

CHAPTER 2.1

COMPREHENSIVE PLAN AMENDMENT PROCEDURES

Section 2.1.10 - BACKGROUND

The adopted Comprehensive Plan is the City's official statement of major policies concerning desired future development of the community. The Comprehensive Plan is the controlling land use planning instrument for the City and, as such, land development regulations and related actions are required to conform with the Plan.

This chapter pertains to lands within the City limits. Those portions of the Comprehensive Plan that apply to areas outside the City limits but within the Urban Growth Boundary shall be amended in accordance with the provisions of the Corvallis Urban Fringe Management Agreement.

Section 2.1.20 - PURPOSES

This Chapter describes the review criteria and procedural requirements to accomplish the following:

- a. Respond to changing conditions and community attitudes;
- b. Ensure flexibility while maintaining the integrity of the Comprehensive Plan; and
- c. Establish procedures by which the Plan text and map may be amended.

Section 2.1.30 - PROCEDURES

2.1.30.01 - Initiation

Comprehensive Plan Amendments shall be initiated by one of the following:

- a. An application submitted by the property owners or their authorized agents;
or
- b. A majority vote of the City Council. City Council initiation of Comprehensive Plan Map Amendments shall be considered to accomplish the following:
 - 1. Respond to changed circumstances;
 - 2. Correct inconsistencies with state goals;

3. Accomplish legislative changes affecting a relatively large number of properties or community-wide issues;
4. Correct inconsistencies between the Comprehensive Plan Map and other policies and maps;
5. Respond to changes in property boundaries; and/or
6. Respond to changes as a result of neighborhood or area-specific master planning efforts.

2.1.30.02 - Frequency of Plan Amendments

Applications for Comprehensive Plan Amendments initiated by property owners shall be reviewed semi-annually in March and September by the Planning Commission. The City Council may initiate amendments to the Comprehensive Plan at any time. Applications for Comprehensive Plan Amendments filed in conjunction with an application for Annexation shall be reviewed concurrently. Comprehensive Plan Amendments are exempt from the time limits established in state law for development review processes and shall be exempt from time restrictions set forth in this Code.

2.1.30.03 - Application Requirements

Notice shall be provided to the Land Conservation and Development Commission (LCDC) of any proposed amendment or new regulation as provided by state law.

When the Director deems any requirement below unnecessary for the proper evaluation of a proposed application, it may be waived.

Prior to formal submittal of an application, the applicant is encouraged to participate in an informal pre-application conference with Community Development Department staff to discuss the proposal, the applicant's requirements, and the applicant's materials developed in response to this Code's applicable requirements.

Applications for Comprehensive Plan Amendments shall be made on forms provided by the Director and shall be accompanied by:

- a. Location and description of the subject property(ies), including all of the following, as relevant: address; tax assessor map and tax lot number; parcel number; written description of the boundaries of the proposal; and one set of assessor's maps of the subject site and surrounding area, with the subject

site outlined in red;

- b. Signed consent by the subject property's owner(s) and/or the owner's legal representative(s). If a legal representative is used as a signatory, written proof of ability to be a signatory shall be furnished to the City. The owner's name(s) and address(es), and the applicant's name, address, and signature shall also be provided;
- c. Fifteen copies of the narrative, on 8.5- by 11-in. sheets, and 15 copies of graphics at an 8.5- by 11-in. size. The Director may request additional copies of the narrative and/or graphics for routing purposes, if needed. Related names/numbers must be legible on the graphics. The Director may also require some or all graphics at an 11- by 17-in. size if, for legibility purposes, such a size would be helpful;
- d. For Comprehensive Plan Map Amendments, six sets of full-scaled black line or blueprint drawings of the graphic(s), with sheet size not to exceed 24- by 36-in. Where necessary, an overall plan with additional detail sheets may be submitted;
- e. For Comprehensive Plan Text Amendments, the proposed text changes;
- f. An electronic version of these documents (both text and graphics, as applicable) if an applicant has produced part or all of an application in an electronic format. The applicant shall coordinate with the City regarding compatible electronic formats, to the greatest extent practicable;
- g. **Graphic Requirements**

Graphics shall include the following information where applicable:

1. Public Notice Map - Typically a street map at one in. = 800 ft. as per the City's public notice format;
2. Zoning Maps - Existing and proposed Zoning Maps. Typically one in. = 400 ft., but up to one in. = 800 ft., depending on the size of the site, with a key that identifies each zone on the site and within 1,000 ft. of the site as per City format;
3. Comprehensive Plan Maps - Existing and proposed Comprehensive Plan Maps. Typically one in. = 800 ft. with a key that identifies each

land use designation on the site and within 1,000 ft. of the site as per

City format;

4. Existing Land Use Map - Typically a topographic map that extends at least a 1,000 ft. beyond the site. The map shall include building footprints and distinguishes between single-family, multi-family, Commercial, and Industrial Uses, as well as other significant features such as roads, parks, schools, and significant natural features identified by Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions;
5. Significant Natural Features Map(s) - Maps shall identify significant natural features of the site, including but not limited to:
 - a) All information and preservation plans required by Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions, as applicable;
 - b) All Jurisdictional Wetlands not already shown as part of “a,” above. While not all Jurisdictional Wetlands are locally regulated by Chapter 4.13 - Riparian Corridor and Wetland Provisions, they need to be shown so that the City can route the application to the appropriate state and federal agencies for comment; and
 - c) Archaeological sites recorded by the State Historic Preservation Office (SHPO).
6. For Comprehensive Plan Map Amendments, a legible vicinity map identifying the area to be amended and identifying adjacent City and County territory at least 300 ft. beyond the boundaries of the subject site. The map shall include features such as existing streets and parcel boundaries; existing structures; driveways; utilities; significant natural features regulated by Chapter 2.11 - Floodplain Development

Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions; Minimum Assured Development Area information from Chapter 4.11 - Minimum Assured Development Area (MADA), if applicable; and any other information that, in the Director's opinion, would assist in providing a context for the proposed Map Amendment. The Director may require that an applicant's graphics include information on lands in excess of 300 ft. from the subject site, such as in cases where an adjacent property is large and a view of the whole parcel would be helpful, or when existing infrastructure is far away from the site.

- h.** Statement of availability, capacity, and status of existing water, sewer, storm drainage, transportation, park, and school facilities. The applicant shall obtain this information using GIS base maps where available;
- i.** Statement of increased demand for the facilities that will be generated by the proposed change in land use designation. The applicant shall refer to the criteria of the City's facility master plans, available via the City Engineer, to determine the methodology used to estimate public facility demands. Information related to an actual development proposal may be included for informational purposes. At minimum, the demand calculations associated with the full range of development potential (min. to max.) under current vs. proposed land use designations shall be addressed in the analysis;
- j.** Statement of additional facilities required to meet the increased demand and phasing of such facilities in accordance with projected demand. The applicant shall review adopted public facility plans, master plans, and capital improvement programs, and state whether additional facilities are planned or programmed for the subject area. Information related to an actual development proposal may be included for informational purposes. At minimum, the demand calculations associated with the full range of development potential (min. to max.) under current vs. proposed land uses designations shall be addressed in the analysis;
- k.** Traffic impact study, if required by the City Engineer. The City Engineer shall define the scope of the traffic impact study based on established procedures. Information related to an actual development proposal may be included for informational purposes. At minimum, the traffic calculations associated with the full range of development potential (min. to max.) under current vs.

proposed land uses designations shall be addressed in the analysis. Also see Section 4.0.60.a;

- I. Statement outlining the method and source of financing required to provide additional facilities; and
- m. Statement of the reasons for the change, and how the proposal meets the review criteria in Section 2.1.30.06 or 2.1.30.07, whichever is applicable.

2.1.30.04 - Acceptance of Application

- a. The Director shall review the application in accordance with Chapter 2.0 - Public Hearings.
- b. After accepting a complete application, the Director shall schedule a public hearing to be held by the Planning Commission. Notice of the hearing shall be provided in accordance with Chapter 2.0 - Public Hearings.
- c. After an application is accepted as complete, any revisions to it that result in the need for an additional public notice to be mailed shall be regarded as a new application. Such new application shall require additional filing fees and rescheduling of the required public hearing.

2.1.30.05 - Staff Evaluation

The Director shall prepare a report that evaluates whether the proposal complies with the review criteria below. The report shall include a recommendation for approval or denial.

2.1.30.06 - Review Criteria for the Majority of Comprehensive Plan Amendments

- a. This Section addresses review criteria for the following:
 - 1. Text Amendments to the Comprehensive Plan; and
 - 2. Amendments to the Comprehensive Plan Map that do **not** involve a Map Amendment to Open Space-Conservation or Public Institutional, when such a Map Amendment is required as part of an Annexation request per Chapter 2.6 - Annexations.

Comprehensive Plan Amendments shall be reviewed to ensure consistency

with the purposes of this Chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council.

- b.** Amendments shall be approved only when the following findings are made:
 - 1. There is a demonstrated public need for the change;
 - 2. The advantages to the community resulting from the change outweigh the disadvantages; and
 - 3. The change proposed is a desirable means of meeting the public need.

- c.** Proposed amendments to the Comprehensive Plan Map shall demonstrate compatibility in the following areas, as applicable:
 - 1. Basic site design (e.g., the organization of Uses on a site and the Uses' relationships to neighboring properties);
 - 2. Visual elements (scale, structural design and form, materials, etc.);
 - 3. Noise attenuation;
 - 4. Odors and emissions;
 - 5. Lighting;
 - 6. Signage;
 - 7. Landscaping for buffering and screening;
 - 8. Transportation facilities;
 - 9. Traffic and off-site parking impacts;
 - 10. Utility infrastructure;
 - 11. Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);
 - 12. Consistency with the applicable development standards, including the applicable Pedestrian Oriented Design Standards;

13. Preservation and/or protection of significant natural features, consistent with Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards.

2.1.30.07- Review Criteria for Remainder of Comprehensive Plan Amendments

- a. This Section addresses review criteria for Comprehensive Plan Map Amendments that involve a Map Amendment to Open Space-Conservation or Public Institutional, when such a Map Amendment is required as part of an Annexation request per Chapter 2.6 - Annexations.

This type of a Comprehensive Plan Map Amendment shall be reviewed to ensure consistency with the purposes of this Chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council.

- b. **Amendments shall be approved only when the following findings are made:**

1. The proposed Comprehensive Plan Map Amendment is part of an Annexation proposal; and
2. The Annexation proposal includes areas planned for open space, general community use, or public or semi-public ownerships; and the proposed Comprehensive Plan Map Amendment to Open Space-Conservation or Public Institutional pertains to these lands, as follows:
 - a) Areas planned for open spaces or future general community use, including planned parks, preserves, and general drainageway corridors, shall be redesignated on the Comprehensive Plan Map as Open Space-Conservation.
 - b) Existing, proposed, or planned areas of public or semi-public ownership, such as Oregon State University facilities or lands,

school sites, City reservoirs, and portions of the Corvallis Municipal Airport, shall be redesignated on the Comprehensive Plan Map as Public Institutional.

c. Proposed amendments to the Comprehensive Plan Map shall demonstrate compatibility in the following areas, as applicable:

1. Basic site design (e.g., the organization of Uses on a site and the Uses' relationships to neighboring properties);
2. Visual elements (scale, structural design and form, materials, etc.);
3. Noise attenuation;
4. Odors and emissions;
5. Lighting;
6. Signage;
7. Landscaping for buffering and screening;
8. Transportation facilities;
9. Traffic and off-site parking impacts;
10. Utility infrastructure;
11. Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);
12. Consistency with the applicable development standards, including the applicable Pedestrian Oriented Design Standards;
13. Preservation and/or protection of significant natural features, consistent with Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. Streets shall also be designed along

contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards.

2.1.30.08 - Action by the Planning Commission

The Planning Commission shall conduct a public hearing in accordance with Chapter 2.0 - Public Hearings. Following the close of the public hearing, the Commission shall make a recommendation to the City Council concerning the proposed Comprehensive Plan Amendment. The Commission's recommendations shall include findings that specify how the proposal has or has not complied with the above review criteria.

2.1.30.09 - Action by the City Council

Upon receipt of the Planning Commission's recommendation, the City Council shall set a public hearing in accordance with Chapter 2.0 - Public Hearings. Following the close of the public hearing, the City Council shall either deny the application or adopt an ordinance approving the proposed Comprehensive Plan Amendment or a modification thereof. The City Council's decision shall include findings that specify how the proposal has or has not complied with the above review criteria.

2.1.30.10 - Notice of Disposition

The Director shall provide the applicant with a Notice of Disposition in accordance with Chapter 2.0 - Public Hearings, that includes a written statement of the City Council's decision, a reference to findings leading to it, and the appeal period deadline. A Notice of Disposition shall also be mailed to persons who presented oral or written testimony at the public hearing.

2.1.30.11 - Map Errors

If the City Council approves a Comprehensive Plan Map Amendment, but the Director discovers that the Comprehensive Plan Map was not altered to accurately reflect the Amendment, the Director shall correct the Comprehensive Plan Map to comply with the amendment without any additional public review.

The Map Amendment shall not be corrected if the City Council subsequently approves a Comprehensive Plan Map Amendment affecting the initial approval.

Map corrections made by the Director shall be reported to the Council and the owner of the property receiving the correction by noting the correction as a consent item on a Council agenda following the correction, and by mailing the property owner notification of the correction.

