

Unified Development Ordinance: Text Amendment

9.16 Unified Development Ordinance: Text Amendment

- A. Purpose and Intent: It may become necessary to amend the text of the Unified Development Ordinance from time to time. The Plan Commission has the authority to hear a proposal to amend the text of the Unified Development Ordinance. The Plan Commission shall make a recommendation to the Common Council concerning a proposal to amend the text of the Unified Development Ordinance. The Common Council has the power to approve or reject a proposal to amend the text of the Unified Development Ordinance.
- B. Project Applicability: Any proposal to add, remove, or alter a provision of the Unified Development Ordinance shall follow the process outlined in this Section.
- C. Prerequisites:
1. *Eligible Applicants*: Members of the Common Council or members of the Plan Commission shall initiate a proposal to amend the text of the Unified Development Ordinance. Persons who wish to propose an amendment to the text of the Unified Development Ordinance and who are not members of the Common Council or Plan Commission shall find a sponsor among the Common Council or the Plan Commission to introduce the proposal.
- D. Filing Requirements:
1. *Application*: A proposal for an amendment to the text of the Unified Development Ordinance shall be prepared by the Zoning Administrator upon the direction of either the Common Council or the Plan Commission.
 2. *Deadline*: A proposal for an amendment to the text of the Unified Development Ordinance may be filed any time.
- E. Formal Procedure:
1. *Assignment*: The Zoning Administrator shall assign a case number and place the proposed amendment to the text of the Unified Development Ordinance on the first Plan Commission agenda that occurs twenty-eight (28) days after the proposal is prepared.
 2. *Internal Review*: The Zoning Administrator shall be responsible for introducing the proposed amendment to the text of the Unified Development Ordinance to the Technical Review Committee and other applicable departments and agencies that may have an interest in the proposed amendment. The Zoning Administrator shall also notify the Technical Review Committee and other applicable departments and agencies of the date of the Plan Commission meeting where the proposed amendment to the text of the Unified Development Ordinance will be heard.
 3. *Public Notice*: The following public notice standards apply for a proposal to amend the text of the Unified Development Ordinance.
 - a. The Zoning Administrator shall notify interested parties of the public hearing. Notice shall be given in a manner deemed appropriate by the Plan Commission.
 - b. The Zoning Administrator shall publish a legal notice in a newspaper of general circulation at least days (10) before the public hearing.
 - c. The Zoning Administrator shall be responsible for providing proof of published notice to the Plan Commission and including proof in the case file.
 4. *Public Hearing*: A public hearing shall be held in accordance with the Plan Commission Rules of Procedure.
 5. *Review*: In preparing and considering proposals to amend the text of the Unified Development Ordinance, the Plan Commission and the Common Council shall pay reasonable regard to:
 - a. The *City of Richmond Comprehensive Plan*.
 - b. Current conditions and the character of current structures and uses in each district.
 - c. The most desirable use for which the land in each district is adapted.
 - d. The conservation of property values throughout the jurisdiction.
 - e. Responsible development and growth.

F. Decision:

1. *Final Action:* The Plan Commission shall certify the amendment to the text of the Unified Development Ordinance and forward the proposal to the Common Council with a favorable recommendation, an unfavorable recommendation, or no recommendation.
2. *Effective Date:*
 - a. Unless an amendment to the text of the Unified Development Ordinance provides for a later effective date, the amendment shall be effective when it is adopted under *IC 36-7-4-607*.
 - b. When a provision prescribing a penalty or forfeiture for a violation is approved, it may not take effect until fourteen (14) days after the final day on which notice of its adoption is published; or the day on which it is filed in the Office of the Clerk Treasurer, whichever is later.