



Development Services Department
90 E. Civic Center Drive
Gilbert, AZ 85296
(480) 503-6700 Phone
(480) 503-6170 Fax
www.gilbertaz.gov

Rezoning/General Plan Amendment Pre-Application

Application & Process Guide

Town of Gilbert
Planning and Development Services Division

<http://www.gilbertaz.gov/departments/development-services/planning-development>

Pre-Application Procedures Rezoning/General Plan Text and Land Use or Circulation Map Amendment

The Town has implemented a Pre-Application review for all applications to amend the text of the Zoning Code, a zoning ordinance, the Official Zoning Map, General and Specific Plan text, or land use or circulation map amendments. The Pre-Application process was created to involve citizens and to streamline the overall process. Please note that this is a required review prior to the submittal of a Rezoning or General Plan application. Please see fee schedule for current fee. A representative of the applicant must be present at the Pre-Application meeting.

The Pre-Application process takes approximately three weeks. Rezoning and General Plan Pre-Application review process steps are as follows:

1. **Neighborhood Meeting Requirements**

Rezoning and General Plan Map Amendments require at least one neighborhood meeting as part of the Pre-Application process. Reference the Town of Gilbert's Land Development Code Chapter I, Section 5.204: Neighborhood Meeting for more information regarding neighborhood meeting requirements.

<http://www.gilbertaz.gov/departments/development-services/planning-development/land-development-code>

2. **Neighborhood Meeting Scheduling**

The applicant is required to schedule a neighborhood meeting to receive comments on the proposal. Neighborhood meetings are to be conducted a minimum of four calendar days prior to the Pre-Application meeting with the Town. The process is as follows:

- a. Applicant emails the Neighborhood Meeting Request Form, draft notice, list and map of property owners to both Planning Technicians *prior* to Pre-Application submittal at tracey.asher@gilbertaz.gov and elizabeth.stupski@gilbertaz.gov. Please note that neighborhood meetings should be scheduled for 6:00 p.m. in the evening, Monday through Thursday. Please avoid public hearing nights if possible. The meeting should be held in a public place within a reasonable distance of the project. Meeting dates are available on our website at www.gilbertaz.gov.
- b. The Planning Technician reviews proposed date, time and place of the neighborhood meeting, the draft notice and confirms information with the applicant. Confirmation of date, time and place of neighborhood meeting and notice with the Planning Technician is required in order to process the Pre-Application in a timely manner.

3. **Application Filing**

For an application to be accepted, the applicant must provide all of the required information described on the submittal checklist at the time of application submittal. Applications are accepted daily until 6:00 p.m. Monday through Thursday. Applications received by 6:00 p.m. Thursday will be scheduled for the next available Monday meeting. When Thursday is a Town recognized holiday, those submitted by 6:00 p.m. Wednesday will be scheduled for the next available Monday meeting. If the schedule is full, the project will be scheduled for the next available Monday meeting. If Monday is a holiday the pre-application meeting will be held on Tuesday.



4. Staff Review of Submitted Application

Staff conducts an initial review of the proposal. The applicant is notified of meeting time and place for the Pre-Application meeting.

5. Neighborhood Notice

For the Neighborhood Meeting, the applicant must mail the Neighborhood Meeting notice by first class-mail at least ten (10) calendar days prior to the Neighborhood Meeting to the following:

- a. All property owners of record within three hundred (300) feet of the site unless the site is located within the General Plan Santan Character Area, in which case property owners within six-hundred sixty (660) feet are to be notified;
- b. All Homeowners Associations within one thousand (1000) feet of the site that are registered with the Town of Gilbert Neighborhood Services Office, the Arizona Corporation Commission or identified on the Maricopa County Assessor's website (www.maricopa.gov/assessor);
- c. All neighborhoods within one thousand (1000) feet of the site registered with the Town of Gilbert Neighborhood Services Office; and
- d. Any person or group who has requested notice in writing.

The Planning Manager may expand the notification area set forth in this section if it is determined that the potential impact of the project extends beyond the required notification boundary. The applicant must submit a signed affidavit of mailing prior to the Neighborhood Meeting.

6. Property Posting (Sign)

The Notice of Neighborhood Meeting must be posted at least ten (10) calendar days prior to the date of the Neighborhood Meeting. The applicant is responsible for posting the sign on the property, subject to the following specifications and requirements:

- a. Posting, maintenance, and removal of signs are the responsibility of the applicant. All signs must be removed by the applicant within ten (10) days of the Neighborhood Meeting. If the sign is not removed on time, the Town will remove the sign and charge the applicant a removal fee;
- b. The signs must comply with the attached sign criteria; and
- c. The applicant must submit a signed and dated affidavit of posting and color photos of the posted sign(s) prior to the Neighborhood Meeting.

7. Neighborhood Meeting Procedure

The applicant must conduct the meeting in a format approved by the Planning Manager. Following the meeting, which the Town staff may attend, the applicant must create a written summary of the meeting, including comments received and the sign-in sheet. Staff may augment the meeting record as necessary to provide an accurate record of the proceedings.



8. Record of Proceedings

The written meeting summary must be provided to the Planning Technician prior to the scheduled Pre-Application meeting. Please submit electronically. Failure to submit meeting minutes by this date will cause the Pre-Application meeting to be rescheduled. The record must include:

- a. Certification on business letterhead that the meeting was noticed and conducted in compliance with requirements of this section; and
- b. A written summary of the meeting prepared, including the sign in sheet and a list of all attendees' names and addresses.

9. Pre-Application Meeting

- a. The applicant or representative meets with staff of all affected departments to discuss the project and pertinent issues; and
- b. Comments from the Pre-Application meeting will be sent to the applicant within two weeks following the meeting.

10. Additional Neighborhood Meetings

The Planning Manager may require that one or more additional neighborhood meetings be held. If the application is substantially modified from what was presented at the neighborhood meeting, a second neighborhood meeting may need to be held to present the modified application.



Rezoning Pre-Application Content Requirements

Please help us conserve paper.
Submit all documents on a CD and submit the application as a hard copy

Conventional Rezoning

1. Project Narrative

- Description of proposed project;
- Description of proposed base zoning districts and uses; and
- Information on how the project complies with the General Plan and any other adopted plans or zoning requirements.

2. Zoning Exhibit - please show dimensions clearly as we will be reviewing on a computer screen

- Vicinity Map;
- Scale, north arrow, and dimensions;
- Proposed zoning district boundaries;
- Adjacent rights-of-way and easements showing existing and future improvements;
- Availability of public utilities;
- Adjacent zoning districts and adjoining lot lines within 300 feet;
- Uses and structures on adjacent parcels within 300 feet;
- Project Data Table:
 - Gross and net acres;
 - Density (based on gross acres);
 - Current and proposed base zoning district(s) and General Plan classification(s); and
 - Percent of total acreage in each base zoning district.

-OR-

Rezoning with PAD Overlay

1. Project Narrative

- Description of proposed project;
- Description of proposed base zoning districts and uses;
- Justification for proposed zoning deviations and standards; and
- Information on how the project complies with the General Plan and any other adopted plans or zoning requirements.

2. Zoning Exhibit/Conceptual Development Plan - please show dimensions clearly as we will be reviewing on a computer screen

- Vicinity Map;
- Scale, north arrow, and dimensions;
- Proposed zoning district boundaries;
- Adjacent rights-of-way and easements showing existing (use dash lines) and future improvements (use solid lines);



- Proposed points of access to streets and adjacent properties;
- Conceptual drainage;
- Availability of public utilities;
- Conceptual site plan and/or layout;
- Adjacent zoning districts and adjoining lot lines within 300 feet;
- Uses and structures on adjacent parcels within 300 feet;
- Off-site improvements, if any;
- Project phasing, if applicable; and
- Project Data Table:
 - Gross and net acres;
 - Density (based on gross acres);
 - Current and proposed base zoning district(s) and General Plan classification(s);
 - Percent of total acreage in each zoning category;
 - Development standards (i.e. setbacks, height, lot coverage, lot dimensions) showing both proposed and existing standards;
 - Approximate number of dwelling units (Residential only);
 - Approximate square footage of proposed non-residential uses;
 - Minimum setbacks and lot coverage; and
 - Open space/landscape retention areas and percentages.



General Plan Amendment Pre-Application Content Requirements

Please help us conserve paper.

Submit all documents on a CD and submit the application as a hard copy.

1. Project Narrative

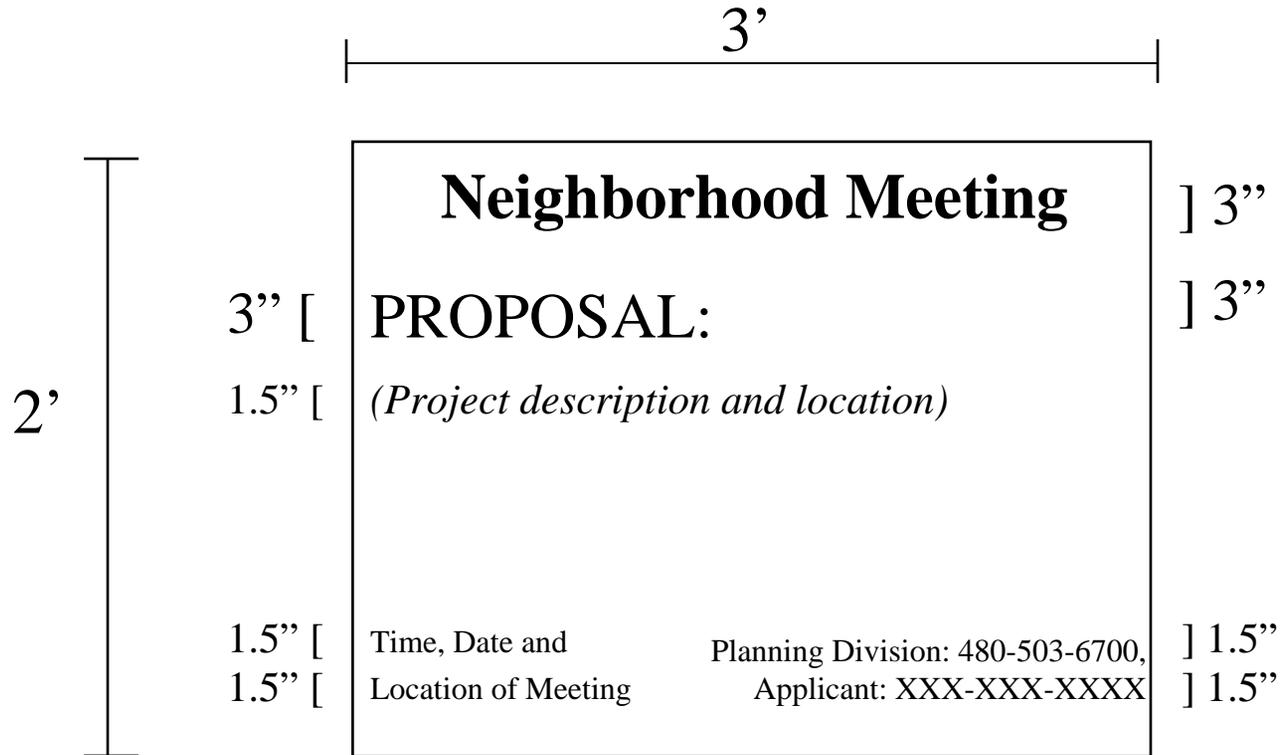
- Description of proposed General Plan changes;
- Explanation on how the proposed change is compatible with adjacent properties and other elements of the General Plan; and
- Explanation on the availability of public utilities and services.

2. Land Use or Circulation Exhibit-please show dimensions clearly as we will be reviewing on a computer screen

- Vicinity Map;
- Scale, north arrow, and dimensions;
- Existing roadways;
- Table indicating proposed roadway classifications;
- Proposed land use classification boundaries;
- Adjacent land use classifications within 300 feet;
- Project Data Table:
 - o Gross acres;
 - o Current and proposed General Plan Classification(s); and
 - o Percent of total acreage in each land use classification.



Criteria for Neighborhood Meeting Sign (Minimum Dimensions)



- Colors: Body to be Brilliant Yellow and lettering to be Flat Black.
- Height: Sign must be 6 feet from finished grade to the top of the sign.
- Contact the Planning Division regarding placement and number of signs.
- Sign(s) must be placed within 25 feet of the largest adjacent street(s).
- Applicant must post sign at least 10 calendar days prior to the meeting date.
- Applicant must remove sign within 10 working days after the Neighborhood Meeting.





A.R.S. § 9-843. Prohibited acts by municipalities and employees; enforcement; notice

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.



Rezoning/General Plan Amendment Pre-Application Checklist

Please help us conserve paper.
Submit all documents on a CD and submit the application as a hard copy

<u>Required Materials</u>	Applicant Checklist	Staff Verification
Fee (See Planning Fee Schedule) http://www.gilbertaz.gov/home/showdocument?id=1038	<input type="checkbox"/>	<input type="checkbox"/>
Provide date of scheduled Neighborhood Meeting on Application.....	<input type="checkbox"/>	<input type="checkbox"/>
Application Provide a PDF copy on the CD <u>and</u> submit a hard copy.....	<input type="checkbox"/>	<input type="checkbox"/>
Provide PDFs of the following on a CD only:		
Project Narrative	<input type="checkbox"/>	<input type="checkbox"/>
Rezoning of the proposed zoning exhibit and preliminary development plan formatted no larger than 11" x 17" , saved in a single layer with no write protection	<input type="checkbox"/>	<input type="checkbox"/>
General Plan Amendment of the proposed land use or circulation exhibit formatted no larger than 11" x 17" , saved in a single layer with no write protection	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Notice		
Copy of the letter by which property owners were notified of the neighborhood meeting	<input type="checkbox"/>	<input type="checkbox"/>
A parcel map highlighting properties within 300 feet, or 660 feet for properties in the Santan Character Area. Homeowners Associations and neighborhoods within 1000 feet of the property of the site.....	<input type="checkbox"/>	<input type="checkbox"/>
Typed names and addresses of all property owners identified on highlighted parcel map	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Meeting Minutes	<input type="checkbox"/>	<input type="checkbox"/>
Affidavit of Property Posting , including a time and date stamped photograph of sign on site, prior to the Neighborhood Meeting.....	<input type="checkbox"/>	<input type="checkbox"/>
Affidavit of applicant's mailing of Notice of Neighborhood Meeting prior to Neighborhood Meeting.....	<input type="checkbox"/>	<input type="checkbox"/>



(Sample Neighborhood Meeting Notice)

Notice of Neighborhood Meeting

_____, _____, 2014

Dear Neighbor,

You are cordially invited to a neighborhood meeting regarding a proposed [General Plan Amendment / Rezoning] in your area.

The property of approximately XXX acres is located at the XX corner of XX Road. and XX Road. Our request will be for the Town of Gilbert to amend the General Plan from the current land use classification of XXX to XXX [i.e. Residential O - 1 du/ac to Neighborhood Commercial (NC)] and to rezone the property from the current zoning classification of XXX to XXX, which could allow X development [i.e. Single Family Residential (SF-7) to Neighborhood Commercial (NC), which would allow commercial development]*. The location of this site is identified on the enclosed map. A neighborhood meeting will be held at the time and place listed below to discuss the proposed General Plan Amendment and Rezoning and answer any questions you may have. If we elect to proceed with our application there will be future public hearings before the Town of Gilbert Planning Commission and Town Council, and you will be notified of those hearings.

The neighborhood meeting will be held:

Monday, Month xx, 2014
6:00pm
Name of the Facility
Street Address*

If you have any questions regarding this Pre-Application Neighborhood Meeting, please contact XX at XXX, (XXX) XXX-XXXX [i.e. John Doe at Doe Development Corp., (480) 123-4567]*.

Sincerely,

John Doe

Attachment: Project site map

(*- Examples given for clarification purposes only)



Affidavit of Neighborhood Notice

The undersigned Applicant has complied with the Town of Gilbert's Neighborhood Meeting notification requirements for the Rezoning proposal, located at _____
_____ on this _____ day of _____, 201__.

Company Name

Applicant

Subscribed and sworn to me on this _____ day of _____, 201__ by
_____.

IN WITNESS WHEREOF, I Hereto set my hand and official seal.

Notary Public

My Commission expires: _____



Affidavit of Sign Posting

The undersigned representative on behalf of the applicant has complied with the Town of Gilbert's Neighborhood Meeting notification requirements for the Rezoning proposal, located at _____ on this _____ day of _____, 201__.

(See attached photo exhibit of posted sign)

Sign Company Name

Sign Company Representative

Subscribed and sworn to me on this _____ day of _____, 201__ by _____.

IN WITNESS WHEREOF, I Hereto set my hand and official seal.

Notary Public

My Commission expires: _____

