

REVIEW AND AMENDMENTS

Amended July 1, 2010, Ordinance No. 2010-159; Amended June 21, 2018, Ordinance No. 2018-77; Amended November 15, 2018, Ordinance No. 2018-131

INTRODUCTION

Planning is a process; it is naïve to assume that a single document can answer all the questions or resolve all the problems for all times. Conditions change, resources are shifted, and community goals are revised.

For these reasons it is essential that means exist to keep the Plan dynamic. Oregon's statewide planning program addresses this need in two ways. First, a *post-acknowledgement plan amendment* review process exists to assure that local amendments to a state-acknowledged Plan or its implementing codes and ordinances are consistent with the statewide planning goals and with the plans of other affected agencies. The second statewide approach to assuring the maintenance of local comprehensive plans is by means of a more thorough *periodic review* program which will occur cyclically beginning at least five years after Plan acknowledgment. The *periodic review* program emphasizes internal plan consistency as well as overall compliance with new and revised state rules and statutes.

In addition to these state-administered programs, a well-defined local process to review and revise the *Comprehensive Plan* is essential. The local Plan amendment process should reflect a balance between the desire for maintaining a dynamic and locally responsive plan and the need to provide a reasonable degree of certainty and stability in the rules and processes governing land use. Such a plan amendment process is presented below.

TYPES OF AMENDMENTS

Because of the diverse structural nature of the *Comprehensive Plan*, it is necessary to categorize plan amendments in several different ways (bearing in mind that all plan amendments are land use actions as defined by state statutes). This Plan contains a variety of components: Data; Conclusions; Goals and Policies; Implementation Strategies; a General Land Use Plan Map; a City-County adopted Urban Growth Boundary and Urbanization Policies; and several other components. Specific procedural requirements for all land use actions are codified in Article II of the *Land Development Code*. Two different procedural classifications will apply to *Comprehensive Plan* amendments as follows:

Procedural Classifications for *Comprehensive Plan* Amendments

Type IV

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|-----------------------------------|------------------------------------|
| Conclusions | Urban Reserve |
| Goals and Policies | Urban Growth Management Agreement |
| Implementation Strategies | Urban Reserve Management Agreement |
| General Land Use Plan Map (minor) | Review and Amendment Procedures |
| General Land Use Plan Map (major) | Citizen Involvement Program |
| Urban Growth Boundary (minor) | Urbanization Plan |
| Urban Growth Boundary (major) | |

The distinction between major and minor plan amendments is based on the following definitions which were derived from the Guidelines associated with Statewide Goal 2:

Major Amendments are those land use changes that have widespread and significant impact beyond the immediate area, such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or many different ownerships.

Minor Amendments are those land use changes that do not have significant effect beyond the immediate area of the change and should be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change should be established.

Disputes. When there is a question or dispute over the type of amendment, the director of the Planning Department shall issue a written decision.

CRITERIA FOR PLAN AMENDMENTS

Because of the important functional differences among the various Plan components, no common set of criteria can be used to assess all proposed Plan amendments. Below are listed the criteria which must be considered when evaluating proposed amendments to each of the specified Plan components. While all of the criteria may not apply to each proposed amendment, all must be considered when developing substantive findings supporting final action on the amendment, and those criteria which are applicable must be identified and distinguished from those which are not.

Conclusions. Amendments shall be based on the following:

1. A change or addition to the text, data, inventories, or graphics which substantially affects the nature of one or more conclusions.

Goals and Policies. Amendments shall be based on the following:

1. A significant change in one or more Conclusion.
2. Information reflecting new or previously undisclosed public needs.
3. A significant change in community attitude or priorities.
4. Demonstrable inconsistency with another Plan provision.
5. Statutory changes affecting the Plan.
6. All applicable Statewide Planning Goals.

Implementation Strategies. Amendments shall be based on the following:

1. A significant change in one or more Goal or Policy.
2. Availability of new and better strategies such as may result from technological or economic changes.
3. Demonstrable ineffectiveness of present strategy(s).
4. Statutory changes affecting the Plan.
5. Demonstrable budgetary constraints in association with at least one of the above criteria.
6. All applicable Statewide Planning Goals.

Street Re-classifications, including the re-classification of a lower order street to either a collector or arterial street, or when re-classifying a collector street to an arterial street, and when the re-classification is not a part of a major (Class A) legislative amendment. Amendments shall be based on the following:

1. A demonstrated change in need for capacity which is consistent with other plan provisions.
2. Consideration of alternatives to the proposed revision which includes alternative vehicle routes and alternative travel modes that would better preserve the livability of affected residential neighborhoods.
3. A significant change in one or more Goal or Policy.
4. Statutory changes affecting the Plan.
5. Demonstrable budgetary constraints in carrying out the existing plan.

6. All applicable Statewide Planning Goals.

Map Designations. Amendments shall be based on the following:

1. A significant change in one or more Goal, Policy, or Implementation strategy.
2. Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.
3. The orderly and economic provision of key public facilities.
4. Maximum efficiency of land uses within the current urbanizable area.
5. Environmental, energy, economic and social consequences.
6. Compatibility of the proposed change with other elements of the City *Comprehensive Plan*.
7. All applicable Statewide Planning Goals.

Urban Growth Boundary. *See Urbanization Element.*

Urban Reserve. *See Urbanization Element.*

Urban Growth Management Agreement. *See Urbanization Element.*

Urban Reserve Management Agreement. *See Urbanization Element.*

Citizen Involvement Program. Amendments shall be based on recommendations from the Committee for Citizen Involvement (CCI) and on Statewide Goal 1 and any other applicable Statewide Goals.

Review and Amendment Procedure. Amendments shall be based on Statewide Goal 2 and any other applicable Statewide Goals.

Urbanization Plan. *See Urbanization Planning Chapter in the Neighborhood Element (Sections 5 and 6)*

REVISIONS OF DATA, INVENTORIES AND GRAPHICS

Revisions of those portions of the Plan document which do not affect a Plan Conclusion, Goal, Policy, Implementation Strategy, General Land Use Plan Map designation, Urban Growth Boundary, Citizen Involvement Program or Review and Amendment Procedures may be made when needed by order of the Planning Director. Such revision shall be transmitted to the Planning Commission, City Council, and all other recorded holders of the *Comprehensive Plan*.