

**THE COUNTY
COMPREHENSIVE PLAN**

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THE COUNTY COMPREHENSIVE PLAN

Most of the discussion of the municipal general plan in the previous chapter also applies to counties, including the functions of the plan (Section 6.1), public participation requirements (Section 6.2.4 and Chapter 4), and the planning process (Section 6.3). This chapter addresses the legal requirements for county comprehensive plans and items that are specific to counties, such as rural planning areas and specific zoning plans.

7.1 LEGAL REQUIREMENTS FOR THE COMPREHENSIVE PLAN

County planning authority is provided in A.R.S. § 11-802:

The board of supervisors of a county...shall plan and provide for the future growth and improvement of its area of jurisdiction, and coordinate all public improvements in accordance therewith, form a planning and zoning commission to consult with and advise it regarding matters of planning, zoning, and subdivision platting and...adopt and enforce such rules, regulations, ordinances and plans as may apply to the development of its area of jurisdiction.

It also states in A.R.S. § 11-806(B):

The commission shall prepare and recommend to the board a comprehensive plan of the area of jurisdiction of the county in the manner prescribed by article 2 of this chapter. The purpose of the plan is to bring about coordinated physical development in accordance with the present and future needs of the county. The comprehensive plan shall be developed so as to conserve the natural resources of the county, to insure efficient expenditure of public funds, and to promote the health, safety, convenience, and general welfare of the public. Such comprehensive plan may include but not be limited to, among other things, studies and recommendations relative to the location, character and extent of highways, railroads, bus and other transportation routes, bicycle facilities, bridges, public buildings, public services, schools, parks, open space, housing quality, variety and affordability, parkways, hiking and riding

trails, airports, forests, wildlife areas, dams, projects affecting conservation of natural resources, air quality, water quality and floodplain zoning. For counties with territory in the vicinity of a military airport as defined in Section 28-8461, the commission shall also consider military airport operations. Such comprehensive plan shall be a public record, but its purpose and effect shall be primarily as an aid to the county planning and zoning commission in the performance of its duties.

In addition, the statutes require that the county plan:

- ▶ Shall provide for zoning, shall show the zoning districts designated as appropriate for various classes of residential, business and industrial uses and shall provide for the establishment of setback lines and other plans providing for adequate light, air and parking facilities and for expediting traffic within the districts
- ▶ May establish the percentage of a lot or parcel which may be covered by buildings, and the size of yards, courts and other open spaces
- ▶ Shall consider access to incident solar energy
- ▶ May provide for retirement community zoning districts
- ▶ May provide for the regulation and use of business licenses, adult oriented business manager permits and adult service provider permits

Similarly to the municipalities, Arizona law requires for counties:

- ▶ That the board of supervisors adopt written procedures for public involvement throughout the planning process, as described in Section 4.2.1 [A.R.S. § 11-806 (D)]

- ▶ A 60-day review period (see Section 6.2.4)
- ▶ Coordination with the Arizona State Land Department regarding integration of conceptual land use plans [A.R.S. § 11-821(A)]
- ▶ Coordination with cities and towns within the county, "... for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the county, of zoning districts, of urban growth and of public improvements and utilities which do not begin and terminate within the boundaries of any single city or town." [A.R.S. § 11-806(F)]

7.1.1 Required Elements for County Comprehensive Plans

The statutes require that counties with populations over 125,000 must include at least the three elements described below, and that smaller counties may include these elements. Appendix F is a flow chart depicting the required comprehensive plan elements based on population size.

1. Land Use Element

This element typically contains a land use map, and should designate the proposed general distribution, location, and extent of uses of the land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space and other categories as appropriate. The statutes require that the following components be included:

- ▶ Statement of the standards of population density and building intensity recommended for the various land use categories covered by the plan
- ▶ Specific programs and policies that the county may use to promote compact form development activity and locations

where those development patterns should be encouraged

- ▶ Consideration of air quality and access to incident solar energy for all general categories of land use
- ▶ Policies that address maintaining a broad variety of land uses including the range of uses existing in the county at the time the plan is adopted, readopted or amended.

2. Circulation Element

This element must include the general location and extent of existing and proposed freeways, arterial and collector streets, bicycle routes and any other modes of transportation as appropriate, and be correlated with the proposed land uses.

3. Water Resources Element

This element should address:

- ▶ The known legally and physically available surface water, groundwater, and effluent supplies
- ▶ The demand for water that will result from future growth projected in the county plan, added to existing uses
- ▶ An analysis of how the demand for water that will result from future growth projected in the comprehensive plan will be served by the currently available water supplies or a plan to obtain additional necessary water supplies

Counties with populations larger than 200,000 according to the most recent decennial census must also include in the comprehensive plan:

Open Space and Preservation ■ This element must include:

- ▶ A comprehensive inventory of open space areas, recreational resources and designations of access points to open space areas and resources
- ▶ An analysis of forecasted needs, policies for managing and protecting open space and resources and implementation strategies to acquire additional open space areas and further establish recreational resources
- ▶ Policies and implementation strategies designed to promote a regional system of integrated open space and recreational resources and consideration of any existing regional open space plan

Planning for Growth Areas ■ This element should also be closely tied to the land use element, and is intended to identify 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 land uses. The statutes direct that this element should include policies and implementation strategies that are designed to:

- ▶ Make automobile, transit and other multimodal circulation more efficient, make infrastructure expansion more economical, and provide for a rational pattern of land development
- ▶ 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
- ▶ 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

Environmental Planning Element ■ This element contains analysis, policies and strategies to address anticipated effects, if any, of plan elements on air quality, water quality and natural resources associated with proposed development under the general plan. The policies and strategies to be developed under this element shall be designed to have community-wide applicability and shall not require the production of an additional environmental impact statement or similar analysis beyond the requirements of state and federal law.

Cost of Development Element ■ This element should include policies and strategies that the municipality will use to require development to pay its fair share toward the cost of additional public service needs generated by new development, with appropriate exceptions when in the public interest. Per the statutes, this element shall include:

- ▶ A component that identifies various mechanisms that are allowed by law and that can be used to fund and finance additional public services necessary to serve the development, including bonding, special taxing districts, development fees, in lieu fees, facility construction, dedications and service privatization
- ▶ A component that identifies policies to ensure that any mechanisms that are adopted by the municipality under this element result in a beneficial use to the development, bear a reasonable relationship to the burden imposed on the municipality to provide additional necessary public services to the development and otherwise are imposed according to law

In developing this element, it is recommended that each community define “fair share” and identify all the services that would require expansion and therefore incur costs as a result of

new development (i.e. roads, water and sewer systems, parks, police and fire protection, etc.).

Smaller counties may opt to include these elements as well. As with cities, counties may choose to include other elements that address particular issue areas, such as economic development.

7.1.2 Adopting and Amending the Comprehensive Plan

Once drafted, the planning commission, if one exists, would recommend the proposed comprehensive plan to the board of supervisors. The board shall adopt the plan in whole or in part and subsequently amend or extend the adopted plan or portion thereof. Before adoption or amendment, the board must hold at least one public hearing. For more information on plan adoption, see Section 4.2.1.

The county must identify the criteria for major and minor amendments in the same manner as municipalities. Amendments are discussed in Sections 6.2.5. and 4.2.1.

7.2 RURAL PLANNING AREAS

The purpose of rural planning areas is to allow for unincorporated communities to voluntarily assist in planning efforts, to ensure a sound factual and policy basis for those efforts. Rural planning areas may be formed in counties with populations under 400,000, and are created by petition to the county of owners of real property in any specific portion of the county outside corporate boundaries. According to state statutes, rural planning areas shall emphasize voluntary, nonregulatory incentives for compliance and accommodation of continuing traditional rural and agricultural enterprises. Rural planning areas would transmit their recommendations to the

board of supervisors for consideration for inclusion in the county comprehensive plan.

As of Fall 2004, two rural planning areas had been formed in Arizona, one in Coconino County for ranch land preservation, and one in Yuma County for an agricultural irrigation district. For information about these rural planning areas, contact Coconino County Community Development at (928) 226-2700 and the Yuma County Development Services Department at (928) 329-2300. The organization of rural planning areas may continue to evolve as more areas opt to form them.

The State Statutes also allow cities, towns, and counties that share multi-jurisdictional areas and have a combined population of between 50,000 and 100,000 persons to form rural planning zones to develop coordinated and comprehensive regional plans. This is possible if the county has a population of less than 400,000.

7.3 SPECIFIC ZONING PLANS

All counties with a population of less than one million are authorized by A.R.S. § 11-825 to have “specific zoning plans.” Don’t confuse them with municipal specific plans, as they are quite different. Specific zoning plans are essentially a way of reviewing and approving a fairly detailed development plan for large projects. Although no minimum or maximum parcel sizes are stipulated, the terms of the law imply a sizeable project. The plan “shall include text and maps of a land use plan and specific zoning, sign, street, and other regulations for [the] implementation of the county master plans.”

A.R.S. § 11-825(C) requires that a specific zoning plan shall include text, maps, and illustrations specifying all of the following:

✓ The distribution, location and extent of land uses, including open space

✓ The distribution, location, extent and intensity of [the] major components of public and private transportation, sewage and solid waste disposal, drainage and other facilities necessary

✓ Standards by which development shall proceed and, if applicable, requirements for [the] conservation, development and utilization of natural resources

✓ A statement of whether the specific zoning plan is consistent with the comprehensive plan

✓ Any other matters necessary or desirable

Information on zoning and subdivision regulations as they apply to counties are discussed in Chapters 8 and 9.