

Case No. PZ-24-00010 – Zoning Map Amendment Process

Provisions that are being deleted are shown in bold ~~striketrough~~ text.

Provisions that are being added are shown in bold red text.

Section 1. Amend Title 10 Flagstaff Zoning Code, Chapter 10-20: Administration, Procedures, and Enforcement, Division 10-20.50: Amendments to the Zoning Code Text and the Zoning Map, Section 10-20.50.040: Procedures, Subsection 10-20.50.040(E): Staff Reviews as follows:

E. Staff Review.

1. An application for a text amendment to this Zoning Code or an amendment to the Zoning Map shall be submitted to the Director and shall be reviewed and a recommendation prepared in compliance with the review schedule on file with the Planning Section.

2. The Director shall determine whether a Zoning Map Amendment application is administratively complete within 30 days after receiving the application.

a. If the Director determines that the application is not administratively complete, a comprehensive list of the specific deficiencies shall be provided in writing or electronically to the applicant. The administrative completeness review time frame and the overall time frame are suspended from the date the list of deficiencies is issued until the date that the applicant resubmits the missing information. Additional notices of administrative completeness or deficiencies may be provided based on the applicant's submission of missing information.

b. The City shall determine whether a resubmitted application is administratively complete within 15 days after receiving the resubmitted application.

3. After determining that the application is administratively complete, the City shall approve or deny the application within 180 days.

a. During the substantive review time frame, the City may identify legal requirements that have not been addressed by the application and provide a written or electronic comprehensive request for corrections. The substantive review time frame and the overall time frame are suspended from the date the request for corrections is issued until the date the applicant resubmits the corrections.

b. The Director may consider an application withdrawn if, within 30 days or more after the date of request for corrections, the applicant does not supply the documentation or

information requested or an explanation of why the information cannot be provided within the established time period.

c. The Director may extend the time frame to approve or deny a Zoning Map Amendment application beyond 180 days for the following reasons:

- i. For extenuating circumstances, the Director may grant a onetime extension of not more than 30 days.**
- ii. If an applicant requests an extension, the Director may grant extensions of 30 days for each extension granted.**

d. Subsections 10-20.50.040(E) 2 and 3 above do not apply to land that is designated as a District of Historical Significance pursuant to Section 9-462.01, 44 Subsection A, Paragraph 10 or an area that is designated as historic on the Nation Register of Historic places or Planned Area Developments.

42. The Director's recommendation shall be transmitted to the Planning Commission in the form of a staff report prior to a scheduled public hearing. The staff report shall include the following:

- a. An evaluation of the consistency and conformance of the proposed amendment with the goals of the General Plan and any applicable specific plans;
- b. A recommendation on the amendment and the grounds for the recommendation based on the standards and purposes of the zones set forth in Division 10-40.20, Establishment of Zones; and
- c. A recommendation on whether the text amendment or Zoning Map amendment should be granted, granted with conditions to mitigate anticipated impacts caused by the proposed development, or denied.

53. A copy of the staff report shall be made available to the public and any applicant prior to the public hearing.

Section 2. Amend Title 10 Flagstaff Zoning Code, Chapter 10-20: Administration, Procedures, and Enforcement, Division 10-20.50: Amendments to the Zoning Code Text and the Zoning Map, Section 10-20.50.040: Procedures, Subsection 10-20.50.040(M): Protest Procedures, as follows:

M. Protest Procedures. A protest **in writing signed by the property owners** against a proposed **Zoning Map** amendment may be filed in writing by the owners of 20 percent or more of either:

1. The **property by area and number of lots, tracts, and condominium units, excluding government owned property** ~~area of the parcel(s) of land~~ included in the proposed Zoning Map amendment; or
2. The **property by area and number of lots, tracts, and condominium units, excluding government owned property** ~~area of those parcel(s) of land~~ immediately adjacent ~~in the rear or any side of to~~ the **proposed Zoning Map Amendment** ~~subject property(ies)~~ extending 150 feet, **including all rights-of-way.** ~~from the subject property(ies); or~~
3. ~~The area of those parcel(s) of land directly opposite the subject property(ies) extending 150 feet from the street frontage of the opposite parcels of land.~~

Such protest shall be hand-delivered to the City Clerk, **or their designee**, by no later than 12:00 noon five business days after the City Council first considers the application at a public hearing. If a timely protest is filed, the amendment shall not become effective except by a favorable vote of three-fourths of all members of the Council. If any member of the Council is unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the Council; provided, that such required number of votes shall in no event be less than a majority of the full membership of the Council.