

## What Is The Development Code?

The Development Code is a set of laws adopted by the City Council consisting of the Development Code Text and Zoning Map. Included in the Development Code text are:

- procedures for applications
- minimum lot sizes
- types of uses allowed in each zone
- open space requirements and setbacks
- improvements required for development

These can be changed through the Development Code Text Amendment process outlined below. The process for changing the zoning map is described in another handout entitled "The Development Code Map Amendment".

## What Is A Development Code Amendment?

When it becomes obvious that a specific provision of the Development Code is outdated or doesn't serve the community as a whole, a set procedure can be followed to change it. This process may be started by a citizen, the Planning Commission, the City Council, or a court. Provisions for Development Code changes are outlined in Section 17.2.600 et. seq. of the Development Code.

## How Do I Apply?

Applications are available at the Community Development office. The criteria, to approve, are described in Section 17.2.630 of the Development Code. The completed application materials, along with a filing fee, should be submitted to the Community Development office.

## The Review Process

In order for an amendment to take effect it must be approved by both the Planning Commission and the City Council. Staff will set a date for a public hearing before the Planning Commission and publish a legal notice of the hearing in the newspaper. Staff will then review the proposal, analyzing:

- how the proposal complies with provisions of the law
- the possible consequences of the proposal
- how the proposal relates to City plans

The proposal is also circulated to all major public service departments to see how their services could be affected by the proposed change. With this information in hand, staff will write a report recommending approval or denial. The report may also contain suggested modifications. This report is sent to you and the Planning Commission prior to the hearing. The Planning Commission hearing is quasi-judicial, meaning there will be opportunity for testimony both for and against the proposal. At this time, you may address the Commission and staff will present their report.

When the Commission reviews your proposal, it is legally obligated to cite "findings of fact" that satisfy the criteria. It is your responsibility to supply facts and evidence for the Planning Commission to use as findings in support of their decision. The Planning Commission recommendation then goes to the City Council for another public hearing, using the same procedure as previously described.



## How Long Does it Take?

Development Code Amendments can normally be processed (from an established Planning Commission submittal date through final consideration by City Council) in about 60 days.

## Some Things to Remember

Please refer to the Development Code Section 17.2.600-17.2.630 for details on criteria and procedures. It is important to note that while you may seem to have valid reasons for requesting a Development Code Amendment, the requirements in the Development Code--which are law--are the only basis upon which the Planning Commission and City Council may make a decision. A Development Code Amendment cannot be granted solely on your good intentions or economic need. City staff's role in the process is to assist you in ensuring that your application meets all the requirements of the law. They also represent the community as a whole, identifying situations that could cause an increase in the cost of providing city services, or could have adverse impacts on the community.

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