

RESOLUTION 2001-475

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING PROCEDURES FOR PUBLIC PARTICIPATION IN THE GENERAL PLAN AMENDMENT PROCESS

WHEREAS, the Town of Camp Verde (Town") is embarking on the amendments to the general plan as required under the "Growing Smarter Act" as set forth in SB 1001 (2000), and

WHEREAS, ARS 9-461.06.B.1 requires as a preliminary step in the amendment process under Growing Smarter is to adopt written procedures to provide early, effective, and continuous public participation in the development of the revised general plan, and future major amendments, from all geographic, ethnic and economic areas of the municipality, and

WHEREAS, the procedures of the public participation plan shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after effective notice, open discussions through communication programs and information services, and consideration of the public comments which are received,

NOW THEREFORE THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE TO ADOPT THE ATTACHED "GENERAL PLAN AMENDMENT PUBLIC PARTICIPATION PLAN" INCORORATED HEREIN AS EXHIBIT "A" SUBJECT TO THE FOLLOWING:

- 1. SECTION VI - 1, 2 & 3 will be repealed upon the effective date of the adoption of a Town of Camp Verde General Plan which complies with state law.**
- 2. SECTION VI - 4 will become effective upon the effective date of the adoption of a Town of Camp Verde General Plan which complies with state law.**

PASSED AND APPROVED by majority vote of the Common Council at the regular meeting of May 23, 2001:


Barbara Miller, Mayor

Attest:


Deborah Barber, Town Clerk

Approved as to form:

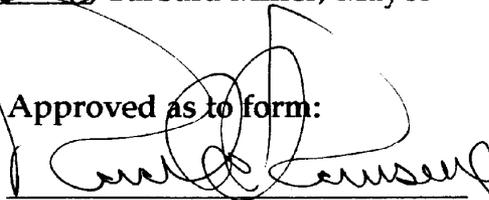

Ronald C. Ramsey, Town Att

EXHIBIT A TO RESOLUTION 2001-475

PROCEDURE FOR AMENDING THE CAMP VERDE GENERAL PLAN

I. GENERAL PLAN

The current document was adopted September 23, 1998. It provides a vision for the community that provides for future development, including infrastructure both public and private, as well as land use development guidelines. It is designed to strongly guide public policy through a series of goals, objectives, and strategies. It also provides a land use map to be used as a reference for long-range planning. It must be reviewed every 10 years. Because of the importance of this document, amendments can only be made after thorough public review and in compliance with these procedures.

II. PUBLIC PARTICIPATION PROCESS

Prior to the adoption of any amendment to the General Plan, the following procedure for notification will be followed to solicit as much public participation as possible:

1. Legal notices will be posted at Bashas', the Post Office, and at Town Hall.
2. Sites directly affected by the amendment will be posted with signs.
3. Legal notices will be placed in local newspapers prior to meetings.
 - a. A quarter-page display ad will be published a minimum of 15 days prior to any public hearing in local newspapers.
4. Public service announcements will be given to local radio and television stations.
5. All announcements will ask the public for written comments to be delivered to the Community Development Department within 14 days of each meeting/hearing to provide effective, early and continuous public participation in the development and major amendment of general plans from all geographic, ethnic and economic areas of the municipality.
6. All review material will be available to the public at the Community Development Department, Administrative Office, Parks and Recreation Office, Camp Verde Library, and on the Town's Web page.
7. All public comments and staff responses will be included in the review material for consideration by the Planning and Zoning Commission and the Town Council Public Hearings.
8. No less than two public hearings will be scheduled prior to formal adoption of the General Plan Amendments. The Planning and Zoning Commission will hold at least one public hearing before approving a general plan amendment. Notice of the time and place of a hearing and availability of studies and summaries related thereto shall be given at least fifteen (15) and not more than thirty (30) calendar days before the hearing as described in #3 above. Action by the P&Z Commission shall be transmitted to the Town Council for their consideration.
9. Before adopting any amendment to the General Plan, the Town Council shall hold at least one public hearing. Notice of the time and place of a hearing and availability of studies and summaries related thereto shall be given at least fifteen (15) and not more than thirty (30) calendar days before the hearing as described in #3 above.

III. IDENTIFICATION OF STAKEHOLDERS

The following is a list of applicable stakeholders:

1. Federal:
Prescott National Forest
Verde National Resource Conservation District
Bureau of Land Management

- U.S. Forest Service, Coconino, and Prescott
- U.S. Fish and Wildlife Service
- 2. State:
 - Arizona Department of Environmental Quality
 - Arizona State Parks
 - Arizona Game and Fish
 - Arizona Department of Transportation
 - Fort Verde State Historic Park
- 3. Regional:
 - Verde Valley Transportation Group- (Citizens Group)
 - Regional Trail Group- (Citizens Group)
 - Northern Arizona Council of Governments
 - Verde Valley Regional Planning Group
 - Verde Valley Transportation Planning Organization
- 4. County:
 - Yavapai County Environmental Services
 - Yavapai County Flood Control
 - County Planning and Building/Board of Supervisors
 - Yavapai County Public Works
 - Yavapai County Health Department
 - Yavapai Community College
- 5. District:
 - Verde Watershed Association
- 6. Local:
 - Camp Verde Marshal's Office
 - Camp Verde Unified School District
 - Montezuma Airpark HOA
 - Camp Verde Fire Department
 - Camp Verde Chamber of Commerce
 - Cottonwood Planning Department/Council
 - Clarkdale Planning Department/Council
 - Jerome Planning Department/Council
 - Sedona Planning Department/Council
- 7. Tribal:
 - Yavapai-Apache Nation Building Dept./Council
 - Salt River Pima Maricopa Nation
- 8. Private:
 - All local ditch companies
 - Camp Verde Water Company
 - Verde Lakes Water Company
 - Lake Verde Water Company
 - Waste Management companies
 - U.S. West
 - Arizona Public Service
 - Camp Verde Historical Society
 - Camp Verde Sanitary District
 - Citizens Utility
 - Any other person who may request information and be registered, in writing with the Community Development Department. Applicable copy fees will apply.

A public notice will be placed in local newspapers advising stakeholders and the public of proposed amendments to the General Plan. Stakeholders will be given 30 days prior to the first

public hearing before the Planning and Zoning Commission, to provide written comments on the proposed amendments.

IV. AGENCY REVIEW

All information regarding ANY amendments to the Camp Verde General Plan shall be sent to the following agencies for technical review at least sixty days prior to the adoption of any amendment to the General Plan:

1. Town of Camp Verde Town Council
2. Yavapai County Planning and Zoning
3. Yavapai County Water Advisory Committee
4. Northern Arizona Council of Governments
5. Arizona Department of Commerce
6. City of Cottonwood Planning and Building
7. Yavapai County Board of Supervisors
8. Cottonwood City Council
9. Yavapai-Apache Nation
10. Any other agency that requests the information

The following agencies will also be notified of any major amendments impacting the whole community such as annexation, or the creation of new elements to the General Plan:

1. Arizona Public Service
2. Camp Verde Unified School District
3. Camp Verde Chamber of Commerce
4. Camp Verde Water Company
5. Verde Lakes Water Company
6. Citizens Utility
7. U.S. West
8. Camp Verde Historical Society
9. Yavapai-Apache Nation
10. Arizona State Land Department
11. US Forest Service – Coconino & Prescott
12. All local ditch companies
13. Camp Verde Fire Department
14. Yavapai County Flood Control
15. Yavapai County Environmental Services
16. Yavapai County Public Works
17. Yavapai County Health Department
18. Verde Watershed Association
19. U.S. Fish and Wildlife Service
20. Verde Valley Transportation Planning Organization
21. Arizona Game and Fish Department
22. Arizona Department of Transportation

V. WHEN TO AMEND

- A. All zoning and rezoning ordinances and regulations shall be consistent with and conform to the adopted Camp Verde General Plan. In case of uncertainty in determining the conformity of any part of a proposed rezoning ordinance, any interpretation shall be construed in a manner that will further the implementation of, and not be contrary to, the goals, policies, and applicable elements of the general plan. A rezoning ordinance conforms with the land use element of the General Plan if it proposes land uses, densities or intensities within the range of identified uses, densities and intensities of the land use element of the General Plan. Any proposal that does not meet the above standards shall require a General Plan amendment. Arizona Statute requires a General

Plan review every 10 years. In addition, Council, P&Z, and staff may elect to amend the General Plan to meet the changing needs of the community as well as to comply with applicable state and/or federal regulations.

- B. A major amendment is "a substantial alteration of the municipality's land use mixture or balance as established in the ...land use element." All major amendments will be adopted per ARS 9-461.06.G.

VI. ADOPTION BY COUNCIL

The re-adoption of the General Plan or any amendment to such a plan shall be by resolution of the Camp Verde Town Council, after notice as provided for in these procedures. The re-adoption of the General Plan or a major amendment to the General Plan shall be approved by affirmative vote of at least two-thirds of the members of the Council. The General Plan or any amendment to the Plan shall be endorsed in the manner provided by the Council to show that it has been adopted by the Council. For purposes of this paragraph, "major amendment" means:

1. A change of land use designation on the plan that:
 - (a.) Increases the intensity of use on the property
 - (b.) Decreases the intensity of use on the property at the initiative of the governing body or zoning body.
2. Deletion of a requirement for the reservation or dedication of land for public purposes, except for minor boundary adjustments or street alignments.
3. Establishment of a new, or deletion of a planned, freeway, expressway, parkway or limited access arterial street shown on the general plan.
4. Major amendment based on criteria as described in the Land Use Element of the General Plan. All major amendments will be heard at a once a year public hearing scheduled for December 1.

VII. WHO CAN ASK FOR AN AMENDMENT

1. Town staff initiated amendments, staff must notify property owners within the affected area upon initiation of the amendment process.
2. Amendments initiated by private parties; private parties and landowners must submit written documentation of authorization of 75 percent of the landowners in the area to be amended.
3. Any Camp Verde Town Council member or member of the Camp Verde Planning and Zoning Commission.

VIII. HOW AMENDMENTS ARE FILED

Request for amendments shall be submitted to Community Development staff and be scheduled along with regular Planning and Zoning hearings. The following materials shall be submitted to staff:

1. A signed letter of intent containing a narrative describing the proposed amendment.
2. The property owners' written authorization.
3. Graphic description of the proposed land use amendment.
4. Property ownership map, list of property owners, letters addressed to all property owners within 300 feet of the proposed area.
5. Explanation of how the request fits proposed development patterns, timing of the land use, proposal, comparison to existing map and test, and benefits to the public.
6. Written analysis for the request, including but not limited to:
 - a. Detailed description of proposed amendment.
 - b. Impact on public infrastructure.
 - c. Relationship to other adopted planning documents.
 - d. Anticipated impact on area transportation (impact analysis).

- e. Unique characteristics of the proposal, such as impacts on the environment or water resources.

IX. RELATION TO ZONING REQUEST

Amendments and zoning map changes may be filed simultaneously but the applications will be analyzed independently and may require distinct action, and consideration by the Commission and Council.

X. PUBLIC NOTIFICATION PROCESS

General Plan amendments will be subject to two public hearings, one by the Planning and Zoning Commission and one by the Town Council. Staff will be responsible for posting legal notices in local papers, public places, and property. Staff will also notify neighboring jurisdictions, Department of Commerce, and will by mail notify neighboring property owners within 300 ft. of the affected area. The General Plan amendment process will take a minimum of 90 days.

XI. BASIS FOR CONSIDERATION

While evaluating an amendment request the Council and Commission should consider the following:

1. Does the proposed amendment further the goals and policies of the General Plan?
2. Does the proposed amendment meet the changing needs of the community?
3. Does the proposed amendment comply with existing state and federal law?
4. Is the amendment required because the land use map does not provide alternative areas for the uses proposed?
5. Is the proposed amendment an improvement to the General Plan?
6. Does the amendment benefit the entire community as opposed to a particular party in response to short term development opportunities?
7. Is the amendment justified by similar development in the area?
8. Will the community not be adversely affected by:
 - a. Altering accepted land use patterns.
 - b. Requiring unscheduled infrastructure improvements.
 - c. Creating increased traffic on adjacent roadways.
 - d. Incompatibility with existing and anticipated neighboring land uses.
9. Is the proposal compatible with the intent of the General Plan?

It is the responsibility of the applicant to prove that the proposed amendment meets the above criteria, and it is not the burden of the Town to justify denial.

XII. RECORD OF AMENDMENT

Approval will be by Council resolution after all required public hearings. All documentation will be maintained by the Community Development Department.

XIII. APPEAL PROCESS

Any applicant wishing to appeal any decision of the Community Development Director as to whether an amendment is required or regarding application requirements may do so in writing to the Community Development Department. There is no fee for the appeal, which will be heard by the Camp Verde Town Council within sixty days. Should the applicant be successful upon appeal, and then the complete procedures outlined in this document must still be followed.

To: Mayor and Council
From: John Roberts 
Date: May 21, 2001
Subject: Public Participation Plan

Attached please find additional information for item #8 on your May 23 Council Agenda:

1. **New draft public Participation Plan:** This draft takes the existing plan and modifies it to make it comply with state law. Showing the changes to the existing plan should make it easier to understand the intent. Please note in the Resolution that Section VI of the Plan is conditionally adopted. The **EXISTING** definition of a major amendment stays in effect until the new General Plan is adopted. This allows us to continue doing business as usual until the whole Plan is adopted. When the Plan is adopted the **EXISTING** definition of a major amendment is repealed and the **NEW** definition required by State Law becomes effective.
2. Also attached is an analysis of the requirements from Ron Ramsey.

Please contact me if you would like to discuss this. Thank you.

EXHIBIT A TO RESOLUTION 99-430

PROCEDURE FOR AMENDING THE CAMP VERDE GENERAL PLAN

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public hearing before the Planning and Zoning Commission, to provide written comments on the proposed amendments.

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5. Is the proposed amendment an improvement to the General Plan?
6. Does the amendment benefit the entire community as opposed to a particular party in response to short term development opportunities?
7. Is the amendment justified by similar development in the area?
8. Will the community not be adversely affected by:
 - a. Altering accepted land use patterns.
 - b. Requiring unscheduled infrastructure improvements.
 - c. Creating increased traffic on adjacent roadways.
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9. Is the proposal compatible with the intent of the General Plan?

It is the responsibility of the applicant to prove that the proposed amendment meets the above criteria, and it is not the burden of the Town to justify denial.

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XIII. APPEAL PROCESS

Any applicant wishing to appeal any decision of the Community Development Director as to whether an amendment is required or regarding application requirements may do so in writing to the Community Development Department. There is no fee for the appeal, which will be heard by the Camp Verde Town Council within sixty days. Should the applicant be successful upon appeal, and then the complete procedures outlined in this document must still be followed.

5. Other parts of Exhibit A that are now inconsistent with GSA II statutes are unenforceable, as of the effective dates of GSA II amendments (August 2000). The state statutes will preempt even the Town ordinances when it comes to making the necessary changes to our GP to become GSA II compliant by December 2002.
6. Also on the May 23rd agenda will be consideration of Ord 2001-A183, designation of the staff as "planning agency." This is necessary to authorize the staff, as allowed by ARS 9-461, to carry out the planning steps of GSA II (and future zoning amendments), and separate out the functions of the Planning & Zoning Commission, whose role is to conduct public hearings and make recommendations to the Council on the changes.

A handwritten signature in black ink, appearing to be the initials 'DOR' with a long horizontal stroke extending to the right.

6. Rezoning	When a rezoning causes a GP amendment, certain notices sent (p.3)	Expanded ARS 9-462.03 requires a separate ordinance be adopted that outlines a citizen review process for rezoning
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