

**DIVISION 7. TEXT AMENDMENT****10-1-1985: GENERALLY:**

Amendments to the text of this chapter may be adopted without public hearing, except as otherwise provided in this division. [Formerly numbered Section 31-278; Renumbered by Ord. No. 3058, eff. 2/21/87.]

**10-1-1986: ENVIRONMENTAL IMPACT REPORT:**

No text amendment which may have a significant effect on the environment shall be adopted until an environmental impact report is prepared, processed and considered in accordance with the provisions of Article 1, Title 9 Chapter 3 of this Code, unless the text amendment is otherwise exempt from the provisions of that article. [Added by Ord. No. 2383; Formerly numbered Section 31-278.1; Renumbered by Ord. No. 3058, eff. 2/21/87.]

**10-1-1987: LAND USE AMENDMENTS:**

Amendments to the land use regulations shall be preceded by a public hearing as follows:

1. Classification of an unlisted use, repeal or modification of a listed use, and any change in the prohibited uses shall be heard by the Council.
2. All other amendments to land use regulations, including signs, displays, and conditions for home occupations and Planned Residential Developments, shall be heard by the Planning Commission. [Formerly numbered Section 31-279; Renumbered by Ord. No. 3058, eff. 2/21/87 amended by Ord. No. 22-3,983, eff. 12/16/22.]

**10-1-1988: PROPERTY DEVELOPMENT STANDARDS:**

Amendments to the property development standards shall be preceded by a public hearing held by the Planning Commission. [Formerly numbered Section 31-280; Renumbered by Ord. No. 3058, eff. 2/21/87; amended by Ord. No. 22-3,983, eff. 12/16/22.]

**10-1-1989: INITIATION OF AMENDMENT:**

Amendments may be initiated by:

1. The Council.
2. The Planning Commission. [Formerly numbered Section 31-281; Renumbered by Ord. No. 3058, eff. 2/21/87; amended by Ord. No. 22-3,983, eff. 12/16/22; 2930.]

**10-1-1990: REFUND OF FILING FEE:**

The filing fee shall be refunded if the Planning Commission withholds its consent or consents and the requested amendment is adopted by the Council. [Formerly numbered Section 31-282; Renumbered by Ord. No. 3058, eff. 2/21/87; amended by Ord. No. 22-3,983, eff. 12/16/22.]

**10-1-1991: REQUIREMENTS FOR ADDING A USE:**

The Council shall not add a use to a list of permitted uses without first making the following findings:

1. The addition of the use will be in accord with the purposes of the zone in which it is proposed to be listed.
2. The proposed use is compatible with and has the same basic characteristics as the other permitted uses.
3. The proposed use can be expected to conform with the required conditions for the zone.
4. The proposed use will not be detrimental to the public health, safety or welfare.
5. The proposed use will not adversely affect the character of the zone.
6. The proposed use will not create more vehicular or other traffic than the volume normally created by any of the uses permitted.

7. The proposed use will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness, or any other objectionable influence than the amount, if any, normally created by any of the permitted uses.
8. The proposed use will not create any greater hazard of fire or explosion than the hazards normally created by any of the permitted uses.
9. The proposed use will not cause substantial injury to the values of property in the zone in which it is proposed to be listed or in any abutting zone. [Formerly numbered Section 31-283; Renumbered by Ord. No. 3058, eff. 2/21/87; 2194.]

**10-1-1992: PLANNING COMMISSION STUDY AND REPORT:**

On all land use amendments and amendments to the property development standards, the Planning Commission shall study the proposed amendment and report to the Council. The report shall include a recommendation approving or disapproving the amendment. If the amendment proposes an unlisted use, the recommendation shall state the zone or zones in which the use should be classified and any conditions or property development standards not provided for that should apply to the use. [Formerly numbered Section 31-284; Renumbered by Ord. No. 3058, eff. 2/21/87; amended by Ord. No. 22-3,983, eff. 12/16/22.]

**10-1-1993: CITY PLANNER TO INVESTIGATE AND ADVISE:**

The City Planner shall investigate and advise on all land use amendments and amendments to the property development standards. Their report shall be filed with the Planning Commission and transmitted to the Council with the report of the Planning Commission. [Formerly numbered Section 31-285; Renumbered by Ord. No. 3058, eff. 2/21/87; amended by Ord. No. 22-3,983, eff. 12/16/22; 2941.]

**10-1-1994: PUBLIC HEARINGS; NOTICE:**

Public hearings required by this division shall be set by the body holding the hearing. Notice of the hearing shall be given by publication once in a newspaper of general circulation in the City not later than ten (10) business days before the date of the hearing. [Formerly numbered Section 31-286; Renumbered by Ord. No. 3058, eff. 2/21/87; Amended by Ord. No. 13-3,844, eff. 11/22/13.]