

1 ARTICLE C. GENERAL PLAN AMENDMENTS

2 SECTION:

3 13-7C-1: Scope

4 13-7C-2: Application Process

5 13-7C-3: Submittal Requirements

6 13-7C-4: Authorized Applicant

7 13-7C-5: Planning Commission Recommendation; Public Hearing

8 13-7C-6: Findings For Criteria to Recommend Approval

9 13-7C-7: Council Public Hearing and Action; Amendments Adopted by Ordinance:

10 13-7C-8: Additional Submittal Requirements

11 13-7C-~~7-9~~: Reapplication

12

13 13-7C-1: SCOPE:

14 Amendments to the General Plan shall be adopted in the manner set forth in this article. (2001  
15 Code § 89-5-402; amd. 2009 Code)

16

17 13-7C-2: APPLICATION PROCESS:

18 Applications shall be made in the office of the community development services department.  
19 (2009 Code; amd. Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

20

21 13-7C-3: SUBMITTAL REQUIREMENTS:

22 Any person or entity who seeks development application shall submit an application on the  
23 official form provided by the community development services department with required  
24 documentation specified by guidelines provided by the community development services  
25 department. Submittal requirements shall be as established administratively by the department  
26 and shall include, but not be limited to:

27 a)A. evidence of ownership or the type of controlling interest in the property;

28 b)B. legal description of the property;

29 e)C. property owner, including a property owner affidavit, if the applicant is not the owner;

30 d)D. the present zoning classification;

- 31 e)E. the proposed use of the property; and
- 32 f)F. a scaled diagram of the subject parcel and surrounding area, inclusive of ingress and egress  
33 points from all parcels along both sides of subject streets bounding the property; and
- 34 G. The application shall comply with all the additional submittal requirements of section 13-  
35 7C-8.
- 36 H. The applicant shall submit the application, together with the applicable fee, to the  
37 community development department.
- 38 I. Applications shall not be reviewed without the written consent of the property owner except  
39 as provided herein.
- 40 J. The burden of proof for all applications shall be the responsibility of the applicant.
- 41 K. The appropriate city departments shall, in a timely manner, determine whether the  
42 application is complete for purposes of subsequent, substantive planning commission review,  
43 and shall comply with the other provisions of Utah Code Ann. sections 10-9a-509 and 10-9a-  
44 509.5 or successor provisions. (2009 Code; amd. Ord. 19-50, 12-11-2019, Effective at 12 noon  
45 on January 6, 2020)

46

47 13-7C-4: AUTHORIZED APPLICANT:

48 A. Future Land Use Map Amendment: An applicant for an amendment to the future land use  
49 map on any property shall be one of the following:

50 1. The owner of the property;

51 2. One or more joint owners of property who own individually, or as a group, a majority  
52 interest in the property;

53 3. Both of the property owners where property is held in joint tenancy;

54 4. Seventy five percent (75%) or more of the owners of property in the area covered by the  
55 application when the application covers more than one property; or

56 5. The community development services department, the planning commission or city  
57 council on its own motion.

58 B. General Plan Text Amendment: The applicant for an amendment to change the text of the  
59 general plan shall be the community development services department, the planning commission  
60 or city council on its own motion. If an applicant for such an amendment, in the applicant's  
61 discretion, submits an application primarily because of the request of an "outside party", then  
62 said outside party shall pay a filing fee (but shall not submit an application) according to the  
63 consolidated fee schedule, as if said outside party was an applicant.

64 C. Signature And Quarterly Map Meeting, Zoning Map Amendment Application, and Other  
65 Requirements Required: When the application is initiated by someone other than the community  
66 development services department, the planning commission or city council, then:

67 1. The application shall be signed by the authorized applicant or an agent of any authorized  
68 applicant. The authority of the agent must be in writing, notarized, and filed with the application.  
69 The signature of such agent shall have the same force and effect as if the application were signed  
70 by the principal; **and**

71 2. The application shall be placed on a planning commission quarterly map meeting agenda  
72 as follows (unless the application is for a general plan **future** land use map amendment which  
73 **apparently** conforms to and is **apparently** consistent with the current zoning map, **as determined**  
74 **by the zoning administrator**):

Date Of Filing Of Complete Application	Date Of Planning Commission Public Hearing/Meeting	Date Of City Council Public Hearing/Meeting
January 1 to March 31	Last meeting of April	Soonest available meeting
April 1 to June 30	Last meeting of July	Soonest available meeting
July 1 to September 30	Last meeting of October	Soonest available meeting
October 1 to December 31	Last meeting of January	Soonest available meeting

75

76 **3. And if the application is required to be placed on a planning commission quarterly map**  
77 **meeting agenda, the application shall be filed concurrently with a zoning map amendment**  
78 **application, as well as all other applications and submittal requirements necessary for a complete**  
79 **application of a development proposal, as required by the zoning administrator.**

80 D. Updates: The city council shall prepare a comprehensive update to the general plan at least  
81 once every **five (5) ten (10)** years. (2009 Code; amd. Ord. 17-41, 7-12-2017; Ord. 19-50, 12-11-  
82 2019, Effective at 12 noon on January 6, 2020; Ord. 20-40, 10-28-2020)

83

84 13-7C-5: PLANNING COMMISSION RECOMMENDATION; PUBLIC HEARING:

85 A. **Future** Land Use Map Amendment: On an application to amend the **future** land use map,  
86 and after holding a public hearing, the Planning Commission may only recommend approval or  
87 denial. The Planning Commission recommendation will be forwarded to the City Council for  
88 public hearing and final action unless withdrawn by the applicant.

89 B. General Plan Text Amendment: On an application to amend the text of the General Plan,  
90 and after holding a public hearing, the Planning Commission may recommend approval,  
91 approval as modified by the Planning Commission, or denial. The Planning Commission  
92 recommendation will be forwarded to the City Council for public hearing and final action.

93 **C. Planning Commission Public Hearing: Once the publishing of the planning commission**  
94 **public hearing notices has been completed, including, if applicable, the placement in the mail of**  
95 **any required notices, the public hearing date for the application shall not be canceled or changed,**  
96 **except as follows:**

97 1. The applicant proposes a specific planning commission meeting date for the placement of  
98 the application, which is approved by the planning commission chair, with the applicant  
99 paying all the additional noticing costs; or

100 2. The applicant withdraws the application (see section 13-7C-9 regarding reapplication).  
101 The application counts as withdrawn if a new date is not approved by the planning  
102 commission chair, unless the applicant desires to retain the original public hearing date.

103 ~~C-D~~. Planning Commission Recommendation ~~To to~~ City Council: For future land use map  
104 and General Plan text amendments, the Planning Commission shall forward a recommendation,  
105 with the determinations regarding the criteria for said recommendation, to the City Council  
106 within sixty (60) days after closing a public hearing on the proposed amendment.

107 1. If the Planning Commission fails to forward a recommendation on the proposed  
108 amendment within sixty (60) days, it shall be forwarded to the City Council as if the Planning  
109 Commission had made a negative recommendation.

110 2. ~~If a positive recommendation included conditions or if a negative recommendation~~  
111 ~~included findings, then the applicant shall fill out a form (provided by City staff) responding to~~  
112 ~~and showing adherence to said conditions or findings, which shall be forwarded to the City~~  
113 ~~Council, together with the Planning Commission's recommendation. If the planning commission~~  
114 ~~does forward a recommendation on the proposed amendment to the city council within sixty (60)~~  
115 ~~days, the recommendation shall indicate the determinations regarding the criteria for said~~  
116 ~~recommendation. If the planning commission forwards a negative recommendation, the~~  
117 ~~recommendation shall include at least one determination why at least one of the criteria for~~  
118 ~~approval in section 13-7C-7 was not met.~~

119 3. All public hearings to consider a future land use map amendment or general plan text  
120 amendment shall require notice as provided in this title and in the Utah Code.

121 (2009 Code; amd. Ord. 17-41, 7-12-2017; Ord. 20-40, 10-28-2020)

122

123 13-7C-6: FINDINGS FOR CRITERIA TO RECOMMEND APPROVAL:

124 Any amendments to the General Plan, including maps, ~~shall may~~ be ~~approved~~ recommended for  
125 approval by the planning commission to the city council only if affirmative determinations are  
126 made regarding each of the following criteria:

127 A. The proposed amendment conforms to and is consistent with the adopted goals, objectives  
128 and policies set forth in the City General Plan current general plan;

129 B. The development pattern contained on the land use plan in the current general plan  
130 inadequately provides the appropriate optional sites for the use and/or change proposed in the  
131 amendment;

132 C. The proposed amendment will be compatible with other land uses, existing or planned, in  
133 the vicinity;

134 D. The proposed amendment constitutes an overall improvement to the adopted general **plan**  
135 **future** land use map and is not solely for the good or benefit of a particular person or entity;

136 E. The proposed amendment will not adversely impact the neighborhood and community as a  
137 whole by significantly altering acceptable land use patterns and requiring larger and more  
138 expensive public infrastructure improvements, including, but not limited to, roads, water,  
139 wastewater and public safety facilities, than would otherwise be needed without the proposed  
140 change; and

141 F. The proposed amendment is consistent with other adopted plans, codes and ordinances.  
142 (2009 Code; amd. Ord. 11-35, 11-22-2011; Ord. 13-33, 11-13-2013)

143

144 **13-7C-7: COUNCIL PUBLIC HEARING AND ACTION; AMENDMENTS ADOPTED BY**  
145 **ORDINANCE:**

146 **Amendments to the future land use map or the general plan text shall, if adopted, be adopted by**  
147 **the city council by ordinance. An ordinance amending the future land use map shall include a**  
148 **legal description of the property affected, which shall be provided by the applicant on a form and**  
149 **in a manner as required by the guidelines prepared by the zoning administrator. Once the**  
150 **publishing of the council public hearing notices has been completed, including, if applicable, the**  
151 **placement in the mail of any required notices, the public hearing date for the application shall not**  
152 **be canceled or changed, except as follows:**

153 **A. The applicant proposes a specific council meeting date for the placement of the**  
154 **application, which is approved by the council chair, in consultation with the council vice-**  
155 **chair, with the applicant paying all the additional noticing costs; or**

156 **B. The applicant withdraws the application (see section 13-7C-9 regarding reapplication). The**  
157 **application counts as withdrawn if a new date is not approved by the council chair, in**  
158 **consultation with the council vice-chair, unless the applicant desires to retain the original**  
159 **public hearing date.**

160

161 **13-7C-8: ADDITIONAL SUBMITTAL REQUIREMENTS:**

162 To ensure the Planning Commission and City Council have sufficient information to evaluate  
163 each proposal, an applicant shall submit the following information:

164 A. For General Plan **future** land use map amendments, a written petition shall be submitted,  
165 which includes the following additional information:

166 1. A written statement explaining how the required **findings criteria in section 13-7C-6** are  
167 met; and

168 2. An analysis of the potential impacts of the proposed amendment on existing  
169 infrastructure and public services, such as traffic, streets, intersections, water and sewer, storm  
170 drains, electrical power, fire protection, garbage collection, etc., as determined by the **City**  
171 **Planner and/or City Engineer-appropriate city departments, and as required by the city code,**

172 including but not limited to sections 13-7A-1 through 13-7A-5 inclusive (adequate public  
173 facilities).

174 B. For General Plan text amendments, a written petition shall be submitted, which includes  
175 the following information:

176 1. A written statement explaining how the required findings criteria in section 13-7C-6 are  
177 met;

178 2. An analysis of the potential impacts of the proposed amendment on existing  
179 infrastructure and public services, such as traffic, streets, intersections, water and sewer, storm  
180 drains, electrical power, fire protection, garbage collection, etc., as determined by the City  
181 Planner and/or City Engineer appropriate city departments, and as required by the city code,  
182 including but not limited to sections 13-7A-1 through 13-7A-5 inclusive (adequate public  
183 facilities);

184 3. A written statement showing the desired language change;

185 4. A written statement explaining why existing General Plan language is no longer  
186 appropriate or feasible; and

187 5. A map showing affected areas if the text change will affect specific geographic areas.  
188 (2009 Code)

189

190 13-7C-7.9: REAPPLICATION:

191 In cases where the amendment has been denied by the City Council, no application for an  
192 amendment for the same or substantially the same request and, in the case of a map amendment,  
193 on the same or substantially the same property, shall be filed within one year from the date of  
194 denial of the amendment. In cases where the amendment has been withdrawn by the applicant,  
195 no application for an amendment for the same or substantially the same request and, in the case  
196 of a map amendment, on the same or substantially the same property, shall be filed within six (6)  
197 months from the date of withdrawal of the amendment. The determination of whether an  
198 application for an amendment is for “the same or substantially the same request” shall be made  
199 by the zoning administrator. (2009 Code)

200

201

202

203

204

205

206

207 ARTICLE D. ZONING ORDINANCE AMENDMENTS

208 SECTION:

209 13-7D-1: Scope

210 13-7D-2: Application Process

211 13-7D-3: Submittal Requirements

212 13-7D-4: Authorized Applicant

213 13-7D-5: Planning Commission Recommendation; Public Hearing

214 13-7D-~~76~~: Findings For Criteria to Recommend Approval

215 13-7D-~~67~~: Council Action; Amendments Adopted By Ordinance

216 13-7D-8: Change Of Classification Of Requested Zoning District

217 13-7D-9: Reapplication

218

219 13-7D-1: SCOPE:

220 Any amendments to this title shall be adopted in the manner set forth in this article. (2001 Code  
221 § 89-5-403; amd. 2009 Code)

222

223 13-7D-2: APPLICATION PROCESS:

224 Applications shall be made in the office of the community development services department.  
225 (2009 Code; amd. Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

226

227 13-7D-3: SUBMITTAL REQUIREMENTS:

228 Any person or entity who seeks development application shall submit an application on the  
229 official form provided by the community development services department with required  
230 documentation specified on guidelines provided by the community development services  
231 department. Submittal requirements shall be as established administratively by the community  
232 development services department and shall include, but not be limited to:

233 a)A. evidence of ownership or the type of controlling interest in the property;

234 b)B. legal description of the property;

235 e)C. property owner, including a property owner affidavit, if the applicant is not the owner;

236 d)D. the present zoning classification;

237 e)E. the proposed use of the property; and

238 ~~F.~~ a scaled diagram of the subject parcel and surrounding area, inclusive of ingress and egress  
239 points from all parcels along both sides of subject streets bounding the property.

240 G. The applicant shall submit the application, together with the applicable fee, to the  
241 community development services department.

242 H. Applications shall not be reviewed without the written consent of the property owner except  
243 as provided herein.

244 I. The burden of proof for all applications shall be the responsibility of the applicant.

245 J. The appropriate city departments shall, in a timely manner, determine whether the  
246 application is complete for purposes of subsequent, substantive planning commission review,  
247 and shall comply with the other provisions of Utah Code Ann. sections 10-9a-509 and 10-9a-  
248 509.5 or successor provisions. (2009 Code; amd. Ord. 19-50, 12-11-2019, Effective at 12 noon  
249 on January 6, 2020)

250

251 13-7D-4: AUTHORIZED APPLICANT:

252 A. Zoning Map Amendment: An applicant for an amendment to change the zoning on any  
253 property shall be one of the following:

254 1. The owner of the property;

255 2. One or more joint owners of property who own individually or as a group, a majority  
256 interest in the property;

257 3. Both of the property owners where property is held in joint tenancy;

258 4. Seventy five percent (75%) or more of the owners of property in the area covered by the  
259 application when the application covers more than one property; or

260 5. The community development services department, the planning commission or the city  
261 council on its own motion.

262 B. Zoning Text Amendment: The applicant for an amendment to change the text of this title,  
263 or the text of any other title adopted as a set of land use regulations (titles 5, 8 through 15  
264 inclusive, and 17), shall be, the community development services department, the planning  
265 commission or the city council on its own motion. If an applicant for such an amendment, in the  
266 applicant's discretion, submits an application primarily because of the request of an "outside  
267 party", then said outside party shall pay a filing fee (but shall not submit an application)  
268 according to the consolidated fee schedule, as if said outside party was an applicant.

269 C. Signature And Quarterly Map Meeting Required: When the application is initiated by  
270 someone other than the community development services department, the planning commission  
271 or city council, then:

272 1. The application shall be signed by the authorized applicant or an agent of any authorized  
273 applicant. The authority of the agent must be in writing, notarized, and filed with the application.



274 The signature of such agent shall have the same force and effect as if the application were signed  
275 by the principal; and

276 2. If the zoning administrator determined that the application for an amendment to change  
277 the zoning apparently does not conform to and is apparently not consistent with the purposes,  
278 goals, objectives and policies of the adopted general plan and/or **future** land use map, then the  
279 application shall be placed on a planning commission quarterly map meeting agenda as follows:

Date Of Filing Of Complete Application	Date Of Planning Commission Public Hearing/Meeting	Date Of City Council Public Hearing/Meeting
January 1 to March 31	Last meeting of April	Soonest available meeting
April 1 to June 30	Last meeting of July	Soonest available meeting
July 1 to September 30	Last meeting of October	Soonest available meeting
October 1 to December 31	Last meeting of January	Soonest available meeting

280 (2009 Code; amd. Ord. 17-41, 7-12-2017; Ord. 19-50, 12-11-2019, Effective at 12 noon on  
281 January 6, 2020; Ord. 20-40, 10-28-2020)

282

283 13-7D-5: PLANNING COMMISSION RECOMMENDATION; PUBLIC HEARING:

284 **A. Planning Commission Public Hearing: Once the publishing of the planning commission**  
285 **public hearing notices has been completed, including, if applicable, the placement in the mail of**  
286 **any required notices, the public hearing date for the application shall not be canceled or changed,**  
287 **except as follows:**

288 1. **The applicant proposes a specific planning commission meeting date for the placement of**  
289 **the application, which is approved by the planning commission chair, with the applicant**  
290 **paying all the additional noticing costs; or**

291 2. **The applicant withdraws the application (see section 13-7C-9 regarding reapplication).**  
292 **The application counts as withdrawn if a new date is not approved by the planning**  
293 **commission chair, unless the applicant desires to retain the original public hearing date.**

294 **A-B. Zoning Map And Zoning Text Amendments: On an application for a zoning map**  
295 **amendment or zoning text amendment, and after holding a public hearing, the Planning**  
296 **Commission may recommend:**

- 297 1. Approval;
- 298 2. Approval as modified by the Planning Commission;
- 299 3. Approval in part and denial in part;
- 300 4. Denial; or
- 301 5. Any combination thereof.

302 ~~B-C~~. Planning Commission Recommendation ~~To to~~ City Council: The recommendation will  
303 be forwarded to the City Council for public hearing and final action unless withdrawn by the  
304 applicant.

305 1. ~~If a positive recommendation included conditions or if a negative recommendation~~  
306 ~~included findings, then the applicant shall fill out a form (provided by City staff) responding to~~  
307 ~~and showing adherence to said conditions or findings, which shall be forwarded to the City~~  
308 ~~Council, together with the Planning Commission's recommendation. If the planning commission~~  
309 ~~does forward a recommendation on the proposed amendment to the city council, the~~  
310 ~~recommendation shall indicate the determinations regarding the criteria for said~~  
311 ~~recommendation. If the planning commission forwards a negative recommendation, the~~  
312 ~~recommendation shall include at least one determination why at least one of the criteria for~~  
313 ~~approval in section 13-7D-7 was not met.~~

314 2. All public hearings to consider ~~an amendment to this title~~ a zoning map amendment or  
315 zoning text amendment shall require notice as provided in this title and in the Utah Code. (2009  
316 Code; amd. Ord. 17-41, 7-12-2017; Ord. 20-40, 10-28-2020)

317

318 13-7D-~~76~~: FINDINGS FOR CRITERIA TO RECOMMEND APPROVAL:

319 A. Zoning Map Amendment: Amendment to the zoning map ~~shall may~~ be approved  
320 recommended for approval by the planning commission to the city council only if affirmative  
321 determinations are made regarding each of the following criteria:

322 1. The proposed amendment is consistent with the purposes, goals, objectives and policies  
323 of the adopted General Plan and future land use map;

324 2. The proposed amendment will result in compatible land use relationships and does not  
325 adversely affect adjacent properties;

326 3. The proposed amendment further protects the public health, safety and general welfare  
327 of the citizens of the City;

328 4. The proposed amendment will not unduly impact the adequacy of public services and  
329 facilities intended to serve the subject zoning area and property than would otherwise be needed  
330 without the proposed change, such as, but not limited to, police and fire protection, water, sewer  
331 and roadways; and

332 5. The proposed amendment is consistent with the provisions of any applicable overlay  
333 zoning districts which may impose additional standards.

334 B. Zoning Text Amendment: Amendment to the text of this title or of any other land use  
335 regulation title in this code shall be approved recommended for approval by the planning  
336 commission to the city council only if affirmative determinations are made regarding each of the  
337 following criteria:

338 1. The proposed amendment conforms to the General Plan and is consistent with the  
339 adopted goals, objectives and policies described therein;

340 2. The proposed amendment is appropriate given the context of the request and there is  
341 sufficient justification for a modification to this title;

342 3. The proposed amendment will not create a conflict with any other section or part of this  
343 title or the General Plan; and

344 4. The proposed amendment does not relieve a particular hardship, nor does it confer any  
345 special privileges to a single property owner or cause, and it is only necessary to make a  
346 modification to this title in light of corrections or changes in public policy. (2009 Code; amd.  
347 Ord. 11-35, 11-22-2011; Ord. 13-33, 11-13-2013; Ord. 17-41, 7-12-2017)

348

349 13-7D-67: COUNCIL ACTION; AMENDMENTS ADOPTED BY ORDINANCE:

350 Amendments to the zoning map or the zoning text shall, if adopted, be adopted by the City  
351 Council by ordinance. An ordinance amending the zoning map shall include a legal description  
352 of the property affected, which shall be provided by the applicant on a form and in a manner as  
353 required by the guidelines prepared by the City Planner-zoning administrator. Once the  
354 publishing of the council public hearing notices has been completed, including, if applicable, the  
355 placement in the mail of any required notices, the public hearing date for the application shall not  
356 be canceled or changed, except as follows:

357 A. The applicant proposes a specific council meeting date for the placement of the  
358 application, which is approved by the council chair, in consultation with the council vice-  
359 chair, with the applicant paying all the additional noticing costs; or

360 B. The applicant withdraws the application (see section 13-7C-9 regarding reapplication). The  
361 application counts as withdrawn if a new date is not approved by the council chair, in  
362 consultation with the council vice-chair, unless the applicant desires to retain the original  
363 public hearing date.

364 (2009 Code; amd. Ord. 17-41, 7-12-2017)

365

366 13-7D-8: CHANGE OF CLASSIFICATION OF REQUESTED ZONING DISTRICT:

367 If an application is made for an amendment to change the zoning map from a more restrictive  
368 district to a less restrictive district, the City Council may approve the application or grant the  
369 amendment for a district which is more restrictive than requested in the application and less  
370 restrictive than the existing classification, without the necessity of a new or amended application  
371 and without the necessity of giving new or additional notice. (2009 Code)

372

373 13-7D-9: REAPPLICATION:

374 In cases where the amendment has been denied, no application for an amendment for the same or  
375 substantially the same request and, in the case of a map amendment, on the same or substantially  
376 the same property, shall be filed within one year from the date of denial of the amendment. In

377 cases where the amendment has been withdrawn by the applicant, no application for an  
378 amendment for the same or substantially the same request and, in the case of a map amendment,  
379 on the same or substantially the same property, shall be filed within six (6) months from the date  
380 of withdrawal of the amendment. The determination of whether an application for an amendment  
381 is for “the same or substantially the same request” shall be made by the zoning administrator.  
382 However, the City Council may reconsider a denied rezoning request, along with any related  
383 future land use map amendment application and/or other concurrent applications, if any, sooner  
384 than the expiration of the one year period if:

385 A. At least one City Council member, who voted with the prevailing majority on the earlier  
386 City Council action, moves to have the City Council reconsider the matter and a quorum of the  
387 City Council approves the reconsideration; and

388 B. Appropriate notices are published and a public hearing held as required by law. The City  
389 Council may determine if referral to and reconsideration of the rezone by the Planning  
390 Commission will be required. (2009 Code)

391

392 13-7I-2: DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS:

393 A. Preapplication Conference: A preapplication conference shall be held with the city staff for  
394 the applicant/developer to become acquainted with the development plan process and submittal  
395 requirements. City staff will give feedback on the proposed project based on the information that  
396 is presented for the proposed project. To be scheduled for a preapplication conference, the  
397 applicant/developer shall submit a concept site plan of the proposed development, submitted in  
398 accordance with the concept site plan checklist as provided by the development services  
399 department.

400 B. Master Development Plan: Following the initial preapplication conference and review of  
401 the conceptual master development plan, a master development plan shall be prepared and  
402 submitted. The intent of the master development plan is to illustrate the area(s) within a specific  
403 geographic boundary which are intended to be a part of a single, cohesive large development. In  
404 general, the master development plan is intended to act as a project's guiding document for all  
405 future development (consisting of subdevelopments) where more detailed planning will follow  
406 with submittal and approval of subarea plans. The planning commission shall forward a  
407 recommendation to the city council regarding the master development plan, where in turn, the  
408 plan shall then be approved, conditionally approved, or denied by the city council. Upon  
409 approval, the master development plan shall be the sole guiding document for all subsequent  
410 development within the defined master plan area.

411 C. Preliminary Subarea Development Plan: Following review and approval of the master  
412 development plan, the applicant/developer shall submit a subarea development plan,  
413 accompanied by all required application information. For the West Side Planning Area Zones, it  
414 is during the subarea plan review process that bonus density may be awarded (see title 13,  
415 chapter 5, article J, especially section 13-5J-10).

416 D. Final Development Plan: Following all preliminary approvals, the applicant/developer  
417 shall submit a final development plan for the subarea planned project area, accompanied by any

418 other required process information (i.e., subdivision plat, site plan, etc.). The plan shall be  
419 submitted in the same format as outlined in this section. All submitted text and drawings shall  
420 reflect any changes, modifications, updates, and references resulted from the master development  
421 plan, subarea development plan, site plan, subdivision/condominium plat, and/or conditions of  
422 approval, required by the city council. All documents attached to or included with the plan shall  
423 be in final format (i.e., no references to preliminary documents). Any major design changes  
424 related to roadway placement, product type, density, and/or amenities, shall require an  
425 amendment to the preliminary development plan in accordance with this section. (Ord. 22-13, 5-  
426 11-2022)

427 E. Planning Commission Public Hearing: If a planning commission public hearing is required  
428 for a development plan referenced in this section, once the publishing of the planning  
429 commission public hearing notices has been completed, including, if applicable, the placement in  
430 the mail of any required notices, the public hearing date for the application shall not be canceled  
431 or changed, except as follows:

- 432 1. The applicant proposes a specific planning commission meeting date for the placement of  
433 the application, which is approved by the planning commission chair, with the applicant  
434 paying all the additional noticing costs; or
- 435 2. The applicant withdraws the application, in which case the application is terminated. The  
436 application counts as withdrawn if a new date is not approved by the planning  
437 commission chair, unless the applicant desires to retain the original public hearing date.

438

439 F. City Council Public Hearing and Ordinance: A development plan referenced in this section,  
440 together with any accompanying development agreement, which is considered by the city  
441 council, shall, if adopted, be adopted by the city council by ordinance. If a city council public  
442 hearing is required for a development plan referenced in this section, together with any  
443 accompanying development agreement, once the publishing of the city council public hearing  
444 notices has been completed, including, if applicable, the placement in the mail of any required  
445 notices, the public hearing date for the application shall not be canceled or changed, except as  
446 follows:

- 447 1. The applicant proposes a specific council meeting date for the placement of the  
448 application, which is approved by the council chair, in consultation with the council vice-  
449 chair, with the applicant paying all the additional noticing costs; or
- 450 2. The applicant withdraws the application, in which case the application is terminated. The  
451 application counts as withdrawn if a new date is not approved by the council chair, in  
452 consultation with the council vice-chair, unless the applicant desires to retain the original  
453 public hearing date.