

CITY OF LAKEPORT GUIDE TO GENERAL PLAN AMENDMENT PROCEDURES

This informational handout is intended to explain what General Plan amendments are, how to apply for one, and how General Plan amendment applications are processed.

Amendments to the City General Plan will occur in one of two ways: one is a legislative amendment whereby the change is initiated by the City Council; and the other is the quasi-judicial procedure which is initiated by a property owner.

Once adopted, the General Plan does not remain static. State law permits up to four General Plan amendments per year (Government Code Section 63358). Most amendments to the Plan involve a change in the land use map designation of a particular piece of property.

Any citizen or property owner wishing to make an amendment to the General Plan must follow the procedures outlined below. Additional information and forms regarding the process of amending the plan are available at the City of Lakeport Community Development Department.

1. Prior to filing an official application for a General Plan amendment, the applicant and/or agent should discuss the proposed amendment with the City's Community Development Director. This gives the applicant a first-hand opportunity to find out the procedures of the amendment process as well as any concerns that the City may have about the proposed change.
2. The applicant will then decide whether or not to proceed with an amendment. If the applicant decides to proceed, the next step is to file the necessary applications with the Community Development Department. The applicant for the amendment must include a development plan that contains detailed, specified information. This information will be used by the City in its determination of the potential impacts of the amendment. Environmental review of the proposed change will be required pursuant to the California Environmental Quality Act and the City's environmental regulations.
3. Once the completed application is submitted and deemed complete, it will be placed on an agenda for consideration by the Lakeport Planning Commission in accordance with State law. A public hearing will be held in front of the Planning Commission, and the proper notice to the public and the surrounding property owners will be made. Major amendments to the Plan require public notice but do not necessarily require notification to individual property owners. An example of this would be an update of the General Plan.
4. If the proposed General Plan amendment is denied at the Planning Commission level, the application would not proceed any further, unless the applicant specifically requested that the City Council review the proposal. Such a request (an appeal) shall be filed with the City Clerk not more than five days after the Planning Commission has filed its recommendation with the City Council.

5. The City's Community Development Department staff will prepare a staff report to the Planning Commission, for consideration at the public hearing, describing the proposed amendment, any environmental effects the project may have, and comments from other City departments or affected governmental agencies. A recommendation will be made to the Commission pertaining to the approval or denial of the proposed amendment.

At the public hearing, the Planning Commission will consider the staff report, comments from the applicant, and other public testimony in its review and will make a decision and recommendation to the City Council. State law requires approval of a General Plan amendment must be supported by lawful findings of fact. These findings are the rationale or reasons for making the decision to either approve or deny the proposed amendment. The applicant for a General Plan amendment must submit a written statement with the application setting forth the applicant's reasons in support of the amendment. The following criteria should be used by the applicant (and the City) for an amendment request:

- A. The proposed amendment must be deemed to be in the public's interest, and a need for the change must be demonstrated.
- B. The proposed General Plan amendment must be consistent and compatible with the overall General Plan and all policies and programs.
- C. The potential impacts of the proposed amendment must be assessed and determined not to be detrimental to the public's health, safety, and welfare.
- D. The proposed amendment must be processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

City-initiated amendments, as well as amendments requested by other affected agencies, are subject to the same basic process and must make the required findings in response to the criteria listed above. This includes the appropriate environmental review, public notice, and public hearings.

6. The final step in the General Plan amendment process is the consideration of the request by the Lakeport City Council. A public hearing is scheduled in front of the Council, and the Community Development Department staff will report to the Council on the proposal describing the proposed amendment, the potential environmental effects, any comments from other City staff and affected governmental agencies, and stating the recommendation of the Planning Commission. The City Council will consider the facts and adopt the necessary findings.

For more information, please contact:

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