

Joint City Council and Planning & Zoning Commission Training

June 30, 2025





Duties of the Planning Commission

- Holding public hearings and meetings
- Reviewing and making recommendations on the General Plan and Specific Plans
- Reviewing and recommending zoning code regulations
- Recommending the reclassification of a property's zoning
- Reviewing Subdivision maps
- Acting on Conditional Use Permits and other types of planning applications



Open Meeting Law Reminders

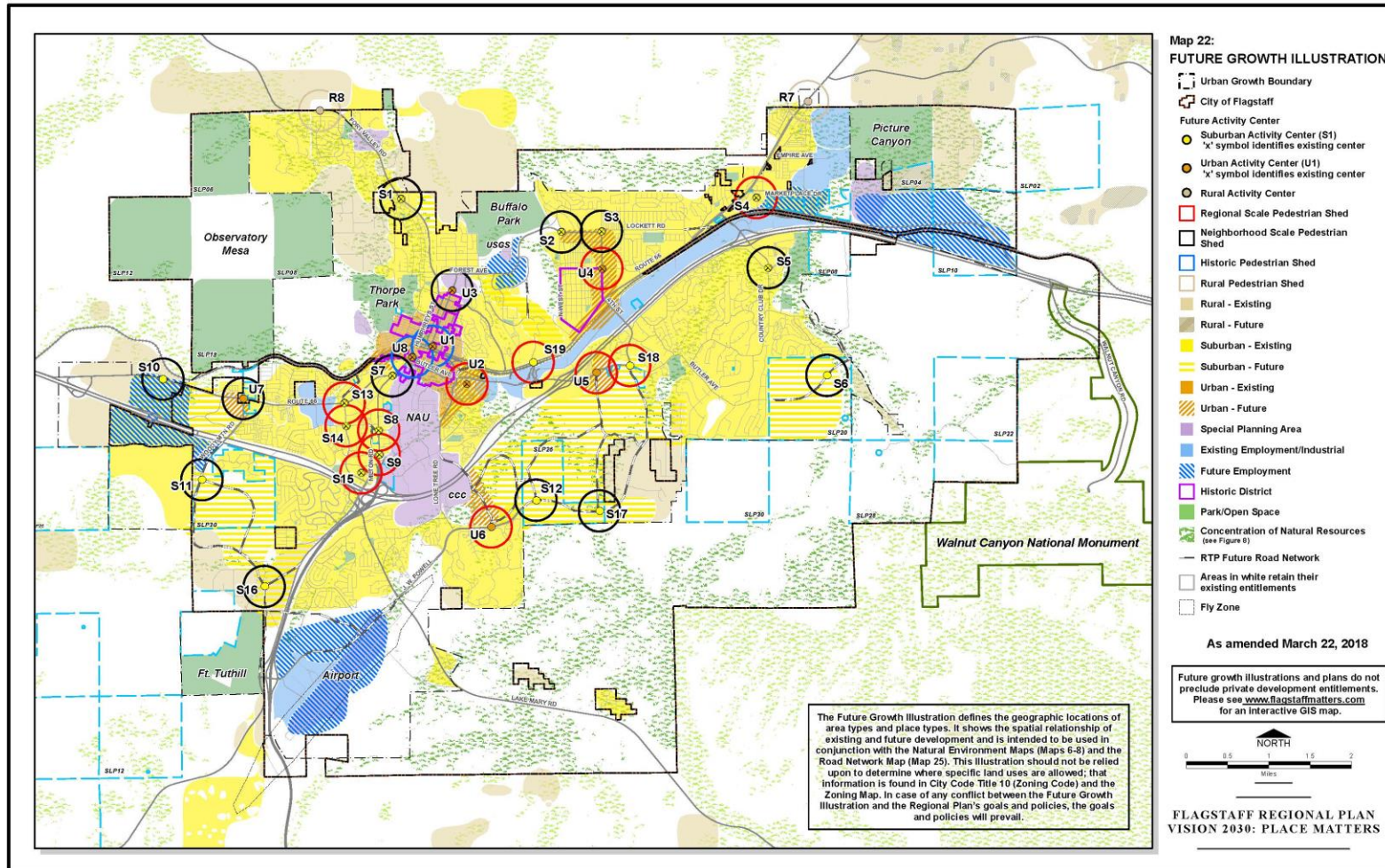
- Legal action must take place in a public meeting
- The proposing and discussing of action must take place in a public meeting
- Only agenda items may be discussed
 - Meetings must comply with notice, agenda, and minute requirements
- **PENALTIES**
 - If found guilty of an Open Meeting Law violation, a court may:
 - Levy a fine up to \$500 against the commissioner for each violation
 - The commissioner **personally** must pay the fine
 - The commissioner is subject to removal from office



Relationship to Staff

- Staff works for Commission but is not hired by Commission
- Commission liaison works for the Planning Director
- Commission may seek information from the Planners, ask for recommendations or actions, and rely on the planner's expert knowledge
- It is not within the Commission's authority to direct a planner to prepare a new General Plan or Zoning Code

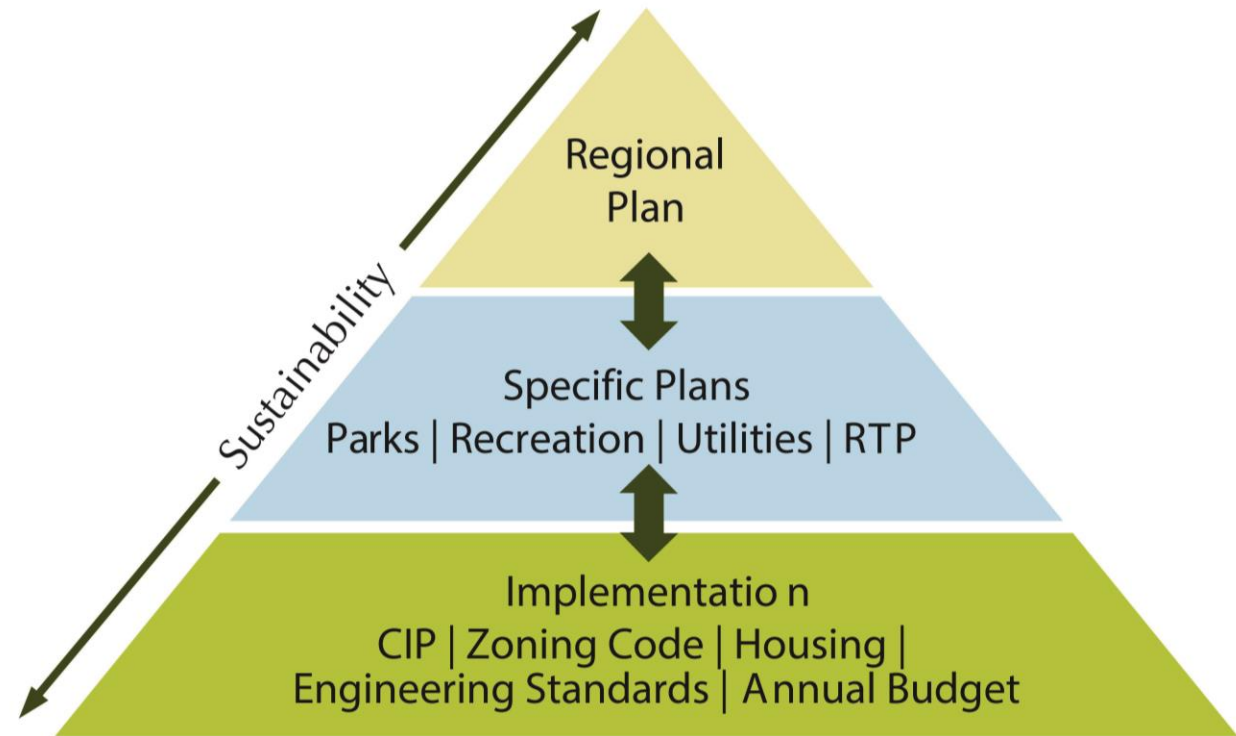
What is a General Plan?



What is a Specific Plan?

- Greater level of detail
- Systematic implementation of the General Plan

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- Two yellow arrows originate from a single point above the questions and point downwards towards the two bullet points.
- Topical or Area Specific?
 - City plan or Private land?





Zoning Code

- Zoning is the classification of land according to use or form.
- Uses/Forms may be permitted outright, permitted with conditions, permitted as an accessory use, or prohibited.
- Consists of two parts: the map and the text.
- ARS 9-462.01 provides for the adoption and administration of zoning in Arizona



Subdivision Ordinance

- Subdivisions do not address land uses.
- The Ordinance establishes standards for the subdividing of land.
- The purpose of a subdivision plat is to ensure that lots are created in accordance with community standards and that they are properly surveyed and recorded.



Ethical Principles in Planning



- The planning process must continuously pursue and faithfully serve the public interest.
- Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained.



Public Interest

- Remember who the client is.
- Who benefits from the decision?
- Includes the interests of all members of the community not just the interests of selected members.
- The public at large should benefit not just certain individuals or groups
- Decisions made in the public interest should consider the future as well as current generations.



Ex Parte Contact

- Latin for “from or on one side only” and relates to Commissioners being influenced outside the public forum.
- Contacts which occur away from the hearing are known as ex parte and can include telephone calls, informal meetings, lunches, or even a casual encounter on a street corner.
- Common for Commissioners because of their visibility in community.





How to deal with Ex Parte Contact

- If someone contacts you to discuss an issue involving a specific case, tell the person to put the information on the record or contact staff.
- Refrain from discussing your position on the case.
- If you receive written information on a case it should be submitted to staff for inclusion in the Commission's packet.
- If you make a site visit, with or without the applicant, disclose that fact on the record.
- If you do have ex parte contact with a member of the public, applicant, or interested party, disclose that fact on the record.





Due Process

- Adequate, advance notice of meetings;
- Availability of staff reports and other information needed by the public to more fully understand issues;
- The opportunity to be heard at public hearings;
- Full disclosure or the chance to hear, see, or review all the information available to the Planning Commission in its deliberations;
- Findings of fact backed up by evidence on the record to support the Planning Commission's decisions.





Staff Recommendations

- Recommendations are included in the administrative report prepared by staff
- Majority of instances, staff is recommending approval
- Denial is sometimes, although very infrequently, recommended

Conditions of Approval

- Conditions included in administrative staff report
- The timing of conditions can vary
- Staff is responsible for implementing the conditions



Making a Decision/Findings

- What are Findings?
- Purpose of Findings
 - Provide a framework for making decisions
 - Facilitate orderly analysis from evidence to conclusion
 - Ensures that decision-making is careful, reasoned, and equitable
 - Enables parties to determine basis for an appeal
 - Gives appeal body the basis of the Commissions decision



Relationship to Mayor & City Council

- For the most part, the Commission is in an advisory role to the City Council
- Commission makes recommendations to the City Council and the City Council has the final say
- Meeting etiquette
- No Council liaison



Commission Recommendations

- The Commission's recommendation may influence the Developer to modify their application prior to Council hearing
- Recent Examples of recommendations for denial, but revised and approved by Council
- If proposal has changed, Council may remand the case back to the Commission



Individual vs. Commission

- Commissioners may still speak to Council as an individual, but need to state this clearly
- If the Commission feels the need to speak to Council, they may vote for a representative to speak

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