

Sec. 35-111. - Updates for Amendments.

The purpose of this section is to provide for updates to this chapter in order to modify procedures and standards for workability and administrative efficiency, eliminate unnecessary development costs, and to update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design. The update program shall occur every five years beginning in 2010 in years ending with -0 and -5.

With the exception of amendments initiated by zoning commission, planning commission, board of adjustments, HDRC, city council, or other appropriate city board or council, amendments submitted during the update program shall be limited to the following:

1. Editing amendments to provide for editing changes that do not alter the impact of the provision being addressed and including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinances, statutes or case law.
  2. Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC. Clarification amendments should not change or alter the intent or meaning of existing UDC provisions.
  3. Rule interpretation determinations (RIDs) are written policies and administrative interpretations made by the development services director, historic preservation officer and planning and community development director for subjects which are not fully provided for in the UDC. RIDs are based on case or project experience and may or may not result in the creation of a UDC amendment.
- (a) No later than May 1 of each year, any person may provide a request for amendment to this chapter to the development services director. The request for amendment shall be labeled an "update request" and shall include a summary of the proposed changes, the reason for the proposed changes, and suggested text amendments. "Update Requests" shall also include a statement submitted by the applicant regarding the cost impact of the proposed code change. The cost impact statement shall indicate one of the following:
- (1) the code change proposal will increase the cost of construction and/or development, or
  - (2) the code change proposal will decrease the cost of construction and/or development.
  - (3) the code change proposal will not impact the cost of construction and/or development.
- The cost impact statement shall include information which shall substantiate the assertion. Any "update request" submitted which does not include the requisite cost impact statement and substantiating information shall be considered incomplete and shall not be referred by the director for further consideration.
- (b) ~~The development services director shall not receive request for amendments after July 1.~~ The director shall refer the proposed amendments to various city departments, planning commission technical advisory committee (PCTAC), the planning commission, the zoning commission and the city council. The director may conduct workshops to informally discuss the update requests with neighborhoods, developers, homebuilders, design professionals, and other stakeholders in the development process.
- (c) The development services director shall refer the update requests to the planning commission and/or zoning commission by October 30. The planning commission and/or zoning commission shall refer the update request to the city council by December 1. Any amendments that are finally approved shall become effective January 1 of the following year.