

## **Chapter 4.7 - Land Use District Map and Text Amendments**

### **Sections:**

- 4.7.100 - Purpose**
- 4.7.200 - Legislative Amendments**
- 4.7.300 - Quasi-Judicial Amendments**
- 4.7.400 - Conditions of Approval**
- 4.7.500 - Record of Amendments**
- 4.7.600 - Transportation Planning Rule Compliance**

### **4.7.100 Purpose**

The purpose of this chapter is to provide standards and procedures for legislative and quasi-judicial amendments to this Code and the land use district map. These will be referred to as “map and text amendments.” Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.

### **4.7.200 Legislative Amendments**

Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Chapter 4.1.600 and shall conform to Section 4.7.600.

### **4.7.300 Quasi-Judicial Amendment**

- A. Quasi-Judicial Amendments.** Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision. Quasi-judicial map amendments shall follow the Type III procedure, as governed by Chapter 4.1.500, using standards of approval in Subsection “D” below. The approval authority shall be as follows:
1. The Planning Commission shall review and recommend land use district map changes which do not involve comprehensive plan map amendments;
  2. The Planning Commission shall make a recommendation to the City Council on an application for a comprehensive plan map amendment. The City Council shall decide such applications; and
  3. The Planning Commission shall make a recommendation to the City Council on a land use district change application which also involves a comprehensive plan map amendment application. The City Council shall decide both applications.
- B. Criteria for Quasi-Judicial Amendments.** A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

**4.7.300 Quasi-Judicial Amendment** *(continued)*

1. Approval of the request is consistent with the Statewide Planning Goals;
2. Approval of the request is consistent with the Comprehensive Plan; and
3. Approval of the request is consistent with Transportation Planning Rule or Transportation System Plan compliance; and
4. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property; and
5. Evidence of change in the neighborhood or community or a mistake or inconsistency in the comprehensive plan or land use district map regarding the property which is the subject of the application.

**4.7.400 Conditions of Approval**

A quasi-judicial decision may be for denial, approval, or approval with conditions. A legislative decision may be approved or denied.

**4.7.500 Record of Amendments**

The City Manager shall maintain a record of amendments to the text of this Code and the land use districts map in a format convenient for public use.

**4.7.600 Transportation Planning Rule Compliance**

- A. TPR Compliance.** When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule. “Significant” means the proposal would:
1. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the Transportation System Plan; or
  2. Change the standards for implementing a functional classification system; or
  3. Allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or
  4. Reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.

**4.7.600 Transportation Planning Rule Compliance** *(continued)*

**B. Amendments to the Comprehensive Plan.** Amendments to the comprehensive plan and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

1. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or
2. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,
3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.