

	PLANNING AND ZONING COMMISSION STAFF REPORT	AGENDA # _____
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TO: PLANNING AND ZONING COMMISSION

FROM: Leila DeMaree, Senior Planner

MEETING DATES: September 5, 2013 (First Public Hearing)
September 19, 2013 (Second Public Hearing)

SUBJECT: **DSA-13-00069: Major General Plan Amendment** to the Casa Grande General Plan 2020 - Aggregate Resources

REQUEST

Request by City of Casa Grande, to amend *Section C-8, Environmental Planning and Conservation* of the General Plan 2020 to propose new goal, policy and strategies as follows:

GOAL C-8.4: *Identify and Preserve Areas with Aggregate Resources.*

Policy C-8.4.1 *Allow aggregate extraction while preserving the ability to ultimately achieve the land uses as set forth in the General Plan.*

- Strategy:** *Amend the Zoning Code to allow for aggregate mining in areas that are identified “aggregate resource areas” in the General Plan through a Conditional Use Permit (CUP) process.*
- Strategy:** *Establish aggregate mining operation standards to minimize adverse impacts upon the community, i.e. provision of buffers upon adjacent zoned properties.*
- Strategy:** *Require Mining Reclamation Plans from the mining company for review and approval, which result in land forms that can be developed for their intended future General Plan land uses.*
- Strategy:** *Continue working with the State Geological Survey and update the General Plan as necessary when new locations of aggregate are identified.*

APPLICANT/OWNER

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City of Casa Grande, Arizona

HISTORY

December 3, 2001: Resolution 3095 was approved by Mayor and Council adopting the City of Casa Grande General Plan 2010 update.

May 28, 2009: Planning and Zoning Commission unanimously recommended approval of the General Plan 2020.

July 6, 2009: Mayor and Council approved the General Plan 2020.

November 3, 2009: The General Public voted on to approve the General Plan 2020.

DISCUSSION

This is a staff initiated amendment to the City’s General Plan 2020. The proposed amendment will address the Senate Bill 1598 which was signed by the Governor into law, and became effective on June 2012.

Senate Bill (SB) 1598 requires municipalities to identify aggregate resources within their planning areas and address it on the General Plan. Based on information gathered by Staff from the Offices of the State Mining Inspector and the Arizona State Geologic Survey, there are three (3) existing aggregate mines within the Planning Boundary as shown on Exhibits 1 and 2, see attached. Other potential sites are located along the washes and riverbeds, bedrocks, floodplains, and near the mountain fronts (Casa Grande Mountain). It is estimated that approximately 38,485 acres within the planning boundary are potential aggregate mine sites, as shown on Exhibits 1 & 2.

The Bill requires municipalities to establish policies within the General Plan, to protect these resources from encroachment by potentially incompatible land uses. Specifically, SB 1598 amended Arizona Revised Statutes Sections 9-461, 9-461.05, and 9-461-.06 as follows:

9-461.1 “AGGREGATE” MEANS CINDER, CRUSHED ROCK OR STONE,
DECOMPOSED GRANITE, GRAVEL, PUMICE, PUMICITE AND SAND;

9-461.05 (g) INCLUDES SOURCES OF CURRENTLY IDENTIFIED AGGREGATES FROM
MAPS THAT ARE AVAILABLE FROM STATE AGENCIES, POLICIES TO

PRESERVE CURRENTLY IDENTIFIED AGGREGATES SUFFICIENT FOR FUTURE DEVELOPMENT AND POLICIES TO AVOID INCOMPATIBLE LAND USES, EXCEPT THAT THIS SUBDIVISION SHALL NOT BE CONSTRUED TO AFFECT ANY PERMITTED UNDERGROUND STORAGE FACILITY OR LIMIT ANY PERSON'S RIGHT TO OBTAIN A PERMIT FOR AN UNDERGROUND STORAGE FACILITY PURSUANT TO TITLE 45, CHAPTER 3.1.

9-461.06.O. A PERSON, AFTER HAVING PARTICIPATED IN THE PUBLIC HEARING PURSUANT TO SUBSECTION H OF THIS SECTION, MAY FILE A PETITION FOR SPECIAL ACTION IN SUPERIOR COURT TO REVIEW THE GOVERNING BODY'S DECISION THAT DOES NOT COMPLY WITH THE MANDATORY REQUIREMENT PRESCRIBED IN SECTION 9-461.05, SUBSECTION C, PARAGRAPH 1. SUBDIVISION (g) WITHIN THIRTY DAYS AFTER THE GOVERNING BODY HAS RENDERED ITS DECISION. THE COURT MAY AFFIRM, MODIFY OR REVERSE, IN WHOLE OR IN PART, THE DECISION REVIEWED.

In an effort to comply with SB 1598, the following amendment is proposed on the Environment Planning and Conservation Section of the General Plan 2020, to add the following Goal, Policy and Strategies:

GOAL C-8.4: *Identify and Preserve Areas with Aggregate Resources.*

Policy C-8.4.1 *Allow aggregate extraction while preserving the ability to ultimately achieve the land uses as set forth in the General Plan.*

Strategy: *Amend the Zoning Code to allow for aggregate mining in areas that are identified "aggregate resource areas" in the General Plan through a Conditional Use Permit (CUP) process.*

Strategy: *Establish aggregate mining operation standards to minimize adverse impacts upon the community, i.e. provision of buffers upon adjacent zoned properties.*

Strategy: *Require Mining Reclamation Plans from the mining company for review and approval, which result in land forms that can be developed for their intended future General Plan land uses.*

Strategy: *Continue working with the State Geological Survey and update the General Plan as necessary when new locations of aggregate are identified.*

General Plan Amendment Review Criteria:

In considering applications for a Major General Plan Amendment, the Planning and Zoning Commission & City Council shall find that the following review criteria set forth in the current City's

General Plan and in accordance with ARS 9-461.05 and 06 are substantially met as follows:

1. **That development is eminent and an amendment to the General Plan is necessary and proper at this time so that future development and rezoning will conform to the General Plan.**

Aggregates play an important role in the State's economy, particularly in the construction industry. Aggregates are typically used for transportation projects, in landscaping, in building constructions, and many more. There are potential sites for aggregate mining within the City's Planning Area Boundary. The passing of SB 1598 requires that communities amend their General Plan to address aggregate resources. It is therefore proper at this time to amend the General Plan and incorporate some provisions on aggregate resources to comply with SB 1598. Aggregate mining is currently allowed in the I-2 zoning with a Conditional Use Permit. Unfortunately there is not a strong correlation between the I-2 Zoning or areas that fall within the General Plan Manufacturing and Industry land use category and aggregate resource areas. If this amendment to the General Plan is approved then staff will follow-up with an amendment to the Zoning Code to allow aggregate mining on a Conditional Use basis in areas identified as containing aggregate resources.

2. **That this amendment will result to conformance with the Growth Area Map, Small Area Transportation Study (Roadway Classification Map), Future Transit Route, Planned Parks, and City Facilities in the General Plan.**

This criterion is not applicable.

3. **That proposed development requires addition of new roadway classifications that result in wider land widths, increased number of lanes and/or a reduced pedestrian or multi-modal transportation environment.**

This criterion is not applicable.

4. **That proposed amendment meets the intent of the General Plan and does not contradict with the intent or meaning of the Casa Grande General Plan Goals, Policies, or Strategies.**

By setting a Goal, Policy and Strategies on Aggregate Resources within the General Plan will allow the City to review and prevent contradiction with the intent or meaning of the General Plan.

- The request will have a minimal impact on the City-wide balance and mixture of land uses;

The request will have no impact on the City-wide balance and mixture of land uses. The intent is to insure that after aggregate mining operation is completed, the property will be reclaimed so that it can be developed according to the original land use(s) proposed in the General Plan.

- The requested changes are suitable at this location with future planned developments

and uses for the area;

The future land uses of the property will not change unless the property owner requests the City for a land use change under a minor or major general plan amendment processes. The aggregate resources sites are based upon the information provided by the State Geological Survey and the Office of the State Mine Inspector.

- The proposed uses are necessary to facilitate future marketable development and based upon the proposed uses for the area will minimally impact adjacent properties.

Identifying and overlaying the locations of the aggregate resources will minimize the impacts to adjacent properties. Through a Conditional Use Permit process, a potential mining applicant is required to submit a reclamation plan to the City for review and approval. This reclamation plan will be required to show how the property can be then be developed in accordance with the specific General Plan land use category (i.e., Neighborhoods; Rural; Agricultural; etc.) once the mining operation is completed.

- The proposed land uses will allow for future job opportunities that will benefit not only the City but also neighboring jurisdictions within the County.

The proposed amendment can create future job opportunities within the mining and construction industries.

5. That the proposed amendment supports the *Community First Vision on the General Plan*.

*The proposed amendment will support the *Community First Vision on the General Plan* by minimizing land use conflicts while meeting the intent of the SB 1598.*

6. Describe how the proposed amendment furthers Smart Growth principles.

The proposed amendment allows property owners to maximize the potential uses of their land by allowing the extraction of aggregate resources and still able to materialize the ultimate land use plan of the site.

7. Describe how the proposed amendment enhances or has no net impact on future water supplies.

It is unknown at this reporting time the net impact of future water supplies needed for mining aggregates.

8. Describe how the proposed amendment enhances or has no net impact on mobility and traffic congestion.

Potential traffic impact is unknown at this time; however, the City Traffic Engineer has the opportunity to review any potential traffic impact of the operation at the time of Conditional Use Permit application.

9. Describe how the proposed amendment enhances or has no net impact on the quality and quantity of publicly accessible open spaces and trails.

Most of the potential aggregate locations are on washes and mountain fronts. These areas are ideal for open spaces and trails within a development. It is possible a post-mining reclamation plan can actually enhance the quantity and quality of accessible open spaces and trails within the planning boundary.

10. Discuss if the proposed amendment will result in a higher net cost to the City or its residents for City Services.

Aggregate mining will not result in a higher net cost to the City or its residents for City Services.

11. Does the proposed amendment require public investment or financing?
NA

12. Describe how the proposed amendment results in the creation of jobs for Casa Grande residents.

Aggregate mining can provide potential jobs within the local mining and construction industries. Having a local source of aggregate available for construction of roads and railroads can contribute to economic development efforts.

13. Describe how the proposed amendment provides enhanced educational opportunities for Casa Grande residents.
NA.

14. Are the proposed land use patterns compatible with existing and proposed adjacent land uses?

Potential Aggregate Areas within the Land Uses:

Land Use Classification	Area in acres	%
Neighborhoods	10,543.01	27.4
Commerce and Business	3,402.45	8.8
Rural	9,159.3	23.8
Agriculture	11,198.25	29.1
Community Center	609.17	1.6
Open Space	783.14	2
Manufacturing/Industry	2,788.40	7.2
Total Area	38,485	

The above table shows the General Plan land use categories with potential aggregate resources. The table also shows that the land uses with the most aggregate resources are located within the Agriculture, Neighborhoods and Rural land use categories. The majority of these land uses are currently undeveloped lands as reflected on Exhibit 1. The identification of these aggregate sites can provide guidance to staff and future developers on how to address land use conflicts.

Based from the Land Use map.

15. Describe how the proposed change to the land use category does not affect the overall density and intensity as suggested in the General Plan throughout the Planning Boundary and City Limits.

There is no impact to the overall density throughout the planning boundary with this amendment. The potential environmental impact that is usually attributed to mining operations will be mitigated and minimized with this amendment. The City will develop standards that can be applied to Mining Conditional Use Permit requests to insure that conflicts between land uses are evaded.

PUBLIC NOTIFICATION/COMMENTS

Public hearing notification efforts for this request meet the requirements set out by City Code and ARS 9-461.06E. They include:

- 60-Day review period for all Governmental Officials, Public Officials, County, School Districts, Public Land Management Agencies, Public Utility Companies, Professional, and other organizations. This process started on June 21, 2013, with routing Memo per the ARS requirement for the 60-day review process.
- On August 21, 2013, the public hearing notice was published in the Casa Grande Dispatch.

Inquiries/Comments

City Staff has not received any inquires about the request and no objections were made to the General Plan 2020 amendment request.

STAFF RECOMMENDATION

Staff recommends approval of the General Plan Amendment. However, according to Arizona Revised Statutes, ARS 9-461.06E, two public hearings on the Major General Plan Amendment request must be held prior to the Planning and Zoning Commission taking any formal action. This is the first public hearing on this request; therefore no action on the request can be taken by the Planning and Zoning Commission at this time.

Exhibit:

1. Potential Aggregate Mining Sites within the General Plan Land Use Map
2. Potential Aggregate Mining Sites within the General Plan Growth Area Map

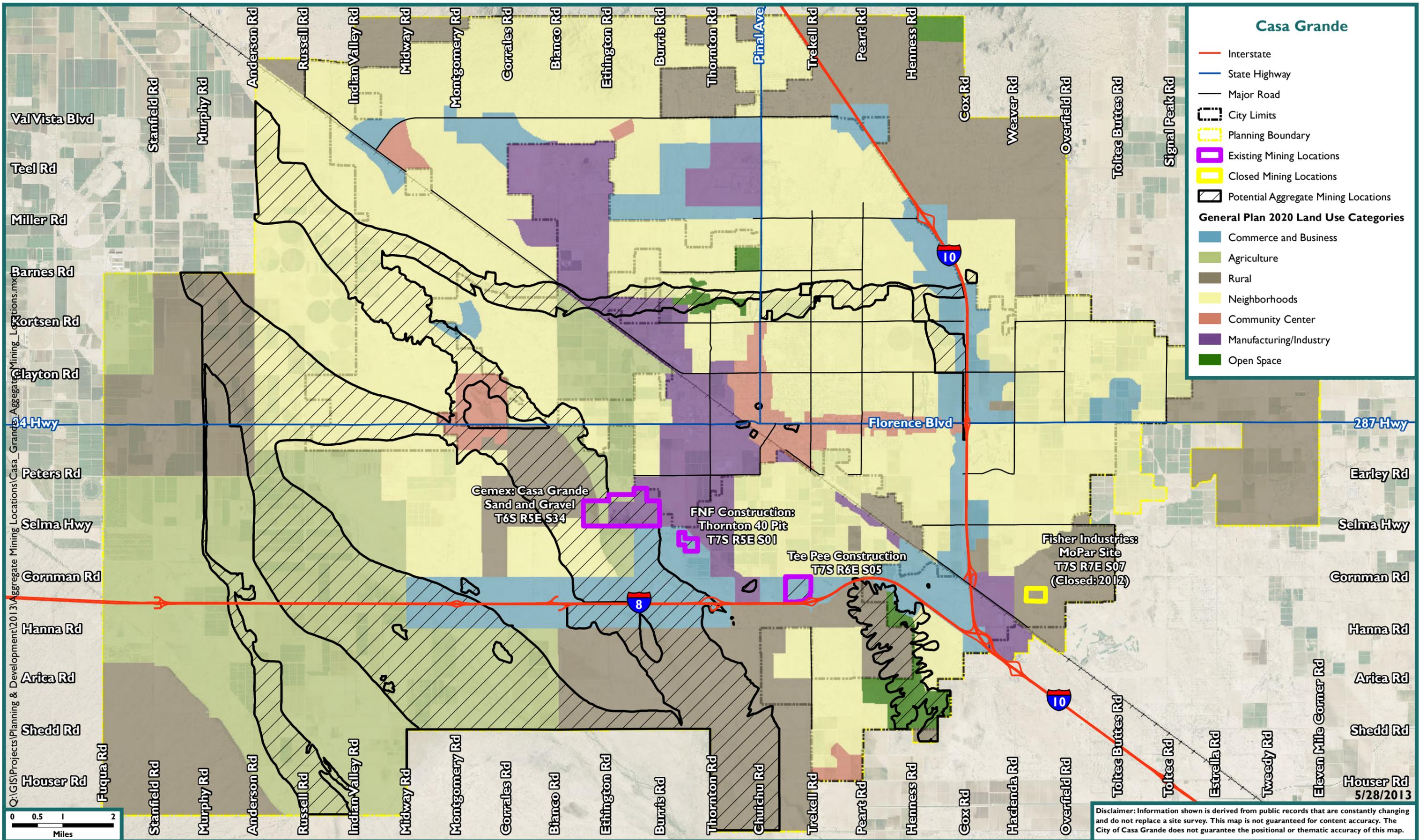


Exhibit I - Casa Grande Potential Aggregate Mining Locations - General Plan



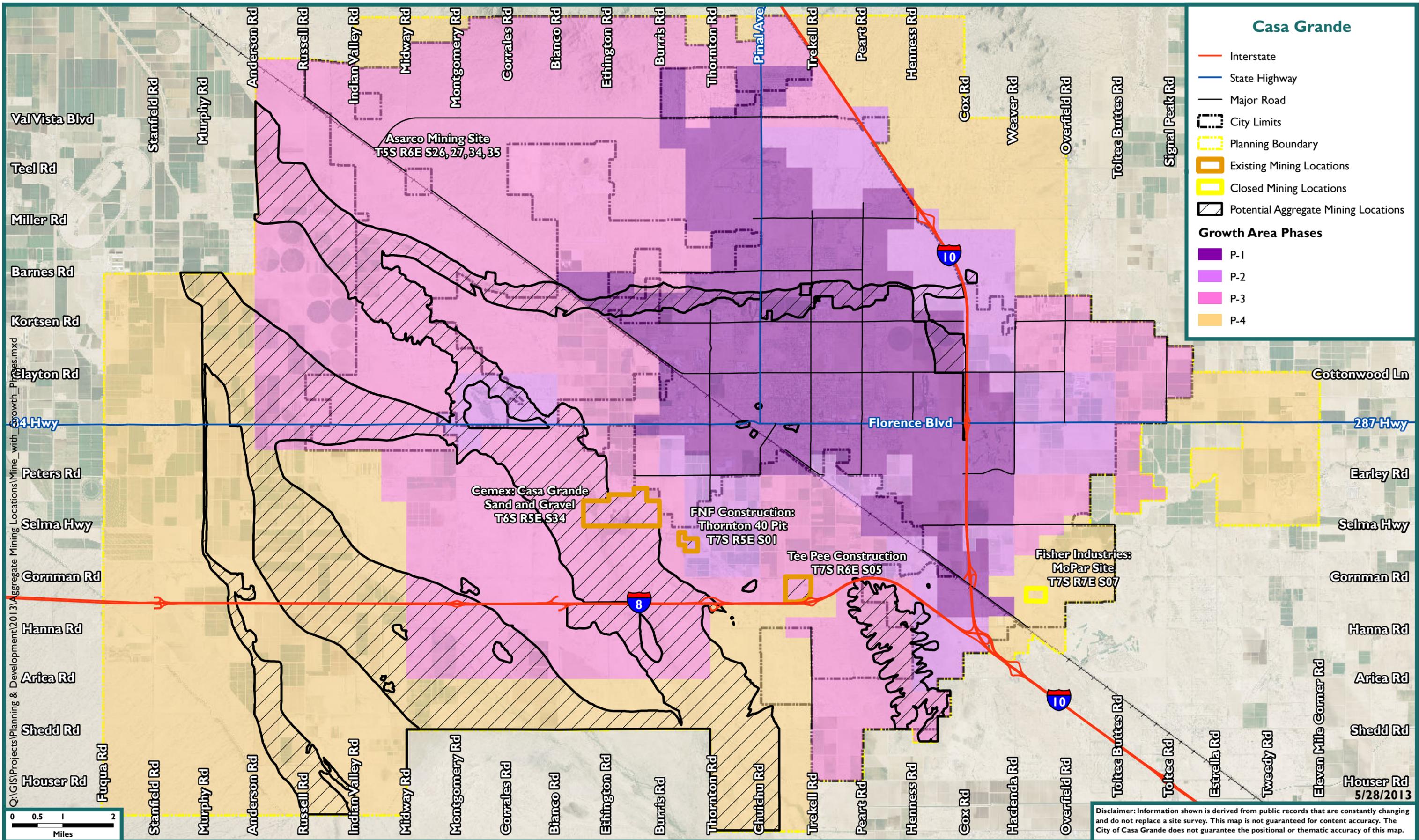


Exhibit 2 - Casa Grande Potential Aggregate Mining Locations - Growth Area Phases

