

RESOLUTION NO. 84-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA, ESTABLISHING THE PROCEDURE, POLICY, SCHEDULE AND CRITERIA FOR AMENDING THE ADOPTED GENERAL PLAN FOR THE CITY.

WHEREAS, the Land Use Element of the adopted General Plan of the City of Ridgecrest serves as the central element for the General Plan and, in essence, brings together most of the concerns addressed in the other elements, it is the principal tool for guiding community growth and development and does so by designating the proposed general distribution, location and intensity of the use of land for both urban and nonurban activities. Although the Land Use Element is most closely related to the physical development of the City, it also addresses social, economic and environmental issues through its policies; and

WHEREAS, pursuant to Section 65361 of the California Government Code, 'No mandatory element of a general plan shall be amended more frequently than four times during any one calendar year, which amendment or amendments may occur at any time as determined by the legislative body.'; and

WHEREAS, criteria which should be used in evaluating the appropriateness of General Plan amendments should include:

- a. significant environmental effects,
- b. compatibility with adjacent land uses,
- c. impacts on traffic and circulation systems,
- d. adequacy of public service systems to accommodate the change, and
- e. short and long range impacts on the future development of the City; and

WHEREAS, it is the intention of the Land Use Element of the City to consider all requests for modifications according to policies and procedures to be established by the Planning Commission and City Council; and

WHEREAS, Section 65356.1 of the California Government Code states:

"When it deems it to be in the public interest, the legislative body may refer the proposed change or addition to the Planning Commission for a report and recommendation. Before making such report or recommendation, the Planning Commission shall hold at least one hearing on the proposed change or addition. Notice of the time and place of such hearing shall be given in the time and manner specified in Section 65351 of this Article. The Planning Commission's report shall be completed not later than ninety (90) days after the referral."; and

WHEREAS, the City Council is desirous of implementing a procedure and establishing criteria for amending the adopted General Plan of the City of Ridgecrest in accordance with the state laws cited herein:

NOW, THEREFORE, the City Council does hereby resolve, determine and find as follows:

Section 1. Authority - General Plan amendments may be requested for the purpose of:

- a. Amending a portion of the text of the adopted General Plan, and
- b. Amending a map which is a part of the adopted General Plan.

Section 2. Initiation - Hearings on General Plan amendments may be initiated by:

- a. The City Council upon its own motion.
- b. The Planning Commission.
- c. A property owner(s), or duly authorized representative(s) request upon completion of forms prepared by the Planning Department and submittal of all materials constituting a complete application which are submitted with the required fees prior to the filing deadline.

Section 3 Schedule - Applications for General Plan amendments will be accepted during the entire year. The cut-off dates for General Plan amendment applications shall be January 1st, April 1st, July 1st, and October 1st, with public hearings commencing in April, July, October and January, respectfully. Processing will involve agency review, California Environmental Quality Act (CEQA) requirements and staff report preparation. Complex applications may require additional processing time and miss the scheduled hearing dates. In that event, the hearing will take place at the first scheduled public hearing for a General Plan amendment.

Section 4 Criteria for General Plan Amendments - The following criteria are intended to be guidelines for the applicant and the Planning Department in organizing and preparing pertinent data related to the General Plan Amendment. This information shall provide the hearing authority with substantial evidence in reaching a decision.

- a. TO COOPERATE WITH THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT TO SHOW GOALS, OBJECTIVES, POLICIES, AND/OR PROGRAMS OF THE GENERAL PLAN WHICH ARE SUPPORTED OR IN CONFLICT WITH THE GENERAL PLAN AMENDMENT REQUEST.
- b. DOCUMENT THE SIGNIFICANT ECONOMIC COSTS AND BENEFITS OF THE PROPOSAL TO THE CITY.
- c. APPLICANTS SHALL PROVIDE ANY NECESSARY INFORMATION REQUIRED FOR ENVIRONMENTAL REVIEW OF PROJECT PURSUANT TO THE CEQA GUIDELINES.
- d. DISCUSS THE COMPATIBILITY OF THE PROPOSED PLAN AMENDMENT WITH ADJACENT LAND USES.

- e. IDENTIFY SIGNIFICANT IMPACTS OF THE PROPOSAL ON TRAFFIC AND CIRCULATION SYSTEMS. (The degree of analysis should correspond to the magnitude of the proposed change.)
- f. EVALUATE THE ADEQUACY OF PUBLIC SERVICE SYSTEMS TO ACCOMMODATE THE CHANGE IN THE GENERAL PLAN. (Water supply and distribution systems, sewer treatment and collection capacity, parks and recreation facilities, police, fire, solid waste disposal, energy consumption, gas, electric, and telephone services shall be addressed. (Where problems exist, explain the development methods that would be applied to mitigate or minimize the conflict.)
- g. ANALYZE THE IMPACTS OF THE PROPOSAL ON THE LONG-TERM DEVELOPMENT PHASING OF THE CITY, AND ON THE CITY AS A WHOLE.
- h. SUPPLY DATA TO DEMONSTRATE HOW THE PROPOSAL IS IN THE PUBLIC INTEREST.
- i. THE APPLICANT MAY SUBMIT ANY ADDITIONAL MATERIALS WHICH ARE PERTINENT TO THE REQUEST.

Staff shall accept all applications and accompanying fees. The burden of proof of the need for a change and that the change is in the public interest rests with the applicant who is therefore responsible for the completeness and adequacy of the application.

Section 5. Procedure. The procedure for processing General Plan amendments shall be as follows:

- a. Review. Prior to all applications for a General Plan Amendment the applicant shall formally meet with the Planning and Zoning Committee and the Planning staff to evaluate and determine the feasibility and compatibility with the existing General Plan and policies of the City of Ridgecrest.
- b. Copies of the application are referred to interested City departments and governmental agencies for comment.
- c. Staff reviews all applications as a unit to determine the cumulative effects of the proposals.
- d. Staff prepares a report evaluating the proposal according to the criteria for Plan amendments and related considerations and makes a recommendation for action on the request. (If denial is recommended, findings in support of this position shall be included in the staff report.)
- e. Public notice shall be provided for the hearing before the Planning Commission in accordance with Section 65351 of the California Government Code. Notification to affected property owners shall be given in accordance with the manner provided for zone changes when a concurrent zone change is being processed with the General Plan

Amendment. The Planning Director may, at his discretion, notify affected property owners of a proposed General Plan Amendment that is not concurrently being processed with a zone change.

- f. Planning Commission Hearing. Planning Commission may recommend approval, approval with conditions, or denial, to the City Council. Approval or approval with conditions shall be by action of the Commission carried by the affirmative vote of a majority of the members.*
- g. Planning Commission endorses the approved or disapproved amendment via resolution with the vote, date, and signature of the Chairman of the Commission with reference to required conditions where applicable.*
- h. Plan amendment application, staff report, and Commission recommendation are transmitted to the City Council for action.*
- i. Public notice shall be provided for the hearing before the City Council in accordance with Section 65351 of the California Government Code. Notification to affected property owners shall be given when a concurrent zone change is being processed with the General Plan Amendment. The Planning Director may, at his discretion, notify affected property owners of a proposed General Plan Amendment that is not concurrently being processed with a zone change.*
- j. City Council Hearing. Council may approved, approve with conditions, or deny the application. If the Council considers any modification of the proposed plan amendment not previously considered by the Planning Commission during its hearing, such modification shall first be referred to the Planning Commission for report and recommendations, but the Commission is not required to hold a public hearing on this matter. Adoption shall be by resolution of the City Council.*
- k. City Council endorses adopted amendment via resolution with the vote, date, and signature of the mayor to indicate its approval or disapproval with reference to required conditions, where applicable. Failure to comply with all such conditions within one (1) year shall be cause for rescinding the conditional approval.*
- l. Staff carries out Council adopted plan amendment by amending the text and/or map of the General Plan.*
- m. General Plan amendment proposals which are substantially the same as*

those denied by the City Council may not be submitted for reconsideration within one (1) year of the date of denial.

PASSED, APPROVED AND ADOPTED this 16th day of January, 1984, by the following vote:

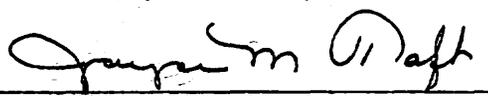
AYES: Mayor Cheshire, Councilmembers Bergens and Rieger

NOES: None



RON CHESHIRE, Mayor

ATTEST:



JOYCE M. TAFT, City Clerk