

DRAFT

Chapter 260 ZONING MAP AND TEXT AMENDMENTS

- 260.01 Purpose**
- 260.02 Authorization to Initiate Amendments**
- 260.03 Legislative Amendments**
- 260.04 Quasi-Judicial Amendments**
- 260.05 Approval Criteria**
- 260.06 Environmental Impact**
- 260.07 Record of Amendments**

260.01 Purpose.

The purpose of this chapter is to set forth the standards and process governing legislative and quasi-judicial amendments to this Ordinance, zoning map, Comprehensive Land Use Plan and Comprehensive Land Use Plan Map. These will be referred to as “Zoning Map Amendments”, “Text Amendments”, and “Plan Amendments”. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs and desires; to correct mistakes; and/or to address changes in state statute, case law or other regulations.

260.02 Authorization to Initiate Amendments.

An amendment to the text of this Ordinance or Comprehensive Land Use Plan, or to the zoning map or Comprehensive Land Use Plan Map may be initiated by the Board of Commissioners, or Planning Commission, or by application of a property owner.

260.03 Legislative Amendments.

A. Definition: A Legislative Amendment is one that applies broadly and thus, requires the legislative body of the County, i.e., the Board of Commissioners, to approve the change. By this definition, all amendments to the text of this Ordinance are legislative in nature, with the exception of

typographical errors. Modifications of the zoning map that affect a class of property owners as opposed to a single property owner are also legislative in nature.

B. Process: Legislative Text and Zoning Map Amendments shall be undertaken by means of a Type IV procedure, as governed by Section 205.07 of this Ordinance as governed by the approval criteria in Section 260.05(A), with the exception of typographical errors. Typographical errors may be corrected at the request of the Planning Commission by means of a Type II procedure, as governed by Section 205.05 of this Ordinance.

260.04 Quasi-Judicial Amendments.

A. Definition: A quasi-judicial Zoning Map Amendment is one that affects a single property owner and will not have an impact upon other property owners in the same class. By this definition, only Zoning Map Amendments can be quasi-judicial.

B. Process: Quasi-judicial Zoning Map Amendments shall be reviewed in the following manner:

1. A zone map change that does not require a concurrent change of the underlying Comprehensive Plan map designation shall be reviewed by means of a Type IV procedure, as governed by Section 205.06, using standards of approval contained in Section 260.05 (B).

A zone map change that does require a concurrent amendment of the underlying Comprehensive Plan map designation shall be reviewed by means of a Type IV procedure, as governed by Section 205.07, except that the Planning Commission will only make a recommendation to the Board

DRAFT

of Commissioners to approve, approve with conditions, or deny the application. The Board of Commissioners will then hold a hearing, as governed by 205.06 (D) to render the final decision on the combined application, using the approval criteria in Section 260.05 (C).

260.05 Approval Criteria.

A. Legislative Text and Zoning Map Amendments. The Board of Commissioners shall approve Legislative Text and Zoning Map Amendments upon findings that the proposed amendment complies with the following approval Criteria:

1. The amendment complies with all applicable policies of the Comprehensive Plan; and
2. The amendment does not create a conflict with other provisions of this ordinance or other ordinances or regulations.

B. Combined quasi-judicial Comprehensive Plan Map and Zoning Map Amendment. Upon recommendation of the Planning Commission, the Board of Commissioners shall approve, approve with conditions, or deny a request for a combined quasi-judicial Comprehensive Plan Map and Zoning Map Amendment based on the following approval criteria:

1. Demonstration of compliance with all applicable policies of the Comprehensive Plan.
2. Demonstration of compliance with all applicable standards of this code or other applicable implementing Ordinance.
3. Assessment of the environmental impacts of the proposed change as demonstrated by completion of an

impact report described in Section 260.06.

C. Quasi-judicial Zoning Map Amendment. Upon recommendation of the Planning Commission, the Board of Commissioners shall approve, approve with conditions, or deny a request for a quasi-judicial Zoning Map Amendment using the approval criteria in Section (B) above.

260.06 Environmental Impact.

An applicant for a quasi-judicial Comprehensive Plan Map/Zoning Map or Zoning Map Amendment shall submit documentation to address the potential impact with the following items:

A. Hydrologic impacts. Documentation shall include a description of the effect upon the watershed where the project is located, the effect upon the immediate area's storm water drainage pattern, the impact of the proposed development upon downstream areas, and the effect upon the groundwater supply.

B. Geologic impacts. Documentation shall include a description of the soil erosion potential, stability, bearing qualities of the soil, geologic formation, and soil quality for agricultural consideration. Site evaluation shall also be completed by the Department of Environmental Quality (DEQ) to determine septic suitability for the use(s) proposed, soil permeability and infiltration rates.

C. Vegetation impacts. Documentation shall include, but is not limited to, a description of the vegetation on the site, the forest fire potential of the site or in close proximity to the site, areas of low revegetative potential on the site, and unique vegetation communities either on site or within close proximity to the site.

DRAFT

Documentation shall be done by an Oregon licensed forester.

- D. Animal life impacts. Documentation shall include, but is not limited to, a description of any rare or endangered animal species either on or within close proximity of the site, and highly productive habitats for species of sport, commercial or education value either on site or within close proximity to the site.
- E. Air quality impacts. Documentation shall include a description of the local circulation patterns, prevailing winds, and the condition up or down wind that could be affected by or upon the proposed development.
- F. Economic impacts. Documentation shall include a description of the economic impact of the proposed development upon the schools, fire districts, law enforcement, water districts, sewer districts, or any other jurisdiction as well as consideration of the proposed project's impact upon the tax rate of the tax code area in which the proposed project is to be located.
- G. Transportation impacts. Documentation shall include a description of the roads or routes of transportation in reference to right-of-way width, roadway width, access to existing roads, and the ability of the existing roads to accommodate the anticipated amount of travel that will be generated by the proposed development.
- H. Infrastructure impacts. Documentation shall include a description of the methods by which basic services, including water, sanitary waste treatment and stormwater collection will be provided on the site.
- I. Proximity of other uses and activities. Documentation shall include a

description of the relationship of the proposed development to shopping, recreational, and employment centers.

- J. Public need. Documentation shall include a description of how the public will benefit from the proposed development and illustrate the demonstrated public need for the proposed project.

260.07 Record of Amendments.

After filing an approved Text, Zoning Map Amendment or Plan Amendment with the County Clerk, the Planning Department shall maintain records of Amendments to the text of the Ordinance and zoning map.