
Chapter 9.65 General Plan Amendments

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9.65.010 – Purpose

The text, diagrams, or maps of the General Plan may be amended to reflect changing physical and development needs of the Town over time, as determined by the Council to be in the best interest of the Town for the health, safety and welfare of the community.

9.65.020 – Initiation

- A. Procedure.** A General Plan Amendment may be initiated by filing an amendment application by one (1) or more property owners, affected by the proposed amendment or the Council.

If the Council initiates a change or addition to the General Plan, it may direct staff to process the amendment.

If the Commission wishes to initiate an amendment, it shall be referred to the Council for concurrence to initiate the amendment. The Council may then direct staff to process the amendment.

If the Director wishes to initiate an amendment, it shall be referred to the Commission for review and referral to Council.

Fees. Application for a General Plan Amendment made by one (1) or more property owners affected by the proposed amendment shall be accompanied by a fee established by resolution of the Council and shall include submittal requirements as prescribed by the Director.

9.65.030 – Notification Procedures

A. Public Hearing Notice.

Upon receipt in proper form of a General Plan Amendment application, or upon receiving direction from the Council, and following a Department review and recommendation, public hearings shall be set as hereinafter provided before the Commission and Council.

B. Other Agency Notice.

Pursuant to Government Code Section 65352, at least forty-five (45) days prior to Council action on a proposed amendment, the Planning Division shall notify the planning agency of every city which abuts the Town, the County, the Local Agency Formation Commission (LAFCO), and area-wide planning agency or federal agency whose operations may be significantly affected by the proposed action, each governmental body, commission, or council/board, including those of any school, public water system, or special districts, whose jurisdiction lies wholly or partially within the Town whose functions include recommending, preparing plans for, or constructing major public works projects, and any California Native American tribe that is on the contact list maintained by the Native American Heritage Commission with traditional lands located within the Town.

9.65.040 – Commission Action

A. Public Hearing Required. The Commission shall hold a public hearing after giving notice as required by Chapter 9.85, *Public Hearings and Notice*.

B. Commission Recommendation. The Commission shall make a written recommendation whether to approve, approve in modified from, or deny the proposed amendment. A recommendation for approval shall be made by an affirmative vote of not less than a majority of the total membership of the Commission.

9.65.050 – Council Action

A. Council Options. Upon receipt of the Commission's recommendation, the Council may approve, approve with modifications, or disapprove the proposed amendment based upon the findings contained in Section 9.65.060, *Required Findings*.

B. Amendment to be made by Resolution. Amendments to General Plan shall be made by resolution. A General Plan Amendment shall be effective upon passage of the Council's Resolution.

C. Public Hearing by Council. Upon receipt of a Commission recommendation, the Council shall hold a public hearing and notices shall be mailed as set forth in Chapter 9.85, *Public Hearings and Notice*. Notice shall also be given to the applicant, any property owners affected by the proposed amendment and, if applicable, the appellant. The Planning Division shall submit a report and meeting minutes of the Commission's recommendation to the Council setting forth the reasons for action taken by the Commission.

D. Council Modifications to Proposed Amendment. Any significant modification of an amendment which (modification) was not previously considered by the Commission during its hearing shall be referred to the Commission for report and recommendation. The Commission is not required to hold a hearing on such modification, and their failure to respond to Council referral within forty-five (45) days shall constitute their (the Commission's) recommendation for approval.

9.65.060 – Required Findings.

The Council shall make the following findings in adopting an amendment to the General Plan:

- A. The proposed General Plan Amendment is consistent with the goals, policies and standards of the all elements of the General Plan and will further those goals, policies and standards;
- B. The General Plan as amended will comprise an integrated, internally consistent and compatible statement of policies for the Town; and
- C. The General Plan amendment furthers the public interest and promotes the general welfare of the Town by providing for logical pattern of land uses and clarifying various land use policies for the Town.

9.65.070 – Amendment Frequency.

Each mandatory element of the General Plan shall not be amended more than four (4) times in a calendar year. Each of the four allowed amendments may encompass a variety of different changes to the element, however they must be processed and reviewed concurrently.

9.65.080 – Consistency Zoning

When a General Plan amendment affects the land use designation of specific properties, those properties are required to be concurrently rezoned to a zoning district(s) as necessary to maintain consistency with the General Plan.