



CITY OF LEBANON

It's easier from here.

Lebanon Municipal Code Title 16: Development Code

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

Chapter 16.28: Comprehensive Plan Map and Development Code Text Amendments

16.28.010 Purpose.....	1
16.28.020 Types of Comprehensive Plan Text Amendment Processes.....	1
16.28.030 Authorization to Initiate Text Amendments	2
16.28.040 Record of Amendments	3
16.28.050 Consistency with Statewide Planning Goals.....	3
16.28.060 Consistency with City's Adopted Facility Plans.....	3
16.28.070 Consistency with Transportation System Plan.....	3
16.28.080 Application Process and Submittal Requirements	4
16.28.090 Decision Criteria for a Comprehensive Plan Text and/or Map Amendment Request	5

**Adopted by City Council on
December 10, 2008**

CITIZEN SERVICES & DEVELOPMENT CENTER

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

Chapter 16.28: Comprehensive Plan and Development Code Text Amendments

Table of Contents

- 16.28.010 Purpose..... 1
 - A. Comprehensive Plan 1
 - B. Development Code 1
- 16.28.020 Types of Comprehensive Plan Text Amendment Processes..... 1
 - A. Periodic Review 1
 - B. Post Acknowledgment Plan Amendment (PAPA)..... 1
 - C. Major Revisions and Minor Changes 1
 - 1. Citizen Participation and Coordinating Land Use Planning 1
 - 2. Major Revisions 2
 - 3. Minor Changes 2
- 16.28.030 Authorization to Initiate Text Amendments 2
- 16.28.040 Record of Amendments 3
- 16.28.050 Consistency with Statewide Planning Goals 3
- 16.28.060 Consistency with City’s Adopted Facility Plans 3
- 16.28.070 Consistency with Transportation System Plan 3
 - A. Transportation System Plan (TSP) 3
 - B. Identified Function, Capacity, and Performance Standards of Transportation Facilities 3
- 16.28.080 Application Process and Submittal Requirements 4
 - A. Legislative Procedure 4
 - B. Submittal Requirements 5
- 16.28.090 Decision Criteria for a Comprehensive Plan Text and/or Map Amendment Request 5

Chapter 16.28: Comprehensive Plan and Development Code Text Amendments

16.28.010 PURPOSE

A. Comprehensive Plan

The Comprehensive Plan is a fundamental part of the community's planning process. Ensuring that the Comprehensive Plan is a viable and user-friendly policy document is an ongoing and active responsibility of City government. The Comprehensive Plan needs to be updated occasionally for a variety of reasons, including the following:

1. To accurately reflect changes in the community.
2. To reflect changes in Statewide Planning Goals and Guidelines as well as changes in State statutes and rules.
3. To ensure integration with other policies, Development Codes, and other adopted plans.

B. Development Code

The Development Code implements the Comprehensive Plan. It may be amended whenever the public necessity, convenience, and general welfare require such amendment and where it conforms to the City of Lebanon's Comprehensive Plan and Transportation System Plan, other adopted Facility Plans, as well as any other applicable and adopted policies plans, and studies. The Development Code will be amended as necessary to be consistent with the Comprehensive Plan as it is amended over time.

16.28.020 TYPES OF COMPREHENSIVE PLAN TEXT AMENDMENT PROCESSES

A. Periodic Review

State law requires the City to update the Comprehensive Plan through a process known as periodic review. The Department of Land Conservation and Development initiates Periodic Review to ensure that comprehensive plans and land use regulations remain in compliance with the State law. Periodic Review requires a cooperative process between the state, the local government, the citizens of Lebanon and other interested persons, agencies and organizations.

B. Post Acknowledgment Plan Amendment (PAPA)

The Post Acknowledgment Plan Amendment process provides an alternative way (to periodic review) to change or update the Comprehensive Plan (and/or Map). Cities must comply with State law and Statewide Planning Goals when amending the Comprehensive Plan through the PAPA process.

C. Major Revisions and Minor Changes

1. Citizen Participation and Coordinating Land Use Planning

- a. As noted in Statewide Planning Goal 2, the citizens in the planning area and any affected governmental unit should be given an opportunity to review and comment prior to any changes in the Comprehensive Plan and implementation ordinances. There should be at least 30 days notice of the public hearing on the proposed change.
- b. Statewide Planning Goal 2 also provides the framework to assure that the established land use process and decision making is informed by an adequate factual base for such decisions and actions, and for coordinating land use planning with other affected governmental units.

2. Major Revisions

- a. Major revisions include land use changes that have widespread and significant impact beyond the immediate area, such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or many different ownerships.
- b. The Plan and implementation measures should be revised when public needs and desires change and when development occurs at a different rate than contemplated by the Plan. Areas experiencing rapid growth and development should provide for a frequent review so needed revisions can be made to keep the Plan up to date.
- c. Major revisions should not be made more frequently than every two years, if at all possible.

3. Minor Changes

- a. Minor changes do not have significant effect beyond the immediate area of the change.
- b. Such changes should be based on special studies or other information that will serve as the factual basis to support the change.
- c. The public need and justification for the particular change should be established.
- d. Minor changes should not be made more frequently than once a year, if at all possible.

16.28.030 AUTHORIZATION TO INITIATE TEXT AMENDMENTS

An amendment to the Lebanon’s Comprehensive Plan Text and/or Development Code Text may be initiated by the entities or individuals noted in Table 16.28-1.

Table 16.28-1: Initiation of Text Amendments		
	Comprehensive Plan	Development Code
City Council ¹	YES	YES
Planning Commission ¹	YES	YES
City Staff ²	YES	YES
Property Owner ³	YES (Via City Council, Planning Commission or City Staff)	YES (Via City Council, Planning Commission or City Staff)
1. The City Council or Planning Commission may initiate a Comprehensive Plan Text and/or Development Code Text amendment 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 text amendment. It is only an agreement that the matter is worth proceeding to formal application and a public hearing. 2. City staff may initiate Comprehensive Plan Text and/or Development Code Text amendments if the City Administrator agrees that the matter is worth proceeding to formal application and a public hearing. 3. A property owner may request a Comprehensive Plan Text and/or Development Code Text amendment. Such requests may be made to the City Council, Planning Commission, or City Staff (see references #1 and #2 directly above).		

16.28.040 RECORD OF AMENDMENTS

The City Recorder shall maintain records of amendments to the City of Lebanon's Comprehensive Plan and Development Code.

16.28.050 CONSISTENCY WITH STATEWIDE PLANNING GOALS

All proposed amendments to Lebanon's Comprehensive Plan Text shall be consistent with Oregon's Statewide Planning Goals.

16.28.060 CONSISTENCY WITH CITY'S ADOPTED FACILITY PLANS

All adopted Facility Plans, including the Transportation System Plan, must be consistent with Lebanon's Comprehensive Plan. Amendments to the Comprehensive Plan may necessitate corresponding changes in the City's adopted Facility Plans.

16.28.070 CONSISTENCY WITH TRANSPORTATION SYSTEM PLAN

A. Transportation System Plan (TSP)

All amendments to the Comprehensive Plan and Development Code shall be consistent with the City of Lebanon's adopted Transportation System Plan.

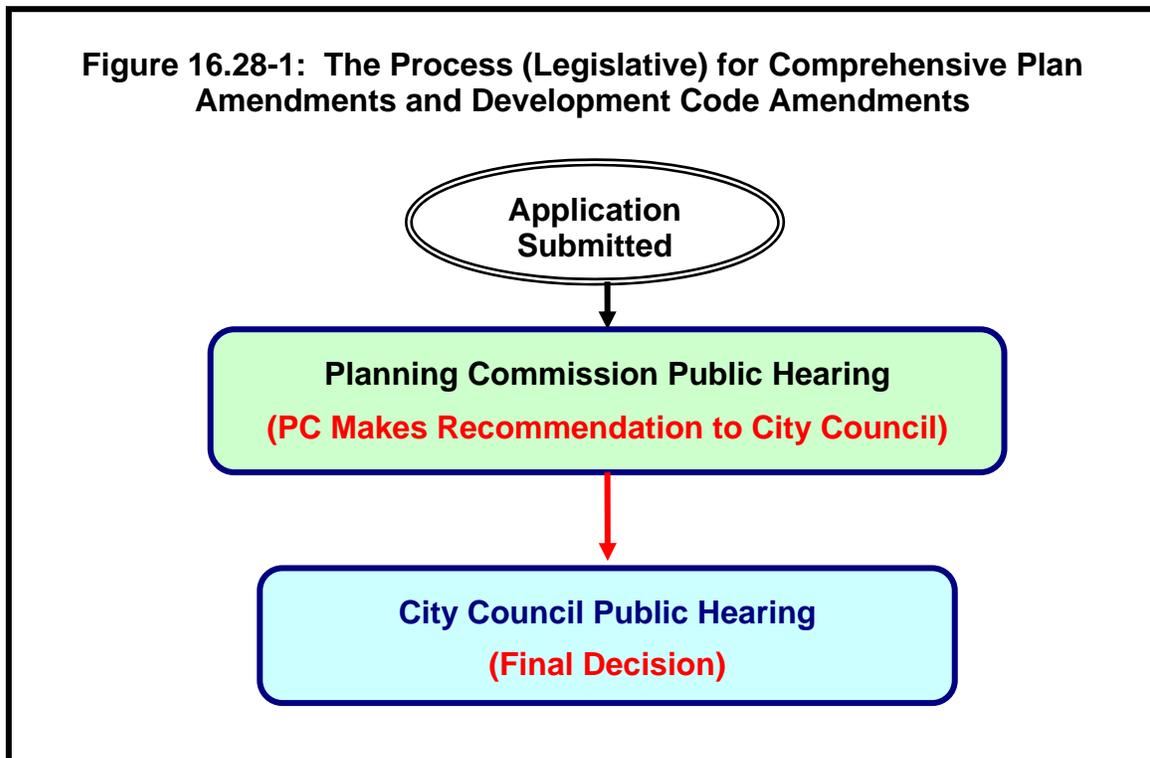
B. Identified Function, Capacity, and Performance Standards of Transportation Facilities

- 1. Applicability:** All amendments to the Comprehensive Plan and Development Code that significantly impact or affect a transportation facility shall demonstrate that the proposed and allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.
 - a. Significant Impacts:** An amendment to the Comprehensive Plan and/or Development Code significantly affects a transportation facility if it:
 - (1)** Changes the functional classification of an existing or planned transportation facility.
 - (2)** Changes standards implementing a functional classification system.
 - (3)** Allows types or levels of land uses that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility.
 - (4)** Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.
 - b. Achieving Consistency:** This shall be accomplished by any of the following actions:
 - (1)** Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (2)** Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division.
 - (3)** Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes.
 - (4)** Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.
- 2. Coordination:** Determinations under provisions listed immediately above shall be coordinated with affected transportation facility and service providers and other affected State, regional and local governments.

16.28.080 APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS

A. Legislative Procedure

1. An application for a Comprehensive Plan Amendment and/or Development Code Amendment shall be processed as a Legislative decision (see Figure 16.28-1), as per the provisions of Section 16.20.060 in Chapter 16.20 of this Code.
2. Land use legislative matters (including Comprehensive Plan and/or Development Code Amendments) 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 does not make final decisions, and may only make recommendations 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).



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 Lebanon's Comprehensive Plan and/or Development Code Amendment Application.
2. A narrative describing how the proposal satisfies the applicable provisions of the Lebanon Comprehensive Plan and Oregon's Statewide Planning Goals.
3. For an amendment initiated by a property owner, a filing fee in accordance with the provisions of City shall accompany an application for a LCP or LDC amendment.

16.28.090 DECISION CRITERIA FOR A COMPREHENSIVE PLAN TEXT AND/OR MAP AMENDMENT REQUEST

The City may approve a Comprehensive Plan and/or Development Code Amendment application if it satisfies all of the relevant Decision Criteria: Oregon Department of Land Conservation and Development (DLCD) administrative rules, the applicable Statewide Planning Goals, the applicable provisions of the Lebanon Comprehensive Plan, and any other applicable and relevant facility or special area plans, specific projects or City-wide goals adopted by the City.