



AGENDA  
ITEM  
DATE 11-16-09

## City Council Report

**Date:** November 16, 2009  
**To:** Mayor and Council  
**From:** John Wesley, Planning Director  
Christine Zielonka, Development and Sustainability Director  
**Subjects:** Consideration of amendments to Chapter 1 and repeal of Chapter 20 of Title 2 of the Mesa City Code to modify the duties of the Planning and Zoning Board and eliminate the Downtown Development Committee

Introduction of a concept for instituting a neighborhood planning committee process

### **Purpose and Recommendation**

At the October 8 City Council study session the Council gave staff direction to proceed with changes to the land development advisory boards. Included was direction to process an ordinance amendment that would eliminate the Downtown Development Committee (DDC) in Titles 2 and 11 of the City Code. The purpose of this report is to process the ordinance to Title 2 and to begin some discussion of how we might begin to utilize neighborhood area planning committees. Staff recommends approval of the attached code amendment. The required associated modification to Title 11 (the Zoning Ordinance) will be considered by the Planning and Zoning Board (P&Z Board) at their November meeting and then introduced to the City Council in December.

### **Discussion**

#### Ordinance Changes

Over the last five months staff has worked with the Council, the P&Z Board, and the DDC to explore options for streamlining and improving the development review process. In the last meeting with Council on October 8, 2009 the Council directed staff to move forward with the ordinance changes necessary to combine the functions of the DDC with those of the P&Z Board and eliminate the duplication of the DDC. The first step in that process is to shift some of the DDC duties to the P&Z Board and to repeal the establishment of the DDC from Title 2 of the City Code.

The attached ordinance makes three changes to Title 2. The first change is in Chapter 1, Sec. 2-1-5 B. Currently the DDC has the responsibility to review and make recommendations concerning joint public/private projects within designated redevelopment areas. The Council serves as the Redevelopment Board. In the past the Council has found it beneficial to have an advisory board to vet issues within the redevelopment area prior to their consideration. This change would move these advisory responsibilities to the P&Z Board.

The second change is in Chapter 1, Sec. 2-1-6. This section lists those boards that could provide a recommendation to the Council on changes to the zoning ordinance or map. This ordinance change removes the DDC as one of the Boards providing recommendations.

The third code change contained in this ordinance is the repeal of Chapter 20 of Title 2. This is the chapter that establishes the DDC.

The next step in this process will be the required changes to the Zoning Ordinance (Title 11). Those changes are being presented to the P&Z Board at their regular meeting on November 18. The plan is to introduce the P&Z Board recommended ordinance changes at the City Council meeting on December 7 for final action on December 14.

Neighborhood Planning Committees

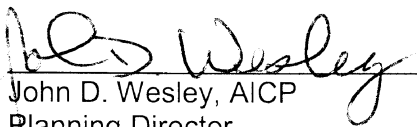
As we have discussed the pros and cons of elimination of the DDC, there has been recognition of the valuable role this board has played in focusing on the needs of this area of the community. This recognition has prompted some discussion of the Phoenix model where local committees evaluate development projects, and the possibilities of developing a similar system in Mesa.

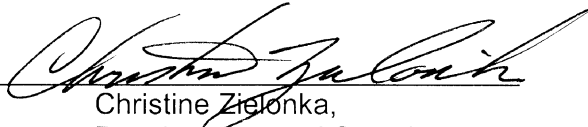
Based on these comments, staff is currently evaluating how Mesa could, over a period of time, institute a neighborhood-based citizen involvement process that will allow smaller geographic area of the community to participate in the local planning process. Examples of tasks that could be assigned to the more local citizen groups could be work on sub-area plans (similar to the Citrus Sub-Area Plan, Falcon Sub-Area Plan and the Desert Uplands Plan). These groups could also act as the focal point to facilitate the citizen participation process during review of specific development requests.

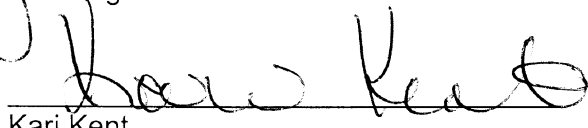
As we have prepared various sub-area and neighborhood plans over the last several years we have established working citizen committees – Plan Advisory Committees – to assist with that process. In each case these citizen groups have become advocates for the future of their area. In the Lehi and Citrus areas the local neighborhood groups have been able to provide ongoing input into the development activity in their area. In the more commercial and industrial areas (e.g. Falcon Field and West Main), there has been interest in providing this ongoing review and input, but it has been harder to maintain. The thought is that with Council support of establishing such ongoing neighborhood planning groups we could have local committees that assist with the planning and development process by:

- Helping early in the process by working with staff to develop neighborhood plans;
- Be advocates for plan implementation; and,
- Work with applicants during the citizen participation process to provide review and comment on development proposals and help ensure the vision established in the planning process is being met.

Again, staff is in the early stages of exploring the creation of such a system and this information is being provided at this time simply to let Council know the approach we are considering. Staff would anticipate a move to such a system would happen slowly over time as future sub-area and neighborhood-area plans are developed. Staff will return with further information at a future meeting.

  
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John D. Wesley, AICP  
Planning Director

  
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Christine Zielonka,  
Development and Sustainability Director

  
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Kari Kent,  
Deputy City Manager

Text written in **BOLD ALL CAPS** indicates new language. ~~Strikethrough~~ fonts indicate proposed language to be deleted.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, PERTAINING TO THE MESA CITY CODE; AMENDING SECTIONS 2-1-5 AND 2-1-6, AND REPEALING CHAPTER 20 OF TITLE 2 IN ITS ENTIRETY, REGARDING THE AUTHORITY AND DUTIES OF THE PLANNING AND ZONING BOARD, AND ELIMINATING THE DOWNTOWN DEVELOPMENT COMMITTEE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That Section 2-1-5, Duties, of Title 2, BOARDS AND COMMISSIONS, of the Mesa City Code is hereby amended as follows:

**2-1-5: DUTIES:**

- A. The duties of the Board, in addition to any other matters directed by the City Council, shall be to study the development of the City and from time to time, as may be necessary, place before the Council recommendations for the better development of the ~~area of said~~ City and contiguous areas surrounding ~~THE~~ said City with the intent that a complete and unified plan may be achieved.
- B. SUCH DUTIES MAY INCLUDE THE ABILITY TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING JOINT PUBLIC/PRIVATE PROJECTS IN DESIGNATED RE-DEVELOPMENT AREAS AND PROPOSE RE-DEVELOPMENT ACTIONS TO THE CITY COUNCIL WHICH ARE CONSISTENT WITH ADOPTED PLANS AND STATED RE-DEVELOPMENT GOALS AND THE OBJECTIVES FOR THE DOWNTOWN AREA. THE BOARD SHALL HOLD PUBLIC HEARINGS ON PROPOSED RE-DEVELOPMENT PLANS OR AMENDMENTS TO ADOPTED PLANS. SUCH RECOMMENDATIONS SHALL BE ADVISORY ONLY AND SHALL NOT BE BINDING UPON THE CITY COUNCIL.**
- C. The Board shall also prepare and present to the Council a Zoning Ordinance and map recommending the boundaries of the various districts and appropriate regulations to be enforced therein. The Board shall make a preliminary report on such proposed Ordinance and map and shall hold public hearings thereon before submitting its final report.

Section 2: That Section 2-1-6, Hearings; Final Action, of Title 2, BOARDS AND COMMISSIONS, of the Mesa City Code is hereby amended as follows:

**2-1-6: HEARINGS; FINAL ACTION:**

- A. THE COUNCIL SHALL TAKE ACTION ON THE RECOMMENDATION(S) OF THE PLANNING AND ZONING BOARD. THE RECOMMENDATION OF THE PLANNING AND ZONING BOARD OR THE PLANNING HEARING OFFICER SHALL BE FORWARDED TO CITY COUNCIL, AND SHALL BE ADVISORY ONLY AND SHALL NOT BE BINDING UPON THE COUNCIL.**
- B. THE COUNCIL MAY ALSO INITIATE ANY PROPOSED AMENDMENT, CHANGE, OR MODIFICATION TO SUCH ZONING ORDINANCE AND MAP. THE COUNCIL MAY NOT APPROVE THE AMENDMENT, CHANGE OR MODIFICATION UNTIL IT IS NOTICED AND HEARD BY THE PLANNING AND ZONING BOARD, OR PLANNING HEARING OFFICER. FOR PUBLIC HEARING AND RECOMMENDATION UNDER THE SAME PROCESS AS A ZONING CASE FILED BY A PROPERTY OWNER. THE RECOMMENDATION OF THE PLANNING AND ZONING BOARD OR THE PLANNING HEARING OFFICER SHALL BE FORWARDED TO CITY COUNCIL, AND SHALL BE ADVISORY ONLY AND SHALL NOT BE BINDING UPON THE COUNCIL.**

~~After adoption by the Council, any proposed amendment, change, or modification to such Zoning~~

~~Ordinance and map, shall be referred to the Planning and Zoning Board, Downtown Development Committee, or Planning Hearing Officer by the Council for recommendation, but said recommendations shall be advisory only and shall not be binding upon the final action of the Council.~~

Section 3: That Chapter 20, DOWNTOWN DEVELOPMENT COMMITTEE, of Title 2, BOARDS AND COMMISSIONS, of the Mesa City Code is repealed in its entirety.

Section 4: SEVERABILITY

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, this \_\_\_\_ day of \_\_\_\_\_, 2009.

APPROVED:

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Mayor

ATTEST:

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City Clerk

EFFECTIVE DATE: