

**RESOLUTION OF THE
TRANSPORTATION AND COMMUNITY DEVELOPMENT COMMITTEE
OF THE NAVAJO NATION COUNCIL**

**Approving the Comprehensive Community-Based
Land Use Planning Guidelines**

WHEREAS:

1. Pursuant to 2 N.N.C. §§ 420 and 421, the Transportation and Community Development Committee of the Navajo Nation Council is established and continued as a standing committee of the Navajo Nation Council with authority to promote local community land use plans; and

2. Pursuant to 26 N.N.C. § 102 (B) and (C), the Transportation and Community Development Committee of the Navajo Nation Council is authorized to review, approve, and certify chapter land use plans; and

3. To ensure compliance with the land use planning requirements set forth in the Local Governance Act, pursuant to 26 N.N.C. § 2004, the Transportation and Community Development Committee of the Navajo Nation Council finds it necessary to provide guidelines to assist the Navajo Nation chapters in the development and planning process; and

4. The Transportation and Community Development Committee of the Navajo Nation Council has duly considered the *Comprehensive Community-Based Land use Planning Guidelines* attached hereto as Exhibit "A".

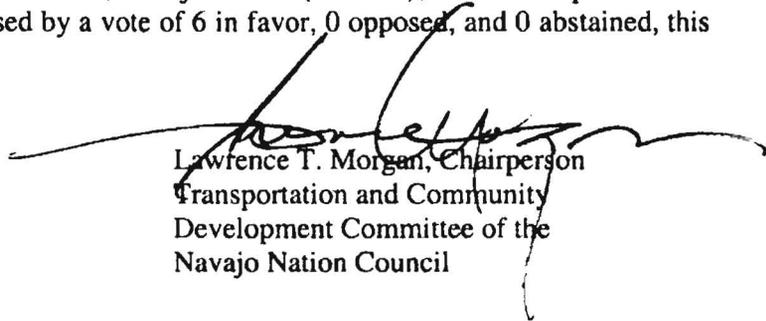
NOW THEREFORE BE IT RESOLVED THAT:

1. The Transportation and Community Development Committee of the Navajo Nation Council hereby approves and certifies the *Comprehensive Community-Based Land use Planning Guidelines* attached hereto as Exhibit "A".

2. The Transportation and Community Development Committee of the Navajo Nation Council respectfully requests the President of the Navajo Nation and the Executive Director of the Division of Community Development to ensure that the 110 chapters of the Navajo Nation are provided copies of and given notices of Exhibit "A".

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Transportation and Community Development Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstained, this 21st day of February, 2002.



Lawrence T. Morgan, Chairperson
Transportation and Community
Development Committee of the
Navajo Nation Council

Motion: Alfred L. Yazzie
Second: Mark Maryboy

COMPREHENSIVE COMMUNITY-BASED
LAND USE PLANNING GUIDELINES

I. PURPOSE

The guidelines herein set forth are the requirements Navajo Nation chapters shall comply with when seeking certification of their comprehensive community-based land use plan by the Transportation and Community Development Committee (TCDC).

II. DEFINITIONS

- A. "Community-Based Land Use Plan" means a document adopted by chapter resolution setting forth current and proposed uses of land within chapter boundaries, illustrating such uses by map or plat.
- B. "Community Land Use Planning Committee" (CLUPC) means a duly established chapter committee responsible for approving and overseeing land use planning activities. The committee is also responsible for presenting the comprehensive community-based land use plan to the TCDC for certification.

III. GENERAL INFORMATION

- A. During the planning process, chapters shall seek technical assistance from NTUA, IHS, BIA and other appropriate agencies. However, in no event shall these chapters be penalized in their certification application due to the above-mentioned entities refusal or failure to provide technical assistance.
- B. The purpose for requiring chapters to develop a comprehensive community-based land use plan is to identify and put into practice land uses that will best meet the needs of the community while safeguarding resources for the future. Within the Navajo Nation, there are three (3) basic needs to develop a land use plan. They are: 1) to comply with the Navajo Nation Local Governance Act (LGA); 2) to leverage for tribal, state and federal project development funding; and 3) to identify areas of land for community facilities, residential and commercial

developments, and to preserve grazing, cultural and open areas.

- C. A comprehensive community-based land use plan shall be based upon assessments of natural, cultural and human resources; current and alternative land use options; environmental, economic and social conditions; and community needs, goals and values.
- D. The basis of review and approval provided by the TCDC shall be to ensure compliance with the requirements set forth in the LGA. Pursuant to 2 N.N.C. § 422(B), the committee shall rely on the technical advice and recommendations provided by the Division of Community Development, the Navajo Tribal Utility Authority, the Indian Health Service and other appropriate agencies.
- E. The review and approval provided by the TCDC shall also be based upon compatibility and consistency with Navajo Nation land use priorities, including, but not limited to, Navajo Nation land management, infrastructure and commercial development initiatives.

IV. COMPREHENSIVE COMMUNITY-BASED LAND USE PLAN REQUIREMENTS

A chapter's comprehensive community-based land use plan shall contain the following information:

- A. Community education and participation plan describing the methods employed by the CLUPC to educate the community about the land use planning process.
- B. Community assessment information describing the goals, priorities, and vision for the future of the community.
- C. Inventory and assessment of pertinent existing data such as the natural, cultural, and human resources, land carrying capacity, as well as community infrastructure.
- D. An open space plan, which preserves for the community certain areas of land to be retained in its natural state or developed for recreational purposes.

- E. A land use plan which projects future community land needs, shown by location and extent, areas to be used for residential, commercial, industrial, and public purposes. The plan shall include corresponding maps.
- F. A thoroughfare plan which provides a system of and design for major streets, existing and proposed, distinguishing between limited access, primary, and secondary thoroughfares, and relating major thoroughfare to the road network and land use of the surrounding area.
- G. A community facilities plan which shows the location, type, capacity, and area served, of present and projected or required community facilities including, but not limited to, recreation areas, schools, libraries, and other public buildings. It will also show related public utilities and services and indicate how these services are associated with future land use.

V. APPLICATION PROCESS

- A. Each chapter seeking certification of its comprehensive community-based land use plan must prepare an application package to the TCDC for consideration. The application package shall include:
 - 1. A chapter resolution approving the land use plan. [SEE SAMPLE CHAPTER RESOLUTION]
 - 2. A proposed TCDC resolution approving the land use plan. [SEE SAMPLE TCDC RESOLUTION]
 - 3. Compliance with the requirements set forth above. [SEE ATTACHED CHECKLIST]
- B. Upon meeting the requirements herein, the TCDC shall grant certification of the comprehensive community-based land use plan by TCDC resolution. The following must surname the proposed resolution: [SEE SAMPLE 164 REVIEW COVER SHEET]
 - 1. Sponsor; (Chapter President or CLUPC President)
 - 2. Division of Community Development;
 - 3. Navajo Nation Environmental Protection Agency;
 - 4. Division of Natural Resources;
 - 5. Department of Justice;
 - 6. Office of Legislative Counsel; and

7. Chairperson of the TCDC

C. Upon approval of the comprehensive community-based land use plan, it shall be the responsibility of the TCDC and its Legislative Advisor to inform the following of the approved land use plan:

1. Office of Navajo Nation President and the Vice President;
2. Economic Development Committee;
3. Resources Committee;
4. Environmental Protection Agency;
5. Division of Community Development;
6. Division of Economic Development; and
7. Division of Natural Resources

D. Upon approval of the comprehensive community-based land use plan, the chapter shall provide a copy of the approved land use plan and any amendments or modifications thereof to the Navajo Nation Central Records Management Department.

VI. AMENDMENTS TO THE APPROVED LAND USE PLAN

Consistent with 26 N.N.C. § 103(E)(1) and 2 N.N.C. § 423(C)(1) & (2), a chapter may amend the land use plan pursuant to local ordinance, so long as such amendments are considered and approved by the TCDC. The sections herein shall govern the amendment process.

VII. AMENDMENTS

The *Comprehensive Land Use Planning Guidelines* may be amended from time to time as deemed necessary by the Transportation and Community Development Committee.

RESOLUTION OF THE

CHAPTER

Approving the Chapter Comprehensive
Community-Based Land Use Plan

WHEREAS:

1. The _____ Chapter is a certified chapter of the Navajo Nation government pursuant to 26 N.N.C. §3.
2. Pursuant to Resolution No. CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA); and
3. Pursuant to the LGA, all chapters shall develop and implement a comprehensive community-based land use plan pursuant to 26 N.N.C. § 2004; and
4. The _____ Chapter completed the development of the comprehensive community-based land use plan in accordance with 26 N.N.C. § 2004; and
5. In the best interest of the community, the _____ Chapter hereby approves the comprehensive community-based land use plan, attached hereto as Exhibit "A".

NOW THEREFORE BE IT RESOLVED THAT:

1. The _____ Chapter hereby approves the Comprehensive Community-Based Land Use Plan in accordance with the requirements of the Local Governance Act, attached hereto as Exhibit "A".
2. The _____ Chapter further hereby requests the Transportation and Community Development Committee of the Navajo Nation Council to grant certification of their Comprehensive Community-Based Land Use Plan.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the _____ Chapter at a duly called meeting at _____, at which a quorum was present, and the same was passed by a vote of ___ in favor, ___ opposed, and ___ abstained, this ___ day of _____, 200__.

RESOLUTION OF THE
TRANSPORTATION AND COMMUNITY DEVELOPMENT COMMITTEE
OF THE NAVAJO NATION COUNCIL

Approving the _____ Comprehensive
Community-Based Land Use Plan

WHEREAS:

1. Pursuant to 2 N.N.C. §§ 420 and 421, the Transportation and Community Development Committee of the Navajo Nation Council is established and continued as a standing committee of the Navajo Nation Council with authority to promote the development of chapter governments; and
2. Pursuant to 26 N.N.C. § 102(B) and (C), the Transportation and Community Development Committee is authorized to review, approve, and certify chapter land use plans; and
3. The Transportation and Community Development Committee has duly considered the _____ Comprehensive Community-Based Land Use Plan and finds that it has met the land use planning requirements set forth in the Local Governance Act, pursuant to 26 N.N.C. § 2004.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Transportation and Community Development Committee of the Navajo Nation Council hereby approves and certifies the _____ Comprehensive Community-Based Land Use Plan attached hereto as Exhibit "A".
2. The Transportation and Community Development Committee of the Navajo Nation Council hereby reminds the _____ Chapter that any revisions to their _____ Comprehensive Community-Based Land Use Plan requires consideration and approval by the Transportation and Community Development Committee pursuant to 2 N.N.C. § 423(C)(1) & (2).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Transportation and Community Development Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (AZ), at which a quorum was present, and the same was passed by a vote of ___ in favor, ___ opposed, and ___ abstained, this ___ day of _____, 200_.

Comprehensive Land Use Plan Documentation Checklist

Documentation	Status	
Community Education and Participation Plan		
Community Assessment: A. Goals B. Priorities C. Vision for the Future		
Inventory and Assessment of Pertinent Existing Data: A. Natural, Cultural, and Human Resources, B. Land Carrying Capacity C. Community Infrastructure		
Open Space Plan and the Identification of Certain Areas of Land for: A. Maintaining its Natural State B. Recreational Purposes		
Land Use Plan: A. Identification of Future Community Needs B. Residential C. Commercial D. Industrial E. Public Purposes F. Corresponding Maps		
Thoroughfare Plan - System of and Design for: A. Existing and Proposed Major Streets B. Distinguishing Between: <ol style="list-style-type: none"> 1. Limited Access Routes 2. Primary and Secondary Thoroughfares; and 3. Relating Major thoroughfare to the Road Network and Land Use of the Surrounding Area 		
Community Facilities Plan: Will Show the location, type, capacity, and area served, of present and projected or required community facilities including, but not limited to: <ol style="list-style-type: none"> A. Recreational Areas B. Schools C. Libraries D. Other Public Buildings It will also show related public utilities and services and indicate how these services are associated with future land use		
Chapter Resolution Approving the Comprehensive Community Based Land Use Plan		
TCDC Resolution Granting Certification		