

# Amendment Process

## Introduction

The intent of this section of the Comprehensive Plan is to clarify the steps involved in the city's annual review of the Plan. Overland Park annually reviews the Comprehensive Plan to ensure both its timeliness and accuracy in reflecting current city land use policy. The annual review of the Comprehensive Plan is also a requirement of the state planning enabling legislation, which states that the city's Comprehensive Plan, or any part thereof, shall be reviewed or reconsidered at least once a year and adopted by the Governing Body.

The steps below outline the city's Comprehensive Plan review process. The city follows the steps required by state planning enabling legislation, but also includes additional steps to allow for greater community participation.

### The Comprehensive Plan Amendment Process

- A. The Planning Commission shall review the Comprehensive Plan at least annually, and may propose amendments to the Plan.
- B. The Comprehensive Plan Amendments proposed for a given year may be developed from suggestions of the Governing Body, Planning Commission, staff, and city department directors. Landowners may propose amendments affecting their property's land use designation for consideration by the city. Proposals from other governmental agencies for land use changes may also be considered.
- C. A series of workshops may be held by the Comprehensive Plan Committee and the Planning Commission to direct and review the development of the amendments.
- D. Once finalized, the proposed amendments are brought before the Planning Commission for its consideration at a public hearing. Notice of the public

hearing is published in the city's official newspaper at least 20 days prior to the hearing.

- E. Following the public hearing, the Planning Commission may adopt by resolution the Comprehensive Plan Amendments proposed for that year.
- F. Once adopted by the Planning Commission, the Comprehensive Plan Amendments are sent to the Governing Body for its consideration.
- G. A certified copy of the Comprehensive Plan Amendments along with a written summary of the Planning Commission public hearing shall be submitted to the Governing Body as recommendations for consideration.
- H. The Governing Body may choose to hold one or more public hearing on the Comprehensive Plan Amendments prior to taking action on the amendments.
- I. The Governing Body may:
  - Choose to adopt by ordinance the recommendations on the Comprehensive Plan Amendments as adopted by the Planning Commission,
  - Override the Planning Commission's recommendations by a 2/3 majority vote, or
  - Return the amendments to the Planning Commission for further consideration, together with a statement specifying the basis for the Governing Body's failure to approve or disapprove the amendments.
- J. If the Comprehensive Plan Amendments are returned to the Planning Commission for further consideration, the Planning Commission may adopt its original amendments or adopt revised amendments.
- K. The Planning Commission needs to take action on the Comprehensive Plan Amendments at its next regular meeting following the receipt of the Governing Body's report on why it failed to approve or disapprove the amendments. If the Planning Commission takes no further action by this meeting, then it is assumed that the Planning Commission's original action on the Comprehensive Plan Amendments will stand.

- L. Upon receiving the returned Comprehensive Plan Amendments from the Planning Commission, the Governing Body, by a simple majority, may:
- Approve by ordinance the amendments as recommended by the Planning Commission,
  - May adopt revised amendments, or
  - May choose to take no further action.
- M. The Comprehensive Plan Amendments will not be effective unless the Governing Body, following the procedures as outlined, approves them.
- N. The Comprehensive Plan Amendments shall become effective once the adopting ordinance of the Governing Body is published in the city's official newspaper.
- O. A copy of the adopted Comprehensive Plan Amendments shall then be sent to all taxing entities (state and county agencies, school districts, and other special taxing districts) in the city that request a copy of the plan. Copies may also be sent to other affected jurisdictions for their reference in planning development within or adjacent to the city.