

EXHIBIT “A”

Zoning Code

Chapter 22

Review and Approval Procedures

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Section 22.2 General Plan Amendment Procedures

A. Purpose

A General Plan amendment is any change that occurs between Comprehensive GENERAL Plan updates. Amendments may involve a change to the Land Use Map for specific properties or a change to the text. Requests for amendments, if approved, can effect change to any section of the document including, but not limited to, the various elements, policies, objectives or goals.

B. Rezoning Conformance with the General Plan

IN ACCORDANCE WITH STATE LAW, any zoning changes in land use must conform ~~in all respects~~ with the Town’s adopted General Plan and Land Use Map. See Section [22.3](#) for further information on rezoning compliance with the General Plan.

C. Types of Amendments to the General Plan

Text and land use map changes will be classified as follows:

1. Major Amendment

A substantial alteration of the land use mixture or balance that meets one or more of the following criteria:

a. A change in land use designation that is expressed as a major amendment in Table 22-1, unless the proposal ~~meets the criteria listed in Section 22.2.C.2.b or 22.2.C.2.c.~~ IS LESS THAN TWENTY ACRES, EXCEPT AS PROVIDED HEREIN.

b. IF THE PROPERTY IS GREATER THAN OR EQUAL TO 10 ACRES BUT THE NEW LAND USE DESIGNATION WOULD NOT BE CONTIGUOUS TO A LIKE LAND USE DESIGNATION, THEN A MAJOR GENERAL PLAN AMENDMENT IS REQUIRED.

- c.b. Amendments for properties beyond the General Plan Urban Services Boundary (USB).
- d.e. Text changes that add or rescind any element, policy, objective or goal to the Plan.
- e.d. Text changes that substantially alter the intent of any element, policy, objective or goal.

2. Minor Amendment

- a. Any change in land use designation that is expressed as a minor amendment in Table 22-1.
- b. All amendments that are LESS THAN ~~five~~ TWENTY acres. ~~or less in size and that are contiguous to like existing land use categories.,~~ EXCEPT AS PROVIDED BY SECTION 22.2.C.1.B.
- c. Amendments to the Land Use Map that achieve conformity with either existing land uses or Pima County zoning upon annexation.
- d. Text changes that clarify any portion of an element, policy, objective or goal without substantially altering the intent.
- e. Amendments that do not meet the criteria for a major amendment.

3. Exceptions

The following shall not require a formal amendment to the General Plan and SHALL be reviewed administratively.

- a. All scriveners' errors will be subject to administrative approval. Scrivener's errors are unintentional clerical mistakes made during the drafting, publishing, and copying process.
- b. Public schools are not subject to the amendment process.

TABLE 22-1 General Plan Amendment Matrix

Existing Designation ¹ (change from)	Proposed Designation (Change to)												
	R-LDR	LDR1	LDR2	MDR	HDR	MPC	RGC	NCO	CRC	COP	PSP& SCH	PARK	OS
R-LDR	✕	■	■	■	■	■	■	■	■	■	■		
LDR1		✕		■	■	■	■	■	■	■	■		
LDR2			✕	■	■	■	■	■	■	■	■		
MDR				✕		■			■	■	■		
HDR					✕	■			■				
MPC ²	See footnote #2 below												
RGC	■	■	■	■	■	■	✕		■	■			
NCO	■	■	■	■	■	■		✕	■	■		■	
CRC	■	■	■	■	■	■			✕		■		
COP				■	■					✕	■		
PSP and SCH ³						■					✕		
PARK	■	■	■	■	■	■		■	■	■	■	✕	
OS	■	■	■	■	■	■	■	■	■	■	■		✕

Major Amendment	■
Minor Amendment	
No Amendment	✕

1. For a complete definition of the land use designations, please refer to the General Plan.
2. Amendments to areas designated as MPC will be treated, per the General Plan Amendment Matrix Table, based on the land use and density of the MPC designation. If no specific land uses and densities are called out for the MPC, it will be treated, for the purpose of the amendment only, as MDR and NCO (no more than ten (10) percent).
3. Excluding public schools. Public schools are not subject to the amendment process.

D. General Plan Amendment Procedures

All minor and major amendments to the General Plan shall follow the procedures outlined below:

1. Application
 - a. Amendments to the Land Use Map may be initiated by the Town or by the landowner only.
 - b. Text amendments including, but not limited to, the General Plan elements, policies, goals, objectives and implementation strategies may be requested by any individual, whether a land holder in the Town or not, or by a Town Official or Town resident.
2. Review Process
 - a. Minor Amendment

- i. Submittal requirements are established by the Planning and Zoning Administrator. Additional studies or other materials may be required when warranted.
- ii. Amendments may be submitted any time of the year.
- iii. Neighborhood Meetings
 - a) At least one neighborhood meeting must be provided prior to submittal of a formal application for all proposed changes to the Land Use Map.
 - b) Town policies for notification of General Plan amendments must be followed to achieve a neighborhood meeting.
 - c) Additional meetings for text amendments may be required at the discretion of the Planning and Zoning Administrator.

b. Major Amendment

- i. Submittal requirements are established by the Planning and Zoning Administrator. Additional studies or other materials may be required when warranted.
- ii. Applications are accepted from January 1st to April 30th.
- iii. Neighborhood Meetings
 - a) At least two neighborhood meetings IN ACCORDANCE WITH SECTION 22.15 must be provided prior to submittal of a formal application for all changes to the Land Use Map. ~~If there are any substantive changes to the application after formal submittal, an additional neighborhood meeting will be required.~~
 - b) Neighborhood meetings must occur not more than two (2) months prior to submittal. The meetings must be facilitated by Town of Oro Valley staff.
 - c) Town policies for notification of General Plan amendments must be followed in notifying property owners of a neighborhood meeting.

D) A MINIMUM OF ONE ADDITIONAL NEIGHBORHOOD MEETING SHALL BE CONDUCTED DURING REVIEW OF THE APPLICATION AND PRIOR TO THE PLANNING AND ZONING COMMISSION HEARING ON AN APPLICATION. THE PLANNING AND ZONING ADMINISTRATOR MAY REQUIRE MULTIPLE MEETINGS FOR COMPLEX

PROJECTS OR TO PROVIDE ADEQUATE OPPORTUNITY FOR NEIGHBORHOOD INPUT.

- iv. All applications must be reviewed concurrently at a minimum of two public hearings by the Planning and Zoning Commission in different locations.
 - v. All major amendments are to be presented to the Council at a single public hearing prior to the end of the calendar year that the proposal is made.
 - vi. Public Notification for All Public Hearings. Public notification shall be given not less than fifteen (15) days prior to the scheduled hearing date and will include at a minimum:
 - a) Notice of the proposed amendment will be advertised a minimum of three (3) times in two (2) widely distributed newspapers.
 - b) All property owners within one thousand (1,000) feet of the subject property will be directly notified of the amendment when the amendment involves a change in land use ON THE FUTURE LAND USE PLAN. The Planning and Zoning Administrator may expand the notification area in accordance with Section [22.15.B.2.b](#).
 - c) All homeowner's associations registered in Oro Valley will be notified of the amendment.
 - d) Signs noticing the proposed amendment will be posted on the property on a sign or signs three (3) feet by four (4) feet in size, with white background and five (5) inch letters.
 - vii. Adoption of a major amendment requires a two-thirds (2/3) vote of the Town Council.
- c. Major General Plan Amendments for Immediate Review. The Town Council may initiate a major General Plan amendment at any time of the year outside of the application timeframe established by subsection D.2.b.ii of this section, subject to the following:
- i. The initiation of a major General Plan amendment pursuant to this section shall be at a noticed public hearing.
 - ii. The submittal content, public notice, neighborhood meeting public hearings and super majority approval requirements for a major General Plan amendment initiated pursuant to this section shall conform with the requirements of ~~subsection D of this s~~SECTION 22.2.D.

- iii. Town Council may initiate a major General Plan amendment pursuant to this section based on the following findings:
 - a) The applicant has demonstrated that waiting for the normal amendment period would deny substantial and significant benefits to the greater community.
 - b) The applicant has demonstrated that waiting for the normal amendment period would place the community at greater health and safety risks.

3. Adoption of Amendment

The disposition of the General Plan amendment proposed shall be based on consistency with the vision, goals, and policies of the General Plan, with special emphasis on compliance with the following criteria:

- a. The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification; and
- b. The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility; and
- c. The proposed change reflects market demand which leads to viability and general community acceptance; and
- d. The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.

The applicant for the amendment shall have the burden of presenting facts and other materials to support these criteria in writing, prior to any public hearings.

4. Another Application after Denial or Withdrawal

In the event that an application for General Plan amendment is denied by the Town Council or the application is withdrawn after the Planning and Zoning Commission hearing, the Planning and Zoning Department shall not have the authority to accept another application for the same amendment within a year of the date of the original Town Council hearing when the application was denied.