

# AMENDMENT PROCEDURES

## 16.1 COMPREHENSIVE REVIEW

- (1) The Planning Director shall initiate a comprehensive review of the General Plan every ten years after the initial date of adoption of the General Plan and the date of adoption of subsequent amendments resulting from a comprehensive review.
- (2) The Planning Director shall give notice of the comprehensive review to the County Council, Planning Commission, and the general public. The notice shall state:
  - (a) The general scope of review;
  - (b) The ability for the County Council, Planning Commission, and the general public to provide their comments and suggestions to the Planning Director; and
  - (c) The initiation date, schedule of events, and time for completion of the review period.
- (3) Upon completion of the review period, the Planning Director shall conduct public workshops on the proposed amendments.
- (4) The public shall be afforded 60 days from the date of the last public workshop to provide comments to the Planning Director.
- (5) The Planning Director may then initiate proposed amendments to the General Plan and shall submit the amendments to the Planning Commission for its review and recommendation within 60 days after the public deadline to submit comments to the Planning Director.
- (6) The Planning Director shall notify a property owner of a proposed amendment that would redesignate its property to Open or Conservation, unless the property is already designated Conservation by the State land Use Commission. If the Planning Director originally initiates the redesignation, then a notice shall be sent not less than 21 days before the first Planning Commission hearing on the proposed amendment. If the Planning Commission suggests the proposal, the property owner shall be notified of the Planning Director's decision to initiate it not less than 21 days before the County Council's first reading. If initiated by the County Council, the property owner shall be notified not less than 21 days before the County Council's first reading.
- (7) The Planning Commission shall conduct and complete its public hearings on the proposed amendments to the General Plan within 90 days from the date of receipt of the proposed amendments.

§16.2: Interim Amendments

- (8) The Planning Commission shall submit its recommendation to the County Council together with the Planning Director's proposal within 60 days from the close of the public hearing. The Planning Commission shall recommend approval of the Planning Director's proposal, in whole or in part, recommend changes, or recommend the rejection of the proposal for changes to the General Plan.
- (9) The County Council shall review the amendments submitted by the Planning Director and the recommendation of the Planning Commission. The County Council may adopt the changes proposed by the Planning Director and Planning Commission, including any modifications, deletions, or additions deemed necessary by the County Council. The County Council shall render a decision within 120 days of receipt of the proposed amendments.

**16.2 INTERIM AMENDMENTS**

- (1) The County Council may initiate amendments to the General Plan at any time other than during the comprehensive review pursuant to the following procedures:
  - (a) The County Council may, by resolution, direct the Planning Director to conduct a study to determine the feasibility of a proposed amendment.
  - (b) The Planning Director shall have 120 days or a longer period, as may be agreed to by the County Council, to submit a completed feasibility study and recommendation on the County Council's proposal to the Planning Commission for its review and recommendation. If the Planning Director recommends an approval, the Planning Director shall also submit a draft ordinance for consideration and action by the County Council.
  - (c) The Planning Commission shall conduct and complete its public hearings on the proposed amendment within 60 days of receipt of the feasibility study and recommendation from the Planning Director.
  - (d) The Planning Commission shall submit its recommendation on the proposed amendment together with the Planning Director's feasibility study and recommendation to the County Council within 30 days from the close of the hearing.
  - (e) The County Council shall review the proposed amendment in accordance with its rules of practice and procedure.
- (2) Planning Director
  - (a) The Planning Director may initiate an amendment to the General Plan at any time other than during the comprehensive review.
  - (b) The Planning Director shall conduct a workshop on the proposed amendment prior to submitting it to the Planning Commission.
  - (c) The Planning Director shall submit the proposed amendment to the Planning Commission for its review and recommendation.

- (d) The Planning Commission shall conduct and complete its public hearing within 60 days from the date of receipt of the proposed amendment.
  - (e) The Planning Commission shall submit its recommendation together with the Planning Director's proposal to the County Council within 30 days from the close of the hearing.
  - (f) The County Council shall review the proposed amendment in accordance with its rules of practice and procedure.
- (3) General Public
- (a) Consistent with the County Charter, a member of the public may submit an application requesting the Planning Director to initiate an amendment to the General Plan at any time other than during the comprehensive review.
  - (b) The application shall include:
    - (i) A filing fee of \$500.00 to cover the administrative cost of processing the application;
    - (ii) A statement of the nature of the proposed amendment;
    - (iii) A draft of the language of the proposed amendment;
    - (iv) A statement of the reasons for granting the proposed change, supported by a written, documented assessment of the relationships of the proposed change with pertinent elements of the General Plan; and
    - (v) Maps, graphs, plot plan, and other supportive information.
  - (c) Upon receipt of a properly filed and completed application, the Planning Director shall have 120 days to take one of the following actions:
    - (i) Reject the application for an amendment; or
    - (ii) Initiate an amendment to the General Plan.
  - (d) Should the Planning Director initiate an amendment, the Planning Director shall then transmit the proposed amendment to the Planning Commission for its review and recommendation.
  - (e) The Planning Commission shall conduct and complete its public hearings on the proposed amendment within 60 days of receipt of the proposal from the Planning Director.
  - (f) The Planning Commission shall submit its recommendation on the proposed amendment to the County Council within 30 days from the close of the hearing.
  - (g) The County Council shall review the proposed amendment in accordance with its rules of practice and procedure.
  - (h) In the event that the Planning Director rejects an application for an amendment, the applicant may request the County Council to initiate an amendment on its behalf.
  - (i) In the event that an application is denied by the County Council, the same or a substantially similar application may not be submitted for consideration within

### §16.3: Rules And Regulations

one year following such denial, unless the applicant submits significant new data or additional reasons that the Planning Director may find to be a sufficient basis for the application to be considered.

**16.3 RULES AND REGULATIONS.** The Planning Director and the Planning Commission shall promulgate rules and regulations to implement the amendment procedures.