

AMENDMENTS AND PROCESS

AMENDMENT CRITERIA

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Major Amendment Overview

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The Eloy General Plan, as required by State Statute, shall be updated every 10 years, or earlier as determined by the City Council. During the ten years there may be proposed changes or amendments to the General Plan. These proposed amendments may be filed by the City, landowners, individual residents or developers. State Statutes identify an amendment to the General Plan as 'major' when the proposal substantially alters the City's planned mixture or balance of land uses. A major amendment is any proposal that satisfies any one of the criteria listed below (all other amendments shall be considered Minor).

State Statutes requires that all major amendments be heard before the City Council at a single public hearing designated each year. The City Council shall review and approve, approve with conditions, or deny each major amendment. Major amendment cases are required to be submitted within the same year they are heard, and a 2/3-majority vote of the City Council is necessary for approval. In addition, major amendments will require a staff review and recommendation to the Planning Commission. The Planning Commission shall hold a minimum of one public hearing and shall make a recommendation of approval, approval with conditions, or denial to Council. The Council shall hold an additional public hearing and its decision shall be based on specific review guidelines listed below.

Any proposal that does not meet the criteria listed below is considered a minor amendment and can be considered by City Planning staff, the Planning and Zoning Commission, and the City Council, according to the regularly scheduled review and approval process.

Text changes to the General Plan shall be considered major if they are in conflict with, alter, or misconstrue the intent of any existing goal. Text changes that eliminate, alter, or change an objective, policy or policies may be considered minor if goals and objectives are not affected either directly or indirectly.

Major Amendment Land Use Criteria

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A major amendment to the general plan is required where any one of the following occurs:

1. A change in Residential land use designation that exceeds 320 acres.
2. A land use designation change from residential to non-residential of 40 acres or more.

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3. A change in any commercial or employment land use designations (e.g. neighborhood commercial, community commercial, light industrial, General Industrial) exceeding 40 acres for Commercial and 80 acres for industrial or employment uses.

Amendment Guidelines

Changes to the General Plan must also meet the following guidelines for approval:

1. That the City has not provided adequate land uses designated that would allow for the proposed use to be sited as proposed.
2. That the amendment constitutes an overall improvement to the General Plan and will not solely benefit a particular landowner or owners at any particular point in time but will be of benefit to the City in general.
3. The amendment will not adversely impact any portion or entirety of the community, by:
 - Significantly altering acceptable existing and planned land use patterns,
 - Require additional and more expensive infrastructure improvements to roads, sewer, or water delivery systems than are needed to support the prevailing land uses and may impact developments in other areas, unless otherwise negotiated through a development agreement, or other mitigation plan, and demonstrated to be of benefit to the City,
 - Adversely impact existing or previously planned uses through an unreasonable increase in traffic generated on existing systems by the proposed use, or
 - Adversely affect the livability of an area within the City or the health and safety of the residents.
4. That the amendment is consistent with the General Plan's overall intent and other adopted plans, codes, and ordinances.
5. It shall be the burden of the party requesting the major amendment to prove that the change constitutes an improvement to the General Plan and satisfies all review guidelines above. It shall not be the burden of the City to provide a reason that an amendment should be denied.

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