Fundamentals of Land Use Planning and Sustainable Development
Questions to Consider

• Where does the authority for counties and cities to plan come from and why should they?
• What’s the difference between planning and zoning?
• What is the role of public input and decision-makers in land use changes?
• What are the differences between “lot splits” and subdivisions?
• What are the opportunities for participatory community planning?
• What does sustainable development mean?
• How can development be more sustainable?
HMM...I MIGHT NEED TO RECONSIDER MY POSITION...

BOOM BAMB
Authority to Plan and Zone

Arizona Revised Statutes (§11-821 and §9-461) require all counties and cities to develop plans and implement them through zoning.

– In counties, these are referred to as Comprehensive Plans

– In cities, these are referred to as General Plans
Authority to Plan and Zone

Arizona Revised Statutes (§11-830) exempt general agricultural, ranching, mining and railroad activities from zoning regulations.
Why Plan and Zone?
Without Planning and Zoning, this could happen........
Another Reason for Planning

Arizona Population Growth
2000-2007

Arizona is the 2nd fastest growing state in the US, growing at an average of 3.8% per year since the 2000 Census.
Culture Clash?

Photo by
Darrell
Thompson
Documents
Governing Land Uses on Private Land

• **Comprehensive and General Plans**: blueprints for the type and intensity of general land uses
• **Zoning Regulations**: determine the size of lots, property line setbacks, number of parking spaces, types of uses permitted etc.
• **Subdivision Regulations**: rules and process for the legal splitting of large parcels into smaller parcels
• **International Building Codes**: standard building construction standards
• **Other Various Local Ordinances**: either separate or as part of a zoning ordinance, govern specific conditions such as junk, dark skies, hazards, water conservation, addressing
How it All Fits Together

Comprehensive or General Plan:
• Blueprint for growth or preservation
• Land Use Maps & Goals & Policies
• Guides land use change requests

Zoning
• Specifies permitted land uses allowed in different districts
• Lists site development standards like setbacks & parking
• Governs processes for special requests, appeals, review of permits, etc.

Development Review
• Subdivisions
• Building/Use Permits
Planning Processes

• **Plan Amendments and Master Development Plans:** changing the land use designation of an area in the Comprehensive or General Plan

• **Rezonings:** changing the zoning on a particular property

• **Special (or Conditional) Uses:** approval process for one certain use or related uses on a property that isn’t a “use by right” - approved or denied on a case by case basis

• **Zoning Regulation amendments:** changing the rules!

• **Variances:** Minor adjustments to zoning standards on a case by case basis
What do these process all have in common?

They all require public hearings and require public input
Who Decides?

• The person proposing the change?
• Neighboring property owners?
• The Planning Department?

No. Although all these parties are a factor in the ultimate decisions, they don’t decide the final outcomes.
The Decision-Makers

- Boards of Supervisors (counties)
- City Councils (cities)
- Planning and Zoning Commissions
- Boards of Adjustment
- Voters - in the case of referendums
How Big Parcels Shrink

There are two ways that big parcels become smaller parcels in Arizona:

1. Formal subdivision process
   or
2. Lot splits - lots split up to 5 times in counties by different owners over time. No improvements or planning required. In cities, number of splits allowed are more restricted.
Unregulated Lot Splits

• State law regarding the splitting of parcels in counties:
  – Large parcel, like a ranch, can be broken into numerous 36-acre or greater parcels so long as each lot is at least 36-acres or larger - commonly called “records of survey” or “40’s”
  – Each 36-acre parcel can be split up to 5 more times by subsequent owners if they meet the minimum lot size for zoning
  – Except for “records of survey” no one owner can split more than 5 times
The Result

A 400-acre parcel
**Becomes Ten 40-Acre Parcels**

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New Owner Splits 5 Times

Each 40-acre parcel becomes five 8-acre parcels
New Owner Splits Twice

Each 8-acre parcel becomes two 4-acre parcels.
End Result: 100 lots or **more** if allowed by zoning
Each With Its Own Home, Well and Septic System
Lots Splits vs. Subdivisions

What do lot splits look like locally?

Rural Area 1996
Lots Splits vs. Subdivisions

What do lot splits look like locally?

Same Rural Area Now
Problems Resulting

Lot splits without any improvements, planning or oversight can result in:

– Unmaintained, sometimes impassable roads
– Septic tank failures
– Inadequate water supplies
– Flooding during storms
– Parks, schools, or Sheriff’s protection becoming overburdened or crowded
– The general taxpayers paying for services rather than those served
– Landscape fragmentation
Formal Subdivision Process

Advantages of a formal subdivision process:

– Applicant presents a planned development
– County or City reviews all lots at once
– Adequate roads, drainage, utilities and accurate lot boundaries are required
– Once approved and improvements are constructed, the owner can put the lots on the market all at once
This?

Or this?
What are Community Plans?

• Also sometimes called sub-area or neighborhood plans
• Become a part of a city or county’s general or comprehensive plan
• Replace inappropriate or outdated policies and designations with new ones tailored for a specific area
• Gives local citizens a voice in how their community grows or preserves its rural character
• Once adopted, it is a commitment from the county or city to use the Plan as the basis of land use change decisions such as:
  ✓ rezoning requests
  ✓ special use permits
  ✓ subdivisions
  ✓ master development plans
Rural Planning Areas

• Specifically authorized by state statute
• Completely voluntary
• Requires 100% consent from all participants
• Effective way for ranchers and farmers to map out the future of their land
Rural Planning Areas

Arizona state law (ARS§11.806.D) allows for the establishment of a “rural planning area” (RPA) in order to “prepare a plan that emphasizes voluntary, non-regulatory incentives for accommodating the continuation of traditional rural and agricultural enterprises.”

Examples of considerations in Rural Plans:
- Environmental stewardship and landscape and open space protection;
- Growth, development, and the viability of working ranches, including non-ranching activities requiring county approval;
- Changes to the character, culture, and lifestyle of the ranching industry.
Rural Planning Areas

One such Rural Planning Area adopted in Arizona in Coconino County

See [www.diablotrust.org](http://www.diablotrust.org) for details
Sustainable Development

Why is this important?

• To abate the effects development and land use have on climate change and the increase in greenhouse gases

• Rising energy costs

• Depletion of important resources like water, wildlife habitat, open space, farm and grazing lands
Sustainable Development

Why is this important?

A recent report from Arizona State University’s Morrison Institute of Public Policy titled *Sustainability for Arizona: The Issue of Our Age* notes the necessary convergence of social equity, economic performance and environmental quality to meet a goal of sustainability for Arizona.
Sustainable Development

What does it mean?

With regard to development, it means meeting the needs of present generations, while not compromising the ability of future generations to meet their own needs.
Sustainable Development

How do we develop with sustainability as a goal? A few examples......

• Green building and energy efficiency in new municipal, industrial, commercial, residential structures
• Compact/clustered building and community design
• Reduction in vehicle miles traveled through walkable communities, mixed use, high density development
• Increase in public transportation
• Transit-oriented development
Sustainable Development

In rural Arizona, conservation subdivisions are another way to develop and preserve important landscapes while incorporating clustered design, open space, rainwater harvesting, energy efficiency and water conservation standards.
Land Use Planning

Sustainable Development

Fundamentally Important!
For more information on this presentation

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