General Plan Amendment Guidelines
(Includes Community Plan Amendments)

YAVAPAI COUNTY

ADOPTED BY THE Board of Supervisors ON JUNE 7, 2004
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1. Introduction and Purpose

Yavapai County first adopted a General Plan on November 26, 1979. In response to concerns about the effects of population growth in Arizona, the State legislature passed the Growing Smarter Act in 1998. The Yavapai County General Plan was re-written and re-adopted based on the requirements of this new law. Phase I, Planning Visions with Goals and Objectives was adopted on December 17, 2001. On December 13, 2002, the final draft of Phase II (Recommendations, Policies and Implementation Strategies) was adopted. The final step, Phase III will be updating of regulatory codes and preparation of new Community Plans.

The provisions of the General Plan were written to guide countywide development to protect and promote the public health, safety and welfare and to serve as a guide for orderly development. The General Plan organizes and coordinates complex relationships between land development, public services and facilities and environmental resources and hazards. Further, the General Plan guides future growth and development. The General Plan outlines countywide goals and the policies for obtaining those goals. Implementation of the General Plan is accomplished through adherence to and enforcement of the Yavapai County Planning and Zoning Ordinance and Subdivision Regulations and detailed zoning maps.

The Growing Smarter Act requires specific elements for General and Comprehensive Plans (ARS 11-821) and a process for adoption, amending or extending the Plan (ARS 11-806). On September 17, 2001, The Yavapai County Board of Supervisors adopted Amendment 2001-1 that provided for the definitions of what constitutes a major and/or minor amendment to the General Plan in conformance with the Growing Smarter Act.

An amendment to the adopted General Plan or Community Plan may be filed with or without a rezoning application. These Guidelines are intended to provide the applicant with an outline of what characteristics will make a General Plan amendment a required part of their application and to provide guidance to the applicant of the steps that are required for a Major/Minor General Plan amendment.

These procedures are intended to comply with statutory requirements and provide for:

a. The broad dissemination of proposals and alternatives
b. The opportunity for written comments
c. Public hearings after effective notice
d. Open discussions, communications programs and information services.
2. **Definitions**

**Major Amendments and Minor Amendments**

*Major Amendment*
A major amendment is any proposal that does not conform to the adopted county plan and meets the following criteria:

**Residential**

1. Any proposal on 100 or more acres that increases the maximum number of allowable residential units by more than 250 residential units.
2. Any change from a residential land use classification to a non-residential land use classification of 100 or more acres.

**Non-Residential**

1. Any change from a non-residential land use to a residential land use of 100 or more acres.
2. Any change from one category of non-residential land use to another category of non-residential land use on 100 or more acres.

*Minor Amendment*
A minor amendment is any proposal that is greater than 40 acres in size, does not conform to the adopted county plan and does not meet the criteria for a major amendment. Any proposal that does not conform to an adopted community plan, which is not defined as a major amendment, regardless of size, is also considered a minor amendment.
3. Filing Deadlines

**Major Amendments**
Major Amendments are heard by the Board of Supervisors on an annual basis in December of the calendar year. The cut-off date for filing the application is July 31 (FYI: Maricopa County is May 31) of that same year. It is advised that all applications be made as early as possible if the proposed project involves complex planning issues or appears to meet the definition of a Major Amendment. A Zoning Map Change application may be scheduled for hearing on the same agenda as the major amendment application as long as it is submitted at the same time as the Plan Amendment application.

**Minor Amendments**
An application for a Minor Amendment may be submitted and processed simultaneously with a Use Permit and Zoning Map Change hearing application. Once both applications are determined complete, they may be scheduled for public hearing at any time throughout the calendar year. Both of the applications will be processed according to the standard public hearing process, using the appropriate application packets and Section 209 of the Zoning Ordinance (Citizen Participation).
4. Application Process

1. Preliminary Discussion and Review
When an applicant is considering an application for rezoning, a use permit, subdivision plat or other land use activity, the applicant shall arrange for a Pre-Application meeting with the Planning and Design Review Division. The purpose of this meeting is to determine whether their proposal is in conformance with the Yavapai County General Plan and to provide guidance through the application process. This review also enables staff to advise the applicant of those characteristics of the proposal that do not conform to the Plan and recommend possible changes to the proposal that could bring it into conformance. In addition, staff will review the project to determine if the proposal will require a Major or Minor Amendment. This is determined by reviewing the nature of the proposal (including density, uses, and location) against the General Plan as well as any other community plans that may relate to the area. Once there is sufficient project information established, staff will define specific Citizen Participation Requirements that also need to be met as part of the application process.

2. Citizen Participation
Every applicant who is proposing an amendment to the Yavapai County General Plan shall submit a citizen participation plan, pursuant to Section 209 of the Zoning Ordinance as well as according to the conditions determined in the Preliminary Discussion and review, with the application for a Major Plan Amendment. This process shall be started after the pre-application meeting with staff.

Citizen Participation is required in order to:

- Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community.

- Ensure that the citizens and property owners within the community have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process.

- Facilitate ongoing communication between the applicant, interested citizens and property owners, County staff, Planning Commissioners and elected officials throughout the application review process.

Citizen participation is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.

The level of citizen interest and area of involvement will vary depending on the nature of the application and the impact of the proposed amendment. The target area for early
At a minimum, the following information regarding the involvement for the target area must be included:

1. How those interested in and potentially affected by an application will be notified that an application has been made.
2. How those interested and potentially affected parties will be informed of the substance of the change, amendment, or development proposed by the application.
3. How those affected or otherwise interested will be provided an opportunity to discuss the applicants’ proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing.
4. The applicant’s schedule for completion of the citizen participation plan.
5. How the applicant will keep the Planning Department informed on the status of their citizen participation efforts.

These requirements are in addition to any notice provisions required by state statute and the Planning and Zoning Ordinance.

Extenuating circumstances may warrant the Planning staff to cause the applicant to hold additional citizen participation meetings based on, but not limited to the timeframe between the last meeting and the date of the submittal or any substantial changes that have occurred to the development proposal since the last citizen participation meeting was held.
3. Citizen Participation Report
The applicant shall provide a written report on the results of their citizen participation effort with their application for a major or minor amendment. This report will be included in the information provided to the Reviewing Agencies, the Planning and Zoning Commission and the Board of Supervisors.

The citizen participation report will include the following details of techniques the applicant used to involve the public, including:
1. Dates and locations of all meetings where citizens were invited to discuss the applicants proposal;
2. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters and other publications
3. Where residents, property owners, and interested parties receiving notices, etc. are located
4. The number of people that participated in the process and their names and addresses.
5. A summary of concerns, issues and problems expressed during the process, including: The substance of the concerns, issues, and problems; how the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and concerns, issues and problems the applicant is unwilling or unable to address and why.

4. Complete Application
The Yavapai County Development Services Department, Planning and Design Review Division will determine if an application contains sufficient information to allow for adequate project review. At a minimum, the typical application will need to include the following in order to initiate project review:

1. All information requested on the UP/ZMC/PAD Hearing Application Packet including filing fee. (Please see adopted fee schedule). This filing fee is non-refundable.
2. A completed General Plan Amendment Statement of Intent that includes descriptions of the total acreage, residential or other land use classification thresholds for the proposed project.
4. Any additional information requested by the Division at the Preliminary application meeting, during pre-submission communications with staff.

When the applicant submits a complete application, citizen participation report and the appropriate filing fee, the project material will be prepared for Formal Agency Review.
5. Formal Agency Review

Upon receipt of an application and filing fee for a General Plan Amendment, Development Services Department will determine if the application is complete. Per State Statute at least sixty (60) days before a hearing notice is published for adopting an element or major amendment of a general plan, the complete application along with any relevant information will be forwarded to the reviewing agencies for their review and comment including, but not limited to:

- Each municipality in the County;
- Each other county that is contiguous to the County;
- The regional planning agency in the County;
- The Department of Commerce or any other state agency that is subsequently designated as a general agency for this state;
- The Department of Water Resources for review and comment on the water resources element, if a water element is required;
- Any person or entity that requests in writing to receive a review copy of the proposal.

Agency review will include at a minimum:

a. Whether the amendment constitutes an overall improvement to the Comprehensive Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.

b. Whether the amendment will adversely impact all or a portion of the planning area by:
   - Altering acceptable land use patterns to the detriment of the Plan;
   - Requiring public expenditures for larger and more expensive infrastructure improvements to roads, sewer, or water systems than are needed to support the planned land uses;
   - Adverse impacting planned uses because of increased traffic;
   - Affecting the livability of the area or the health or safety of present and future residents;
   - Adversely impacting the natural environment or scenic quality of the area in contradiction to the Plan;

c. Whether the amendment is consistent with the overall intent of the Plan.

d. The extent to which the amendment is consistent with the specific goals and policies contained within the Plan.

The Planning and Design Review division of the Development Services Department, will forward the comments that are received from the agency review to the applicant and advise the applicant of any deficiencies in order to afford the applicant sufficient time to respond and remedy any deficiencies prior to noticing the application for public hearing.
6. Public Hearing Requirements

Planning and Zoning Commission

After the mandatory sixty-day (60) comment and review period, the application will be noticed for a public hearing before the Yavapai County Planning and Zoning Commission. An application will only be scheduled for hearing if all reviewing agencies have been satisfied. Adjacent landowners, homeowner associations, neighboring municipalities and affected agencies will be notified of the hearing. Also, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations and citizens generally to secure the maximum coordination of plans. Notice of the hearing and availability of studies and summaries related to the hearing will be published in a newspaper of general circulation and posters at the Plan Amendment location. All notices will be made a minimum of fifteen (15) days and not more than thirty (30) calendar days before the hearing prior to the scheduled public hearing with the Yavapai County Planning and Development Services Department will prepare a written staff report for the Planning and Zoning Commission based on the evaluation and comments received from the agency reviews. Once the Commission has met and given consideration to public comment, the Planning and Zoning Commission may recommend approval, denial or deferral of the proposed amendment.

Board of Supervisors

The County Planning and Zoning Commission recommendation will be transmitted to the Yavapai County Board of Supervisors for a second public hearing. Notice of the hearing will be given in the same manner as the Planning and Zoning Commission hearing. The Board of Supervisors can either accept the Planning and Zoning Commissions recommendation or reject all, or in part. However, if the Board of Supervisors chooses to revise the amendment, it must be referred back to the Planning and Zoning Commission for their review and recommendation on the revision desired by the Board of Supervisors. If the application is referred back to the Planning and Zoning Commission, then the Commission will hold another public hearing after notice is given (per item 4). At such time that the Planning and Zoning Commission forwards a recommendation concerning the amendment requested by the Board of Supervisors, another public hearing will be held before the Board of Supervisors after notice is given (per Item 4). The Board of Supervisors, again, can deny, approve or alter the proposed amendment in part or in its entirety.

If the County Board of Supervisors approves the General Plan Amendment, it becomes adopted and takes effect in thirty (30) days. The General Plan will be revised to reflect the amendment.
7. Statement of Intent

GENERAL PLAN AMENDMENT STATEMENT OF INTENT

Location of Property: _______________________________________________________

Land Use Plan to be Amended: _____________________________________________

Current Land Use Designation/Zoning: _______________________________________

Proposed use of Property by Applicant: _____________________________________

Features that do not conform to the Land Use Plan: ___________________________

Why should this plan be amended as requested? _______________________________

I, hereby certify that the information submitted on this application and statement of intent is complete and accurate to the best of my knowledge and that I am the applicant or agent of the same as stated in the attached documentation.

Name (Please Print)_________________ Date:____________________

Signature:________________________________________________________________

If you have questions concerning this process, please contact Yavapai County Development Services Department, 500 South Marina Street, Prescott, AZ 86303 Telephone: 928-771-3214 Contact:___________________________________
8. **Timeline**

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<tr>
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<td>10 days</td>
<td>Deadline to submit major amend</td>
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<td>3 weeks</td>
<td>60 days</td>
<td>Distribute to reviewing agencies</td>
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