

Chapter 20.82 - GENERAL PLAN AMENDMENTS

Sections:

20.82.010 Purpose

20.82.020 Initiation

20.82.030 Application

20.82.040 Planning Commission Hearing and Action

20.82.050 City Council Hearing and Action

20.82.060 Effective Dates

20.82.070 Timing of Amendments

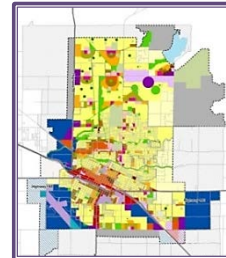
20.82.010 Purpose

This article establishes procedures for amending the General Plan. All amendments to the General Plan shall be processed as set forth in Government Code Section 65350 et seq. and as specified in this chapter.

20.82.020 Initiation

A. Land Use Map Amendments. A request for an amendment to the General Plan Land Use Map may be initiated by:

1. The City Council; or,
2. The Planning Commission (with the concurrence of the City Council); or,
3. The Director of Development Services (with the concurrence of the City Council); or,
4. One or more owners of the property for which the amendment is sought.



B. Text Amendments. A request for an amendment to the text of the General Plan may be initiated by:

1. The City Council; or,
2. The Planning Commission (with the concurrence of the City Council); or,
3. The Director of Development Services (with the concurrence of the City Council); or,
4. Any resident, property owner, or business owner in the City of



Merced.

20.82.030 Application

An application for a General Plan Amendment shall be filed and reviewed in compliance with Chapter 20.66 (Permit Application and Review). The application shall include the information and materials specified by the Development Services Department, together with all required application fees.

20.82.040 Planning Commission Hearing and Action

A. General. The Planning Commission shall conduct a public hearing on a proposed General Plan Amendment in compliance with Chapter 20.70 (Public Notice and Hearings).

B. Recommendation. After the close of the public hearing, the Planning Commission shall make a written recommendation on the General Plan Amendment. A recommendation for approval shall be made by the affirmative vote of not less than a majority of the total membership of the Planning Commission. If at least four members of the Planning Commission do not vote to recommend approval or denial, then that action shall be deemed a recommendation of denial. The Planning Commission shall send its recommendation to the City Council.

**20.82.050 City Council Hearing and Action**

A. General. After receipt of the Planning Commission's recommendation of approval, the City Council shall conduct a public hearing in compliance with Chapter 20.70 (Public Notice and Hearings). If the Planning Commission recommends denial or their action was deemed a recommendation of denial, then the City Council shall not be required to take any further action on the General Plan Amendment unless an interested party requests a hearing by filing a written request (along with any applicable fees) with the City Clerk or Planning Division within five business days after the Planning Commission files its recommendations with the City Council.

- B. Approval or Denial.** The City Council may approve, modify or disapprove the recommendation of the Planning Commission. The City Council shall approve the General Plan Amendment by resolution.
- C. Finality of Action.** The action by the City Council shall be by a majority vote of the entire Council and shall be final and conclusive.



D. Referral to Commission. If the City Council proposes to adopt a substantial modification to the General Plan Amendment not previously considered by the Planning Commission, the proposed modification may be first referred to the Planning Commission for its recommendation.

E. Failure to Report. Failure of the Planning Commission to report back to the City Council within 60 days following the referral, or within the time set by the City Council, shall be deemed a recommendation of approval.

20.82.060 Effective Dates

A General Plan Amendment becomes effective immediately following the adoption of the resolution by the City Council.

20.82.070 Timing of Amendments

There shall be no limit on the number of times the General Plan may be amended in a single calendar year.



