

**PLANNING AND DEVELOPMENT SERVICES REPORT**

**City Code Text Amendment**

**PUBLIC HEARING**

**PZ-22-00172**

**DATE: August 19, 2022**

**MEETING DATE: September 14, 2022**

**REPORT BY: Tiffany Antol, AICP**

**REQUEST:**

City's request for a City Code Text Amendment to modify Title 11, General Plans and Subdivision, Division 11-10.20, Additional Procedures for Comprehensive Updates, New Elements, and Major Amendments to the General Plan to make a clarification edit in regards to public participation procedures and to align the Flagstaff City Code with new legislation adopted by the State of Arizona regarding the processing of major plan amendments.

**STAFF RECOMMENDATION:**

Staff recommends the Planning and Zoning Commission make a recommendation to the City Council for approval of the City Code Text Amendment.

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**I. Proposed Amendment:**

The proposed amendment is to remove a reference to the public participation procedures within Flagstaff City Code Title 10, Zoning Code that conflict with the requirements for public participation procedures within Flagstaff City Code Title 11, General Plans and Subdivision. The amendment also modifies the major plan amendment application process procedures in alignment with House Bill 2482 which requires that plan amendments be presented in a City Council public hearing within 12 months of the submission of the application. This new legislation removes the requirement for major plan amendments to be presented at a single public hearing during the calendar year.

The proposed amendment includes the following:

**Delete Section 11-10.20.010.E**

~~E.—All Comprehensive Plan updates are subject to the public participation procedures established in Section 10-20.30.060, Neighborhood Meeting.~~

**And modify Section 11-10.20.020.B.1.a as follows:**

B. Supplemental Procedures for Major Plan Amendments. In addition to the common procedures provided in Section [11-10.10.020](#), a major amendment to the General Plan shall be adopted in the following manner:

1. Application Deadline.

- a. All applications for major plan amendments to the General Plan shall be **presented at a City Council public hearing within twelve months of the date of submission of a complete application.** ~~heard by the Council at a single public hearing during the calendar year in which they are filed. In order to provide sufficient time for comprehensive review of an application for a major plan amendment, the Director shall determine the application date each year for major plan amendment requests. The following typical submittal dates apply:~~

~~April 1st — Pre-application meeting deadline;~~

~~May 1st — Application deadline for completeness review of the application by the Review Authority;~~

~~July 1st — Application deadline for submittal of the final application;~~

~~October — Planning Commission public hearings commence;~~

~~December — Council public hearing.~~

~~b. — Incomplete applications or applications submitted after the July 1st deadline established in subsection (B)(1)(a) of this section will not be processed.~~

## II. City Code Text Amendment

The Planning Director shall provide a recommendation to the Planning and Zoning Commission for its review. The Director's recommendation shall be transmitted to the Planning and Zoning Commission in the form of a staff report prior to a scheduled public hearing.

There are no specific findings for a City Code amendment outside of the Zoning Code. Staff is applying the Zoning Code findings for a text amendment.

### A. Finding #1:

**The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**

The proposed amendment support the objectives and policies of the General Plan by supporting the process and procedures for major plan amendments.

### B. Finding #2

**The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City;**

The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed amendment is to ensure City Code is in alignment with current state law and to correct a conflict between procedures listed in two separate divisions of City Code.

### C. Finding #3

**The proposed amendment is internally consistent with other applicable provisions of City Code.**

The proposed amendment corrects an internal conflict between Title 10, Zoning Code and Title 11, General Plans and Subdivision and updates City Code with recent Arizona legislative changes.

## Attachments:

1. Application