

ARTICLE 10

AMENDMENTS

10.010. **PURPOSE.**

Periodically, as local goals and needs change and new information is obtained, Development Code and Comprehensive Plan amendments are warranted. The purpose of the Development Code amendment process is to provide a method for carefully evaluating potential changes to ensure that they are beneficial to the City.

10.020. **AUTHORIZATION TO INITIATE AMENDMENTS.**

- A. An amendment to the text of the Development Code or the Comprehensive Plan may be initiated by the City Council, Planning Commission, the Community Development Director, a person owning property in the City, or a City resident.
- B. An amendment to a zone boundary may only be initiated by the City Council, Planning Commission, the Community Development Director, or the owner or owners of the property for which the change is proposed.

10.030. **APPLICATION FOR AN AMENDMENT.**

Property owners or local residents which are eligible to initiate an amendment, or their designated representatives, may begin a request for an amendment by filing an application with the Community Development Director, using forms prescribed by the City.

10.040. **INVESTIGATION AND REPORTS.**

The Community Development Director shall make, or cause to be made, an investigation to provide necessary information on the consistency of the proposal with the Comprehensive Plan. The report shall provide a recommendation to the Planning Commission on the proposed amendment.

10.050. **CLASSIFICATION OF AMENDMENT ACTIONS.**

A. **Legislative Amendments.**

The following amendment actions are considered legislative under this Code:

1. An amendment to the text of the Development Code or Comprehensive Plan.
2. A zone change action that the Community Development Director has designated as legislative after finding the matter at issue involves such a substantial area and number of property owners or such broad public policy changes that processing the request as a quasi-judicial action would be inappropriate.

B. Quasi-judicial Amendments.

The following amendment actions are considered quasi-judicial under this Code:

1. A zone change that affects a limited area or a limited number of property owners.

10.060. PROCEDURES.

Public notice and procedures of zoning amendments shall be in accordance with Article 9.

10.070. AMENDMENT CRITERIA.

A. Text Amendment.

Before an amendment to the text of the Code is approved, findings will be made that the following criteria are satisfied:

1. The amendment is consistent with the Comprehensive Plan.
2. The amendment will not adversely affect the ability of the City to satisfy land and water use needs.

B. Map Amendment.

Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied:

1. The amendment is consistent with the Comprehensive Plan.
2. The amendment will:
 - a. Satisfy land and water use needs; or

- b. Meet transportation demands. The amendment shall be reviewed to determine whether it significantly affects a transportation facility pursuant to Section -0060 of Oregon Administrative Rule (OAR) 660-012, the Transportation Planning Rule (TPR). When the City, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the City shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law; or

(Section 10.070.B.2.b amended by Ordinance 14-03, 4-21-14)

- c. Provide community facilities and services.
3. The land is physically suitable for the uses to be allowed, in terms of slope, geologic stability, flood hazard and other relevant considerations.
 4. Resource lands, such as wetlands are protected.
 5. The amendment is compatible with the land use development pattern in the vicinity of the request.

10.080. CHANGE OF ZONE FOR MANUFACTURED DWELLING PARKS.

If an application would change the zone of property which includes all or part of a manufactured dwelling park as defined by ORS 446.003, the City shall give written notice by first class mail to each existing mailing address for tenants of the mobile home park not less than 20 days prior to the date of the first hearing on the application. The failure of a tenant to receive a notice which was mailed shall not invalidate any zone change.