

ORDINANCE NO. 3139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING SECTIONS 2600 AND BY ADDING 2601.A.OF ARTICLE XXVI, APPENDIX A (ZONING CODE) CODE OF THE CITY OF CHANDLER RELATING TO THE ADDITION OF A CITIZENS REVIEW PROCESS AS PART OF THE PUBLIC NOTICE REQUIREMENTS FOR ANY REZONING ACTION.

WHEREAS, In accordance with A.R.S. 9-462.03, the legislative body shall adopt by ordinance, for each rezoning application that requires a public hearing, a citizen review process that includes components that identify the steps in the procedure that provide for maximum and continuous public involvement and opportunity to provide comment as prescribed therein; and,

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Sec. 2600 of Article XXII, Appendix A (Zoning Code), Code of the City of Chandler is amended along with the addition of Sec.2601.A. to read as follows:

Sec. 2600. Authority of city council; initiation of amendments.
The city council, from time to time, upon the recommendation of the Planning and Zoning Commission, may amend, supplement or change the zoning district boundaries or the regulations herein or subsequently established. Recommendations of such amendment may be initiated by the council or commission on their own motion, or by petition as hereinafter set forth. No amendment affecting zoning district boundaries shall be passed, however, until completion of the citizen review process required in Section 2601.A. of this Article XXVI and after a public hearing held in accordance with the requirements of section 2602 of this ARTICLE XXVI relating to applications.

SECTION II. New section 2601A is added to Article XXVI to read as follows:

Sec. 2601A. Citizen Review Process

- A. Prior to any public hearing, as required under Section 2602 of this Article XXVII, on any application for any zoning ordinance that changes any property from one zoning district to another, that imposes any regulation not previously imposed, or that removes or modifies any such regulation previously imposed, the Zoning Administrator shall provide written notice of the application to the applicant or his representative on the application, all landowners of property adjacent to the property that is the subject of the zoning ordinance and to such other persons as the Zoning Administrator reasonably determines to be other potentially affected citizens.
- B. The written notice shall also include a general explanation of the substance of the proposed zoning ordinance and shall state the date, time and place scheduled for a neighborhood meeting, at which any adjacent landowner or those other potentially affected citizens, as determined under Section 2601A(A), will be provided a reasonable opportunity to express any issues or concerns that the landowner or citizen may have with the proposed zoning ordinance before the public hearing required under Section 2602.
- C. The written notice shall be given at least fifteen (15) days before the neighborhood meeting in the following manner:
1. The notice shall be published once in a newspaper of general circulation published or circulated in the City of Chandler.
 2. The notice shall be posted upon the sign required in Section 2602(A)(4) below, unless waived by the Zoning Administrator.
 3. The notice shall be mailed in accordance with the same procedures as required in Section 2602(A)(2), and delivered in accordance with 2602(A)(4).
- D. The Zoning Administrator, upon consultation with the applicant, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant, adjacent landowners and those other potentially affected citizens, as determined under Section 2601A(A) to discuss and express their respective views concerning the application and any issues or concerns that they may have with the zoning or rezoning ordinance proposed by the application. The Zoning Administrator or a member of the planning staff shall attend the meeting, but is not required to conduct the meeting. The Zoning Administrator or planning staff shall report the results of the neighborhood meeting to the Planning and Zoning Commission and City Council at such time as they take action on the application.
- E. At the discretion of the Zoning Administrator, an alternative citizen review process may be used that does not involve a neighborhood meeting. The alternative process shall consist of the following:

1. The written notice described in this Section 2601A, except that the notice shall only indicate the name, address and phone number of the member of the planning staff to whom an adjacent landowner or other potentially affected citizen, as determined under Section 2601A(A), may contact to express any issues or concerns that the landowner or citizen may have with the proposed rezoning.

2. A staff report summarizing any issues or concerns so expressed, which shall be presented to the Planning and Zoning Commission and City Council at such time as they take action on the application, and the applicant at a reasonable period of time prior to the public hearing.

SECTION III. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 11th day of May 2000.

ATTEST:



Jay Libbraemy
MAYOR

PASSED AND ADOPTED by the City Council this 25th day of May 2000.

ATTEST:



Jay Libbraemy
MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3139 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 25th day of May 2000, and that a quorum was present thereat.

Carelynn Neeson
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill
CITY ATTORNEY

PUBLISHED: 5/31/00
6/17/00