

# MARICOPA COUNTY



# 2020

Eye To The Future

**COMPREHENSIVE PLAN AMENDMENT GUIDELINES**



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### COMPREHENSIVE PLAN AMENDMENT GUIDELINES

An amendment to the adopted Comprehensive Plan or an Area Plan may be filed with or without a rezoning application. These guidelines are provided to assist an applicant in the processing of a Comprehensive Plan or Area Plan amendment.

The following outline describes the process for a Comprehensive Plan Amendment.

#### Process

#### 1. Preliminary Discussion and Review

Preliminary discussions will be held with the applicant to determine whether or not their request is in conformance with the Comprehensive or Area Plans. This is determined by reviewing the nature of the proposal (including density, uses, and location) against the Comprehensive Land Use Plan for the area. This review also enables staff to advise the applicant of those characteristics of the proposal that do not conform with the Plan and possible changes to the proposal that could bring it into conformance.

#### 2. Application

Once it has been determined that a CPA is required, a formal application must be filed and the appropriate filing fees paid. The cost to apply for a Comprehensive Plan Amendment is \$2,000 plus \$20.00 per acre or portion thereof. This fee is nonrefundable. Additionally, the Supplemental Questionnaire and a map showing the requested change must be submitted.

#### 3. Formal Review

Upon receipt of the application and filing fee, the Planning and Development Department will refer the application for review by various agencies and schedule a meeting of the Technical Advisory Committee (TAC). At this meeting, the Planning and Development Department will evaluate the proposal based on the following:

- a. Whether the amendment constitutes an overall improvement to the Comprehensive Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.
- b. Whether the amendment will adversely impact all or a portion of the planning area by:
  - Altering acceptable land use patterns to the detriment of the plan.
  - Requiring public expenditures for larger and more expensive infrastructure.



- Requiring public improvements to roads, sewer, or water systems that are needed to support the planned land uses.
  - Adversely impacting planned uses because of increased traffic.
  - Affecting the livability of the area or the health or safety of present and future residents.
  - Adversely impacting the natural environment or scenic quality of the area in contradiction to the plan.
- c. Whether the amendment is consistent with the overall intent of the Comprehensive Plan.
- d. The extent to which the amendment is consistent with the specific goals and policies contained within the plan.
- e. No application shall be scheduled for hearing by any board or commission acting pursuant to the “Maricopa County Comprehensive Plan Amendment Guidelines”, or administratively approved unless and until all fees and fines owed to the Department as a result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the board/commission. <sup>R1, R2</sup>

#### **4. Public Hearing – Planning and Zoning Commission**

Upon the satisfaction of the TAC requirements, the CPA will be scheduled for a public hearing before the Maricopa County Planning and Zoning Commission. Adjacent landowners, homeowner associations, neighboring municipalities, and affected agencies will be notified of the hearing. Notice of the hearing will be published in a newspaper of general circulation and posters posted at the Plan Amendment location.

The Planning and Development Department will prepare a written staff report for the Planning and Zoning Commission based on the evaluation and comments received. The Department’s recommendation on the CPA is included in the staff report, which will be mailed to the applicant approximately one week prior to the Commission meeting. The Planning and Zoning Commission may recommend approval, denial, or alter the proposed amendment.

#### **5. Public Hearing – Board of Supervisors**

The Maricopa County Planning and Zoning Commission recommendation will be transmitted to the Maricopa County Board of Supervisors for a second public hearing. Notice of the hearing will be given in the same manner as the Planning and Zoning Commission hearing. The Board of Supervisors can either accept the Planning and Zoning Commission’s recommendation or reject all, or a portion of it. However, if the Board of Supervisors chooses to revise the amendment, it must be



referred back to the Planning and Zoning Commission for their review and recommendation on the revision desired by the Board of Supervisors. If the proposed amendment is referred back to the Planning and Zoning Commission, the Commission will hold another public hearing after notice is given (per item 4). At such time that the Planning and Zoning Commission adopts a recommendation concerning the amendment requested by the Board of Supervisors, another public hearing will be held before the Board of Supervisors after notice is given (per item 4). The Board of Supervisors, again, can deny, approve, or alter the proposed amendment in part or in its entirety.

### **6. Post Board Action**

If the County Board of Supervisors approved the CPA, it becomes adopted and takes effect immediately. The Comprehensive Plan or Area Plan will be revised to reflect the amendment.



## Major Amendments and General Amendments Defined

Amendments to the Comprehensive Plan are classified as either Major Amendments or General Amendments. The following identify the criteria that must be met for both types of amendments.<sup>1</sup>

### Major Amendment

A Major Amendment is any proposal that does not conform to the adopted County Plan and meets the following criteria:

#### *Residential*

1. Any proposal on 100 or more acres that increases the maximum number of allowable residential units by more than 250 residential units.
2. Any change from a residential land use classification to a non-residential land use classification of 100 or more acres.

#### *Nonresidential*

1. Any change from a non-residential land use to a residential land use of 100 or more acres.
  2. Any change from one category of non-residential land use to another category of non-residential land use on 100 or more acres.
- Major amendments are considered on an annual basis by the Board of Supervisors and require a minimum two-thirds majority vote of the Board of Supervisors.
  - The Board of Supervisors hearing for major amendments will be scheduled for a date in the month of December. The Board of Supervisors shall be responsible for identifying the specific hearing date.
  - It is recommended that applications for major amendments be made no later than May 31 of the calendar year in which the major amendment is intended for public hearing.
  - Major amendments are subject to the requirements contained within the Comprehensive Plan Amendment Guidelines and the Maricopa County Public Participation Guidelines.

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<sup>1</sup> Per the Maricopa County Comprehensive Plan, applications for development master plans constitute compliance with the comprehensive plan, and thus do not require a comprehensive plan amendment.



### **General Amendment**

A General Amendment is any proposal that does not conform to the adopted County Plan, and does not meet the criteria for a major amendment. General amendments are subject to the requirements contained within the Comprehensive Plan Amendment Guidelines and the Maricopa County Public Participation Guidelines. However, General Amendments may be scheduled for public hearing throughout the calendar year.



**Supplement for Comprehensive Plan And Area Plan Amendments**

(To be completed by the Applicant and filed with the application)

(Additional sheets may be attached)

Location of Property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Land Use Plan to be Amended: \_\_\_\_\_

Current Land Use Designation: \_\_\_\_\_

Proposed Use of Property by Applicant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Summary of features in the project request that do not conform with the Land Use Plan: \_\_\_\_\_  
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Why should this plan be amended as requested? \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Case Number: \_\_\_\_\_



### Contact Agency

If any applicant or resident has questions concerning this program, they are requested to contact Maricopa County at the following address:

**Maricopa County Planning and Development Department  
501 North 44<sup>th</sup> Street, Suite 200  
Phoenix, AZ 85008  
Telephone: (602) 506-3301**

### Date of Revisions

R1 TA2009005 - Effective 6-01-2009 R2 TA2010005 - Effective 6-1-2010