

ARTICLE 8.9 – COMPREHENSIVE PLAN DOCUMENT AMENDMENT

SECTION 8.9.001 - PURPOSE

The purpose of the Comprehensive Plan Document Amendment is to provide for changes in periodic needs, desires, and the rate of development, and in order to carry out the Statewide Planning Goals. Major revisions of the Plan should not occur more frequently than when periodic review required by ORS 197.628 through 197.644 is undertaken, while minor revisions may occur more frequently based upon submission of an application for change. Major revisions in the Comprehensive Plan are usually regarded as legislative, and include land use changes that have wide-spread and significant impact beyond the immediate area, such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the use; or a spatial change that affects large areas from many different ownerships. Minor changes in the plan are regarded as quasi-judicial, and are those which do not have a significant effect beyond the immediate area of the change, such as those which are narrow in scope and which focus on specific situations or lands.

SECTION 8.9.002 - REVIEW PROCEDURE

Comprehensive Plan Document Amendment requests shall be subject to the Planning Commission and City Council Review Procedure.

SECTION 8.9.003 - REVIEW CRITERIA

A proposed Comprehensive Plan Document Amendment shall be approved if the reviewing authority finds:

- A. That the proposed amendment is in compliance with Oregon Planning Goals;
- B. That the proposed amendment is in conformance with the policies of the Comprehensive Plan; and
- C. That the proposed amendment is supported by specific studies or other factual information which documents the public need for the amendment.

SECTION 8.9.004 - PROCESSING

In the processing of Comprehensive Plan Document Amendments, the following procedures shall be followed:

- A. Initiation by the Community Development Director/Planner, Planning Commission or City Council - The Community Development Director/Planner, Planning Commission or City Council may initiate proceedings to amend the Comprehensive Plan Document by majority vote, providing that if said Council initiates the amendment, it shall be referred to the Planning Commission for hearing. Said referral shall be in writing stating the text of the amendment. A quasi-judicial amendment may be initiated by a property owner or an authorized representative of the owner.
- B. Public Hearing by Planning Commission - Upon receipt of a Comprehensive Plan Document Amendment request, or a motion from the Planning Commission or City Council to consider a proposed amendment, the Community Development Director/Planner shall set a date for a public hearing as provided by Chapter 9, Article 9.5, before the Planning Commission.
- C. Notice - Notice of a hearing on a proposed Comprehensive Plan Document Amendment shall be provided as set forth in Article 9.6, Section 9.6.001 of this Code. Notice of the proposal shall also

be submitted to the Oregon Department of Land Conservation and Development and other affected agencies for review in accordance with Oregon Administrative Rules.

- D. Review by the Planning Commission - The Planning Commission shall review the proposed Comprehensive Plan Document Amendment in accordance with the procedure established in Chapter 9 and make a recommendation to the City Council.
- E. Public Hearing by City Council - Upon receipt of a recommendation of the Planning Commission, the Community Development Director/Planner shall set a date for public hearing, as provided by Chapter 9, Article 9.5, before the City Council.
- F. Notice - Notice of a Public Hearing before the City Council shall be given in the manner prescribed by Paragraph C of this Section.
- G. Review by City Council - The City Council shall review the proposed Comprehensive Plan Document Amendment and reach a decision in accordance with the procedure established in Chapter 9, and Oregon Revised Statutes relating to enactment of Ordinances. If the decision of the City Council is to approve the proposed amendment, such action shall be confirmed through an Ordinance amending the Comprehensive Plan Document by the City Council.
- H. Appeal - Appeal from the decision of the City Council shall be to the Land Use Board of Appeals (LUBA) as provided by Oregon Revised Statutes (ORS).
- I. Limitation - No request for a Comprehensive Plan Document Amendment shall be considered by the Planning Commission on the same matter or substantially the same matter within a one (1) year period immediately following a previous denial of such request, except the Planning Commission may consent to a new hearing if in the opinion of the Planning Commission new evidence or a change of circumstances warrant it.
- J. Urban Growth Boundary Management Agreement Amendment - Amendment of an Urban Growth Boundary Management Agreement may be initiated by the County, City, a county resident, or property owner in accordance with the provisions of the La Grande/Union County Urban Growth Boundary Management Agreement.