

**A.R.S Section 9-461.07
Administration of the
General Plan**

A. After the municipal legislative body has adopted a general plan, or amendment thereto, the planning agency shall undertake the following actions to encourage effectuation of the plan:

- 1. Investigate and make recommendations to the legislative body upon reasonable and practical means for putting into effect the general plan or part thereof in order that it will serve as a pattern and guide for the orderly growth and development of the municipality and as a basis for the efficient expenditure of its funds relating to the subjects of the general plan. The measures recommended may include plans, regulations, financial reports and capital budgets.*
- 2. Render an annual report to the legislative body on the status of the plan and progress in its application.*
- 3. Endeavor to promote public interest in and understanding of the general plan and regulations relating to it.*
- 4. Consult and advise with public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens generally with relation to carrying out the general plan.*

13 – IMPLEMENTATION & ADMINISTRATION

The General Plan provides comprehensive direction for the growth and development of the City of Yuma. The plan is intended to be both long range and visionary and to provide guidance for actions to be taken in the next ten years. Essentially, the General Plan provides policy for more detailed decisions.

Implementation and administration of the General Plan is authorized within state statutes. The roles and responsibilities of the Planning Agency and the Planning Commission are noted in those statutes and within the City of Yuma Zoning Code. Administration of the Plan is focused on the nuts and bolts of update and maintenance - when and how to make revisions, the level of public participation and the timing of the updates. Implementation of the plan is focused on how to meet the Goals and accomplish the Objectives identified within each element. Implementation is only possible if there are available resources. These include funding, staff and public as well as municipal support.

This final chapter of the General Plan will review the authorized implementation and administration methods found in the state statutes as well as methods adopted by the City of Yuma.

IMPLEMENTATION

Planning Agency – State Law authorizes the Planning Agency with the administration of the General Plan. The City Council designated the Department of Community Development as the Planning Agency for the City of Yuma (O2001-57, July 3, 2001). As such, the Department of Community Development is responsible for developing and maintaining the general plan, promoting public interest and understanding of the plan, developing specific plans, reviewing the capital improvement program for conformance with the general plan and other planning functions. Additionally, the Planning Agency is responsible for reviewing and determining conformance for municipal property acquisition and disposition and producing an annual report on the status of the plan and progress in its application. The annual report will identify the implementation status of the plan.

General Plan Conformance – State Law requires that all zoning and rezoning actions shall be consistent with and conform to the adopted general plan. Further clarification is provided in that 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. As a result of this requirement, the City of Yuma has developed a Zoning Conformity

Matrix. The matrix identifies which zoning districts are allowed and in conformance with the land use designations of the General Plan. This matrix can be found on page 13-7.

Implementation of each zoning district should allow densities no greater than or less than those identified in the General Plan Land Use Category. General Plan Land Use densities should be applied as a gross acreage to each specific development. The matrix is a tool for the application of appropriate zoning in each General Plan Land Use designation. The Matrix does not take precedence over the listing of allowed and permitted uses identified in the Zoning Districts and Overlay Zones of the Zoning Code.

Planning Commission - The Planning and Zoning Commission plays a significant role in developing and maintaining the General Plan and through the review and recommendation of development actions as well as capital improvement programs, the Commission can directly influence conformance to the General Plan. Created by the City Council nearly 50 years ago, the duties of the Commission are identified in state law and occur in a number of ways:

- Through the development and amendment of the General Plan, the Planning Commission is acting in their role as appointed citizens to assure that the plan developed will provide for sustainable development and meets the long as well as short term needs of the community. The Commission is involved in workgroups focused on specific items of the plan and through the public hearing process develops a formal recommendation to the City Council on the General Plan.
- Prior to adoption by City Council, all rezoning and subdivision proposals, are referred to the Planning and Zoning Commission for public hearings and formal recommendations to the City Council. At this point in time the commission has the opportunity to review these actions in light of meeting the goals, objectives and policies of the General Plan. For example, will the subdivision retention basin meet the size and facility need for a neighborhood park?
- The Commission makes recommendations to changes in land use regulations. The Commission forms study groups and holds public hearings about changes to the subdivision regulations, zoning code, sign code and other similar local laws governing the development of land in Yuma. The Commission makes recommendations to the City Council about all such changes.
- And lastly, through the annual review and recommendation to Council on the Capital Improvement Program, the Commission reviews the project lists to determine if they are in conformance with the General Plan. For example, are water lines being extended to areas that are intended for urban development?

City Council – The City Council is the primary authority for implementation of the General Plan. Through annual budget adoption, adoption of policy, approval of land use actions and the review and adoption of the Capital Improvement Program, the City Council sets the course for and is directly involved in the development of the City. Found within the annual budget and the Capital Improvement Program are specific projects that implement the Action Plans of the General Plan. Examples include: the construction of roadways and bike paths, the development of parks and the budgeting of staff and the allocation of funds for the development of needed plans and programs.

Citizens – The citizens of Yuma participate in the implementation of the General Plan in a number of ways: workgroup participation, as commission and board members, commerce, industry and construction of the built environment and finally through Voter Ratification. The City of Yuma regularly involves citizen workgroups, made up of individuals with an interest in the particular proposal, to review, modify and bring forward development requirements or opportunities for Council consideration.

The City will continue this successful strategy with general plan action items that would modify any code or development requirements. All changes to codes and development requirements will require action of the City Council by ordinance.

ADMINISTRATION

Although extensive efforts and time are put into developing a General Plan, following adoption occasions will arise that will require an amendment to the plan. These primarily take three forms: as needed updates to elements of the General Plan, the decennial comprehensive update of the Plan and amendments to the land use map of the Land Use Element.

Element Update - Any number of factors could prompt the update to an element of the General Plan. New population numbers from the decennial or mid-decade Census could have a significant effect on transportation and utility planning. New regulations, such as the addition of new elements, could also prompt an update of the Plan. These types of amendments follow the standard process for legislative update and may include the involvement of workgroups and multiple public hearings prior to adoption. The scope of citizen participation will be dependent on the scope of the element. For example, an update of the Parks, Recreation and Open Space Element is likely to appeal to a broad range of citizens versus an update to the Public Services Element, which may interest only the development community.

Decennial Update – The second method through which the General Plan is amended is at the time of the comprehensive decennial update. State Law has mandated that cities, counties and towns update their General Plan every ten years. Following this update, the plan must be ratified by the voters at a general election.

Land Use Map Amendments - The third type of update involves an amendment to the land use map of the Land Use Element. The land use map is a section of the General Plan that is the most sensitive to changing economic conditions and expectations. At the time of adoption, the Land Use Element provided a vision of development into the future based on the development in place, the needs of the community and the desires of property owners. It has been found that over time, visions change and new opportunities arise. Amendments have and will need to occur. Amendments to the Land Use Element are required in any situation where a proposed rezoning is not in conformance to the adopted general plan land use map.

Due to additional state mandated requirements for public review by type of amendment, it is necessary to determine the level of impact, major versus minor, the amendment will cause. The Arizona Revised Statutes define Major Amendments as (Section 9-461.06 Sub Section H):

A substantial alteration of the municipality's land use mixture or balance as established in the agency's general plan land use element. The agency's general plan shall define the criteria to determine if a proposed amendment to the plan effects a substantial alteration.

Amendments to the Land Use Element will be reviewed in light of the effect on the City's ability to provide a balance of land uses to meet the needs of the community and the effect on the mix of land uses in relation to each other and to their location within Yuma's geographic area. In situations where the public agency is faced with numerous minor amendments to adjacent geographic areas, staff will determine if a major amendment would be more appropriate.

An effect on the balance of land uses will be measured by the proposal's impact on each land use. This is measured by the loss or increase of acreage or developable dwelling units. The **Balance Matrix** table outlines a potential impact to each land use with a determination as to the type of amendment that may or may not be necessary. These matrices apply when the proposed use is not in conformance with the Land Use Element. For example, a proposed gas station, that would require General Commercial (B-2) zoning, in the Low Density Residential land use designation.

The effect on the mixture of land uses will be determined by reviewing whether the proposal would cause a change in land use designations that would create a significant development intensity difference between two or more neighboring land uses. An example of this would be a change from Low Density Residential to Industrial in proximity to Suburban Density Residential. An outline of compatible General Plan land uses can be found in the **Mixture Matrix**.

MAJOR AMENDMENT DEFINITION

The following definition for a Major Amendment to the Land Use Element applies to the City of Yuma:

A PROPOSAL THAT EFFECTS A SUBSTANTIAL ALTERATION OF THE CITY OF YUMA GENERAL PLAN AND MIXTURE AND/OR BALANCE OF LAND USES AS IDENTIFIED WITHIN THE BALANCE AND MIXTURE MATRICES.

EXAMPLE: a 10-acre project has requested a land use designation change from Low Density Residential to Commercial to support a new retail establishment. The anticipated loss of dwelling units (du) is estimated at 49 (maximum density allowable, 4.9 du an acre, multiplied by 10 acres). The surrounding designated land uses are Low Density Residential to the south and east, Mixed Use to the north and Public/Quasi-Public to the west.

Per the Balance Matrix, the projects would be determined a Minor Amendment because the loss of units is between 7 and 400 and the increase in Commercial acreage is between 2 and 40 acres. Per the Mixture Matrix, the proposal would be defined as a Major Amendment. This is due to the conflicting adjacent uses that would result - Commercial activities adjacent to Low Density Residential dwelling developments.

The more stringent determination would be applied. Therefore, this proposal would be defined as a Major Amendment to the Land Use Element of the City of Yuma General Plan.

Major amendments involve an expanded public review process. Local governmental agencies are limited by State law, to one time per calendar year to review major amendments to the Land Use Element. The deadline to submit Major Amendments is June 15th in order to meet the noticing requirements for each entity.

Minor amendments will involve a standard 5-month public review period with adoption by the City of Yuma City Council. This process involves two public hearings by the City of Yuma Planning and Zoning Commission and one public hearing by the City Council. Minor amendments can be requested at any time in the calendar year.

BALANCE MATRIX

Where a proposed use/zoning is non-conforming with the General Plan

Current GP Land Use Designation	Result of Proposed Amendment	Amendment not Required	Minor Amendment	Major Amendment
Agriculture	Loss of less than 1 acre and proposal adjacent to allowable land use	X		
	Loss of less than 20 acres of farm land		X	
	Loss of 20 acres or more of farm land			X
Residential - Rural, Estate, Suburban, Low, Medium, High and Mixed Use	Loss or increase of less than 7 units and proposal adjacent to allowable land use	X		
	Loss or increase of less than 400 dwelling units		X	
	Loss or increase of 400 or more dwelling units			X
Commercial Mixed Use, Commercial and Business Park	Loss of less than 2 acres and proposal adjacent to allowable land use	X		
	Loss of less than 40 acres of commercial space		X	
	Loss of 40 acres or more of commercial space			X
Industrial - Industrial and Ag./Industrial	Loss of less than 5 acres and proposal adjacent to allowable land use	X		
	Loss of less than 80 acres of industrial space/Loss of less than 40 acres of Ag/industrial land		X	
	Loss of 80 acres or more of industrial space/Loss of 40 acres or more of Ag/industrial land			X
Public/Quasi-Public	Loss of less than 1 acre and proposal adjacent to allowable land use	X		
	Loss of less than 20 acres of public space		X	
	Loss of 20 acres or more of public space			X
Resort, Recreation & Open Space	Loss of less than 1 acre and proposal adjacent to allowable land use	X		
	Loss of less than 10 acres of recreation/open space		X	
	Loss of 10 acres or more of recreation/open space			X

MIXTURE MATRIX

Incompatible adjacent General Plan designated land uses
(M = Major Amendment will be necessary)

<i>Adjacent Land Use</i> →	AG	RDR	SDR	LDR	MDR	HDR	MU	COM	BP	IND	AG/IND	P/Q-P	OS
↓ <i>Proposed Land Use</i>													
Agriculture (AG)					M	M	M	M					
Rural Density Residential (RDR)– Maximum density: 1 dwelling unit (du) per 2 acres					M	M	M	M	M	M			
Estate Residential (EDR) – 1 du per 5 acres to 2du per 1 acre					M	M	M	M	M	M			
Suburban Density Res. (SDR) – 1 du per 2 acres to 3 du per acre						M	M	M	M	M	M		
Low Density Residential (LDR) – 1 to 4.9 du per acre								M	M	M	M		
Medium Density Residential (MDR) – 5 to 12.9 du per acre		M							M	M	M		
High Density Residential (HDR) – 13 to 18 du per acre	M	M	M							M	M		
Mixed Use (MU) – 5 to 10 du per acre	M	M	M							M			
Commercial (COM)	M	M	M	M									
Business Park (BP)		M	M	M	M								
Industrial (IND)		M	M	M	M	M	M						M
Agriculture/Industrial (AG/IND)			M	M	M	M							M
Public/Quasi-Public (P/Q-P)													
Resort, Recreation & Open Space (OS) – 1 du per 5 acres										M	M		

ZONING CONFORMITY MATRIX

Residential Development	Zoning District																		
Land Use Designations	SR-1	SR-2	SR-3	SR-4	RE-12	RE-18	RE-35	R-1-5	R-1-6	R-1-8	R-1-12	R-1-20	R-1-40	R-2	R-3	RMH	RVS	MHS	MHP
Rural Density Residential		X	X	X												X _O			
Estate Residential	X	X	X	X			X					X	X			X _O			
Suburban Density Residential	X	X			X	X	X				X	X	X			X _P			
Low Density Residential	X				X	X	X	X	X	X	X	X	X			X			
Medium Density Residential														X			X _C	X	X _C
High Density Residential															X	X _D	X		X _E
Mixed Use								X	X					X _F		X _F		X _F	
Public/Quasi-Public	X _M	X _M	X _M	X _M	X _M	X _M	X	X	X	X	X _M	X _M	X _M	X _M	X _M		X _N	X _M	X _M

Mixed Development	Zoning District												
Land Use Designations	AG	TR	OT	PSC	B-1	B-2	BP	I-P	L-1	H-1	HP	CVSP	MR
Low Density Residential													X
Medium Density Residential													X
High Density Residential													X
Mixed Use		X	X _A	X _G	X	X _H		X					
Commercial													X
Public/Quasi-Public	X _L	X _L	X _L		X _L	X _L			X _L	X _L	X		X

Non-Residential Development	Zoning District												
Land Use Designations	AG	TR	OT	PSC	B-1	B-2	BP	I-P	L-1	H-1	HP	MR	RO
Agriculture	X										X	X	
Resort, Recreation & Open Space	X		X _A			X _B					X		X
Commercial		X	X _I	X _G	X	X	X						
Business Park						X _J	X	X _K					
Industrial								X	X	X			
Agriculture/Industrial	X							X	X	X			

Matrix Footnotes	
X _A - Old Town is consistent with Resort, Recreation & Open Space and Mixed Use in the areas bordered by 4th Ave, 1st St, Penitentiary Ave and the Colorado River.	X _I - The commercial category is only applicable along 4th Avenue, north of Giss Parkway.
X _B - In conjunction with a Planned Unit Development, or a Development plan that includes a balance of uses. Possibly demonstrated in a Floor Area Ratio (FAR).	X _J - Retail businesses (except in the 70 or higher Ldn noise zone), offices, light industrial uses and commercial outlets only.
X _C - Maximum 12 dwellings units an acre.	X _K - Minimum site size of 35,000 square feet is required.
X _D - High Density (maximum 18 du/ac) development with a CUP only.	X _L - Restricted to publicly owned and operated facilities or those devoted to public use by government, quasi-public, or non-profit entities.
X _E - RV Park and Co-op only.	X _M - Public Schools, parks, playgrounds, & recreational uses.
X _F - Maximum 10 dwelling units an acre.	X _N - Public Schools, parks, playgrounds, & recreational uses with a CUP only.
X _G - Minimum site size of 4 acres is required.	X _O - Maximum 2 dwelling units an acre. Conforming zoning district: RMH-20.
X _H - Permitted only in Mixed Use designation north of 12th Street and east of 4th Avenue	X _P - Maximum 3 dwelling units an acre. Conforming zoning districts: RMH-10, RMH-12 or RMH-20.