



CITY OF LEBANON

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Lebanon Municipal Code Title 16: Development Code

Article Four: Land Use and development Reviews, Decision Requirements and Procedures

Chapter 16.27: Comprehensive Plan Map, Zoning Map, and Urban Growth Boundary Amendments

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CITIZEN SERVICES & DEVELOPMENT CENTER

925 Main Street • Lebanon, Oregon 97355 • 541.258.4906 • 541.258.4955 Fax • www.ci.lebanon.or.us

Chapter 16.27: Comprehensive Plan Map and Zoning Map Amendments, and Urban Growth Boundary Amendments

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16.27.050 DECISION CRITERIA

A. Compliance with Comprehensive Plan and Facility Plans

1. All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the 2007 Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning.
2. Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.
3. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property. If an applicant requests a City Zoning Classification that is **not** consistent with the Comprehensive Plan Map, the zoning requested shall not be granted until the Comprehensive Plan Map is first appropriately amended to reflect concurrence. (See the Annexation Zoning Matrix, **Table 16.26-1.**) Such an amendment requires a separate application, hearing and decision; this process may occur concurrently with the Zoning Map Amendment hearing.

B. Amending the Comprehensive Plan

If proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Comprehensive Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Comprehensive Plan.

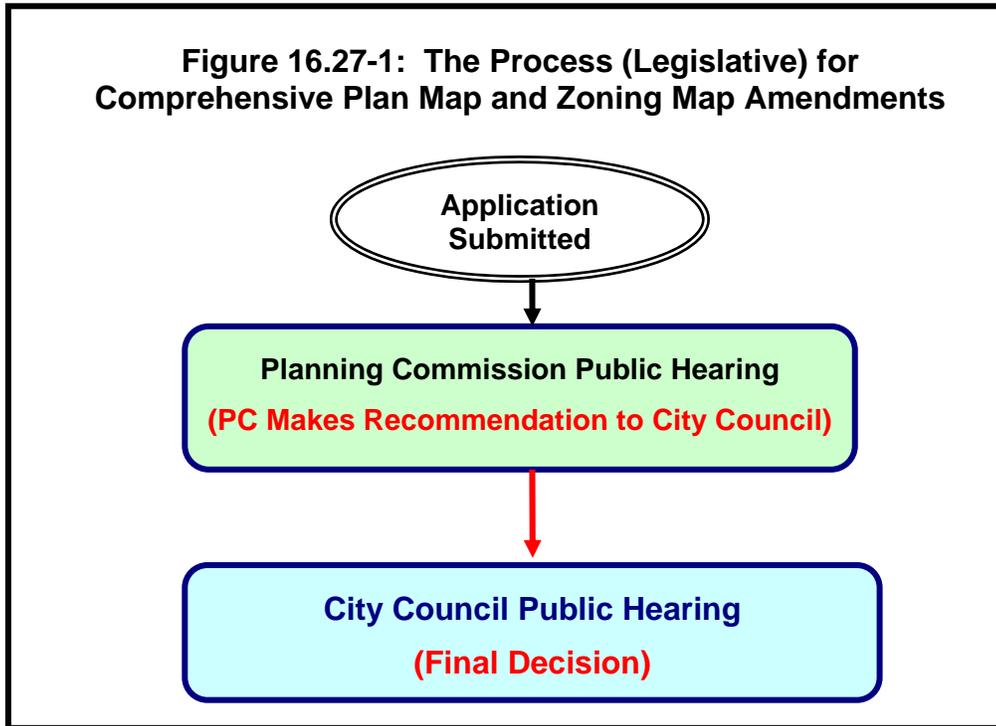
16.27.060 APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS

A. Legislative Procedure

An application for a Comprehensive Plan Map or Zoning Map Amendment shall be processed as a Legislative decision (see Figure 16.27-1), as per the provisions of Section 16.20.060 in Chapter 16.20 of this Code.

1. Land use legislative matters (including Comprehensive Plan Map or Zoning Map Amendment) are considered initially in a public hearing by the Planning Commission with final decisions made by the City Council, also in a public hearing.
2. In the Legislative Process, the Planning Commission does not make final decisions, and may only make recommendations to the City Council.
3. City Council shall hold a public hearing, and in reaching a decision shall take into account the recommendations of the Planning Commission, and testimony provided in the public hearings on the application (see Chapter 16.20 of this Code).

Figure 16.27-1: The Process (Legislative) for Comprehensive Plan Map and Zoning Map Amendments



B. Submittal Requirements

The application shall meet submittal requirements listed in Section 16.20.060 (Chapter 16.20) of this Code, as well as those listed below:

1. All Items required by the City of Comprehensive Plan Map or Zoning Map Amendment Application.
2. A Narrative describing how the proposal satisfies the provisions of the Lebanon Comprehensive Plan, and the Decision Criteria listed above in Section 16.27.050.
3. For amendments initiated by a property owner or a citizen, a filing fee in accordance with the provisions of City regulations shall accompany an application for an amendment.

16.27.080 APPROVAL OF A COMPREHENSIVE PLAN MAP OR ZONING MAP AMENDMENT REQUEST

The City may approve a Comprehensive Plan Map or Zoning Map Amendment request if it satisfies all of the relevant Decision Criteria cited above in Section 16.27.050.

16.27.090 URBAN GROWTH BOUNDARY AMENDMENTS

A. Purpose

1. Urban Growth Boundaries

- a. Urban Growth Boundaries identify and separate urbanizable land from rural land. An Urban Growth Boundary (UGB) is a boundary line that encompasses the area surrounding a city that is intended for future urban development related to the City. An Urban Growth Boundary contains urbanizable lands that:

- (1) Are determined to be necessary and suitable for future urban uses.
 - (2) Can be served by urban services and facilities.
 - (3) Are needed for the expansion of an urban area.
- b. Lands outside the Urban Growth Boundary are reserved for rural uses including agriculture, forestry, open space or sparse, non-urban development such as rural home-sites or farms where few urban services are needed.

2. Urban Growth Boundary Amendments

In general, the establishment and change of urban growth boundaries are based on the following:

- a. Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments.
- b. Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of these needs.

B. Criteria for Determining the Need for Urban Growth Boundary Amendments and the Location of Boundaries

Statewide Planning Goal 14 and local adopted goals and plans set the criteria for determining the need for Urban Growth Boundary Amendments.

C. Authorization to Initiate UGB Map Amendments

As shown in Table 16.27-1, an amendment to the Lebanon’s Urban Growth Boundary may be initiated as follows:

City Council ¹	YES
Planning Commission ¹	YES
City Staff ²	YES
Property Owner ³	YES
<p>1. The City Council or Planning Commission may initiate UGB amendments if a majority of the body endorses such a proceeding. A vote to proceed with such an application does not obligate the body to approve the final proposed UGB amendment.</p> <p>2. City staff may initiate UGB amendments if the City Manager agrees that the matter is worth proceeding to formal application and a public hearing.</p> <p>3. A property owner may submit an application for a UGB amendment on property that they own. If more than one property or owner is involved, all of the property owners must demonstrate in writing that they support the application. A UGB Amendment request not only has an application fee, but also includes the costs of studies (e.g., Buildable Lands Inventory) that must be conducted in order to comply with State regulations for a UGB Amendment. The property owner(s) who initiate the process are responsible for all costs of the process.</p>	

D. Record of Amendments

The City Recorder shall maintain records of amendments to the City of Lebanon’s Urban Growth Boundary.

E. Consistency with Statewide Planning Goals

All proposed amendments to Lebanon's Urban Growth Boundary shall be consistent with all applicable Statewide Planning Goals, including Goal 14.

F. Consistency with City's Adopted Facility Plans

All adopted Facility Plans, including the Transportation System Plan, must be consistent with the Text and Map of Lebanon's Comprehensive Plan, and Urban Growth Boundary. Amendments to the Urban Growth Boundary may necessitate corresponding changes in the City's adopted Facility Plans. Such changes to Facility Plans may be adopted concurrent with or prior to a UGB amendment.

G. Consistency with City's Adopted City Goals and Special Plans

All adopted City Goals and Special Plans, must be consistent with the Text and Map of Lebanon's Comprehensive Plan, and Urban Growth Boundary. Amendments to the Urban Growth Boundary may necessitate corresponding changes in the City's adopted Goals and Special Plans. Such changes to City Goals and Special Plans may be adopted concurrent with or prior to a UGB amendment.

H. Application Process and Submittal Requirements

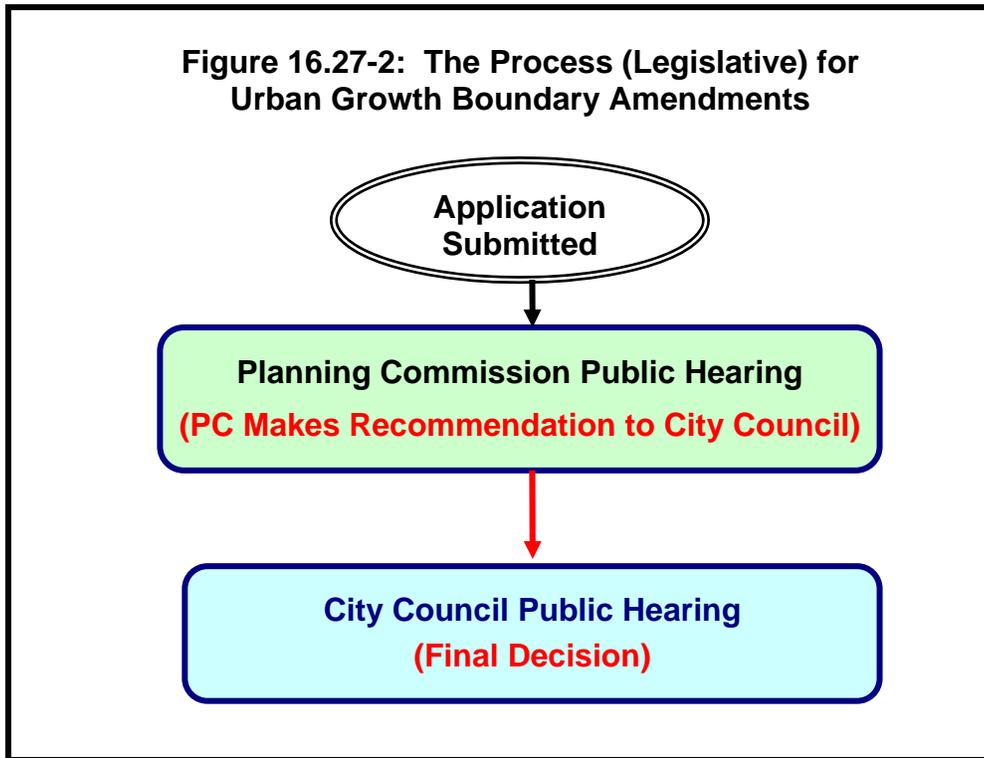
The application shall meet submittal requirements listed in Section 16.20.060 (Chapter 20) of this Code, as well as those listed below:

1. All Items required by the City of Lebanon's Urban Growth Boundary Amendment Application;
2. A Narrative describing how the proposal satisfies the applicable provisions of the Lebanon Comprehensive Plan and Oregon's Statewide Planning Goals, including Goal 14.

I. Legislative Procedure

1. An application for an Urban Growth Boundary Amendment shall be processed as a Legislative decision (see Figure 16.27-2), as per the provisions of Section 16.20.060 in Chapter 16.20 of this Code.
2. Land use legislative matters (including an Urban Growth Boundary Amendment) are considered initially in a public hearing by the Planning Commission with final decisions made by the City Council, also in a public hearing.
3. In the Legislative process, the Planning Commission makes a recommendation to the City Council.
4. City Council shall hold a public hearing, and in reaching a decision shall take into account the recommendations of the Planning Commission, and testimony provided in the public hearings (see Chapter 16.20 of this Code).

Figure 16.27-2: The Process (Legislative) for Urban Growth Boundary Amendments



J Decision Criteria for an Urban Growth Boundary Amendment Request

The City may approve an Urban Growth Boundary Amendment request if it satisfies the relevant Criteria: Oregon Department of Land Conservation and Development (DLCD) requirements, applicable Statewide Planning Goals (including Goal 14), and the applicable provisions of the Lebanon Comprehensive Plan as well as any other applicable and relevant facility or special area plans, specific projects or City-wide goals adopted by the City. An amendment request that has not evaluated the transportation impacts of the amendments as required by applicable provisions in OAR may not be rezoned until these requirements have been met.

K. Effective Date of UGB Amendment

A final decision by the City to amend the urban growth boundary does not become effective until a corresponding decision is adopted by Linn County that recognizes the new location of the boundary.