



## CITY OF PRESCOTT

### GENERAL PLAN AMENDMENT SUBMITTAL CHECKLIST

**IN ORDER TO SUBMIT THIS APPLICATION YOU MUST SCHEDULE A MEETING WITH A CITY PLANNER. TO SCHEDULE A MEETING PLEASE CALL 928-777-1207.**

GP#: \_\_\_\_\_

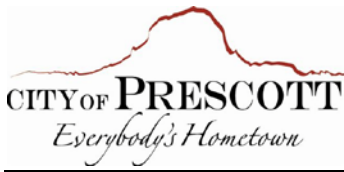
**No application will be accepted unless it is complete including, but not limited to, the following:**

- A copy of the Pre-Application Conference Letter. PAC# \_\_\_\_\_
- Application stating the request, the Assessor's Parcel number, and an application signed and dated, indicating whether the applicant is the owner or the agent. If agent, include the name and address of the property owner, phone number, and a letter of authorization.
- One (1) copy of the legal description including a map of the property with surveyor's seal and an electronic copy of the legal description in "**Word - .doc**" format.
- Nine (9) **FOLDED** copies of the Site Plan. (Minimum size 24" X 36") including at a minimum all information specified in the *Land Development Code*, Article 9.8.4B. and any additional information which may be necessary to clearly define the intended use of the property.
  - One (1) 8 ½" X 11" xerographic reduction or photo reduction of the Site Plan.
  - An electronic file of the Site Plan in a .pdf format.**
- General Plan Designation \_\_\_\_\_. If the proposed zoning district is not compatible with the underlying General Plan designation, a separate General Plan Amendment Application must be submitted prior to the Rezone Application.

**Please Note:** General Plan Amendment and Rezone requests will not be heard in the same meeting.

**Postage Mailing Fee.** The Community Development Department will notify adjacent property owners of this application within 300 feet of the subject property (or a greater distance if deemed necessary by the Community Development Director). The applicant will be billed and required to pay the postage-mailing fee prior to the scheduled Public Hearing.

**NOTE: A DETERMINATION OF "APPLICATION COMPLETENESS" BY THE STAFF PLANNER AND A RECEIPT FOR THE FILING FEE WILL BE SENT TO THE APPLICANT WITHIN FIFTEEN (15) DAYS OF SUBMITTAL OF THE APPLICATION.**



## GENERAL PLAN AMENDMENT APPLICATION

GP# \_\_\_\_\_

Property Address: \_\_\_\_\_

Assessor's Parcel Number (s)(APN): \_\_\_\_\_

Township \_\_\_\_\_ Section \_\_\_\_\_ Range \_\_\_\_\_ Zoning: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_

	<i>For Staff Use Only</i>
<b>Legal Owner Name &amp; Address:</b> _____ _____ _____  <b>Phone:</b> _____ <b>Fax:</b> _____ <b>Email:</b> _____	Date Received: _____ Taken In By: _____ Assigned To: _____ Date Application Complete: _____
<b>Applicant/Agent Name &amp; Address</b> (If different than property owner, <b>Agent letter must accompany submittal</b> ): _____ _____ _____  <b>Phone:</b> _____ <b>Fax:</b> _____ <b>Email:</b> _____	Fees & Charges: _____ Receipt #/Date: _____ PAC Date: _____ P&Z Study: _____ P&Z Vote: _____ Council Study: _____ Council Vote: _____

Description of Request: \_\_\_\_\_  
 \_\_\_\_\_

Proposed General Plan Map Designation \_\_\_\_\_

Existing General Plan Map Designation: \_\_\_\_\_

General Plan Designation: \_\_\_\_\_ Area Specific Plan: \_\_\_\_\_

I/we hereby certify that I am/we are the legal owner's of record of the property described in this application.

\_\_\_\_\_

**Name** **Signature** **Date**



## GENERAL PLAN AMENDMENT SUBMITTAL REQUIREMENTS *Land Development Code, Article 9.15.*

**Applicability.** The official general plan map of the City of Prescott provides land use classifications for all properties within the incorporated area. For a property owner to initiate a change in the land use classification of any property, an application for an amendment to the general plan map must be filed with the City.

An application for an amendment to the official zoning map may be initiated by:

- City Council on its own motion;
- Planning & Zoning Commission;
- Community Development Director; or
- The owner of the subject property.

**Pre-Application Process.** Prior to the submission of an application for a general plan amendment, all potential private party applicants or agents shall attend a pre-application meeting as set forth in Section 9.1.2 of the LDC. The purpose of the meeting is to acquaint the applicant with applicable procedures, standards and plans, and to respond to any questions that the applicant or the City may have regarding the application.

**Application Submittal.** A complete application for a general plan amendment shall be submitted to the Community Development Director.

**Public Notification.** Upon receipt of a complete application, public notices as noted below shall be issued in accordance with Section 9.1.7 of the LDC. Additional notice may also be provided to parties having specific interest in the matter in accordance with the provisions of Section 9.1.10 of the LDC. In addition, a public hearing before the City Council is also required as specified in ARS 9-462.04.

- **Published Notice.** An advertisement (Public Hearing Notice) shall be placed by the Community Development director at least once in a local newspaper of general circulation within the City. The advertisement shall be published at least 15 calendar days prior to the meeting.
- **Mailed Notice.** A notice of public hearing shall generally be sent by U.S. first class mail to owners of record of real property within 300 feet of the parcel under consideration or farther at the Community Development Director's discretion. Alternatives to this standard may occur for administrative waivers, historic preservation actions, or as otherwise permitted by state statutes.
- **Posted Notice.** A notice of public hearing shall be posted where legible from at least 2 rights-of-way adjoining the subject property. Such notice shall be composed of weatherproof materials.

**Area/Neighborhood Meeting.** At the discretion of the Community Development Director, a area/neighborhood meeting may be scheduled and held prior to the Planning and Zoning Commission public hearing.

The purpose of the Area/Neighborhood Meeting is to gather input from surrounding property owners regarding the proposed project or use, identify issues that may be controversial prior to the public hearing and make modifications to the plan/project based on neighborhood input. An Area/Neighborhood Meeting must be held in advance of a general plan amendment application being taken to the Planning & Zoning Commission. The meeting location date and time is scheduled by the City Planner. Notices of the meeting are sent at a minimum in accordance with the Public Notification requirements set forth in the LDC Section 9.1.7.

**Review by Community Development Director.** The Community Development Director shall review the general plan amendment application and prepare a staff report.

**Planning & Zoning Commission Study Session.** The Planning & Zoning Commission will review the application in a public meeting which is normally scheduled for the last Thursday of each month. After being heard in work study the general plan amendment request will then be scheduled for a voting session of the Planning & Zoning Commission.

**Planning & Zoning Commission Voting Session.** The Planning & Zoning Commission will review the application in a formal public hearing generally held on the second Thursday of each month. During the Public Hearing the Commission will consider the request and forward a recommendation to the City Council. The applicant or agent shall attend both the study session and the voting session of the Planning & Zoning Commission meetings.

**City Council Study Session.** The City Council will consider the general plan amendment request during a study session meeting. Study sessions are held on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the month. At the conclusion of the Study Session the Council will either leave the item on the consent agenda for the next regular meeting of the Council or remove the item from the consent agenda and schedule a public hearing to review the item at the next available voting session.

**City Council Voting Session.** The City Council shall review the application in a public hearing, if required, and may vote to approve, approve with modifications, or deny the application and general plan amendment ordinance. If the request is approved the Council will either adopt an Ordinance to amend the general plan for the property. Ordinances become effective 30 days after they are adopted by the City Council during a voting session. Again, the applicant or his representative must be present for both the study session and voting session of the City Council.

**Written Decision.** The decision to approve or approve with conditions, or deny shall be communicated in writing to the applicant within 15 days from the decision.

**Issues for Consideration.** In determining whether to approve, approve with modifications, or deny proposed Official general plan amendments, issues for consideration shall include but not be limited to:

- Consistency (or lack thereof) with other adopted Plans;
- Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
- Suitability of the subject property for uses permitted within the proposed land use designation; and
- Availability of sewer, water and storm water facilities.

**ARS 9-834. Prohibited acts by municipalities and employees; enforcement; notice**

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- 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.
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- 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.
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- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
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- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
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- 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.
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- 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.
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- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.
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- H. A municipality shall prominently print the provisions of subsections A, B, C, D, E, F and G of this section on all license applications.
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- I. The licensing application may be in either print or electronic format.