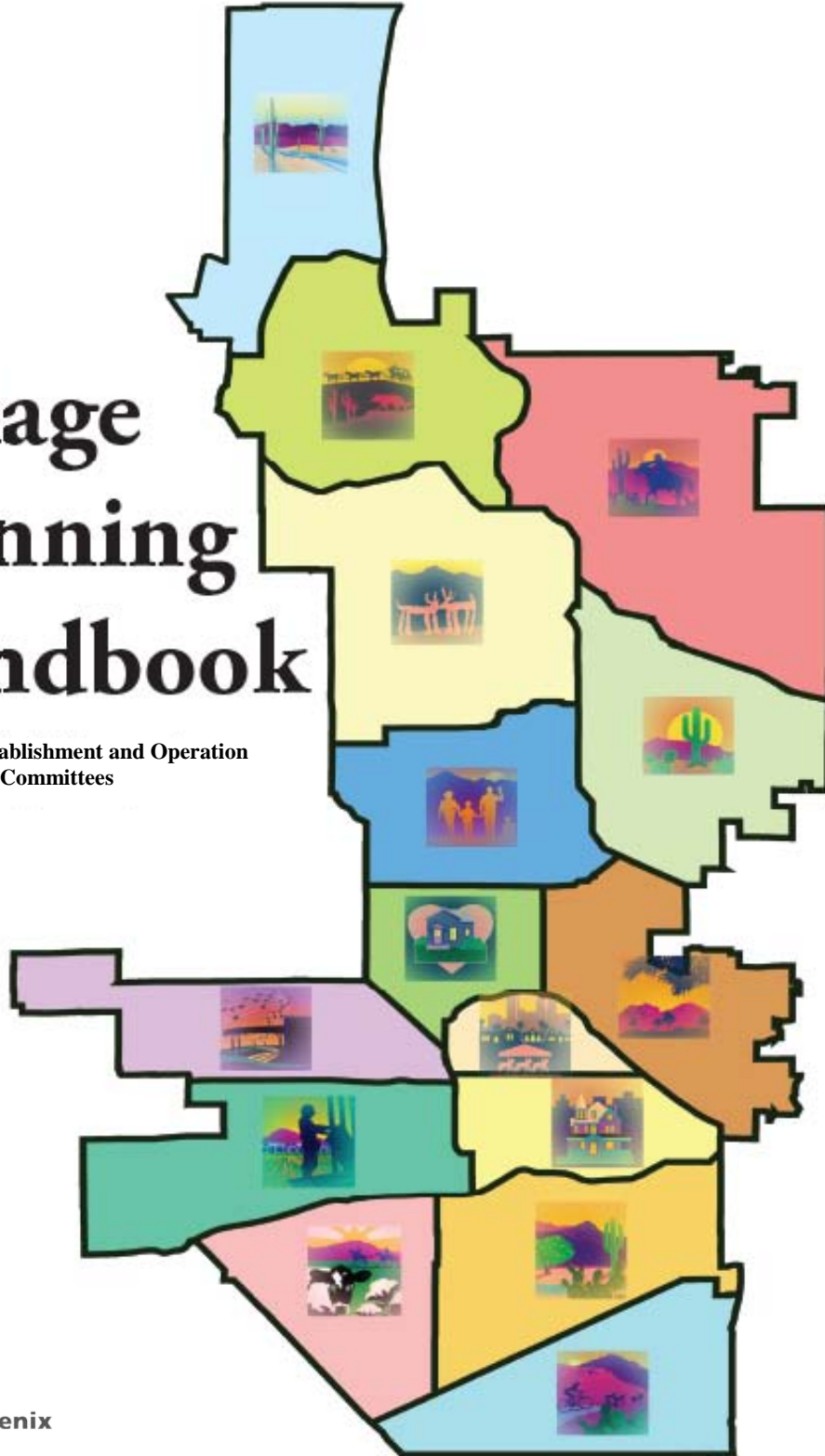


The Village Planning Handbook

A Guide for the Establishment and Operation
of Village Planning Committees



City of Phoenix

RESOLUTION NO. 16870A RESOLUTION ADOPTING THE
VILLAGE PLANNING HANDBOOK

WHEREAS, on October 2, 1985, the Phoenix City Council adopted the Phoenix General Plan 1985-2000; and

WHEREAS, the Plan states that the Village Planning Committees shall continue to participate in the planning process by assisting the Planning Commission in the performance of its duties; and

WHEREAS, the Plan specifies certain guidelines, procedural policies and duties for Village Planning Committees; and

WHEREAS, the Plan directs that a revised Village Planning Handbook including the guidelines in the Plan, other procedural policies and committee duties be submitted to the Planning Commission and City Council for review and approval; and

WHEREAS, an Ad Hoc Subcommittee of the City Council on the Village Planning Handbook was appointed to make recommendations to the City Council regarding proposed revisions; and

WHEREAS, after receiving input from the Village Planning Committees, Planning Department staff, representatives of various sectors of the community, and the general public, the Subcommittee

recommended the adoption of a revised Village Planning Handbook;
and


WHEREAS, the revised Handbook was submitted to the
Planning Commission and City Council for review and approval;

NOW, THEREFORE, BE IT RESOLVED that the Phoenix City
Council hereby adopts the Village Planning Handbook as set forth
in the attached text, which text is by this reference incorporated
herein and made a part hereof.

PASSED by the Council of the City of Phoenix this
23 day of July, 1986.


MAYOR


ATTEST:


City Clerk

APPROVED AS TO FORM:


ACTING
City Attorney

REVIEWED BY:


ASSISTANT
City Manager

MDH
MDH:ds
7/17/86

TABLE OF CONTENTS

Introduction 1

City Council Appointment of Village Planning Committee Members and Terms..... 2

Village Planning Committee Appointments..... 3

Village Planning Committee Rules of Operation..... 4

Village Planning Committee Activities 5

Village Planning Committee Review of Proposals 6

 A. Procedures for Reviewing General Plan Land Use Map Amendments and Rezoning Cases 6

 B. Points to Consider When Reviewing General Plan Land Use Map Amendments 6

 C. Points to Consider When Reviewing Rezoning Requests 7

 D. Rezoning Case Stipulations: Helpful Hints 8

 E. Points to Consider When Reviewing Variance Requests 10

Role of the Village Planner..... 10

Duties of the Village Planner..... 11

Additional Information..... 11

Prepared by the city of Phoenix Planning & Development Department

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Contact Nici Browe at Voice/ 602-495-0256 or the City TTY Relay 602-534-5500.¹

¹Technical correction made to contact information by administrative action on May 2, 2013.

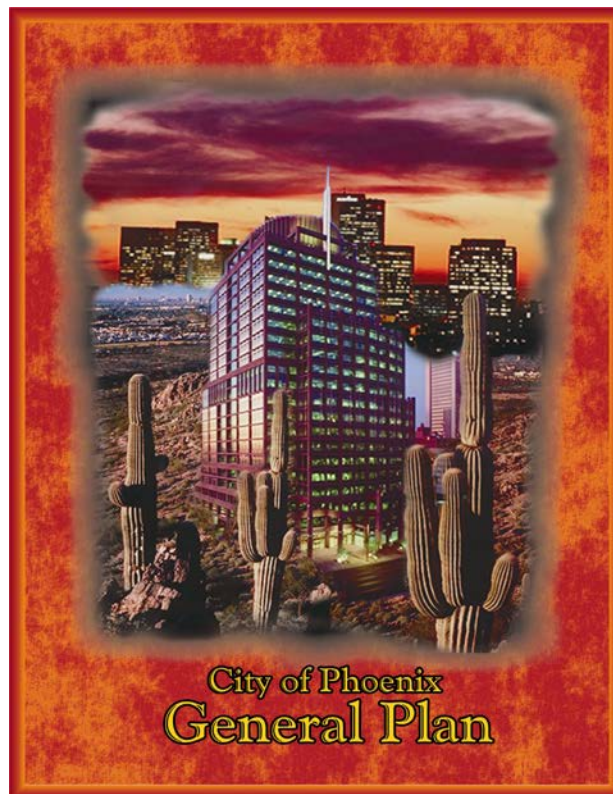
Introduction

On October 2, 1985, the Phoenix City Council officially adopted the General Plan for Phoenix 1985-2000, a document designed to guide the direction of future growth in our urban areas to the year 2000. The Plan includes a land use map, summary text and 16 Plan elements including all 15 required by State Statutes. On December 5, 2001, the City Council adopted a major update of the General Plan. The voters ratified the adopted General Plan on March 12, 2002.

The General Plan directs the establishment of one council appointed Village Planning Committee for each urban village to provide resident/business input in planning the community.

Village Planning Committees provide guidance on a wide range of city-wide and local issues. The basic principles underlying the implementation of the General Plan concept are threefold:

- Balancing housing and employment opportunities,
- Concentrating intensity in village cores, and implementing the urban village model,
- Promoting the unique character and identity of each village.



City Council Appointment of Village Planning Committee Members and Terms

The Village Planning Committees are responsible to, and shall serve at the pleasure of, the City Council. Village Planning Committees shall be appointed by the Mayor and City Council and be composed of no more than 21 members each, representing all segments and geographic areas of their community.

The Council will attempt to seek balanced representation from the above groups that live or work within the Village. At least 75 percent of the members shall reside at least 11 months of the year at a property of record or location within the village. Up to 25 percent may work at a business in the village on a full-time basis, but live outside the village or outside of the city. The Laveen, North Gateway, and Rio Vista Villages contain areas that remain largely unpopulated or contain large county islands. An exception can be made such that the Village Planning Committee may include residents of nearby villages or people who work in the village until a population threshold of 50,000 is met.

- **Business and professional community:** representatives in fields such as local and regional business, finance, engineering, communication, and law.
- **Development and real estate industry:** architects, planners, home builders, real estate brokers/salespersons, and industrial/commercial developers.
- **Village residents:** Persons whose primary residence is in the village.
- **Neighborhoods:** Representatives of active neighborhood organizations located within the village.
- **Trade, service, manufacturing interests:** representatives in fields such as agriculture, mining, construction, and manufacturing.
- **Educational interests:** school board members, parent-teacher organization members, teachers, and administrators.

Village Planning Committees will be appointed by the Mayor and City Council. The Mayor will appoint two members of each Village Committee with the remainder of the members appointed by Council members on a proportional basis based on the council district's land area in the village. Appointments shall be made as indicated on Page 3.

Appointments will be for two years. A chairperson shall be elected annually by the committee membership and be limited to two consecutive one-year terms.

The City Code (Part II, Chapter 2, Article 2, Section 2-40) states that, when an appointive member of any board, commission, or committee fails to attend three consecutive regular meetings or fails to attend 50 percent or more of the regular meetings held during the calendar year, the City Council may declare such member's seat vacant and the term expired.

Village Planning Committee Appointments

VILLAGE	COUNCIL DISTRICT	NUMBER OF COUNCIL APPOINTMENTS	MAYOR'S APPOINTMENTS	TOTAL
Ahwatukee Foothills	District 6	19	2	21
Alhambra	District 3	1	2	21
	District 4	6		
	District 5	10		
	District 6	2		
Camelback East	District 4	1	2	21
	District 6	15		
	District 8	3		
Central City	District 4	1	2	21
	District 7	3		
	District 8	15		
Deer Valley	District 1	14	2	21
	District 2	3		
	District 3	2		
Desert View	District 2	13	2	15
Encanto	District 4	17	2	21
	District 8	1		
	District 7	1		
Estrella	District 4	1	2	21
	District 7	18		
Laveen	District 7	6	2	17
	District 8	9		
Maryvale	District 4	5	2	21
	District 5	10		
	District 7	4		
North Gateway	District 1	7	2	13
	District 2	4		
North Mountain	District 1	6	2	21
	District 3	11		
	District 5	1		
	District 6	1		
Paradise Valley	District 2	10	2	21
	District 3	9		
Rio Vista	District 1	11	2	13
South Mountain	District 6	2	2	21
	District 7	3		
	District 8	14		

Committee Rules of Operation

It is strongly urged that each planning committee establish rules of operation. The following rules should be followed by all committees:

1. A majority of appointed members of a committee shall constitute a quorum for the transaction of business. The affirmative vote of a majority of the members present at a committee meeting shall be necessary to take formal action.
2. Each committee shall have a chairperson and a vice-chairperson. The committee may elect a secretary to handle correspondence. The Planning & Development Department will provide a paid secretary to take the minutes of full committee meetings (based on availability of funds)².

Elections shall be held in November or December of each year with terms of office beginning on the first day of the new year. In the event that the office of chairperson is vacated during the course of the year, it shall be filled by the vice-chairperson immediately upon the occurrence of the vacancy for the remainder of the year. The committee shall, preferably at the time of the next normally scheduled meeting after the vacancy occurs, elect a member of the committee to fill the vacated vice-chair position for the remainder of the year.

If the position of vice-chair is vacated during the course of the year, by resignation, removal or death, the committee shall, preferably at the time of the next normally scheduled meeting after the vacancy occurs, elect a member of the committee to fill the vacated vice-chair position for the remainder of the year.

3. From time to time, a Village Planning Committee may establish a subcommittee to review a significant planning issue. These subcommittees should be formed by a majority vote by the Village Planning Committee members. Final decision on the formation of a subcommittee will be at the discretion of the planning director based on availability of resources.
4. The Planning & Development Department will appoint a planner to work with each village. This planner shall work with the chair and the committee or subcommittee to set the agenda and facilitate the meetings. The chair of the full committee has the final say on all subcommittee agendas. The village planner shall also coordinate research on planning issues as they arise to include working with developers, neighborhood interests, city staff in Phoenix and other jurisdictions, and the Village Planning Committee itself.
5. All committee meetings must be open to the public. Arizona open meeting laws require that an itemized committee agenda be posted twenty-four (24) hours prior to each meeting. The agenda will be developed prior to the meeting so that the public posting and mailings can be made. This requirement also pertains to subcommittees. All or any part of a committee meeting may be recorded by any person in attendance by means of a tape recorder, camera, or other means of sonic reproduction, provided that there is no active interference with the meeting.

² Availability of funds added by administrative action by the Planning Director on March 26, 2008.

6. A record shall be maintained of the committee's meetings and actions, including all subcommittee meetings. The secretary employed by the Planning & Development Department (based on availability of funds)³, another designated member of the committee, or a Planning & Development Department designee shall be responsible for recording and submitting meeting minutes to the Planning & Development Department within two weeks of the meeting date.
7. Votes of individual committee members shall be recorded as yes, no, or abstain. Therefore, roll call votes should be taken on all items.
8. A committee member shall refrain from participating in the discussion of or activity on any matter in which a conflict of interest exists. A conflict of interest refers to a situation when a board member has a competing financial or ownership interest that would make it difficult to fulfill his or her duties fairly. A true conflict involves a financial or ownership interest. However, a person may also have a perceived conflict of interest, even if no financial interest is involved. The ultimate obligation for complying with the conflict of interest laws lies with the individual. A committee member convicted of violating the conflict of interest laws is subject to criminal penalties and forfeiture of office. The City Attorney's Office is available to advise any person who thinks he or she may have a conflict of interest. A complete discussion of conflict of interests can be found in the Board and Commission member Resource Guide prepared by the City Clerk's Department.
9. Committees should meet when there are agenda items in order to provide comments on agenda items and provide ample opportunities for public input.
10. Committee meetings shall be held in places accessible to the public and to the disabled community.
11. Agenda items shall not include governmental election items.
12. Any matter not specified in the Village Planning Handbook shall be governed by Roberts Rules of Order.

Village Planning Committee Activities

Village Planning Committees should focus on the Phoenix General Plan and the long range vision for their village. Committee activities may include:

- Monitor and identify changing conditions that may impact implementation of the General Plan.
- Provide input on updates to the General Plan prior to the next state required public vote.
- Develop a work program or a list of topics to be addressed by the Village Planning Committee.
- Develop and/or update the long range vision for the village.
- Make recommendations on General Plan Amendments.
- Make recommendations on rezoning proposals for consistency with and implementation of the General Plan.
- Provide input on new zoning districts and overlay districts proposed within the village area.

³ Availability of funds added by administrative action by the Planning Director on March 26, 2008.

Village Planning Committee Review of Proposals

A. Procedures for Reviewing General Plan Land Use Map Amendments and Rezoning Cases

1. Staff will notify the Village Planning Committee chair of all pending General Plan amendment and rezoning cases within the village. Rezoning cases that are being processed with General Plan amendments will be reviewed by the Village Planning Committee. Other rezoning cases that may have major planning implications may be heard by the village.
2. Staff will prepare a report that will include the following information for cases to be reviewed by the Village Planning Committees:
 - Description of the request,
 - Analysis of the proposal,
 - Findings, and
 - Staff recommendation, including any proposed stipulations for rezoning applications.
3. The Village Planning Committee is encouraged to give specific findings for their recommendations and suggestions on how to improve the request.
4. The Village Planning Committee should work with the village planner to craft and adopt a motion for its recommendation and conduct a roll call vote.

The Village Planning Committees are advisory to the Planning Commission and the City Council. It is important that recommendations and findings provide a clear understanding of the Village Planning Committee's action. On decisions important to the Village Planning Committee, the chair or other designated member is encouraged to present their recommendation at the Planning Commission and City Council hearings.

The Planning Commission and the City Council may hear and take action on cases without a recommendation from the Village Planning Committee if the Village Planning Committee cancels a meeting, continues or delays action on an item, or fails to establish quorum.

B. Points to Consider when Reviewing General Plan Land Use Map Amendments

1. Have the circumstances changed regarding the Land Use Map since the last General Plan update?
2. Is the current land use designation still viable and appropriate? An example may be that the broader area is transitioning away from one use and to another.
3. Is there a conflict between the proposed land use and physical constraints or environmental sensitivity of the area?

4. How does the proposed change affect (positive or negative) the underlying character of an area or character of the village?
5. Is there an overabundance of the current land use designation in the area?
6. Is there a need for the proposed land use that is not being met in the area?
7. Does the request address the transportation land use connection?
8. Does the request assist with the jobs-to-housing balance?
9. Do existing or planned infrastructure improvements support the proposed change in land use?
10. Does the proposed land use have positive or negative impacts on goals and policies within the General Plan?
11. Does the proposed change work to implement the vision of the General Plan?

C. Points to Consider in Reviewing Rezoning Requests

1. Is the request consistent with the General Plan map?
2. Does the request support the General Plan's goals? For example, does the proposal:
 - Provide a balance of housing units and jobs?
 - Create residential, shopping, employment, recreation, and public uses in each village?
 - Develop a mini-downtown, pedestrian-oriented core?
 - Provide single-family and multi-family housing in different lot sizes and densities, including affordable homes to luxury homes?
 - Locate schools, parks, shopping, and high density uses close together to minimize the number and length of trips?
 - Promote the unique character of each village and strengthen existing neighborhoods?
3. Is the site within any of the following?
 - Area Plans,
 - Specific Plans,
 - Neighborhood Plans
 - Special Planning Districts
 - Overlay Districts, or
 - Redevelopment Area Plans

If so, is the proposal consistent with their policies and land development standards?

4. Does the proposal support known village or city development policies?
5. What is the proposal's relationship to surrounding land uses and zoning patterns? What is the zoning history of the site and adjacent parcels?
6. What are the impacts on adjacent land uses? Can these impacts be satisfactorily mitigated through legal stipulations?

Impacts may include:

 - Traffic
 - Density
 - Height
 - Environmental– noise, odor, light, etc
 - Character and life style
 - Infrastructure needs
 - Historic structures
7. Is there other vacant zoned land which could accommodate the use? How much land? Does this request promote speculation and over zoning?
8. Does the plan preserve and protect the natural environment such as hillsides, washes, vegetation, outcropping, and views?
9. Does the proposal reduce traffic or traffic conflicts?
10. Do the site plan and elevations provide an interesting streetscape which avoids monotony and provides usable open space and other amenities?
11. Have or can the concerns, if any, of the area residents be addressed or mitigated?
12. What are the findings for the committee's recommendation?

D. Rezoning Case Stipulations: Helpful Hints

The Village Planning Committee should work with their village planner to craft legal, enforceable rezoning stipulations.

1. Stipulations should answer the following questions:

Who is responsible for compliance? Applicant, DSD, others? Multiple approvals create consistency issues, possibility for confusion etc.

When in the process is the stipulation satisfied? Generally, a comfort level of compliance is needed by preliminary approval. (Construction plans are submitted after preliminary approval)

What is required/desired? Be specific. Interpretation should be minimized.

How do you "prove" that conditions are met? ...generally on approved plans or recorded documents etc. Avoid CC&R's or feel good statements which the city cannot enforce.

2. Stipulations should be minimized whenever possible and when used should be clear.
3. Stipulations should focus on land use compatibility within existing neighborhood context and secondly on project design. Any design related stipulations must be closely monitored and coordinated with departments charged with design issues (Development Services (DSD), Streets, Water Services, etc.).
4. Stipulations should pertain to the physical structure and items that are typically regulated through zoning. These items include:
 - Height (in feet)
 - Setbacks (distance from street or adjacent uses; building and landscaped setbacks)
 - Lot coverage (percent of the lot covered by a roof)
 - Density (number of residential dwelling units)
 - Size of buildings (square footage, floor area ratio)
 - Landscaping (number of plants, type, size and location).
5. Stipulations should be enforceable. Enforceability is important as stipulations create an expectation level with residents when they are included in rezoning cases. Unenforceable stipulations result in the eroding of public expectations, which can be problematic in the long term.
6. Do not require the developer to make improvements off the site of the rezoning request
7. Do not require the City to enforce a private contract between residents and the developer. (The City does not enforce private Conditions, Covenants and Restrictions [CC&Rs] on a property.)
8. Do not stipulate that neighbors shall approve a site plan or come to an agreement later. It can be stipulated that the applicant shall work with the neighborhood; however, mutual agreements cannot be assured.
9. Stipulations should never restate existing city code and ordinance requirements, but may be more restrictive than current codes and ordinances.
10. It is not possible to stipulate a permanent use for a property. All property owners having the same zoning should be allowed to develop according to the same set of rules and restrictions. In other words, if you have C-2 zoning, you should be able to do anything anyone else with C-2 zoning is permitted to do as stated in the Phoenix Zoning Ordinance.
11. Single-family design review does not apply to attached products. It does not make sense to apply single-family design review to attached products or custom lot subdivisions.

12. Do not stipulate general conformance to a site plan that you expect/desire to change or that will need variances. When using the general conformance stipulation, be specific about what is important. The intent here must be clear. You may want to provide a list of bullet points under a general conformance stipulation and note "with specific regard to..."

The following items have traditionally not met the general conformance stipulation when reviewed by the Planning Hearing Officer for compliance:

- Addition of more than 5 percent square footage
- Different number of access points
- Setback changes that adversely impact the neighborhood
- Additional building(s) that exceed the square footage overall

E. Points to Consider When Reviewing Variance Requests

For those rare circumstances where review of variances is required by the Village Planning Committee, the following information is provided.

Section 307 of the Phoenix Zoning Ordinance establishes the ability of the city of Phoenix to review requests for variances to any terms or standards contained in the ordinance. The variance hearing process is a quasi-judicial function and is intended to address those instances when, because of special conditions, a literal enforcement of the ordinance provisions would result in an unnecessary property hardship. Variance requests are not acted upon by the City Council. In fact, input on variances from City Council members, like any other court matter, is considered to be a conflict.

The Zoning Administrator and the Village Planning Committee members must ensure that each of the following tests is met when determining the viability of a variance request:

- There must be special circumstances applying to the land, building or use referred to in the application that do not apply to other properties in the same zone
- Such special circumstance were not self-imposed by the property owner
- The variance is necessary for the preservation and enjoyment of substantial property rights
- The variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general (Section 307.A. of the Phoenix Zoning Ordinance).

Role of the Village Planner

The village planner's role is to promote the goals of the city and the village for the growth, development and preservation of the land use and character of the village. The village planner's role is to educate, inform, facilitate, and guide.

Duties of the Village Planner

- Work with Village Planning Committees to formalize a village work program for the year.
- Direct or participate in area planning studies, neighborhood plans, and other research occurring in the village.
- Work with committee chair to develop Village Planning Committee meeting agendas.
- Attend formal rezoning pre-application and post-application meetings for village cases.
- Provide input in village issues and concerns to DSD for their pre-application and preliminary site plan meetings.
- Prepare rezoning and General Plan amendment staff reports. Work with staff of other departments to define issues and measures to be mitigated or addressed.
- Review and provide comments on applications filed with the county or other jurisdictions.
- Take the necessary steps to resolve or mediate development proposals and city related issues that arise within the village at the village level.
- Provide orientation for new members. Provide training for all committee members on specific topics requested or needed on a periodic basis. Include information on annual development trends in the village and city and changes in city policies.
- Keep management and team informed of important business within the village.
- Staff Village Planning Committee meetings. Serve as a liaison between the City and the Village Planning Committee and community. Responsible for ensuring that the process complies with applicable laws and established procedures.

Additional Information

Board and Commission Member Resource Guide available from the City Clerk Planning & Development Department website: <http://phoenix.gov/pdd/index.html>⁴

Adopted July 23, 1986 by Resolution 16870

Amended:

3/14/90 by Resolution 17654	12/15/99 by Resolution 19361
10/10/90 by Resolution 17768	1/8/03 by Resolution 19896
11/6/91 by Resolution 17932	11/10/04 by Resolution 20171
7/8/92 by Resolution 18065	3/16/05 by Resolution 20215
4/21/93 by Resolution 18168	11/1/06 by Resolution 20430
6/1/94 by Resolution 18353	2/14/07 by Resolution 20462 - Reconsidered on 3/7/07
5/8/95 by Resolution 18479	3/19/08 by Resolution 20638
5/14/97 by Formal Action	4/21/10 by Resolution 20906
8/27/97 by Resolution 18946	5/1/13 by Resolution 21128 ⁵

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ⁱ **Editor's note**—Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department. These changes were made to the Handbook by administrative action along with changes adopted on May 1, 2013 by Resolution 21128.

⁴ Technical correction made to website by administrative action on May 2, 2013.