

**ORDINANCE NO. 2020-26**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF AMENDING CITY CODE TITLE 11, GENERAL PLANS AND SUBDIVISIONS, DIVISION 11-10.30, SPECIFIC PLANS, TO PROVIDE ADDITIONAL DETAIL AND CLARIFICATION REGARDING THE PROCESS FOR ADOPTING AND AMENDING SPECIFIC PLANS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, title 11 of the City Code provides procedures and standards for the adoption, amendment and readoption of the City's General Plan and specific plans in accordance with A.R.S. § 9-461.01 et. seq.; and

WHEREAS, the proposed amendments provide additional detail and clarification regarding the process for adopting and amending specific plans.

**ENACTMENTS:**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**

SECTION 1. City Code Title 11, *General Plans and Subdivisions*, Division 11-10.30, *Specific Plans*, is hereby amended as follows (deleted text is struck and added text is in bolded, red font):

**11-10.30.030 Specific Plan Adoption/Amendment**

- A. Initiation. The preparation of a Specific Plan may be initiated by the Director, by request from the Council, or by a property owner or group of property owners and their agent.
- B. Preparation of a Specific Plan.
  - 1. If the preparation of a Specific Plan is requested by the Council, the Director shall cause a Specific Plan to be prepared in accordance with a schedule to be determined by the City Manager.
  - 2. If a request for the preparation of a Specific Plan is initiated by a property owner or group of owners, the plan shall be prepared by the property owner(s) for review and revision by the Director; provided, that:
    - a. The proposed Specific Plan conforms to the General Plan and the elements of this section and it includes the requirements for a Specific Plan provided in subsection (D) of this section, Format and Contents of Specific Plan;
    - b. The Specific Plan will be prepared by an interdisciplinary team of qualified professionals including but not limited to urban planners, architects, landscape architects, market analysts, and engineers; and

- c. The minimum area of the Specific Plan is such that a range of uses can be accommodated and well integrated.
- C. Configuration of Specific Plan. A proposed Specific Plan shall be configured to include all land within the Specific Plan boundary.
- D. Format and Contents of Specific Plan. An application for a Specific Plan shall be on a form prescribed by the Director and available in the Community Development Division, and shall include, at a minimum, all information required for a major amendment to the General Plan plus the following additional information, if applicable as determined by the Director:
  1. A precise map showing the land to be included within the proposed Specific Plan;
  2. For all Specific Plan applications initiated by a property owner(s) or their agent, the written consent of all owners of the real property within the Specific Plan and a list, by name and title, of all ownership interests in the real property;
  3. A letter of authorization for an agent, if applicable;
  4. A statement of intent of the Specific Plan. The statement of intent is a written statement that outlines the need or desire for a Specific Plan;
  5. A site and area analysis report that shall include the following elements:
    - a. Surface hydrology and water resources;
    - b. Topography and slope analysis;
    - c. Summary of General Plan requirements;
    - d. Environmental overview and assessment, including soils and geology, type of vegetation, etc.;
    - e. Existing structures, roads, and other development;
    - f. Existing infrastructure and public services;
    - g. Existing zoning/land use information;
    - h. Traffic analysis;
    - i. Cultural resource investigation;
    - j. Synthesis and summary of analysis; and
    - k. An analysis of the current context of the area in which the Specific Plan will be applied, including the identification of existing land uses, environmental conditions, public facilities/infrastructure and planning area issues;
  6. Concept or Illustrative Plan. The concept or illustrative plan, a graphic illustration of potential land uses with descriptive text, shall be presented to the Director upon completion of the preliminary site and area analysis report. The Director will make a preliminary determination as to conformance with the General Plan, will determine whether a General Plan amendment is required, and will identify planning issues to be addressed in the submittal of the final Specific Plan. If it is determined that a plan amendment(s) is required, an application for General Plan amendment shall be filed concurrently with the Specific Plan submittal;
  7. Specific Plan Proposal. After preliminary approval of the concept plan, a complete Specific Plan proposal shall be submitted which includes, but may not be limited to, the following:

- a. Map Elements.
  - (1) The distribution, location and extent of all land uses with proposed densities and building heights;
  - (2) Existing and planned land uses within three hundred (300) feet of the Specific Plan boundary;
  - (3) Open space, recreational facilities, parks and trails;
  - (4) Public, educational, health care, and religious facilities;
  - (5) Drainage strategy;
  - (6) Name and location of existing or proposed arterial and collector streets located within the area to be regulated by the Specific Plan or needed for servicing that area; and
  - (7) Location and extent of existing or proposed provisions for sewage disposal, effluent use, storm water drainage, solid waste disposal and public utilities.
  
- b. Text. The text of the Specific Plan shall describe the following:
  - (1) A statement of the long term direction of the Specific Plan identifying development opportunities, and formulating objectives, policies and implementation measures;
  - (2) A statement(s) indicating how existing and approved elements of the General Plan will be supported by the proposed Specific Plan;
  - (3) The compatibility of the Specific Plan with adjoining land uses;
  - (4) Recommendations and programs for systematic implementation of the Specific Plan and, if applicable, recommendations regarding annexation agreements and required ordinance or policy changes;
  - (5) Specific development standards for the map elements as described in the site and area analysis;
  - (6) Drainage strategy;
  - (7) Configuration and criteria for the phasing and maintenance of arterial and collector streets proposed for the Specific Plan area or needed for servicing the project;
  - (8) Configuration and criteria for the phasing and maintenance of sewage disposal, effluent use, storm water drainage, solid waste disposal and public utilities;
  - (9) Criteria for the conservation, development, or utilization of natural resources, including surface water, soils, vegetation and wildlife;
  - (10) General landscape program;
  - (11) For single-phase plans, a draft schedule for the preservation of site features established by the plan and the construction, dedication and provision of public services;
  - (12) For multi-phased plans, a draft schedule for the preservation of site features established by the plan, the development of the various planning areas of the Specific Plan, and the construction dedication and provision of public services;
  - (13) Provisions to update the Specific Plan every five (5) years to reflect changing market conditions, governmental regulations, and physical conditions; and
  - (14) Demonstration of conformance with the General Plan, or, if required by the Director, a General Plan amendment application.

- c. A nonrefundable fee in accordance with Appendix 2, Planning Fee Schedule, provided in City Code Title 10, Zoning Code.
  - d. Incomplete submittals will not be reviewed.
- E. Review and Recommendation by the Director. Upon completion of the Specific Plan, the Director shall review the plan and submit it to the Planning Commission. No Specific Plan may be adopted or amended unless the proposed plan or amendment is in substantial conformance with the General Plan.
- F. Citizen Review. All applications for Specific Plans shall be subject to a citizen review process that provides effective, early and continuous public participation in accordance with the provisions set forth in Section 11-10.10.020(D)(3), Neighborhood Meeting. The Director may establish additional procedures for the citizen review process.
- ~~G. Planning Commission and Council Consideration. A Specific Plan will follow the procedures applicable to major amendments to the General Plan.~~

G. PUBLIC HEARING REQUIREMENTS FOR SPECIFIC PLANS. ADOPTION OF A SPECIFIC PLAN AND PROPOSED AMENDMENTS TO A SPECIFIC PLAN SHALL REQUIRE AT LEAST TWO (2) PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING COMMISSION. THE HEARINGS SHALL BE HELD IN TWO (2) SEPARATE LOCATIONS IN THE CITY. NOTICE OF THE TIME AND PLACE OF EACH PUBLIC HEARING SHALL BE MADE BY PUBLICATION OF A NOTICE AT LEAST ONCE IN A NEWSPAPER OF GENERAL CIRCULATION PUBLISHED OR CIRCULATED IN THE CITY AT LEAST FIFTEEN (15) DAYS BUT NOT MORE THAN THIRTY (30) DAYS BEFORE THE PUBLIC HEARING.

H. SUPPLEMENTAL NOTICE REQUIREMENTS FOR SPECIFIC PLANS. ADOPTION OF A SPECIFIC PLAN AND PROPOSED AMENDMENTS TO A SPECIFIC PLAN SHALL BE NOTICED AS SET FORTH IN SECTION 11-10.20.020(B)(3).

I. APPROVAL BY COUNCIL. ADOPTION OF A SPECIFIC PLAN AND PROPOSED AMENDMENTS TO A SPECIFIC PLAN SHALL BE APPROVED BY AFFIRMATIVE VOTE OF AT LEAST FIVE (5) MEMBERS OF THE COUNCIL.

## SECTION 2. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

## SECTION 3. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

## SECTION 4. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 5. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 3rd day of November, 2020.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY