

9-01.09 [Amendments]

9-01.09-10 [Authorization to Initiate Amendments]

An amendment to the text of this chapter or to a zone boundary may be initiated only by the City Council, the City Planning Commission, application by the owner of the subject property, or application by one who has executed a written agreement with the property owner to acquire the subject property. The request by a property owner or the intended purchaser for an amendment shall be accomplished by filing an application with the City Recorder.

9-01.09-20 [Public Hearing on Amendments]

The Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after the amendment is proposed and shall within forty (40) days after the hearing, recommend to the City Council approval, disapproval or modified approval of the proposed amendment. After receiving the recommendation of the Planning Commission, the City Council shall hold a public hearing on the proposed amendment.

9-01.09-30 [Record of Amendments]

The City Recorder shall maintain records of amendments to the text of this chapter and the zoning map.

9-01.09-40 [Limitations on Reapplication]

No application of a property owner for an amendment to the text of this chapter or to a zone boundary shall be considered by the Planning Commission within the one (1) year period immediately following a previous denial of such request, except the Planning Commission may permit a new application if in the opinion of the Planning Commission new evidence or a change of circumstances warrant it.

9-01.09-50 [Comprehensive Plan Map Amendment]

- A. Applicability. The Comprehensive Plan Map designates property for long term development purposes. A Plan Map amendment is required to change the designation of property.
- B. Process. Amendments to the Comprehensive Plan map shall be reviewed in accordance with the Type IV review procedures specified in Section 9-01.10-60.
 - Special Notice Requirements. If a zone change request would change the zone of property which includes all or part of a manufactured home park, the City shall give written notice by first class mail to each existing mailing address for tenants of the mobile or manufactured home park at least 20 days before the date of the first hearing on the application. The failure of the tenant to receive a notice which was mailed shall not invalidate any zone change.
- C. Application. An application for a map amendment shall be filed with the City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Section. Notice shall be subject to the provisions in Section.
- D. Decision Criteria. Plan Map amendment proposals shall be approved if the applicant provides evidence substantiating the following:
 1. Compliance is demonstrated with the Statewide Land Use Goals that apply to the subject properties or to the proposed land use designation.

If the proposed designation requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.

2. Consistency with the applicable goals and policies in the Comprehensive Plan is demonstrated, including compliance with the City Transportation Master Plan, Parks and Open Space Plan, Water Master Plan and Storm Water Master Plans.
3. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.
4. The Plan provides more than the projected need for lands in the existing land use designation.
5. The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity or significantly adversely affect existing or planned uses on adjacent lands.
6. Public facilities and services necessary to support uses allowed in the proposed designation are available or will be available in the near future.
7. Amendments affecting the transportation system:
8. When a development application includes a proposed comprehensive plan amendment, zone change or land use regulation change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility. An amendment significantly affects a transportation facility if it would:
 - (a) Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the Vernonia Transportation Master Plan; or
 - (b) Changes standards implementing a functional classification system; or
 - (c) Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or
 - (d) Reduce the performance standards of the facility below the minimum acceptable level identified in the Transportation Master Plan.

E. Amendments That Affect Transportation Facilities. Comprehensive plan, zoning map and land use regulation amendments which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation Master Plan (TMP). This shall be accomplished by one of the following:

- (1) Amending the TMP to ensure that existing, improved or new transportation facilities are adequate to support the proposed land uses consistent with the requirements of the state transportation planning rule (TPR); or

- (2) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or
- (3) Limiting allowed land uses to be consistent with the planned function of the transportation facilities; or
- (4) Amending the Transportation Master Plan (TMP) 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 multi-modal travel choices are provided.

9-01.09.60 [Zone Map Amendments]

- A. Applicability. The Zone Map establishes zone for individual properties. A zone change approval is required to change the zone of any property.
- B. Process. Zone changes shall be reviewed in accordance with the Type III review procedures specified in Section 09-01.10-90
- C. Application. An application for a zone change shall be filed with the City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Section. Quasi-Judicial amendments to the Zone Map shall be in accordance with the Type III permit provisions and Legislative Amendments to the Zone Map shall be subject to the Type IV provisions.
- D. Decision Criteria. Zone change proposals shall be approved if the applicant provides evidence substantiating the following:
 1. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.
 2. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.
 3. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Code.
 4. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property, in accordance with the City of Vernonia Street, Park and utility Master Plans.
 5. For residential zone changes, the criteria listed in the purpose statement for the proposed zone shall be met.
- E. Imposition of Conditions. Approval of a zone change application may be conditioned to require provisions for buffering or provision of off-site public facilities. In order to impose conditions on a zone change, findings must be adopted showing that:
 1. The zone change will allow uses more intensive than allowed in the current zone; and
 2. The conditions are reasonably related to impacts caused by development allowed in the proposed zone or to impacts caused by the specific development proposed on the subject property; and
 3. Conditions will serve a public purpose such as mitigating the negative impacts of allowed uses on adjacent properties.

F. Conditions. Conditions that could meet the criteria in E., include, but are not limited to:

1. Dedication of right-of-way for public streets, utility easements, etc.; including additional right-of-way consistent with the requirements of the City Transportation Plan.
2. Improvement of private roadways or public streets, including bike paths, curbs, and sidewalks.
3. Provision of storm drainage facilities.
4. Extension of public sewer, storm drain, and water service including over-sizing to permit development on other lands.
5. Provision of fire suppression facilities and equipment.
6. Provision of transit and traffic control facilities.
7. Special building setbacks, orientation, landscaping, fencing, and retention of natural vegetation.
8. Special locations for truck loading, parking, access routes, or any outdoor activity that could impact adjacent property.
9. Financial contributions to public agencies to offset increased costs for providing services or facilities related to the intensification of the use of the property.

9-01.09.70 [Text Amendments]

- A. Process. Amendments to the Comprehensive Plan and Development Code texts shall be reviewed in accordance with the Type IV legislative review procedures.
- B. Application. A Plan or Code text amendment can only be initiated by a city resident, property owner, the Planning Commission or City Council. Upon direction of either the Commission or Council, City staff shall establish a file and set a schedule to review the proposed changes. No fee is required if the Planning Commission or City Council initiates the amendment.
- C. Decision Criteria. Amendments to the Comprehensive Plan or Development Code text shall be approved if the evidence can substantiate the following:
 1. Impact of the proposed amendment on land use and development patterns within the city, as measured by:
 - a. Traffic generation and circulation patterns in compliance with the Transportation Master Plan;
 - b. Demand for public facilities and services, in compliance with the City utility master plans;
 - c. Level of park and recreation facilities;
 - d. Economic activities;
 - e. Protection and use of natural resources;
 - f. Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.
 2. A demonstrated need exists for the product of the proposed amendment.
 3. The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements.
 4. The amendment is appropriate as measured by at least one of the following criteria:
 - (a) It corrects identified error(s) in the provisions of the plan.
 - (b) It represents a logical implementation of the plan.

- (c) It is mandated by changes in federal, state, or local law.
- (d) It is otherwise deemed by the City Council to be desirable, appropriate, and proper.