



CITY OF KINGMAN DEVELOPMENT SERVICES

310 North Fourth Street

Phone (1): 928.753.8130

MAJOR GENERAL PLAN AMENDMENT PROCESS & CHECKLIST

APPLICATION FILING REQUIREMENTS

The filing deadline for a Major General Plan Amendment application shall be at least sixty (60) days prior to the regularly scheduled Planning and Zoning Commission meeting in April in accordance with Section 2-136(1) of the Kingman Municipal Code.

In accordance with Section 2-30.020.D.4, in the event that a Major General Plan Amendment and a Zoning Map amendment are required for the same property(ies), the applications shall be considered separately, with the Major General Plan amendment being processed and approved before the Zoning Map amendment.

Only the following persons or entities may apply:

- The owner of the property;
- An authorized agent of the owner;
- A person acting in compliance with a purchase contract or exclusive option to purchase the property; or
- The Director on behalf of the Council.

Applications and supporting materials are public records pursuant to A.R.S. §39-121 through §39-128. Public records may be reviewed and copied upon request during normal business hours, unless protected from disclosure. The applicant shall clearly label each page of copyrighted or trademarked materials (e.g., ©, ®, TM) and such materials will be available for public inspection, but copyrighted materials will not be copied.

APPLICATION SUBMITTAL CHECKLIST

☐ One (1) **Proof of Due Diligence Meeting.**

☐ One (1) **Proof of Development Review Committee meeting.** (See Development Review Committee Application)

☐ One (1) **Application Form** signed by the applicant and property owner. A written letter of consent from the property owner is required if the owner does not sign the application.

☐ One (1) **Waiver of Claims for Diminution of Value** in compliance with the A.R.S. §12-1131 through §12-1138 signed by the owner as may be required by the Director.

☐ One (1) electronic version of a **Written Narrative/Project Description** for the proposed project which includes the following information:

- ☐ Proposed use of the property;
- ☐ Existing land use designation according to the Projected Land Use Map;
- ☐ An analysis of each criteria described in Section 2-137 of the Kingman Municipal Code showing which criteria will qualify the proposed amendment as a major amendment (See attached).
- ☐ An explanation of what dynamics have changed in the City or in the Neighborhood Planning Area to necessitate the proposed changes.

☐ One (1) electronic version of a **Development Plan** which includes the following information:

- ☐ North point and scale;
- ☐ Area of site in square footage and acres;
- ☐ Legal description of the property;
- ☐ Current zoning of the property;
- ☐ Existing land use designation as shown on the Projected Land Use Map;
- ☐ Surrounding land uses within 500 feet of the subject property, including the land use designations as shown on the Projected Land Use Map;
- ☐ Locations of existing and proposed infrastructure that will serve the subject property including streets, freeways,

utilities, schools, parks, and the Airport;

☐ Additional supporting materials as may be required by the Director.

DETERMINATION OF ADMINISTRATIVE COMPLETENESS

Upon receipt of the application and required fee, the application shall be reviewed in compliance with the time frames for administrative and substantive review in accordance with Section 2-30.020.C of the Kingman Zoning Code. The administrative review time frame for a Major General Plan Amendment application is five (5) working days. The substantive review time for a Major General Plan Amendment application is 25 working days.

Upon completion of the administrative review, the applicant will be notified in writing if the application is complete and accepted for processing or incomplete. If the application is incomplete, the Director shall identify the items that are needed to complete the application and return it to the applicant. An application will only be reviewed and the public hearing scheduled when an application is determined to be complete. The applicant will be notified in writing of the date and time of the public hearing. An applicant may appeal a determination of completeness to the Development Services Director (See Section 2-80.030 Appeals of Other Approvals).

Applications not deemed complete within six (6) months after the first filing with the Department, the application shall expire and be deemed withdrawn. Within thirty (30) days prior to that date, the Director shall notify the applicant in writing that the application will become inactive. The Director may grant one (1) six-month extension upon written request of the applicant. After expiration of the application, and extension, if granted, a new application, including applicable fees, plans, exhibits and other materials will be required to commence processing of a new project application on the same property.

After the application has been accepted as complete, the Director and/or any decision-making body may require the applicant to submit additional information in order to evaluate fully whether an application complies with the requirements of this Code, State, or federal law.

SUBSTANTIVE REVIEW PROCESS

Following a determination of administrative completeness, the application will be referred at the Director's discretion, or as may be required by other law, to any public agency that may be affected by or have an interest in the proposed land use activity. This could include city, county, and state agencies and departments, as well as utility companies.

All departments and agencies will have ten (10) working days from the date of receipt of the information to complete their review and submit their evaluation report to the Director.

The Planning staff will prepare a report to the Planning and Zoning Commission. The report will include an analysis of the request, a summary of all comments received from public agencies, surrounding property owners, and the general public, and recommendations for Commission action on the application. The staff report will be provided to the applicant no later than five calendar days prior to the public hearing. Staff reports will be made available to the public only after they have been submitted to the Planning and Zoning Commission and City Council.

NOTICE OF PUBLIC HEARINGS

Requirements for the Notice of Public Hearings is described in Section 2-30.070 of the Kingman Zoning Code. Public hearings are noticed in the Kingman Miner newspaper in accordance with A.R.S. §9-462.04 at least fifteen (15) calendar days prior to each of the two public hearings of the Planning and Zoning Commission. Surrounding property owners within 300 feet of the outer boundary of the subject property are sent notices by first class mail by the City at least fifteen (15) calendar days prior to the first public hearing of the Planning and Zoning Commission. The applicant is required to provide the mailing labels (see Applicant Checklist for further details). The site is also posted with a public notice by the City at least fifteen (15) calendar days before the first public hearing of the Planning and Zoning Commission. The applicant is responsible for maintaining the sign in good condition throughout the posting period. The sign is removed by the City no later than ten (10) days after the public hearing of the City Council and final action.

PLANNING AND ZONING COMMISSION REVIEW AND RECOMMENDATION

The Major General Plan Amendment application is heard at two public hearings of the Planning and Zoning Commission at different locations. The first hearing of the Planning and Zoning Commission will be held on the second Wednesday of April at 5:30 p.m. in the Kingman City Council Chambers located at 310 N. Fourth Street in Kingman. The second hearing of the

Planning and Zoning Commission will be held at a time and place as determined by the Director in consultation with the Planning and Zoning Commission chair. The applicant will be notified in writing of the dates and times that the public hearings will take place when the application is deemed to be complete.

The applicant, or designated representative, should be present at the public hearings to be available for any questions from the Planning and Zoning Commission. Members of the public will also be given the opportunity to be heard. At the conclusion of the public hearing, the Planning and Zoning Commission by majority vote shall render its decision in the form of a written recommendation to the City Council through the Director. The recommendation shall be in accordance with the requirements of Section 2-136(4) and Section 2-136(5) of the Kingman Municipal Code.

In accordance with Section 2-136(6) of the Kingman Municipal Code on an application to amend the land use map, the Planning and Zoning Commission may only recommend approval or denial of the proposal. On an application to amend the text of the plan, the Planning and Zoning Commission may recommend approval, approval as modified by the Commission or denial. The Planning and Zoning Commission recommendation will be made at the second public hearing and will be forwarded to the City Council for public hearing and final action unless withdrawn by the applicant.

COUNCIL REVIEW AND DECISION

The City Council shall conduct a public hearing on the Major General Plan Amendment application following the Planning and Zoning Commission's recommendation. The hearing will take place at 5:00 p.m. in the Kingman City Council Chambers on either the 1st or 3rd Tuesday of May following the second Planning and Zoning Commission meeting. The applicant will be notified in writing of the date that the Council public hearing will take place following the second Planning and Zoning Commission meeting.

In accordance with Section 2-136(7) of the Kingman Municipal Code, major amendments shall be adopted by resolution by an affirmative vote of at least 2/3rds of the members of the City Council (5 out of 7). In cases where the amendment has been denied by the Council, no application for an amendment for the same or substantially the same request and, in the case of a map amendment, on the same or substantially the same property, shall be filed within 180 days from the date of denial of the amendment.