



13. PUBLIC PARTICIPATION AND PLAN ADMINISTRATION

Arizona Revised Statutes requires that the City Council, “shall adopt effective, early and continuous public participation in the development and major amendment of general plans from all geographic, ethnic and economic areas of the municipality.” Statutes also require public demonstration of proposals and related information, discussions, written comments, public hearings and effective public notification which enables involvement by all affected groups and organizations.

A. PLAN DEVELOPMENT AND CITIZEN REVIEW

The City of Cottonwood recognizes the importance of public participation in the development and amendment of the City’s General Plan. The policy described by this section has been adopted by the City Council and is intended to guarantee adequate citizen involvement opportunities, public notification and the development of local input regarding issues. At a minimum, the following techniques of public involvement will be observed in association with General Plan development and any major amendment to the plan:

1. PUBLIC PARTICIPATION PLAN.

The citizen involvement process for the update of the general plan shall be implemented according to the *Cottonwood General Plan 2025, Public Participation Plan*, as adopted May 1, 2012, by Resolution Number 2640 of the City Council. Any future amendments to the plan shall include the public involvement procedures as required by statute and the adopted Public Participation Plan.

2. PUBLIC MEETINGS AND OPPORTUNITIES FOR COMMENT

- a. **Advance Informational Meetings:** The City shall conduct public information meetings regarding the intended review and or amendment to the General Plan, prior to the development of plan components or amendments or consideration by the Planning and Zoning Commission. Issues and public input received during this process will be considered in the development of plan revisions.
- b. **Neighborhood Meetings:** Site-specific amendments to the Land Use Map will require a neighborhood meeting a minimum of 30 days prior to hearing review by the Planning and Zoning Commission.
- c. **Regular Public Hearing Review and Updates:** Review of the General Plan and any amendment to the General Plan will be included as part of Planning and Zoning Commission agendas during the process of review and adoption.
- d. **Special Workshops:** Public work sessions can be held by the Planning & Zoning Commission or other such committee established to review the plan components in order to better enable public input and participation in the development of those components.



3. 60-DAY PUBLIC AND AGENCY REVIEW PROCESS

The State of Arizona under ARS §9-461.06.C requires a 60-day review period during which specific agencies, the public and anyone who requests information regarding the plan are invited to review the General Plan, an element or major amendment to the General Plan before adoption by City officials. The City of Cottonwood shall observe the following guidelines in this process:

- a. **Draft Plan:** In accordance with Statute, at least sixty days before the general plan or an element or major amendment of a general plan is advertised, the planning department shall transmit the proposal to the Planning and Zoning Commission and the City Council for review and further comment.
- b. **Agency Review:** In addition to the general public, affected public agencies, civic organizations and others identified in this policy will also receive the draft plan as part of the 60 day review process.
- c. **Open Houses:** The City will also conduct open houses during this period to provide further information to the public regarding the plan contents and as additional opportunities for public education and comment.
- d. **Website:** The draft plan and/or any major amendment will also be made available on the City's website as part of the 60-day review process.

4. INTER-AGENCY REVIEW AND COORDINATION

Draft copies of the plan and proposed amendments will typically be distributed to the various agencies by electronic means through e-mail. In addition, such information will also be made available to the public on the City website. Hardcopies will be available for review at City offices.

- a. Information regarding adoption or any major amendment of the Cottonwood General Plan will be sent to the following agencies/officials in accordance with ARS § 9-461.06 (B) (C) & (D):
 - 1) City of Cottonwood City Council
 - 2) City of Cottonwood Planning and Zoning Commission
 - 3) Yavapai County Development Services Department
 - 4) Northern Arizona Council of Governments
 - 5) Town of Clarkdale
 - 6) Town of Camp Verde
 - 7) The Department of Commerce or any other state agency that is subsequently designated as the General Planning agency for this state.
 - 8) Arizona Department of Water Resources for comment on the Water Resources Element.
 - 9) Any other individual or agency that requests to be notified of General Plan matters
- b. In addition to the above agencies, any major amendment or development of a new element to the Cottonwood General Plan can be sent electronically or by mail where appropriate to the following agencies/officials:
 - 10) City of Cottonwood Boards and Commissions.
 - 11) Town of Jerome
 - 12) City of Sedona
 - 13) Yavapai County Supervisors, Districts 2 & 3
 - 14) Arizona Public Service Company
 - 15) UNS Gas Company
 - 16) QWEST/Century Link Communications
 - 17) Cable One



Cottonwood General Plan 2025

- 18) Mingus Union High School District
- 19) Cottonwood-Oak Creek School District
- 20) Cottonwood Chamber of Commerce/ Cottonwood EDC
- 21) Cottonwood Ranch HOA
- 22) Verde Village Property Owners Association
- 23) Clemenceau Heritage Museum, Verde Historical Society
- 24) Old Town Association
- 25) Verde River Citizens Alliance
- 26) Verde Valley Land Preservation
- 27) Verde Valley Fire District
- 28) Verde Valley Transportation Planning Organization
- 29) Prescott National Forest, Forest Supervisor and Verde District Ranger
- 30) Coconino National Forest, Forest Supervisor and Red Rock District Ranger
- 31) National Park Service, Parks Superintendent for Verde Valley
- 32) US Fish and Wildlife Service
- 33) Arizona Game and Fish Department
- 34) Arizona Department of Transportation, District Office
- 35) Arizona State Land Department
- 36) Dead Horse Ranch State Park & Verde River Greenway Program
- 37) Yavapai - Apache Nation
- 38) Cottonwood City Manager
- 39) Cottonwood City Attorney
- 40) Cottonwood City Clerk
- 41) Cottonwood Development Services General Manager
- 42) Cottonwood General Services General Manager
- 43) Cottonwood Community Services General Manager
- 44) Cottonwood Fire Chief
- 45) Cottonwood Police Chief

5. REVIEW OF COMMENTS

All comments received regarding the development of the General Plan, or in response to any proposed amendment to the General Plan will be made available for public review and presented to the Planning and Zoning Commission and to the City Council for their consideration prior to approval.

6. PUBLIC HEARING REVIEW AND APPROVAL

- a. In accordance with A.R.S. §9-461.06.D, all requests for adoption or amendment of the General Plan shall be subject to a minimum of two (2) public hearings; one by the Planning and Zoning Commission and one by the City Council.
- b. Approval of a major amendment by the City Council shall be by a two-thirds vote (5/7). All major amendments to the general plan shall be presented at a hearing during the same calendar year the application is submitted. (A.R.S. §9-461.06.G.)

7. PUBLIC VOTE

Following Council approval, the General Plan update must be approved by a vote of Cottonwood citizens. As prescribed by Statute (A.R.S. §9-461.06.L), voter consideration of the plan shall occur as part of the City's next regularly scheduled election, or at a special election held a minimum of 120 days following Council approval.



8. TIMELINE FOR GENERAL PLAN REVIEW

As indicated by Statute (A.R.S. §9-461.06. J.) the general plan is valid for up to 10 years from the date of adoption. However, the plan may be subject to review before that time at the discretion of the City Council. A.R.S. §11-804. B. gives municipalities until July 1, 2015 to complete their general plan updates.

9. ANNUAL REPORT

An annual report shall be submitted to the City Council that provides an overview of the following:

- a. Render an annual report to the legislative body on the status of the plan and progress in its application. (A.R.S. §9-461.07. A. 2.)
- b. Upon adoption of a general plan or part thereof, each municipal officer, department, board or commission, and each governmental body, commission or board whose jurisdiction lies entirely or partially within the municipality, whose functions include recommending, preparing plans for or constructing major public works, shall submit to an agency, as designated by the respective municipal legislative body, a list of the proposed public works located entirely or partially within the municipality recommended for planning, initiation or construction during the ensuing fiscal year. The agency shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. Such coordinated program shall be submitted to the municipal planning agency for review and report to such agency as to conformity with the adopted general plan or part thereof. (A.R.S. §9-461.07. B.)



B. GENERAL PLAN AMENDMENTS

The General Plan is intended to provide a coherent approach to guide future growth in the city; however, from time to time it may be necessary to amend the General Plan, due to unforeseen changes related to technological advances, market conditions, and growth and development in general.

I. DETERMINING WHEN A PLAN AMENDMENT IS NECESSARY

The Cottonwood General Plan is intended to be responsive to community needs and situations and should be regarded as both flexible and "general" in both the "Land Use" map and in descriptions of its Land use classifications. The land use map indicates a long-range perspective for future growth and development patterns based on general categories of use and the density or intensity of such uses. The Zoning Ordinance takes precedence in describing property rights. However, as per State Statute, a change of zoning must be in conformance with the General Plan Land Use classification.

The descriptions of various residential land use categories provide for the usual variations in land uses inherent in normal neighborhood development patterns. Nonresidential land use descriptions also provide for a range of uses to meet the variety of needs typically found in Cottonwood. In cases where there are development proposals that are inconsistent with adopted General Plan designations because of their size, intensity or land use characteristics but which could be acceptable for a specific property, there are procedures to consider amendments to the Plan. The process of review, analysis and determination is intended to allow amendments where appropriate but also supports maintaining adopted positions and classifications where such is warranted.

- a. Proposed Amendments: The Community Development Director shall have the responsibility to determine if a specific development proposal is significant enough to require amendment of the General Plan. Factors to be reviewed on a case-by-case basis will include the following:
 - 1) Consistency of the land use proposal with the General Plan land use map, and with narrative goals and objectives.
 - 2) The actual proposed change in land use, including area, density and intensity.
 - 3) Size and general impact of the land use proposal in relation to existing and anticipated area development patterns.
- b. Amendment Review: Major and minor amendments to the General Plan shall be subject to review based on the following considerations:
 - 1) The amendment constitutes an overall improvement to the General Plan.
 - 2) The amendment will not adversely impact the community as a whole or any portion of the community by significantly altering existing land use or circulation patterns so as to adversely affect the livability of the area or the health, safety and welfare of the residents.
 - 3) The amendment is consistent with intent of the Community Vision, as expressed in the General Plan, as well as other adopted plans, codes, and ordinances of the City of Cottonwood.
 - 4) Division of property into smaller parts so that multiple requests can be made to avoid the General Plan Amendment Criteria shall be prohibited.



- c. Exceptions: The Community Development Director shall have the responsibility to determine if a specific development proposal shall be considered exempt from the plan amendment process, including for the following conditions:
 - 1) Development or redevelopment proposals for areas designated as Planned Development (PLD) in the Land Use Element shall not be considered a plan amendment if the proposal, in total, incorporates the principles set out in the text and map for the respective designation.
 - 2) Minor shifting in the alignment of collector or arterial streets due to site conditions.
 - 3) Adjustments for minor overlap of land use classifications as shown on the land use map in relation to existing conditions shall not require a plan amendment where the intent of the plan is maintained as described in the related narrative text, goals and objectives.
 - 4) Where a single proposed development includes several land use classifications, the intent of the predominant designations shall guide the decision.
 - 5) Annexation and the initial comparable zoning, as required by A.R.S. Section § 9-471(L), shall not require a plan amendment.

LAND USE CLASSIFICATION SUMMARY

The Land Use Element (Chapter 3) describes 11 Land Use Classifications for the City of Cottonwood. The applicable section of the State Statutes asks for a statement of the standards of population density and building intensity recommended for the various Land Use categories covered by the Plan. Residential categories are defined by density ranges; Commercial, Industrial and other Non-residential categories are generally defined by the intensity of activity.

Not including exceptions as described, any proposed change to a designated Land Use Classification will be determined as either a Major or Minor amendment, subject to the standards and procedures contained herein. The Plan Administration chapter provides procedures and criteria for the consideration of proposed changes to Land Use categories for properties. The following categories are described in greater detail in the Land Use Element:

	<u>Land Use Classification</u>	<u>Maximum Residential Density</u>
1)	HR Residential / High Density.	29 / acre (subject to standards)
2)	MR Residential / Medium Density.	11.6 / acre (subject to standards)
3)	LR Residential / Low Density.	5.8 / 8.7 / acre (subject to standards)
4)	VLR Residential / Very Low Density.	0.2 / 2 / acre (subject to standards)
5)	PLD Planned Development.	Density as determined.
6)	PCI Performance Commercial / Industrial.	
7)	GC General Commercial.	
8)	NC Neighborhood Commercial.	
9)	IND Industrial.	
10)	PSP Public / Semi-Public / Institutional.	
11)	NF National Forest.	



INITIATING MAJOR AND MINOR PLAN AMENDMENTS

As provided by statute (A.R.S. §9-461.06. G.) all proposed Major Amendments must be reviewed at a public hearing held during the same calendar year they are filed. Any applicant considering a major amendment of the Plan text or Land Use map is strongly encouraged to contact planning staff well in advance regarding specific application requirements and timing. Although Minor Amendments to the general plan may be considered by the City Council at any time during the year, it is still a lengthy process that involves considerable review and analysis.

2. MAJOR AMENDMENTS

As defined by Statute, a Major Amendment means “a substantial alteration of the municipality’s land use mixture or balance as established in the municipality’s existing general plan land use element. The municipality’s general plan shall define the criteria to determine if a proposed amendment to the general plan effects a substantial alteration of the municipality’s land use mixture or balance as established in the municipality’s existing general plan land use element.”

- a. Major Amendment Criteria:** A Major Amendment to the Cottonwood General Plan is defined as any proposal that meets one or more of the following criteria:
- 1) Any change in a Public/Semi-Public/Institutional land use classification of 40 or more contiguous acres to a Residential land use classification.
 - 2) Any change in a Commercial, Industrial or Performance Commercial / Industrial land use classification of 40 or more contiguous acres to any other land use classification.
 - 3) Any change in a Planned Development land use classification of 40 or more contiguous acres to any other land use classification.
 - 4) Any other changes in land use classification not specifically described herein of 100 or more contiguous acres.
 - 5) Any proposal that in the aggregate includes changes in land use classifications of 100 or more contiguous acres.
 - 6) Any change in a Residential land use classification of 160 or more contiguous acres to a Commercial, Industrial or Performance Commercial / Industrial land use classification.
 - 7) Any change in a Residential land use classification of 320 or more contiguous acres to a Planned Development land use classification. May include up to 25% non-residential land use area as part of the proposal.
 - 8) Any addition, deletion or modification of a collector or arterial road, as identified in the Circulation Element (other than the minor shifting in alignment due to site conditions.)



Cottonwood General Plan 2025

- b. Major Amendment Procedures:** The following procedures shall be used for major amendments to the General Plan:
- 1) Amendments to the General Plan may be initiated by the City or may be requested by private individuals or agencies in accordance with the procedures set forth by the State Statutes (A.R.S. § 9-461.06.) Major amendments are required to be presented to the City Council at a public hearing during the same calendar year the proposal is made.
 - 2) Deadlines and timelines for applications for major amendments are as described in the major Amendments Procedures and Requirements section of this chapter.
 - 3) At least one public hearing shall be held by the Planning and Zoning Commission prior to the City Council hearing so as to provide the City Council with a recommendation for approval or denial of the request.
 - 4) Proposed major amendments must meet all public notification requirements, including site posting requirements on the property, publishing at least once in a newspaper of general circulation, notifying surrounding property owners and holding public hearings to consider input from interested persons.
 - 5) At least sixty days before the general plan or an element or major amendment of a general plan is noticed for a public hearing by the Planning and Zoning Commission, the planning agency shall transmit the proposal to the Planning and Zoning Commission and City Council and submit a copies for review to the following:
 - Yavapai County Development Services Department.
 - NACOG.
 - The Department of Commerce or any other state agency that is subsequently designated as the General Planning agency for this state.
 - Arizona Department of Water Resources.
 - Any person or entity that requests in writing to receive a copy of the proposal.
 - 6) Consult with, advise and provide an opportunity for official comment by public officials and agencies, the County, local school districts, NACOG, state and federal public land management agencies, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations, property owners and citizens to secure maximum coordination of plans and to indicate properly located sites for all public purposes on the General Plan.
 - 7) Fees for amendments to the General Plan are set by Council resolution.
 - 8) A two-thirds (5/7) vote of the entire membership of the Council is required for approval of Major Amendments.
 - 9) It shall be the burden of the applicant for the amendment to prove that the change constitutes an improvement to the General Plan.
 - 10) The adoption of any land use and/or text amendment to the General Plan shall be by Resolution of the Cottonwood City Council.



3. MINOR AMENDMENTS

Arizona Revised Statutes § 9-461.06. describes the requirements for amendments to a general plan. Most of the requirements in the state statutes refer specifically to major amendments; however, there are a number of sections which address amendments in general and at a minimum these requirements would apply to Minor Amendments.

- a. **Minor Amendment Criteria:** Any change that does not meet the criteria defining a Major Amendment or Exceptions, as described herein, shall be considered a Minor Amendment.
- b. **Minor Amendment Procedures:** The following procedures shall be used for Minor Amendments to the General Plan:
 - 1) Amendments to the General Plan may be initiated by the City or may be requested by private individuals or agencies in accordance with the procedures set forth by the State Statutes (A.R.S. § 9-461.06.)
 - 2) Applications for Minor Amendments may be presented to the Planning and Zoning Commission for review and recommendation and to the Cottonwood City Council for approval at any time during the year.
 - 3) At least one public hearing shall be held by the Planning and Zoning Commission prior to the City Council hearing so as to provide the City Council with a recommendation for approval or denial of the request.
 - 4) Proposed Minor Amendments must meet all public notification requirements, including site posting requirements on the property, publishing notice of all required public hearings in a newspaper of general circulation, notifying surrounding property owners and holding public hearings to consider input from interested persons. Notice of the time and place of required public hearings and the availability of reports and recommendations related to such hearings shall be at least fifteen and not more than thirty calendar days before the hearing.
 - 5) Consult with, advise and provide an opportunity for official comment by public officials and agencies, the County, local school districts, NACOG, state and federal public land management agencies, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations, property owners and citizens to secure maximum coordination of plans and to indicate properly located sites for all public purposes on the General Plan.
 - 6) Fees for amendments to the General Plan are set by Council resolution.
 - 7) A simple majority of the City Council may approve a Minor Amendment to the General Plan.
 - 8) It shall be the burden of the applicant for the amendment to prove that the change constitutes an improvement to the General Plan.
 - 11) The adoption of any land use and/or text amendment to the General Plan shall be by Resolution of the Cottonwood City Council.



MAJOR AMENDMENT PROCEDURES AND REQUIREMENTS

Applicants are encouraged to start the major amendment process in January but no later than April 1st, so as to meet the statutory requirement for completing the process in the same calendar year the application is submitted. As provided by statute (ARS §9-461.06.G), all proposed Major Amendments must be reviewed at a public hearing during the same calendar year they are filed. Any applicant considering a Major Amendment to the Plan text or Land Use Map is strongly encouraged to contact planning staff well in advance regarding specific application requirements and timing. The process for initiating a major amendment must begin in the early part of the year in order to allow adequate time in the process for review, public hearings and any delays. This timeline is the minimum; it does not provide much room for delay.

STEP 1. Preliminary Meeting with Community Development Director.

As soon as possible after January 1st is recommended for preliminary meeting and not later than April 1st of each year.

An initial meeting is required with the Community Development Manager and/or with designated staff members to discuss the procedures and standards for proposing a Major Amendment to the Cottonwood General Plan. The review process is lengthy and thorough and the applicant must understand the requirements and commitment necessary to proceed. It shall be the burden of the applicant to prove that the change constitutes an improvement to the General Plan.

STEP 2: Code Review Board.

Submit complete application at least two weeks in advance of Code Review Board meeting. File application starting in January but no later than May 1st.

A complete application for Code Review Board is required for a proposed Major Amendment to the General Plan. This includes the application form, required fee, site plan, maps and other exhibits and supporting documentation, as necessary for staff to be able to review the proposal. A preliminary narrative report shall be submitted by the applicant describing the proposed uses along with a statement of how the proposed amendment meets the intent of the General Plan for that property. The preliminary review of the proposed amendment will include consideration of adequacy of planning concerns as described in the General Plan, as well as adequacy of infrastructure and related concerns by Building, Public Works, Fire, and Utilities Departments.

STEP 3. Formal Application.

Submit complete application no later than first week of June.

An application that does not adequately address the preliminary technical requirements identified by the Code Review Board will not be accepted for processing. The application must adequately address key technical issues, such as utilities, road access, traffic impacts, grading or similar constraints, as part of consideration of any change in the land use classification.

Application Form: Original signatures only. Facsimile and copies not accepted.

Application Fee: (non-refundable). Fees are set by resolution of the City Council.

Project Narrative: Describe the proposed project, including uses, densities, square footage and other development aspects. The applicant must submit written documentation describing how the proposed amendment meets the goals and objectives of the General Plan for that area.

Site Plan: Provide exhibits indicating proposed site plan.

Vicinity Map: Provide a map depicting the proposed amendment boundaries and Land Use categories in relation to surrounding use, with surrounding Land Use categories indicated.



STEP 4. 60 Day Review Period.

Begin by mid-June.

At least sixty days before a Major Amendment to the General Plan is noticed pursuant to state statute, the Community Development Department shall transmit a summary of the proposal to the Planning and Zoning Commission and City Council. In addition, the City shall consult with, advise and provide an opportunity for official comment by public officials and agencies, the County, local school districts, state and federal public land management agencies, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations, property owners and citizens to secure maximum coordination of plans and to indicate properly located sites for all public purposes on the General Plan.

STEP 5. Public Notification and Posting.

As necessary based on P&Z Hearing date.

Notice of time and place of hearings shall be given at least fifteen days and not more than thirty calendar days before the hearing.

Proposed Major Amendments must meet all public notification requirements, including site posting requirements on the property, publishing at least once in a newspaper of general circulation, notifying surrounding property owners and holding public hearings to consider input from interested persons.

Publication: Legal notice of each public hearing shall be published at least once in a local newspaper.

Site Posting: The property shall be posted by the applicant with a sign informing the public that an application has been filed. The posting shall include both P&Z and Council meeting dates. Staff will provide the applicant with additional instructions for site posting, size of sign and other details.

Mailings: Notice of the public hearings will be sent to all surrounding property owners by first class mail.

STEP 6. Planning and Zoning Commission Public Hearing.

Regular P&Z meeting no later than September.

If the Commission requires more information or additional input, a second hearing may be scheduled for their regular meeting of October. At least one public hearing shall be held by the Planning and Zoning Commission so as to provide the City Council with a recommendation for approval or denial of the request. The Commission will review all such proposals based on the goals, objectives and policies described in the General Plan.

STEP 7. City Council Public Hearing.

Schedule by October/November at the latest. This provides a minimum timeframe for any delays or modifications based on public input and City Council concerns.

The public hearing dates are set to allow some potential for delays or rescheduled meetings. These are minimums; applicants are encouraged to start the process as early as possible in the year. In order to comply with State Statutes, the Council must conduct the final hearing no later than December 31st in order to be able to provide a decision in the same year the application is filed. The adoption of any amendment to the General Plan shall be by resolution of the Cottonwood City Council. A two-thirds vote of the entire membership (5/7) of the Council is required for approval of a Major Amendment.