

**TOWN OF ORO VALLEY**

**PLANNING & ZONING COMMISSION**

**MEETING DATE: June 7, 2011**

**TO: PLANNING & ZONING COMMISSION**

**FROM:** David Williams, Planning Division Manager

**SUBJECT: Public Hearing: Amendment to Zoning Code expanding the timeframes for Major General Plan amendment submittals, Section 22.2, General Plan Amendment Procedures, OV711-004.**

**SUMMARY:**

The proposed Zoning Code amendment involves expanding the timeframes for Major General Plan Amendments. Currently, the Zoning Code allows submittal of Major General Plan Amendments January through February each calendar year. The amendment would allow submittal of applications from January through May each calendar year.

**BACKGROUND:**

Purpose of Amendment

The current timeframe within the Zoning Code provides a very limited window for applications. Since February, there have been several inquiries regarding potential Major General Plan Amendments and applicants have been advised that formal submittals may not be made until the first working day of January 2012, resulting in a significant time delay.

The purpose of the zoning code amendment is to expand the timeframe for Major General Plan Amendment submittals and allow applicants a more reasonable timeframe for preparation and submittal of an application.

**Proposed Zoning Code Amendments**

The following is an outline of the main components of the Zoning Code amendment:

1. Expand the timeframes for Major General Plan Amendment submittals to January 1<sup>st</sup> through May 31<sup>st</sup> of each calendar year.
2. Provisions have been included which would allow Town Council to initiate immediate review of Major General Plan Amendments, any time of the year, based on specific findings.

Refer to Exhibit A for the specific language of the draft amendment.

Staff Analysis

Submittal Window:

The existing timeframe for Major General Plan Amendment submittals is relatively narrow and unnecessarily limits submittal of applications to the first two months of the calendar year. The proposed Zoning Code amendment expands the submittal timeframes. Allowing an expanded timeframe for submittal will still allow for adequate time for review and analysis of the proposed amendment and meet statutory requirements pertaining to outside agency review and public hearings.

A generalized overview of the annual Major General Plan Amendment process as revised by this amendment is as follows:

January - May:	Expanded window for General Plan Amendment submittals
May - August:	Staff review and analysis
July - August:	60 day outside agency review
September - October:	Planning and Zoning Commission Public Hearings (2)
November - December:	Town Council Public Hearing (1)

Submittal Windows for Other Jurisdictions:

- Pima County – Comprehensive Plan Amendments may only be submitted between February 1<sup>st</sup> and April 29<sup>th</sup> each calendar year.
- Marana – General Plan Amendments may be submitted any time of the year.

Major General Plan Amendments – Immediate Review

The amendment includes language which would allow Town Council to initiate a Major General Plan Amendment outside the normal submittal window, based on specific findings. These findings require an applicant to demonstrate that waiting for the normal amendment process would deny substantial and significant benefits to the community and/or place the community at greater health and safety risks.

Major General Plan Amendments initiated for immediate review pursuant to this section must conform with the submittal content, public notice, neighborhood meeting and public hearing requirements applicable to a normal Major General Plan Amendment filed during the annual amendment process.

2011 Major General Plan Amendment Window

Given the timing of this Zoning Code Amendment, the Major General Plan Amendment submittal window for the calendar year 2011 is suggested to be re-opened through August 15<sup>th</sup>. The special submittal window is only for the 2011 calendar year and will allow additional time for 2011 Major General Plan Amendment submittals. This special allowance pertaining only to 2011 will be addressed in the adopting ordinance, rather than the Zoning Code.

**PUBLIC NOTIFICATION AND COMMENT**

The Zoning Code amendment has been noticed in accordance with Town requirements and no comments have been received.

**CONCLUSION/RECOMMENDATION**

Staff recommends approval as specified Attachment 1.

**SUGGESTED MOTION**

The Planning & Zoning Commission may wish to consider one of the following suggested motions:

I move to recommend [approval, approval with conditions, OR denial], OV711-04, approval of Zoning Code amendment expanding timeframes for a Major General Plan Amendment as specified in Attachment 1.

**Attachment:**

1. Attachment A – Proposed Zoning Code Amendment

cc: Prepared by: Chad Daines, AICP, Principal Planner

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David Williams, AICP, Planning Division Manager

