

AGENDA ITEM #: _____

DATE: October 28, 2019

CAR #: 2019-6779



CITY COUNCIL ACTION REPORT

SUBJECT: Minor General Plan Amendment – Growth Policy

CASE NUMBER: 19-700-00003

STAFF PRESENTER(S): Joe Schmitz, Long Range Planner

APPLICANT: City of Goodyear

Summary: Request for a Minor Amendment to the Goodyear 2025 General Plan to amend the text in Policy d., to Objective GD-2-2 of Chapter 5, Physical Growth and Development, to allow the rezoning land to higher intensities outside of designated growth areas provided a plan for developing infrastructure needed to serve the development is in place at the time of rezoning and its implementation guaranteed.

Recommendation:

ADOPT RESOLUTION NO. 2019-2001 APPROVING A MINOR AMENDMENT TO THE GOODYEAR 2025 GENERAL PLAN TO AMEND THE TEXT IN POLICY D TO OBJECTIVE GD-2-2 OF CHAPTER 5, PHYSICAL GROWTH AND DEVELOPMENT, TO ALLOW REZONING OF LAND TO HIGHER INTENSITIES OUTSIDE OF DESIGNATED GROWTH AREAS PROVIDED A PLAN FOR DEVELOPING INFRASTRUCTURE NECESSARY TO SUPPORT THE DEVELOPMENT IS IN PLACE AT THE TIME OF REZONING AND ITS IMPLEMENTATION GUARANTEED; AND PROVIDING FOR AN EFFECTIVE DATE.

Fiscal Impact: Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the City. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the City through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development.

Background and Previous Actions

The Goodyear 2025 General Plan was approved by City Council on June 23, 2014 and ratified by voters on November 4, 2014.

At a City Council Work Session Meeting held on January 29, 2018 regarding growth in Goodyear, the Council gave staff direction to amend the Goodyear 2025 General Plan to allow more flexibility and creative solutions.

Staff Analysis

Current Policy:

Chapter 9 of the General Plan defines what type of text change is considered a Major Amendment, Minor Amendment, or No Amendment. A text amendment that changes an action item or policy within the General Plan is considered a Minor Amendment and is processed in a manner similar to a rezoning request. A Minor General Plan Amendment requires one public hearing before the Planning and Zoning Commission and one public hearing before the City Council.

Details of the Request:

The Arizona Revised Statutes require that a general plan include a growth area element (ARS 9-461.05.D.2.). The statutes state that the growth area element shall specifically identify "...those areas, if any, that are particularly suitable for planned multimodal transportation and infrastructure expansion and improvements designed to support a planned concentration of a variety of uses, such as residential, office, commercial, tourism and industrial use." It further states that "this element shall include policies and implementation strategies that are designed to:

- (a) Make automobile, transit and other multimodal circulation more efficient, make infrastructure expansion more economical and provide for a rational pattern of land development."
- (b) Conserve significant natural resources and open space areas in the growth area and coordinate their location to similar areas outside the growth area's boundaries.
- (c) Promote the public and private construction of timely and financially sound infrastructure expansion through the use of infrastructure funding and financing planning that is coordinated with development activity.

During the collaboration in creating the General Plan, cost of development, smart growth policies, and water resources were important topics of discussion for the General Plan Committee. In an effort to reduce costs of development, including maintenance and operation costs for the city, the General Plan Committee recommended the following policy:

Objective GD-2-2, Policy d. (page 52)

- d. Discourage rezoning land to higher intensities outside of the growth areas until infrastructure planning is in place and necessary resources are available.

This policy was included in the Goodyear 2025 General Plan approved by the City Council in June 2014 and subsequently ratified by a vote of the citizens of Goodyear in November 2014.

At a work session on January 29, 2018, City Council discussed how Policy d. would be applied to proposed development in the area Goodyear south of Pecos Road. It was determined that based on this policy, staff would not recommend approval of rezoning in areas that don't have infrastructure planning in place nor resources available identified in the Integrated Water Master Plan and the Infrastructure Improvement Plan. Council provided clear direction that through development agreements and developer funded amendments to infrastructure plans, the infrastructure planning could be established concurrently with rezoning actions and that resources could be identified before platting or site planning processes.

City Council provided policy direction to staff that the city encourages development in order to attract services and amenities that are desired by residents. In order to implement the City Council's direction, it is recommended that Objective GD-2-2, Policy d. be revised as follows:

Objective GD-2-2, Policy d. (page 52)

- d. Discourage rezoning land to higher intensities ~~outside of the growth areas~~ until infrastructure planning is in place and necessary resources are available, unless a plan to develop the infrastructure necessary to adequately serve the area is identified during the rezoning process and its implementation in a timely manner is guaranteed by appropriate stipulations and development agreements.

It is important to note that General Plan Objective GD-2-1 requires that new development pay its fair share toward the cost of additional public service needs generated by the developments, promoting the concept that "growth pays for growth." The Council indicated that it is still supportive of this policy. The revision to Policy d. of Objective GD-2-2 simply allows rezonings to move forward ahead of development of infrastructure and necessary resources, so long as adequate infrastructure planning is done during the rezoning process and implementation of the plan is guaranteed by appropriate stipulations and development agreements. The proposed change makes it clear that development outside of the designated growth areas is not prohibited, but is likely to require additional planning effort and appropriate guarantees by the owner of land proposed for development.

Evaluation Criteria:

Chapter 9 of the Goodyear 2025 General Plan states that Minor Amendments to the General Plan should address the following criteria for approval:

1. The amendment must forward the vision for Goodyear as described in Chapter 3 of the General Plan.

The vision statement is, "create a highly desirable and sustainable place for all to live, work, visit, and play." The proposed amendment forwards the vision of the General Plan by allowing consideration of rezonings on land outside of designated growth areas, provided adequate infrastructure planning is done in support of new development. At the same time this policy, as well as others in the General Plan still promote compact development which helps make Goodyear more sustainable.

2. The amendment must be consistent with the goals, objectives, and policies contained within the General Plan.

The proposed amendment is consistent with the goals, objectives and policies contained in the General Plan because Policy d. under Objective GD-2-2 is not being eliminated, but merely modified to allow consideration of rezonings in areas located outside of designated growth area while maintaining the preference for more compact development that is already served or close to existing infrastructure. The revision makes it clear that consideration of rezonings ahead of the construction of infrastructure is not prohibited, but will require additional planning effort than development that is closer to existing infrastructure.

3. The amendment must align with at least one of the fundamental strategies identified in Chapter 3 and shall not conflict with any of the fundamental strategies.

This minor general plan amendment aligns with “Strategy 1: Create Attractive Places and Diverse Destinations” and “Strategy 5: Advance Economic Opportunity.” By allowing consideration of rezonings of lands located outside of the designated growth areas, new opportunities for development are created.

4. The amendment must not negatively impact the implementation of any City-approved master Plan or shall provide mitigation measures to alleviate the potential impact.

The proposed revision to the growth policy requires that infrastructure planning take place, and only changes the timing of that planning. Development in areas not presently served will need to engage in additional planning efforts to identify the infrastructure needed to serve the proposed development and demonstrate how that infrastructure will be paid for and maintained.

5. The amendment must constitute an overall improvement to the General Plan.

The proposed revision to the growth policy constitutes an overall improvement to the General Plan in that it clarifies that development on land located outside of the designated growth areas is not prohibited, but does require additional infrastructure planning and coordination with existing services. The policy still promotes development of land within designated growth areas where it is closer to, and makes more efficient use of, existing infrastructure. The proposed change to this policy also provides an improvement to the General Plan in that it will align the General Plan with Council policy. The change will still allow for the orderly growth and development of Goodyear.

6. The amendment will not adversely impact a portion of, or the entire community, by:

a. Significantly reducing the balance of residents and jobs.

The proposed text amendment should not have any direct effect on the balance of residents and jobs.

b. Increasing traffic without mitigation.

Development of outlying areas may increase traffic on roads that have fairly low traffic volumes currently, but mitigation of an adverse impacts of an increase in traffic will be addressed during the rezoning process.

c. Requiring additional and more expensive improvements to infrastructure without mitigation.

When a rezoning is proposed on lands located outside of designated growth areas, in addition to the infrastructure needed to serve the proposed development, the impact of the new development on existing infrastructure will need to be analyzed during the rezoning process and appropriate mitigation measures required, if needed.

d. Significantly altering the existing character of an area in a negative and unplanned way.

Allowing development on land located outside of designated growth areas can have the potential of impacting the character of an area in a negative and unplanned way. The potential impact of new development on the character of an existing area also will need to be analyzed during the rezoning process and appropriate mitigation measures required, if needed.

e. Diminishing the environmental quality of the air, water, land, or cultural resources.

The proposed text amendment should not have any direct effect on the environmental quality of the air, water, land or cultural resources of the community. The additional development that may occur because of this change in policy will still need to comply with all codes, ordinances and regulations that govern development in the city and promote minimizing the impact of new development.

PUBLIC PARTICIPATION:

Only one public hearing before the Planning and Zoning Commission is required for a minor amendment to the general plan. Notice of this public hearing was published in the Southwest Edition of the Arizona Republic on September 27, 2019. Since the amendment affects the entire city, it was not practical to send notices to every resident and property owner in the city. A notice of public hearing was published once in the newspaper as required by state law. However, a copy of the proposed amendment was sent to those persons and entities involved in real estate development on October 8 using a list maintained by the Development Services Department for such purposes.

At the regular Planning and Zoning Commission meeting on October 16, 2019, staff made a presentation to the Commission regarding the amendment request. Based upon the staff findings presented in the Commission staff report, and repeated in this Council Action Report, the

Commission recommended approval of the amendment by a vote of 5 to 0, subject to the stipulations in the staff report.

RECOMMENDATION:

For the reasons cited in this staff report, City staff recommends that the Mayor and City Council adopt Resolution No. 2019-2001 attached hereto approving a Minor General Plan Amendment to the Goodyear 2025 General Plan to amend the text of Chapter 5, Objective GD-2-2, Policy d. to allow rezoning of land to higher intensities outside of designated growth areas provided a plan to develop the infrastructure necessary to adequately serve the area is identified during the rezoning process and its implementation in a timely manner is guaranteed by appropriate stipulations and development agreements, as set forth in the Resolution No. 2019-2001 attached hereto.

ATTACHMENTS:

1. Resolution No. 2019-2001
2. Copy of General Plan Chapter 5 – Physical Growth and Development
3. Copy of Minutes from January 29, 2018 City Council Work Session