also describe, in a narrative, relationships and efforts to coordinate the Conplan, CoC, and any other strategy or plan to address chronic homelessness.
3. Homelessness Prevention—Describe the jurisdiction's strategy to help prevent homelessness for individuals and families with children who are at imminent risk of becoming homeless.
4. Institutional Structure—Briefly describe the institutional structure, including private industry, nonprofit organizations, and public institutions, through which the jurisdiction will carry out its homelessness strategy.
5. Discharge Coordination Policy—Every jurisdiction receiving McKinney-Vento Homeless Assistance Act Emergency Shelter Grant (ESG), Supportive Housing, Shelter Plus Care, or Section 8 SRO Program funds must develop and implement a Discharge Coordination Policy, to the maximum extent practicable. Such a policy should include "policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons." The jurisdiction should describe its planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how

the community will move toward such a policy.

5 Year Homeless Strategic Plan response:

Since no homeless persons are reported from the above Table1A, but 2 persons were identified. The city will continue to do a periodic assessment of any new homeless person cases in the city and will act accordingly to mitigate the problem.

Emergency Shelter Grants (ESG)

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

5 Year Strategic Plan ESG response:

This section is not applicable to this plan. Surprise does not receive Emergency Shelter Grant funding.

COMMUNITY DEVELOPMENT

Community Development (91.215 (e))

*Please also refer to the Community Development Table in the Needs.xls workbook

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), – i.e., public facilities, public improvements, public services and economic development.
2. Describe the basis for assigning the priority given to each category of priority needs.
3. Identify any obstacles to meeting underserved needs.
4. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

NOTE: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

5 Year Strategic Plan Community Development response:

1.
Based on feedback from citizens, city staff, CDBG and Planning and Zoning Commission members, five priority needs have been identified for implementation under the CDBG funding that will benefit low- to moderate-income persons in the City of Surprise. They are:

- a) Youth, Senior and Veteran Programs.
- b) Job training programs for residents in the OTS.
- c) Water system improvements in the OTS.
- d) Lighting improvements in the OTS.
- e) City wide housing rehabilitation.
- f) Public Service Activities through nonprofit agency(s). Fifteen percent of the allotted PY 2015 funding will be delineated for this activity.

These projects are designated high priority in the following table. For the first time, the city will aim funds at public services and consider economic development activities per the public response that the city received from the survey as part of public participation process. Fifteen percentage of the allotted CDBG funding will be set aside for public service activities. The CDBG funds will be targeted to the Original Townsite Area under the area benefit caveat as this is the only place in the city with a census tract where majority of the population is either low or moderate income.

City of Surprise was allocated \$551,309/year under the CDBG funding allotment from HUD for the next five years. This funding allotment is determined by HUD and is subject to change. Carried over CDBG funding from previous program years in the total of approximately \$551,177 will be added to this allotment and will be utilized for programs and projects deemed of high priority in the PY 2015-16. CDBG funding allotment for the next five years will be as follows:

Table 9:

Program year	Projects	Public Services (15% max.)	Administrative functions (20% max.)	Carried Over CDBG Funds	Total
2015-16	\$551,309	\$82,696	\$110,261	\$551,177	\$1,102,486
2016-17	\$551,309	\$82,696	\$110,261	-	\$551,309
2017-18	\$551,309	\$82,696	\$110,261	-	\$551,309
2018-19	\$551,309	\$82,696	\$110,261	-	\$551,309
2019-20	\$551,309	\$82,696	\$110,261	-	\$551,309

Below is the community development needs table based on funding projections and prioritized needs for the next five years:

Table 10: Community Development Needs		Needs	Priorit y Need: H, M, L	Dollars to Address- Specifically planned for this Strategic Plan	Plan to Fund? Y/N	Fund Source	Objective	Outcome
Public Fac/Improvements	03 Public Facilities and Improvements (General) 570.201I	No	M		N		Suitable Living Environment	Sustain-ability
	03F Parks, Recreational Facilities 570.201I	No	L		N	CDBG	Suitable Living Environment	Sustain-ability
	03J Water/Sewer Improvements 570.201I	Yes	H	1,369,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03K Street Improvements 570.201I	Yes- Jerry Street Year 1 and 2	H	\$141,250	Y	CDBG/other	Suitable Living Environment /Economic Dev.	Sustain-ability
	03I Flood Drain Improvements 570.201I	Yes 3 locations	H	\$100,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03O Fire Stations/Equipment 570.201I	No	L		Y	General	Suitable Living Environment	Sustain-ability
	03A Senior Centers 570.201I	No	H		Y	General	Suitable Living Environment	Sustain-ability
	03B Handicapped Centers 570.201I	Yes	L		N		Suitable Living Environment	Sustain-ability
	03C Homeless Facilities (not operating costs) 570.201I	Yes	H	\$10,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03D Youth Centers 570.201I	Yes	H	\$37,000	Y	Tribal Grant, CDBG & General	Suitable Living Environment	Sustain-ability
	03P Health Facilities 570.201I	Yes	H		N	Unknown	Suitable Living Environment	Sustain-ability
Public Services	05 Public Services (General) 570.201(e)	Yes; 5 Years	H	\$419,331	Y	CDBG	Suitable Living Environment	Sustain-ability
	05A Senior Services 570.201(e)	Yes	H		Y	General	Suitable Living Environment	Sustain-ability
	05B Handicapped Services 570.201(e)	Yes	H		Y	General	Suitable Living Environment	Sustain-ability
	05D Youth Services 570.201(e)	Yes; Year 2	H	\$270,498	Y	CDBG/other	Suitable Living Environment /Economic Dev.	Sustain-ability
	05E Transportation Services 570.201(e)	Yes	H		Y	General	Suitable Living Environment	Sustain-ability

	05G Battered and Abused Spouses 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05H Employment Training 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05J Fair Housing Activities (if CDBG, then subject to 570.201(e))	Yes	H	\$15,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	05M Health Services 570.201(e)	Yes	H		Y	Hospice	Suitable Living Environment	Sustain-ability
	05N Abused and Neglected Children 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05P Screening for Lead-Based Paint/Lead Hazards Poison 570.201(e)	Yes	M		Y	CDBG/HOME	Suitable Living Environment	Sustain-ability
	05Q Subsistence Payments 570.204 (Temporary)	Yes	H			General	Suitable Living Environment	Sustain-ability
	05S Rental Housing Subsidies (if HOME, not part of 5% 570.204)	Yes	H		Y	Vouchers	Suitable Living Environment	Sustain-ability
	05T Security Deposits (if HOME, not part of 5% Admin c	Yes	H		Y	Private	Suitable Living Environment	Sustain-ability
13 Direct Homeownership Assistance 570.201(n)			H		Y	HOME/ADDI	Decent Housing	Affordability
	14A Rehab; Single-Unit Residential 570.202	Yes; 25 homes; Year 1-5	H	\$667,250	Y	CDBG/HOME /other	Decent Housing	Affordability
	14B Rehab; Multi-Unit Residential 570.202	Yes	H		Y	HOME	Decent Housing	Affordability
	14G Acquisition – for Rehabilitation 570.202	Yes	H		Y	HOME	Decent Housing	Affordability
	14H Rehabilitation Administration 570.202	Yes	H		Y	CDBG	Decent Housing	Affordability
	14I Lead-Based/Lead Hazard Test/Abate 570.202	Yes	H		Y	CDBG	Decent Housing	Affordability
	17A CI Land Acquisition/Disposition 570.203(a)	Yes	H		Y	CDBG	Decent Housing	Affordability
	19A HOME Admin/Planning Costs of PJ (not part of 5% Ad	Yes	H		Y	HOME		
	19B HOME CHDO Operating Costs (not part of 5% Admin ca	Yes	H		Y	HOME		
20 Planning 570.205		Yes	Yes		Y	CDBG		
	21A General Program Administration 570.206	Yes; 5 years	H	\$406,873	Y	CDBG	Suitable Living Environment Sustain-ability	
	21D Fair Housing Activities (subject to 20% Admin cap) 570.206	Yes	H		Y	CDBG		
	21I HOME CHDO Operating Expenses (subject to 5% cap)	0	M		Y	HOME		
22 Unprogrammed Funds		0				CDBG		

All of the stated priorities and needs are subject to amendment and change due to:

- **Changes in regulatory requirements at the local, state, and federal level that impact the priorities, funding, and delivery of services;**
- **Changing demographics and socio-economic factors affecting the city;**
- **Annual reevaluations of resources, priorities, objectives, strategies and goals for the city; and**
- **Changes in the funding resources and amounts available for programs and services for city residents.**

2.

Priority needs for CDBG eligible activities have been assessed using the following resources:

- **Citizens and city staff input through surveys and interviews;**
- **The City of Surprise Capital Improvement Plan;**
- **The City of Surprise General Plan;**
- **Activity and project needs assessments; and**
- **Local information from the Maricopa HOME Consortium and MAG CoC.**

The primary objective of the City of Surprise CDBG program is to foster the development, revitalization, and preservation of neighborhoods to provide decent housing, a suitable living environment, and expanded economic opportunities, especially for low- and moderate-income persons in the OTS area of Surprise.

3.

Funding Future

One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community development services. Although federal stimulus funding helps mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

Other obstacles to meeting underserved include:

- a) Insufficient resources to meet all of the legitimate and eligible needs identified.**
- b) Private ownership of incompatible land uses within the revitalization area.**
- c) Public ownership of the water system in the revitalization area by another municipality.**
- d) Environmental issues related to the location of Grand Avenue, the railroad, and Luke Airforce Base.**

Antipoverty Strategy (91.215 (h))

- 1. Describe the jurisdiction's goals, programs, and policies for reducing the number of poverty level families (as defined by the Office of Management and Budget and revised annually). In consultation with other appropriate public and private agencies, (i.e. TANF agency) state how the jurisdiction's goals, programs, and policies for producing and preserving affordable housing set forth in the housing component of the consolidated plan will be coordinated with other programs and services for which the jurisdiction is responsible.**

2. Identify the extent to which this strategy will reduce (or assist in reducing) the number of poverty level families, taking into consideration factors over which the jurisdiction has control.

5 Year Strategic Plan Antipoverty Strategy response:

1.

The City of Surprise Anti-Poverty Strategy is to help people to move out of poverty through emergency stabilization actions that include:

- **Intake and case management.**
- **Utility assistance.**
- **Emergency mortgage/rent assistance.**

The long-term actions include:

- **Operation and capital costs for organizations that provide job training, self sufficiency, and other counseling and planning services for homeless or at-risk persons. CDBG public service funding would be targeted for this action.**
- **After school and other youth programs that help at-risk youth that provide positive role models and promote healthy lifestyles.**
- **Information and referral services on job training, small business, and similar programs.**
- **Counseling and downpayment assistance for low- and moderate-income first-time homebuyers.**
- **Limited emergency assistance for low- and moderate-income persons at risk of becoming homeless to help them maintain their current housing and not become dependent on more costly outside services.**

These programs are provided locally and regionally. They all support the broad goal of helping prevent or end homelessness by promoting self-sufficiency. CDBG and HOME funds will be available to fund these activities.

2.

A number of residents will experience improved economic conditions over the next five years but the number of households that will move out of poverty is expected to be relatively small.

Low Income Housing Tax Credit (LIHTC) Coordination (91.315 (k))

1. (States only) Describe the strategy to coordinate the Low-income Housing Tax Credit (LIHTC) with the development of housing that is affordable to low- and moderate-income families.

5 Year Strategic Plan LIHTC Coordination response:

Not Applicable.

NON-HOMELESS SPECIAL NEEDS

Specific Special Needs Objectives (91.215)

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve over a specified time period.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Non-homeless Special Needs Analysis response:

1.
The City of Surprise has included public service activities through CDBG funding to benefit low- and moderate-income residents in the city. The top priorities for the next five years as per the survey feedback are:

- **Neighborhood Improvement services**
- **Youth activities**
- **Senior activities**
- **Veteran services**
- **Job training activities**

For the program year 2015-16, the city will be targeting the delineated CDBG public service funds for emergency food boxes, services for youth, seniors, homeless individuals and families and veterans through nonprofit organizations.

2.
Due to the economic downturn, no city general revenue will be allotted to these services at this time. Other funding from state and federal sources will be requested as feasible.

Non-homeless Special Needs (91.205 (d) and 91.210 (d)) Analysis (including HOPWA)

*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.

1. Estimate, to the extent practicable, the number of persons in various subpopulations that are not homeless but may require housing or supportive services, including the elderly, frail elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction, victims of domestic violence, and any other categories the jurisdiction may specify and describe their supportive housing needs. The jurisdiction can use the Non-Homeless Special Needs Table (formerly Table 1B) of their Consolidated Plan to help identify these needs.

*Note: HOPWA recipients must identify the size and characteristics of the population with HIV/AIDS and their families that will be served in the metropolitan area.

2. Identify the priority housing and supportive service needs of persons who are not homeless but may or may not require supportive housing, i.e., elderly, frail

elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction by using the Non-homeless Special Needs Table.

3. Describe the basis for assigning the priority given to each category of priority needs.
4. Identify any obstacles to meeting underserved needs.
5. To the extent information is available, describe the facilities and services that assist persons who are not homeless but require supportive housing, and programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing.
6. If the jurisdiction plans to use HOME or other tenant based rental assistance to assist one or more of these subpopulations, it must justify the need for such assistance in the plan.

5 Year Non-homeless Special Needs Analysis response:

The estimate of need in the following chart is based on national population studies and is taken from the Maricopa HOME Consortium Strategic Plan. The estimated number of people in Surprise for each need category is determined by multiplying the category's county population by the percentage of Surprise population that is in the Maricopa County- 3%.

Table 11:

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Elderly	358,979	2000 Census	10769	Case management, Befriending services, Counseling, Adult day care, Home Care Home delivered meals	Area Agency on Aging Study in 2000 indicated current funding serves about one third of need.	Area Agency on Aging, Maricopa County Special Transportation Services, AHCCCS, Community Action Program
Frail elderly	24,770	<i>Frailty in Older Adults, Evidence for a Phenotype.</i> Journal of Gerontology, 2001	744	Case management, Befriending services, Counseling, Adult day care, Home care, Home delivered meals, Help service, Nursing/ medical services	Area Agency on Aging Study in 2000 indicated current funding serves about one third of need.	Area Agency on Aging, Senior Adult Independent Living (SAIL), Arizona Long Term Care System, AHCCCS
Persons with severe mental illness	79,876	<i>Mental health: A Report of the Surgeon General,</i> USDHS, 1999	2397	Outreach and identification, Treatment, Health care, Income support, Rehabilitation services		AHCCCS
Developmentally disabled persons	24,116	<i>MR/DD Data Brief, University of Minnesota, 2001</i>	723	Assistive technology, Employment and training, Information and referral, Transportation, Caregiver respite	Area Agency on Aging Study in 2000 indicated current funding serves about one third of need.	The Centers for Habilitation, Arizona Bridge to Independent Living, Maricopa County Special Transportation Services, AHCCCS

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Physically disabled persons	307,215	Estimated from 2000 Census	9216	Assistive technology, Employment and training, Information and referral, Transportation, Caregiver respite	Area Agency on Aging Study in 2000 indicated current funding serves about one third of need.	Arizona Technology Access Program, Easter Seals, Southwest Human Development, Arizona Center for the Blind and Visually Impaired, Valley Center for the Deaf, Arizona Commission for the Deaf and Hard of Hearing, Arizona Bridge to Independent Living, Maricopa County Special Transportation Services, AHCCCS
Alcohol/drug addicted persons	254,998	US Department of Health and Human Services, September 5, 2003 report	7650	Monitoring, Screening, Information and referral, Detox medication, Education, Self-help groups		CDBG, AHCCCS

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Persons with HIV/AIDS and their families	9825	Estimate extrapolated from HIV/AIDS Statistics, National Institute of Allergy and Infectious Diseases	294	Case management, Emergency financial assistance, Food, Transportation, Early intervention, Education, Wellness and nutrition		CDBG, Maricopa County Health Department, Ryan White, AHCCCS

Housing Opportunities for People with AIDS (HOPWA)

*Please also refer to the HOPWA Table in the Needs.xls workbook.

1. The Plan includes a description of the activities to be undertaken with its HOPWA Program funds to address priority unmet housing needs for the eligible population. Activities will assist persons who are not homeless but require supportive housing, such as efforts to prevent low-income individuals and families from becoming homeless and may address the housing needs of persons who are homeless in order to help homeless persons make the transition to permanent housing and independent living. The plan would identify any obstacles to meeting underserved needs and summarize the priorities and specific objectives, describing how funds made available will be used to address identified needs.
2. The Plan must establish annual HOPWA output goals for the planned number of households to be assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. The plan can also describe the special features or needs being addressed, such as support for persons who are homeless or chronically homeless. These outputs are to be used in connection with an assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.
3. For housing facility projects being developed, a target date for the completion of each development activity must be included and information on the continued use of these units for the eligible population based on their stewardship requirements (e.g. within the ten-year use periods for projects involving acquisition, new construction or substantial rehabilitation).

4. The Plan includes an explanation of how the funds will be allocated including a description of the geographic area in which assistance will be directed and the rationale for these geographic allocations and priorities. Include the name of each project sponsor, the zip code for the primary area(s) of planned activities, amounts committed to that sponsor, and whether the sponsor is a faith-based and/or grassroots organization.
5. The Plan describes the role of the lead jurisdiction in the eligible metropolitan statistical area (EMSA), involving (a) consultation to develop a metropolitan-wide strategy for addressing the needs of persons with HIV/AIDS and their families living throughout the EMSA with the other jurisdictions within the EMSA; (b) the standards and procedures to be used to monitor HOPWA Program activities in order to ensure compliance by project sponsors of the requirements of the program.
6. The Plan includes the certifications relevant to the HOPWA Program.

5 Year Strategic Plan HOPWA response:

This section is not applicable to this plan. Surprise does not receive HOPWA funding.

Specific HOPWA Objectives

1. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Specific HOPWA Objectives response:

This section is not applicable to this plan. Surprise does not receive HOPWA funding.

OTHER NARRATIVE

Include any Strategic Plan information that was not covered by a narrative in any other section.

Fair Housing Policies

The City of Surprise continues to be committed to fair housing and to eliminate discrimination in the city. The city completed an Analysis of Impediments to Fair Housing Choice in 2006. Major points from the plan include:

Table 12: Fair Housing Plan 2006-11

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
Lack of diversity in many Census Tracts	Opportunities for diverse populations to choose	Engage the real estate community in increasing	Fair Housing Coordinator, 2015	Staff time	Number of meetings initiated

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
	places to live throughout the community	opportunities for greater diversity in neighborhoods. Become a participant in the Arizona Fair Housing Partnership.	Fair Housing Coordinator, 2015		Number of meetings attended
High denial rates for Black/African Americans in CT 405.11	Equal access to credit and mortgages throughout the community	Engage the services of one of the fair housing services to provide paired test to assess whether minorities are treated with different terms and conditions.	Neighborhood Services, within the next five years.	\$15,000	Number of tests performed
Lack of affordable rental housing has a disproportionate impact on single female heads of households with children.	Opportunities for parents who become single to find places to live in the community.	Develop an IGA with the Housing Authority of Maricopa County to formalize the operating relationship with the agency. Seek additional resources to facilitate development of affordable rental housing.	Neighborhood Services Department, within the next 24 months. Neighborhood Services	Staff time Indirect, in that funding would actually come from other sources.	IGA executed Additional affordable units constructed for families.
Lack of knowledge about fair housing rights and how to file a fair housing complaint.	An increase in people's knowledge of fair housing rights.	Facilitate and/or participate in fair housing training for City staff, real estate professionals and citizens.	Fair Housing Coordinator	Staff time and incidental costs related to speakers and sessions.	Sessions provided
Lack of fair housing infrastructure required as part of the CDBG Certification to Affirmatively Further Fair Housing.	Compliance with the CDBG Certification to Affirmatively Further Fair Housing	Modify the Fair Housing page on the City website to access directly HUD and the Attorney General's fair housing web sites. Develop a data base that can	Neighborhood Services and the City's web manager Fair Housing Coordinator and ADA Coordinator.	Staff time	New information available A new useable database

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
		be used by both the Fair Housing Coordinator and the ADA Coordinator to record, identify and track resolution when fair housing complaints and inquiries come to the City. Develop a grievance procedure for Section 504 complaints. Such a procedure may also be used for other types of complaints related to federal grants administration. Update the AI periodically as new information is available from the Census or other sources which makes an update appropriate.	Fair Housing Coordinator and City Attorney Neighborhood Services		A formal administrative grievance procedure Periodic updates to the AI

Area of Minority Concentration

Surprise has one area of minority concentration. The Hispanic population makes up 73% of Census Tract 608 and totals 4,888 residents as per census 2000. This census tract includes all the Original Townsite and is the only low- and moderate-income census tract in the community. All area benefit activities included in the 5 Year Strategic Plan will take place in this area. The city has a Council appointed, the Planning and Zoning Commission, which monitor the implementation of the Specific Plan for the Revitalization of the Original Townsite. Resources recommended by these boards include CDBG funds and general funds set aside for the revitalization of the OTS. In addition, many direct benefit recipients of housing rehabilitation assistance are residents of this neighborhood. The commitment of facilities and resources to this neighborhood is substantial.

Consolidated Plan Funding Priorities 2015-2019

Allocation = \$551,309			Project + Public Service + \$358,352 + \$82,696	Administration \$110,261	Consortium Funding \$120,000 Yearly Allocation	
	Project	Summary	Cost	HOME	Allocation	
Year 1	Water Feasibility Study	Study of OTS water infrastructure	\$117,102	Housing Rehabilitation Minimum 3 projects	\$120,000	
	Street Improvements	Jerry Street road reconstruction	\$141,250			
	Flood Drain Improvement	Flood improvement on Jerry Street	\$100,000			
	Public Service	High priority service funding	\$82,696			
Year 2	Water System Improvements	Pending feasibility study results	\$358,352	Housing Rehabilitation Minimum 3 projects	\$120,000	
	Comm. Property/Bldg. Imp.	Improve economic development opp.	\$358,352			
	Public Service	High priority service funding	\$82,696			
Year 3	Water System Improvements	Pending feasibility study	\$358,352	Housing Rehabilitation Minimum 3 projects	\$120,000	
	Business Development Grants	3 \$50,000 business development grants	\$150,000			
	Public Service	High priority service funding	\$82,696			
Year 4	Water System Improvements	Pending feasibility study	\$358,352	Housing Rehabilitation Minimum 3 projects	\$120,000	
	Substandard Building Demolition	Demolition of min. of 5 bldgs.	\$200,000			
	Public Service	High priority service funding	\$82,696			
Year 5	Water System Improvements	Pending feasibility study	\$358,352	Housing Rehabilitation Minimum 3 projects	\$120,000	
	OTS Lighting	Pending needs assessment	\$358,352			
	Public Service	High priority service funding	\$82,696			

CDBG Supplemental Survey
Survey Summary

UPDATED Funding Priorities

Public Services	High Priority	Medium Priority	No. of Respondents
Health Care	39%	24	112
Youth/Sr./Veteran	56%	23%	140
Literacy Programs	40%	21%	108
Recreation Programs	50%	23%	130
Utility/Rental Assistance	39%	23%	110
Drug Abuse Service	42%	16%	102
Emergency Shelters	27%	38%	122
Child Care Centers	38%	30%	115

OTS Infrastructure	High priority	Medium Priority	No. of Respondents
New water Lines	39%	24%	112
Flood Improvements	31%	26%	102
Water System Improvements	48%	16%	109
Water Drainage Improvements	38%	27%	112
Street Repairs	44%	30%	131
Improved Lighting	54%	19%	126
Housing Rehab- city wide	43%	26%	123
Neighborhood Clean Up	54%	27%	144
New Transportation/Transit	48%	35%	149
Police/Fire Public Education	40%	33%	131

Economic Development	High Priority	Medium Priority	No. of Respondents
Commercial Property (Exterior Building Improvements)	28%	26%	95
Commercial Building Improve. (Rehabilitation)	33%	27%	106
Business Dev. Grants (Create/grow business)	33%	32%	116
Substandard Building Demo	30%	22%	92
Job Training	59%	19%	140

Planning and Zoning Commission Meeting 3/19/15

Consolidated Plan 2015-2019



Consolidated Plan



Background

- Mandated by U.S Housing and Urban Development (HUD)
- Identifies Funding Priorities for Community Development Block Grant (CDBG) and Other Programs
- 5 Year Duration- 2015 to 2019

National Objectives Surprise Will Meet

- Benefit Low to Moderate Income (LMI) Persons
- Prevent or eliminating slums or blight
- Community development needs having a particular urgency due to existing conditions that are an immediate threat to the health or welfare of community.

- **HUD Program Goals**
 - Decent Housing
 - Suitable Living Environment
 - Expanding Economic Opportunities

Funding Beneficiaries



- **Area Benefit**

- 51% Residents in the Area Must be Low/Mod Income
- Activities Targeted only for Original Townsite Area-OTS
- Capital projects such as parks, sidewalks, drainage

- **Limited Clientele**

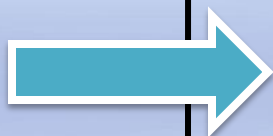
- Youth/Seniors/Homeless Persons
- 51% of Low/Mod Income Persons
- Individual benefit such as housing rehabilitation, food boxes

Consolidated Plan Timeline



Aug 7-Oct 24

Conducted
Surveys with
Residents, Staff
and
Stakeholders



Dec 2014

Initial findings
update to Planning
and Zoning

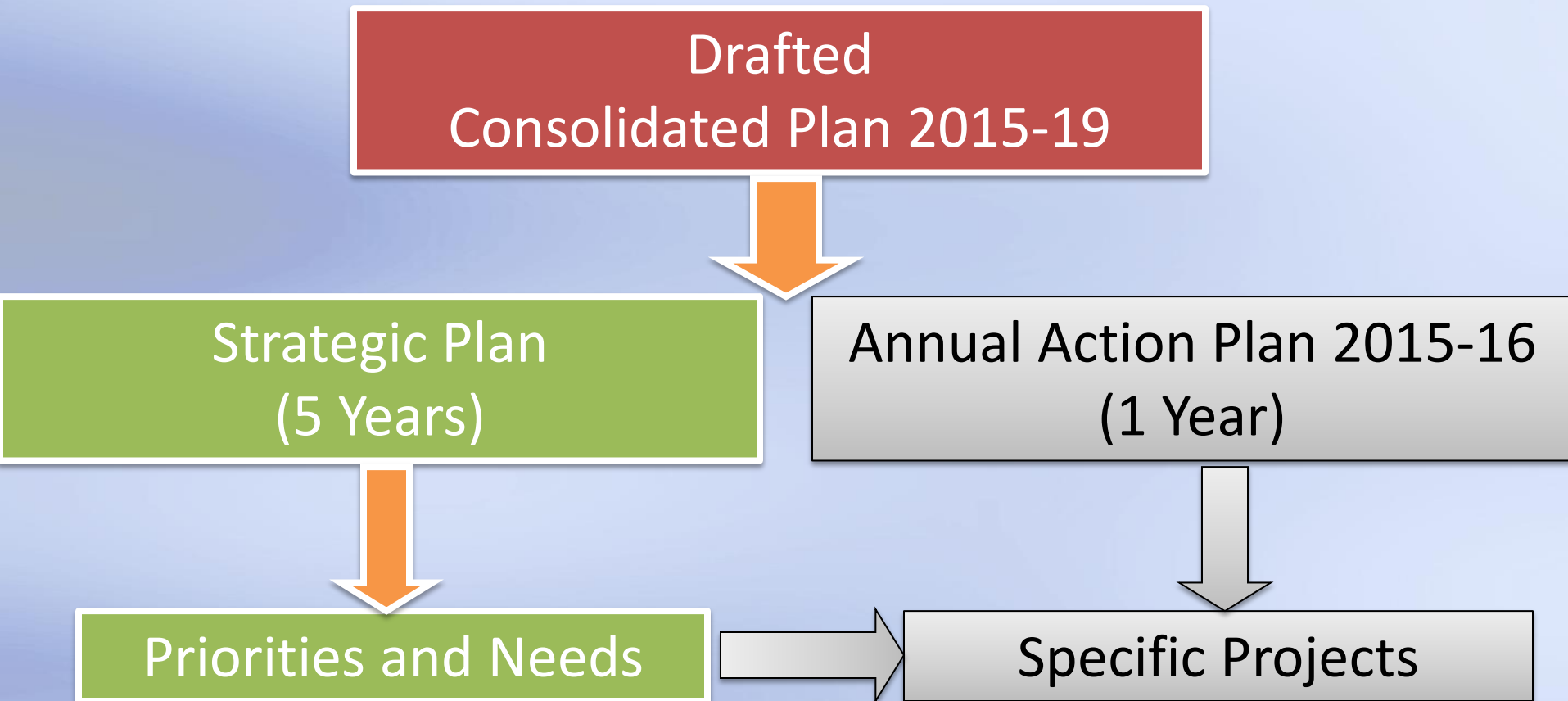
Dec 2014

Release
nonprofit Public
Service
applications
(if applicable)



Consolidated Plan

Components



Consolidated Plan Timeline



Jan 2015

Nonprofit
applications due

Feb 2015

Planning and
Zoning Public
Hearings
Recommend
Priorities for

Mar 2015

P & Z
Public
Hearing/
Survey
Results

Council
Workshop
update



Consolidated Plan Timeline



March

30 day comment
period

April

City Council
Presentation &
Approval

May 15

Submit to
H.U.D.



CDBG Supplemental Survey
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Consolidated Plan 2015-2019

Comments/Questions

Annual Action Plan 2015-2016

Public Service Awardees 2015-2016

- ABIL \$15,580
- Aid to Adoption of Special Kids \$ 3,000
- Arizona Charter Academy \$12,539
- Benevilla \$10,000
- Central AZ Shelter Services \$5,000
- Tumble Weed \$8,200
- Summer Youth Employment \$16,897
- St. Mary's Food Bank \$11,480

Annual Action Plan: Projects



Public Services Grant- Timeline

Dec 2014

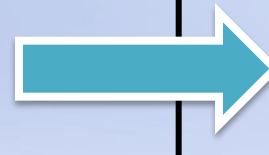
Applications
Made Public

Jan 2015

Applications Due

Feb –Mar 2015

Staff Screening
and Evaluation



Annual Action Plan: Projects



Public Services Grant- Timeline

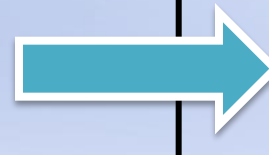
Feb 2015

Planning & Zoning
Commission Public
Hearing &
Recommendation



Mar – Apr 2015

-30 day comment
period
-City Council
Public Hearing &
Approval



May 15

Submit to HUD
as Part of Annual
Action Plan

Accomplishments 2010-2014



**Bicentennial Park
Improvements (underway)**



**Street
Improvement(underway)**



**EMERGENCY REPAIR
BEFORE**



**EMERGENCY REPAIR
AFTER**

Annual Action Plan: Projects



Public Services Grants Awarded 2010 -2015:

St. Mary's Food Bank Alliance

- \$84,030 for Emergency Food Boxes

Benevilla

- \$48,967 for Adult day care, youth day care, meals

Arizona Charter Academy

- \$ 63,117 for Literacy Programs

Foundation for Senior Living

- \$34,558 Handicap Modifications

Questions?



CITY OF SURPRISE
Planning and Zoning Commission

March 19, 2015 @ 6:00:00 PM

Back Print

Board Meeting Date: March 19, 2015

Contact Person: Christina Ramirez, Human Service and Community Vitality

Submitting Department:

District: Citywide

Staff Recommendations: Approve

Consent	Regular	Public Hearing	x	Report/Discussion
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Agenda Wording:

Consideration and action on the 2015-2016 Community Development Block Grant Annual Action Plan funding recommendations.

Motion:

I move to approve the 2015-2016 Community Development Block Grant Annual Action Plan funding recommendations.

Background:

CDBG Administration, Housing and Public Improvement Activities are carried out by city departments. These services address one or more of the public services and neighborhood improvements targeted in the city's Consolidated Plan.

Financial Impact Statement:

This program is 100% funded through the Community Development Block Grant Fund, and does not impact city funds.

ATTACHMENTS:

Click to download

- ☐ [CDBG Annual Action Plan - Staff Report](#)
 - ☐ [CDBG Annual Action Plan - Number 1](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

Presentation Speaker Names (spelling and titles for TV captions):

Christina Ramirez, Neighborhood Services Supervisor

Michael Celaya, Director



HUMAN SERVICE AND COMMUNITY VITALITY DEPARTMENT

Date: March 19, 2015

To: Planning and Zoning Commission Members

From: Michael Celaya, Human Service and Community Vitality Director
Christina Ramirez, Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: CDBG-Funded Administration and Neighborhood Improvements

Introduction

As an entitlement city, Surprise receives a yearly allotment of Community Development Block Grant (CDBG) funding from the U. S. Department of Housing and Urban Development (HUD). Per grant guidelines, the city has the ability to designate up to 85% of the grant award to fund eligible administrative, housing and public improvement services with the intent of serving low-to moderate-income persons within the City of Surprise.

Today's Planning and Zoning Commission meeting is aimed at assisting the Commission in deciding if proposed projects meet grant criteria while filling community needs. Once the recommendation is determined, it will be forwarded to Council for consideration. Upon approval by City Council, the CDBG Administration, Neighborhood Improvement Activities will be submitted to HUD as part of the Annual Action Plan 2015-16.

Background

CDBG administration and neighborhood improvement activities are carried out by city departments. These improvements address the neighborhood infrastructure improvements needs identified in the city's Consolidated Plan. CDBG administration and neighborhood improvements will be used to implement projects that will improve the safety and quality of life of the residents living within the Original Town Site of Surprise. Although the Consolidated Plan lists Neighborhood Improvements as a priority, Surprise wanted to more specifically list street improvement in the form of road reconstruction as the project being considered today.

According to HUD regulations, CDBG funds may be used to provide Street Improvements (including labor, supplies, materials, project management and other costs), provided the service is:

- Serve low- to moderate-income persons in the City of Surprise through area benefit or serving a particular clientele like seniors, youth and families.

Funding Limit

CDBG Administration and Street Improvement related funding is limited to 85% of the annual CDBG allocation for the program year (PY). For example, the CDBG allocation for City of Surprise for the PY 2014-14 was \$541,946 thus the funding available to award for such projects is approx. \$465,119. Funding from HUD for PY 2015-16 is \$551,309. Recommendation today will be based on allocation amount of \$551,309 in which a maximum of 15% can be allocated to

Public Services in the amount of \$82,696 and 20% allocated to Administration. Therefore the Commission is making project recommendations on an amount of \$468,612.

Previous Actions

Past Administration, Rehabilitation and Public Improvements funding levels have been as follow:

2012

- Administration set aside was \$89,817 to cover city staff salaries
- The City's Emergency Repair program was awarded \$291,907 to emergency repair services

2013

- Administration set aside was \$102,436 to cover city salaries and grant implementation expenses
- The City's Emergency Repair program was awarded \$ 245,847 to emergency repair services
- City Park Improvements was awarded \$87,071 for improvements to Bicentennial Park

2014

- Administration set aside was \$108,389 to cover city salaries and grant implementation expenses
- Street Improvement Project was awarded \$356,730 for improvements to streets in the OTS.

2015

- Consolidated Plan 2015-2019 Priorities

Year 1

- Water Feasibility Study
- Street Improvements
- Senior Center Parking Access
- Public Service

Year 2

- Water System Improvements
- Commercial Property /Building Improvements
- Public Service

Year 3

- Water System Improvements
- Business Development Grants
- Public Service

Year 4

- Water System Improvements
- Substandard Building Demolition
- Public Service

Year 5

- Water System Improvements
- OTS Lighting
- Public Service

Updated Actions

Staff's funding recommendations are as follows:

Administration	\$108,389
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Salaries, supplies, compliance needs

Neighborhood Improvement Projects	\$360,224
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Reconstruction of residential streets

Within the Original Town Site

Water Feasibility Study

Flood Drain Improvements

Public Service Set-Aside (15%)	\$ 82,696
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Total CDBG Anticipated Funding	<u>\$551,309</u>
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Future Actions

- City Council Workshop: April 7, 2015
- City Council Public Hearing and approval April 21, 2015
- Submission to HUD as part of Annual Action Plan 2015-16 by May 15, 2015.

Recommendations

Approval of administration and Neighborhood Improvement funding recommendations.

CITY OF SURPRISE, ARIZONA ANNUAL ACTION PLAN 2015-16

MAY 2015

ON REQUEST THIS DOCUMENT CAN BE MADE AVAILABLE IN ALTERNATE FORMATS

First Program Year Action Plan

This First Annual Action Plan (FAAP 2015-2016) includes the [SF 424](#) and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

Narrative Responses

Executive Summary

The First Year Annual Action Plan 2015-16 (FAAP 2015-16) implements the first year of activities that will address goals established in the City of Surprise Consolidated Plan 2015-19. The major focus of this FAAP 2015-16 concentrates on providing decent housing and creating suitable living environments. The FAAP 2015-2016 complies with regulations set by the U.S. Department of Housing and Urban Development (HUD). HUD requires entitlement communities, such as the City of Surprise, to consolidate its planning, application and reporting requirements for HUD programs, including the Community Development Block Grant (CDBG) and the HOME Investment Partnership Grant programs. An Annual Action Plan is prepared each year and is presented to the City of Surprise Planning and Zoning Commission and the City Council.

The needs of low-income seniors, low-income youth, people in poverty and the community's aging neighborhoods continue. The FAAP 2015-16 will focus on the allocation of CDBG and HOME funds. The term of this plan is from July 1, 2015, through June 30, 2016.

To the extent feasible, the narrative for this Annual Plan will attempt to not duplicate the narrative for the Consolidated Plan. However, the outlines for the five-year plan and the annual action plan are very similar, so some repetition is unavoidable. Programs and activities described in this plan are intended to primarily benefit low- and moderate-income residents of City of Surprise, neighborhoods with high concentrations of low- and moderate-income residents, and the city as a whole. The City of Surprise CDBG program has been allocated \$551,309 in funding for program year (PY) 2015-2016.

This FAAP 2015-2016 implements the first year activities that will address goals established in the City of Surprise Consolidated Plan 2015-19. Consistent with the established objectives, CDBG funds will be used for:

Fifteen percent (\$82,696) of the CDBG allotted funds (\$551,309) will be utilized for public service activities through nonprofit organizations. This is in accord to the regulations set by HUD.

The City of Surprise has offered housing rehabilitation programs for each of the last fifteen years. The continuation of this program will allow the city to continue assisting the aging home population as it experiences deficiencies that are hazardous to the health and safety of inhabitants. Due to this program's benefits, this activity remains a high priority. Both the CDBG 2015-2016 award and CDBG carried over funds from previous years' awards (PY 2013 and PY 2014) will be utilized for the purpose of continuing its Emergency Housing Rehabilitation program for Low Moderate Income individual's owner-occupied homes. This project will improve sustainability by providing decent-housing and making them accessible. 2015-2016 will serve as the fifth consecutive year the City of Surprise has offered the Emergency Housing Rehabilitation program; which includes minor repairs of a minimum of 25 existing owner occupied single-family homes throughout the City of Surprise. The houses to be repaired are selected based on income qualifications and be offered on a first come, first serve basis. The program activities will include, but are not limited to, repairs of plumbing, electrical, cooling and heating systems, roofing, flooring, painting, cabinetry, energy efficiency, and accessibility improvements of income qualified individuals' homes inside the city limits of Surprise.

While the FAAP 2015-16 will focus on the allocation of the 2015-2016 CDBG award, it will also describe the proposed use of other local and agency funding, which is allocated to address housing and community development needs. These funds are anticipated to be budgeted for:

Community Pride Day activities are realized twice annually and are funded with the City's general fund (\$19,000).

The City of Surprise recognizes the importance of citizen participation in the development and implementation of any plan or program. The FAAP 2015-2016 was discussed at two separate meetings. The City Council public hearings that were scheduled for its development (April 5 workshop and April 21, 2015). The Planning and Zoning Commission held a public meeting (February 5, 2015) specifically discussing the First Annual Action Plan 2015-2016. These meetings are open to the public in order to encourage individuals and organizations to facilitate a public discussion and provide a means whereby the public can actively participate in the planning and development of the city's CDBG Program. Citizens are encouraged to submit new project proposals and comments on past and proposed CDBG programs and projects. All dates and times for Commission public meetings are published on the city's website and in the Daily News-Sun local newspaper. The proposed projects and budgets selected by the City Council for CDBG funding were published in the local newspaper for citizen review and meeting time information.

Infrastructure and Neighborhood Improvements was placed as a high priority in the

2015-19 Consolidated Plan. Over the past 5 years, park and street improvements have been implemented in the OTS for those who live in the low-moderate income target area of Surprise. These activities have helped create sustainable neighborhoods within the Original Town Site.

General Questions

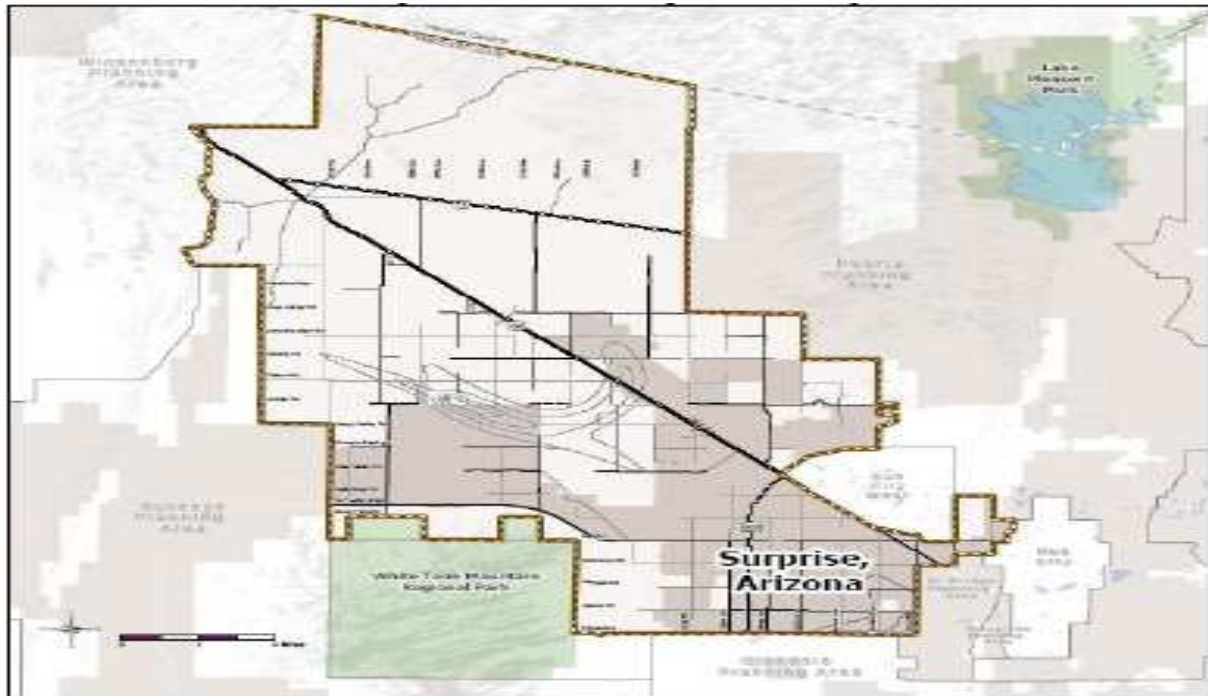
1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.
2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.
3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.
4. Identify the federal, state, and local resources expected to be made available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

Second Annual Action Plan 2011-2012 General Questions response:

1.

Surprise is located in the northwest of the Phoenix Metropolitan Area (*Figure 1 below*). The Surprise Planning Area is bordered on the east by the cities of Peoria and El Mirage, on the west by the town of Buckeye, on the south by the city of Glendale, and on the northwest by the town of Wickenburg. Both Sun City and Sun City West, both unincorporated, are adjacent to the eastern boundary of the planning area. Located within the Surprise Planning Area are the unincorporated communities of Morristown, Circle City, and Wittmann.

Figure 1: Surprise, AZ



The total area of incorporated City of Surprise is approximately 109 square miles. Infrastructure and Neighborhood Improvements, Economic Development and public services, along with other eligible activities under the CDBG program that directly benefit individuals will be provided throughout the community contingent on the eligibility of the applicant for low- or moderate-income caveat. Projects that will be implemented citywide in the FAAP 2015-16 are:

- **Public service activities through nonprofit agency(s). Seven organizations were tentatively selected to receive funding by the Planning and Zoning Commission on February 19, 2015 for the 2015-2016 Fiscal Year. St. Mary's Food Bank Alliance, for \$11,480, will provide Emergency Food Boxes, to aid income qualified individuals who reside in Surprise. Benevilla, for \$10,000, will provide Intergenerational Care for income qualified Surprise residents. Arizona Charter Academy, for \$12,539, will conduct a Literacy Camp at their campus located in the OTS. Az Bridge to Independent Living \$15,580 for home handicap modifications; Central Az Shelter Services \$5,000 to provide shelter nights for homeless residents; Aid to Adoption to Special Kids \$3,000 to provide training for foster parents and Tumbleweed \$8,000 to provide Street outreach to homeless teens in the area. All area non-profit organizations are encouraged to apply.**

2.

The system for establishing the target areas for the CDBG funded activities are predicated upon the following criteria:

The OTS area targeted for CDBG investments under this plan is the lowest income Census Tract (#608) in City of Surprise.

The community has targeted this area for investment in the *Original Townsite Revitalization Plan* and *Surprise Revitalization Strategic Plan*.

Meeting the statutory requirements of the CDBG program.

Coordination and leveraging of resources.

Response to expressed needs.

Long-term impact and sustainability.

The ability to measure or demonstrate progress and success.

The steps in assignment of priority for specific activities selected for this plan are described further in the section on Priority Needs Analysis and Strategy of the FAAP 2015-16.

3.

Funding Future

One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the current economic conditions has had a negative impact on the quantity and quality of housing and community development services. Although federal stimulus funding has helped to mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

Other obstacles to meeting underserved needs include:

- 1. Insufficient resources to meet all of the legitimate and eligible needs identified.**
- 2. Private ownership of incompatible land uses within the Revitalization area.**
- 3. Public ownership of the water system in the Revitalization area by another municipality.**
- 4. Environmental issues related to the location of Grand Avenue, the railroad, and Luke Airforce Base.**

4.

Approximate funding expected from different sources for the PY 2015-16 are:

CDBG funds- \$551,309

Carried over CDBG funds from previous years- \$551,177

HOME funds- \$188,451

City of Surprise general funds for semi-annual Community Pride Day - \$19,000

Managing the Process

- 1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.**
- 2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.**
- 3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.**

1.

The Neighborhood Services Division of the Human Service and Community Vitality Department is the lead agency for the City of Surprise Consolidated Plan. The Consolidated Plan along with the Annual Action Plan is authorized and approved by Mayor and the City Council upon the recommendation of the appointed Planning and Zoning Commission. Actions required to accept and administer the CDBG and HOME funds are assigned to the City Manager or his designee.

2.

The City of Surprise has developed the Consolidated Plan with the input of several key city departments and divisions, county agencies, local nonprofit agencies and service organizations, community groups, boards and commissions, City Council, and citizens of Surprise.

To gather input from the citizens of Surprise, the city has adopted a Citizen Participation Plan that describes the citizens input process for the CDBG and HOME programs.

Significant steps in the planning process included:

1. Creating a public participation plan to involve citizens of City of Surprise.
2. Establish of a needs assessment and priorities with other city departments and divisions.
3. Conducting a survey with citizens of the city and city officials to determine the high priorities needs.
4. Review of needs assessments and goals and objectives established with the Surprise CDBG and Planning and Zoning Commission members.
5. Conducting a City Council work session.

3.

Actions taking place during Program Year 2015 to enhance coordination between public and private housing, health, and social service agencies include:

Execution of contract documents with awarded nonprofit agencies to perform public service activities with CDBG funding.

Continue the intergovernmental agreement with the Maricopa HOME Consortium.

Citizen Participation

1. Provide a summary of the citizen participation process.
2. Provide a summary of citizen comments or views on the plan.
3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.
4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

1.

Citizen input is a vital component when developing the Consolidated Plan and the Annual Action Plans. The City of Surprise provides its citizens many opportunities to provide input to the decision making process. The City of Surprise encourages citizens to attend and participate in City Council meetings, CDBG, and Planning and Zoning Commission meetings to solicit public input. These community engagement practices are designed to meet the needs and requirements of various programs and planning processes.

In accordance with 24 CFR 91.115(e), city staff has developed a Citizen Participation Plan (CPP) designed specifically for the Consolidated Plan. The CPP describes city policies relating to public hearings, public notices, and comment period. A schedule of citizen participation actions was developed at the beginning of the Consolidated Plan drafting.

**Table 1:
Schedule of Citizen Participation**

Date	Activity
December 15, 2014	Public Service Grant 2015-2016 application available.
January 16, 2015	Receipt of all Public Service Grant applications
February 5, 2015	2015 Public Hearing for Public Service applicants at CDBG Planning and Zoning Commission Meeting
March 3-April 3, 2015	30 day public comment period on Annual Action Plan and 2015-16 and Consolidated Plan 2015-19
February 19, 2015	Planning and Zoning Commission meeting and Recommendation on AAP 2015-2016
April 7 and 21, 2015	City Council Work Session and Public Hearing
April 21, 2015	City Council approval
May 15, 2015	Submission to HUD

2.
No citizen comments received as of yet.

3.
To assist in obtaining broad-based participation, a city's mailing distribution list is used. The list includes public, private and social service agencies and individuals that request notices of meetings and hearings. Staff publishes public notices for both public meetings and hearings in the Daily News-Sun, an daily newspaper, in accordance with city notification practices. Per the CPP, the public hearings were held at an accessible location. Electronic copies were made available on the city's website. Public Notices were printed in a local paper describing meeting times and comment periods.

Public meetings and hearings are accessible and sign language interpretation is available for public hearings and meetings on request.

4.
Citizens' request for highway access, road repairs, and other transportation improvements were not included as they do not qualify under either area benefit or limited clientele benefit caveat for low-to moderate-income persons in the city.

Institutional Structure

1. Describe actions that will take place during the next year to develop institutional structure.

1.
The City of Surprise is the clearinghouse and facilitator for the activities as described by the FAAP 2015-2016. The City of Surprise is empowered to apply for and administer CDBG and other grant funds. The city will continue to do so this year, the second in the five year cycle described by the 2015-2019 Consolidated Plan, and the subsequent three years (through 2019, or the final year of the

current Consolidated Plan). Important steps to be taken in the next year to develop institutional structure will include:

a.

Continued staff training in

- a. Environmental Review
- b. HUD's Integrated Disbursement and Information System (IDIS)
- c. Program compliance, particularly
 - i. Procurement and
 - ii. Labor Standards
- d. Performance measurement
- e. Fair housing planning and reporting
- f. The Consolidated Annual Performance and Evaluation Report (CAPER) and
- g. Subrecipient monitoring.

b.

Refinement of the process for the development of the Annual Action Plan:

- i. Coordination among city departments in administration and delivery of funded activities including:
 1. Procurement,
 2. Labor standards,
 3. Accounting,
 4. Drawdown, and
 5. Single Audit.
- ii. The Surprise CDBG Planning and Zoning Commission will monitor the implementation process and advise the City Council on the allocation of HUD funds available.
- iii. Continue participation in the Maricopa HOME Consortium.
- iv. Continue participation with the Housing Authority of Maricopa County and the City.

3.

Amend priorities and needs based on changing economic and social conditions.

Monitoring

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

The City of Surprise Human Service and Community Vitality Department of the Neighborhood Services Division oversees all CDBG funded housing and community development programs and will be responsible for all performance measurement activities for the PY 2015-16.

The Neighborhood Services Division is also responsible for the timely implementation of activities and projects. The City of Surprise will ensure that all grant funded projects are monitored for compliance with all applicable city, state and Federal laws. This will be accomplished using the city's current monitoring/contract compliance process for Federal programs.

The Neighborhood Services Division monitors all proposed activities to ensure long-term compliance with program requirements. The objectives for monitoring are to assure activities:

- a. Comply with all regulations governing their administrative, financial, and programmatic operations; and

- b. Achieve their performance objectives within schedule and budget.**

General Monitoring Procedures

Annually, with the preparation of Consolidated Annual Performance and Evaluation Report (CAPER), the Neighborhood Services Division will review whether the specific objectivities outlined in this strategic plan are being met. Furthermore, the CAPER will give an opportunity to address community priorities and if adequate resources are available to meet objectives.

The City of Surprise requires subgrantees comply with submitting a complete Monthly Performance Reports (MPR) to assess project progress.

Accomplishments for the quarter are identified including measurable outcomes, client information, time frames and monthly costs. As the process for the Grantee (the City of Surprise) and the Subgrantee(s) normalizes (contingent upon performance, successful implementation, and reporting by Subgrantee), the reporting schedule can be amended to a quarterly reporting structure in place of a monthly plan by the Grantee.

The Neighborhood Services Division of the Human Service and Community Vitality Department administers the Integrated Disbursement and Information System (IDIS). Formal monitoring begins with a risk assessment of all grant funded projects and subrecipient contracts. The risk assessment considers size of the grant contract, changes in organizational structure and how long it has been since the last on-site monitoring.

For HOME programs, included is an annual peer review for each member of the Maricopa HOME Consortium. The peer monitoring is performed by representatives from other participating communities and may take the form of either a desk review or an on-site monitoring.

Subrecipient Monitoring:

All subrecipients of CDBG and HOME funds will be subject to monitoring. Fiscal monitoring will include review and approval of budgets, compliance with executed grant agreements, review of fiscal reports on a monthly or quarterly basis, and a review of audits on an annual basis. Additional monitoring will occur through on-site visits. These site visits will occur as necessary but will be conducted at least once every six months.

All subrecipients must identify the personnel working on the project; keep accurate records and filing systems in order to document program benefits and assure compliance; maintain an appropriate financial management system; submit to an audit; and submit a final report at closeout.

Affirmative and Outreach Monitoring:

The city's contract compliance officer is responsible for ensuring affirmative marketing and minority outreach including Section 3 and Minority/Women Business Enterprise compliance, by using existing standards and procedures as prescribed under the CDBG and HOME programs.

Lead-based Paint

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

Reduction of lead hazards in paint will be accomplished in the following ways:

Houses built before 1978 that are being rehabilitated with CDBG or HOME assistance will be tested for lead in painted surfaces prior to rehabilitation. If lead is present, it will be abated through removal or encapsulation as part of the rehabilitation contract.

Rental units built before 1978 that are being assisted with Housing Choice Vouchers will be inspected by the Housing Authority of Maricopa County for chipped or peeling paint prior to assisted occupancy.

Public housing units owned by the Housing Authority of Maricopa County have already been abated and were re verified as lead-free in 2001. Actual numbers of units that will be impacted during the year will be small, probably less than five.

Specific Housing Objectives

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Table 2: Housing Needs and Objectives

Year-Two Short-term Housing Objectives	Source	Allocation	Unit of Measure	Improved Outcome
Housing Rehabilitation (Major)	HOME	\$122,699	Homes Improved	5 rehabilitated homes/Decent Housing/Availability/ Accessibility
Housing Rehabilitation (Major)	NSP	\$1,329,844	Homes Improved	Acquisition, Rehab, Disposition, Homebuyer Assistance
Community Pride Clean up Reinvestment	City General Fund	\$19,000	Homes improved	20 homes repaired/Decent Housing/Availability/ Accessibility
Rental Assistance	Public Housing and Section 8 Vouchers		Public housing units and Housing Choice Vouchers maintained.	Households live in affordable rental units.

Specific housing objectives and funding allocation for the SAAP 2015-2016 are as follows:

Needs of Public Housing

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.

2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

1.

The Housing Authority of Maricopa County (HAMC) administers the public housing and Section 8 subsidized housing program within City of Surprise. Surprise's housing activities are planned and reported through the Maricopa Consortium Plan. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium for more information.

2.

The HAMC is not designated as a "troubled" agency.

Barriers to Affordable Housing

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

During the PY 2015-16, the following actions will contribute to the removal of barriers to affordable housing:

- 1. Surprise will dedicate resources to preservation and development:**
 - a. The city's allocation of HOME funds to major rehabilitation .**
 - b. City general revenues for beautification. Pride Day activities generally happen twice annually and are paid for with General Funds.**
- 2. The Neighborhood Stabilization Program (NSP) funding will assist in acquisition, rehabilitation, disposition, and homebuyer assistance to program eligible applicants at or below 50%-120% or Area Median Income (AMI). These funds are required by the Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act). Target areas for this funding are established by a HUD mapping tool that considers several factors to include vacancy rate, mortgage delinquency rate, and number of sub-prime loans.**

Surprise utilizes general funds on HOME eligible emergency repairs to match HOME expenditures for housing rehabilitation. The city maintains a match log and match is applied at the time of requests for reimbursement from Maricopa County Community Development.

Specific Homeless Prevention Elements

1. Sources of Funds—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness.
2. Homelessness—In a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.
3. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.
4. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.
5. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

City of Surprise' homeless needs and activities are planned and reported through the Maricopa Consortium Plan. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium for a complete description of these activities. Additional information is provided below. The Maricopa Association of Governments Continuum of Care Subcommittee (MAG CoC) is the regional body that manages the collaborative efforts of communities and agencies in Maricopa County to plan for the needs of the homeless and access federal funding on behalf of agencies organized to address those needs. **The 'Regional Plan to End Homelessness' study published by MAG CoC in January**

2011 reported there are 11 homeless persons in the city which represents a 38% reduction over last year's data. However, the city will do a periodic assessment of any new homeless person cases in the city and will act accordingly to mitigate the problem.

Table 3



2011 Homeless Street Count Municipal Summary Data

*All counts were conducted on Tuesday, January 25, 2011.



	Non-Chronically Homeless Male	Non-Chronically Homeless Female	Non-Chronically Homeless Male/Veteran	Non-Chronically Homeless Female/Veteran	Chronically Homeless Male	Chronically Homeless Female	Chronically Homeless Male/Veteran	Chronically Homeless Female/Veteran	Person in Families Adult Women**	Persons in Families Adult Men	Families Adult Male/Veteran	Families Adult Female/Veteran	Persons in Families Children	Male Youth On Own	Female Youth On Own	2011 Municipal Total	2010 Municipal Total	Percent Change, NC=No Change
MAG Region Totals																		
Avondale	0	0	0	0	7	3	1	0	0	0	0	0	0	0	0	11	20	-45%
Buckeye	11	3	1	0	1	1	2	0	0	0	0	0	0	0	0	19	15	27%
Carefree	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NC
Cave Creek	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	200%
Chandler	14	1	0	0	42	5	1	0	1	0	0	0	1	0	0	65	12	442%
El Mirage	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	2	3	-33%
Fountain Hills	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NC
Gila Bend	2	1	0	0	8	1	1	1	0	0	0	0	0	0	0	14	12	17%
Gilbert	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	-100%
Glendale	9	5	1	0	16	6	5	0	0	0	0	0	0	0	0	42	28	50%
Goodyear	0	0	3	1	0	0	0	0	0	0	0	0	0	0	0	4	17	-76%
Guadalupe	52	1	0	0	5	0	0	0	0	0	0	0	0	0	0	58	80	-28%
Litchfield Park	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NC
Mesa	9	2	1	0	60	18	12	0	0	0	0	0	0	0	0	102	461	-78%
Paradise Valley	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NC
Peoria	4	0	2	0	7	0	5	0	0	0	0	0	0	0	0	18	20	-10%
Phoenix	424	118	83	22	302	60	58	24	1	3	0	0	2	42	20	1159	1750	-34%
Queen Creek	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11	8	38%
Scottsdale	57	7	1	0	38	12	3	0	0	0	0	0	0	1	0	119	126	-6%
Sun City	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NC
Surprise	4	0	2	0	5	0	0	0	0	0	0	0	0	0	0	11	18	-39%
Tempe	23	9	2	0	50	13	15	0	0	0	0	0	0	0	0	112	155	-28%
Tolleson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	-100%
Wickenburg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NC
Youngtown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NC
Municipal Total	622	148	96	23	542	119	103	25	2	3	0	0	3	43	20	1749	2729	-36%

Emergency Shelter Grants (ESG)

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

Not Applicable.

Community Development

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.

2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a

suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

Based on feedback from citizens, city staff, CDBG and Planning and Zoning Commission members, two priority community development needs have been identified for implementation under the CDBG funding that will benefit low to moderate-income persons in the City of Surprise. They are:

Public Service Activities through nonprofit agency(s). Fifteen percent (\$82,696) of the tentatively allotted PY 2015-2016 funding (\$551,309) was allocated for this activity.

The project to be carried out will be Infrastructure and Neighborhood Improvements. For this, the carried over funding amount from the PY 2015 and 2016 will be utilized. This project will begin in the late Fall of 2015 and go into the Spring of 2016.

The City of Surprise was allotted \$551,309 from HUD under the CDBG program. Of this allotted funding, twenty percent (\$110,261) will be set aside for administrative expenses.

These projects are designated high priority in the following table. For the first year of the Consolidated Plan 2015-2019, the city will aim funds at public services per the response of appointed members of boards, city staff, and citizens. Fifteen percentage of the allotted CDBG funding will be set aside for public service activities. The HOME funds for Housing Rehabilitation will serve individual homeowners who require rehabilitation assistance with their owner-occupied housing and have Low Mod income levels.

Table 4 Community Development Needs 2011- 2012	Needs	Priority Need: H,M,L	Dollars to Address Specifically planned for this Strategic Plan	Plan to Fund? Y/N	Fund Source	Objective	Outcome
		H	\$358,350	Y	CDBG		Sustainability Affordability
05 Public Services (General) 570.201(e)	Yes; FAAP 2015- 2016	H	\$82,696	Y	CDBG	Suitable Living Environment Sustainability	Sustainability
21A General Program Administration 570.206	Yes; FAAP 2015- 2016	H	\$110,261	Y	CDBG		

Antipoverty Strategy

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

The city's anti-poverty efforts are largely embedded within the strategic plan. These efforts will maintain and preserve the housing stock occupied by Low Moderate Income individuals, stimulate economic revitalization in the city and potentially fund organizations that provide services to the city's populations in poverty.

The city is cognizant of the needs of those living in poverty. Its strategy is to address the issue of poverty by supplementing resources to help ensure an acceptable standard of living, and this will continue through rehabilitation of housing to assist persons living in poverty and substandard conditions. The city continues to support those agencies providing direct services to those living in poverty. All of these activities support housing so that low-income families and persons can use their limited resources for other living requirements.

Ongoing efforts that will continue in SAAP 2015-2016:

These include:

Title V Employment Program

Financial fitness sessions

Direct CDBG funding allocation for public service activities through nonprofit agency(s). A number of residents will experience improved economic conditions over the next year but the number of households that will move out of poverty is expected to be relatively small.

Non-homeless Special Needs (91.220 (c) and (e))

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

1.

The City of Surprise has included public service activities through CDBG funding for the PY 2015-16 to benefit low- moderate-income residents in the city. The top priorities for the next five years per the survey feedback are:

Transportation services

Youth activities

Anti-crime programs

Health services

Senior activities

For PY 2015-16, the city will be targeting the delineated CDBG public service funds for emergency food boxes, services for youth and seniors through nonprofit organizations.

2.

Due to economic downturn, no city general revenue will be allotted to these services at this time. Other funding from state and federal sources will be requested as feasible.

Housing Opportunities for People with AIDS

1. Provide a Brief description of the organization, the area of service, the name of the program contacts, and a broad overview of the range/ type of housing activities to be done during the next year.

2. Report on the actions taken during the year that addressed the special needs of persons who are not homeless but require supportive housing, and assistance for persons who are homeless.

3. Evaluate the progress in meeting its specific objective of providing affordable housing, including a comparison of actual outputs and outcomes to proposed goals and progress made on the other planned actions indicated in the strategic and action plans. The evaluation can address any related program adjustments or future plans.

4. Report on annual HOPWA output goals for the number of households assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. Include any assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.

5. Report on the use of committed leveraging from other public and private resources that helped to address needs identified in the plan.

6. Provide an analysis of the extent to which HOPWA funds were distributed among different categories of housing needs consistent with the geographic distribution plans identified in its approved Consolidated Plan.

7. Describe any barriers (including non-regulatory) encountered, actions in response to barriers, and recommendations for program improvement.

8. Please describe the expected trends facing the community in meeting the needs of persons living with HIV/AIDS and provide additional information regarding the administration of services to people with HIV/AIDS.

9. Please note any evaluations, studies or other assessments that will be conducted on the local HOPWA program during the next year.

Not Applicable.

Specific HOPWA Objectives

Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the Action Plan.

Not Applicable.

Include any Action Plan information that was not covered by a narrative in any other section.

None.



CITY OF SURPRISE
Planning and Zoning Commission

March 19, 2015 @ 6:00:00 PM

Back Print

Board Meeting Date:	March 19, 2015	Contact Person:	Eric Fitzer, Community Development
Submitting Department:	CD Boards and Commissions	District:	Internal
Staff Recommendations:	No Action		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion for future agenda items.

Motion:

Background:

Financial Impact Statement:

No Financial Impact

ATTACHMENTS:

[Click to download](#)

No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

Presentation Speaker Names (spelling and titles for TV captions):