



Community Development Department

Counter Hours: 8:00 a.m. to 12:00 noon
Monday through Thursday

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**INSTRUCTIONAL PACKET
FOR
GENERAL PLAN AND
ZONE AMENDMENTS**

Updated July 1, 2010



INSTRUCTIONAL PACKET FOR GENERAL PLAN AND ZONE AMENDMENTS

PURPOSE

Zoning and General Plan Amendments are processed when a change in the General Plan and/or zoning designation is necessary to allow a desired use of a property that is not allowed under the current land use zone designated for the property. Amendments may be requested to change zoning map or General Plan map designations or to change the text of the Zoning Ordinance or General Plan documents. This instructional guide has been prepared to assist you in preparing an application for General Plan amendment or rezoning.

Amendments to change the zoning or General Plan map are processed to remove a current zone or General Plan designation and replace it with a different, existing designation that would better serve the needs of the proposed development. Amendments that are processed to change the text of the Zoning Ordinance or General Plan documents allow applicants the opportunity to present alternative zone categories to the City or to modify existing wording.

Amendments are often complex applications that require comprehensive review by staff. Applications for the rezoning of a property typically take anywhere from 6-9 months to process depending on the level of environmental review required. General Plan amendments can only be processed four times in any given calendar year and may take up to 12 months or beyond to process if many or detailed amendments are requested. Amendments can be processed concurrently with other requests for development (subdivisions, conditional use permits, etc.) to minimize processing time.

Amendments may be granted by the City Council upon a positive recommendation from the Planning Commission. Requests for General Plan amendments and rezones require a minimum of two public hearings --one before the Planning Commission and one before the City Council. Approximately four meetings are required before the Planning Commission and the City Council prior to a final decision being made on the request.

The Community Development Department staff has established a goal of processing applications as rapidly as possible within applicable legal constraints. It is important that the applicant prepare a complete and accurate submittal package. Delays may occur if staff does not have accurate information or has to return an incomplete application. Staff strongly encourages the use of pre-application meetings for amendment requests.

The Planning Commission comprises seven individuals appointed by the City Council who are charged with the responsibility of recommending approval or denial of requests for amendments. The City Council is the final approving body for these requests and is made up of five elected individuals. The Planning Commission meets the first and third Thursday of each month at 6:00 p.m. The City Council meets bi-monthly at 7:00 p.m.



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Please contact the City Clerk's office for the schedule. Both the Commission and the Council meetings are held on the second floor in the City Council chambers located at 1110 West Capitol Avenue.

APPEALS

The decision of the City Council regarding amendments is final. There is no appeal available above the City Council.

FINDINGS

The City Council must be able to make the following findings in order to approve requests for zoning amendments:

Zoning Amendments

1. The public health, safety and general welfare warrant the change of zones or regulations; and
2. The requested change in zones or regulations is in conformity with the General Plan.

The City Council must be able to make the following finding in order to approve requests for General Plan amendments:

General Plan Amendments

1. The public health, safety and general welfare warrant the change of the General Plan designation.

GENERAL APPLICATION FORM

Application forms must be completed and signed by the property owner(s) or designated agent. Applications signed by individuals other than the property owner(s) will require evidence of authority to file on behalf of the owner(s). Applicants should attempt to complete the form to the best of their ability. The planning staff is available to clarify any questions that may arise.

STATEMENT OF JUSTIFICATION

A statement of justification must be provided on a separate sheet. Applicants should explain in detail the nature of the request and why the proposal is justified (i.e., how it meets the required findings). A strong and complete project description and justification



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will improve the likelihood of a favorable staff recommendation and approval by the Planning Commission and the City Council who must act favorably on the request. Projects without clear statements of justification will be requested to provide such prior to determination that the application is complete.

FEES

Fees for amendments are based upon a deposit/reimbursement agreement between the Community Development Department and the applicant. Submittal fees are used to cover staff's time for preparation of environmental documents, project meetings, preparation of staff reports, and attendance at required public hearings. Actual staff time is charged against the initial deposit at a rate specified by the City Council. Projects exceeding the base deposit amount will be charged accordingly. Payment of all fees is due one (1) working day prior to the scheduled public hearing. Projects having an outstanding balance on the scheduled hearing date will be continued pending payment of fees due. A reimbursement agreement is attached which must be completed and returned with the submittal package.

The California Department of Fish and Game (Fish & Game) requires payment of fees for the review of projects impacting fish and wildlife resources. Fish & Game charges a fee of \$1,800 for review of a Negative Declaration and \$2,500 for review of an Environmental Impact Report. If an applicant feels that their project will not cause any environmental effects, they may contact Fish & Game prior to submittal of their project to the City and inquire if Fish & Game will issue a "finding of no effect determination" for the project. **At the time of project submittal, applicant must either submit a copy of the signed "no effect" form on Fish and Game letterhead or pay the appropriate fee (made payable to Yolo County) for their application to be deemed complete.**

Yolo County requires a \$50 processing fee for the filing of a Notice of Determination or Notice of Exemption. These fees are due and payable prior to the scheduling of public hearings for the proposed project. Checks for payment of these fees should be made payable to the County of Yolo and submitted to the Community Development Department for processing.

PRELIMINARY TITLE REPORT

A preliminary title report, current within sixty (60) days, of all parcels involved in the request is required. A title report can be obtained from any title company located in Yolo County.

PUBLIC NOTICE MAP AND PROPERTY OWNER'S LIST

A Public Notice Map and Property Owner's List conforming to requirements outlined on form D of this packet is required.



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GENERAL PLAN AND ZONE AMENDMENT CHECKLIST

SUPPORT DOCUMENTS

Each application for Amendments must contain the following:

- Completed General Application Form (Form A)
- Executed General Plan and Zone Amendment Checklist
- Statement of Justification (Attach separate sheet)
- Payment of non-refundable application fees
- Payment of the California Department of Fish & Game fees or provide a copy of the "finding of no effect determination" from Fish & Game.
- Executed Reimbursement Agreement
- Preliminary Title Report of all properties involved in the request (2 copies, current within 60 days)
- 500-foot Public Notice Map
- List of all property owners within 500 feet from subject property, including subject property, by assessors parcel number, including mailing addresses. (May be obtained from a title company.)
- A supply of envelopes that are addressed to the owners of property located within 500 feet from subject property. **Envelopes must include legal, sufficient postage** and include the following return address: City of West Sacramento, Community Development Department, 1110 West Capitol Avenue, West Sacramento, CA 95691.
- Ten (10) sets of exhibits clearly showing the existing zoning and general plan categories and acreages along with the proposed amendments (folded to 8-1/2" x 11", individually)
- One (1) 8-1/2"x11" reduction of each exhibit. Reductions may be PMT (Photo Mechanical Transfer) or electronic in PDF format on a disk. (No copier reductions will be accepted)

Additional information or exhibits in support of the proposal are encouraged if justified. Exhibits, photos, petitions, etc., become the property of the Community Development Department and cannot be returned. Additional studies and/or supplemental materials may be required pending environmental review.



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I, _____, do hereby attest that I have reviewed the information contained in the Instructional Packet for General Plan and Zone Amendments and have met each of the aforementioned requirements as they pertain to this amendment application.

Signature of Applicant

Date