

Article 5.8: Amendments to General Plan Text or Map

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5.801 Purpose

The purpose of this article is to provide procedures by which changes may be made to the text or map of the General Plan. The General Plan is a comprehensive long-range guide for orderly growth and development in the community.

5.802 Initiation of Amendments

A. *Initiation.*

1. *Town Initiated Amendments.* The Town Council or the Planning Commission may initiate an amendment to the map or text of the General Plan. An amendment shall be initiated by motion.
2. *Property Owner Initiated Amendments.* A property owner or an agent authorized in writing may apply for an amendment to the map or text of the General Plan governing the property.

B. *Timing.*

1. *Major Amendments.* Applications for major amendments shall be filed no later than May 31 of each calendar year in order to be considered in that year. All applications for major amendments to the General Plan shall be heard by the Town Council at a single hearing during the calendar year in which they are filed. A major amendment is defined in Chapter 1: Amendments, of the Gilbert General Plan.
2. *Minor Amendments.* Applications for minor amendments may be filed at any time.

5.803 Procedures

- A. **Pre-Application Review.** All applications to amend the map or text of the General Plan shall be subject to pre-application review pursuant to the procedures set forth in Article 5.2: Common Procedures.
- B. **Citizen Review.** All applications to amend the General Plan shall be subject to a citizen review process. The Director of Planning may establish additional procedures for the citizen review process. The citizen review process shall at a minimum consist of a neighborhood meeting or a work session of the Planning Commission, as set forth below.
 - 1. **Map Amendments.** The applicant shall schedule and conduct a neighborhood meeting in accordance with the procedures set forth in Section 5.204: Neighborhood Meeting.
 - 2. **Text Amendments.**
 - a. A citizen review session shall be held at a work session of the Planning Commission scheduled at least 5 days prior to the public hearing at the Planning Commission for the consideration of any proposed text amendment. Landowners and other citizens potentially affected by the proposed text amendment shall have an opportunity to address the Planning Commission on the proposal.
 - b. Notice of the citizen review session shall be given to landowners, citizens potentially affected by the proposed text amendments, and any person or group who has specifically requested notice regarding the application, at least 10 days prior to the Planning Commission work session. The notice shall state the date, time, and place of the citizen review session and shall include a general explanation of the proposed text amendment. A copy of the notice shall be submitted to the Director of Planning. The form of notice to be used may vary according to the type of text amendment proposed. Any form of notice used by the Director for the proposed text amendment shall be considered sufficient. The form of notice given may include, but is not limited to, the following:
 - i. Publication in a local newspaper of general circulation distributed to residents living within the Town.
 - ii. Posting at 4 public places within the Town designated by Town Council resolution governing posting of public notices.
 - iii. Posting on the official Town website.

- c. The Planning Commission may take into account issues and concerns raised by landowners and other citizens potentially affected by the proposed text amendments when it considers its recommendation to the Town Council. Prior to the Town Council hearing on the proposed text amendment the Commission shall report on the issues and concerns raised during the citizen review session.
- C. **Application.** Applications shall be filed in accordance with the application procedures set forth in Article 5.2: Common Procedures.
- D. **Public Notice.** Public notification shall be provided in compliance with Section 5.205: Notice of Public Hearings.
- E. **Notice to Other Jurisdictions.** Notice of amendments to the General Plan shall be given in accordance with the requirements of ARS § 9-461.06.
- F. **Staff Report.** The Director of Planning shall prepare and transmit to the Planning Commission a staff report. A copy of the staff report shall be made available to the public and any applicant prior to the public hearing.
- G. **Planning Commission Hearing.** The Planning Commission shall conduct at least 1 public hearing for minor General Plan amendments and at least 2 public hearings for major General Plan amendments. Hearings on major General Plan amendments shall be held in two separate locations in the Town. The Planning Commission shall conduct the hearings as set forth in Article 5.2: Common Procedures.
- H. **Planning Commission Action.** The Planning Commission may recommend the approval, approval with modifications or denial of the proposed amendment. If the Commission fails to make a recommendation to the Town Council within 90 days after closing the public hearing, the Planning Commission shall be deemed to have recommended denial and the application shall be scheduled for public hearing and action by the Town Council.
- I. **Town Council Hearing.** The Council shall conduct a public hearing as set forth in Article 5.2: Common Procedures.
- J. **Town Council Action.** The Town Council may approve, approve with modifications or deny the application. Approval of any major amendment to the General Plan shall require an affirmative vote by at least 2/3 of the members of the Council. Approval shall be by Resolution.