

Chapter 15

Plan Revisions Process

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Plan Revisions

Overview

Wasco County 2040 is the primary document which guides land use in unincorporated Wasco County. The plan is intended to reflect the community's vision for land use planning and to be responsive to the needs and desires of citizens.

This chapter outlines amendments to the Comprehensive Plan and the process for different amendments.

15.0 Definitions

A. Legislative Revisions

Legislative 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 much different ownership. The Planning Commission and County Governing Body shall evaluate the plan as often as necessary to meet changes in the social, economic, or environmental character of Wasco County.

B. Quasi-Judicial Revisions

Quasi-Judicial revisions are those which do not have significant effect beyond the immediate area of the change, i.e., narrow in scope and focusing on specific properties.

Each plan change or revision will first be heard by the Planning Commission on a first-come, first serve basis. Such a hearing shall be conducted in accordance with the Land Use and Development Ordinance and Wasco County Planning Commission rules.

C. Urban Growth Area Management

In the event that any city within Wasco County adopts an urban growth boundary which includes lands beyond their corporate limits, the city and the county shall agree upon a program for the joint management of such lands. The management program shall include provision for the interim management of these lands as well as a coordinated system for open communication between the two bodies. The agreement shall also include a joint system outlining procedures for plan amendments or changes to the Urban Growth Boundary.

D. Urban Growth Boundary Revisions

Individuals, agencies, or local governments requesting proposed revisions within or to an urban growth boundary outside a city limit shall apply to the Wasco County Planning Office. The Wasco county Planning Office will then submit a copy of this to the impacted city.

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15.1.1 A Comprehensive Plan Amendment may take the following forms:

- a. Amendment of one or more policies of the plan (Legislative)
- b. Amendment to the text, inventories, maps or figures of the plan (Legislative or Quasi-Judicial)
- c. Amendment of a portion of the Comprehensive Plan Land Use Designation map (Legislative or Quasi-Judicial)
- d. Amendment to the urban growth boundary (Legislative or Quasi-Judicial)
- e. A combination plan change/zone amendment (Legislative or Quasi-Judicial)

15.1.2 Comprehensive Plan revisions may be initiated by:

- a. Wasco County Governing Body (Legislative)
- b. Planning Commission by majority vote confirmed by the Wasco County Governing Body (Legislative)
- c. Property owner or authorized representative (Quasi-Judicial)

15.1.3 The following are general criteria which must be considered before approval of an amendment to the Comprehensive Plan is given:

- a. Compliance with the statewide land use goals in Chapters 1-14 or further amended by the Land Conservation and Development Commission, where applicable, as required by ORS 197.250.
- b. Substantial proof that such change shall not be detrimental to the spirit and intent of such goals.
- c. A mistake in the original Comprehensive Plan or change in the character of the neighborhood can be demonstrated.
- d. Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.
- e. Proof of change in the inventories originally developed.
- f. Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.
- g. Revisions must be consistent with rule in ORS 197.175, 197.610-651, 215.050, and 215.431 when applicable.

15.1.4 Transportation Planning Rule Complianceⁱ

- a. Review of Application for Effect on Transportation Facilities – A proposed plan amendment, whether initiated by the County or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:
 - 1) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - 2) Change standards implementing a functional classification system; or

- 3) As measured at the end of the planning period identified in the adopted transportation system plan:
 - a). Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - b). Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
 - c). Worse the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- b. Amendments That Affect Transportation Facilities – Amendments to the land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
 - 1) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - 2) Amending the TSP or comprehensive plan to provide transportation facilities, improvement or services adequate to support the proposed land uses consistent with the requirements of Section – 0060 of the TPR.
 - 3) Altering land use designations, densities, or design requirements to reduce demand for vehicle travel or meet travel needs through other modes of transportation.
 - 4) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- c. Traffic Impact Analysis – A Traffic Impact Analysis shall be submitted with a plan amendment application pursuant to Section 4.140 Traffic Impact Analysis (TIA) of the Land Use and Development Ordinance.

15.1.5 Procedure for the Amendment Process

- a. A petition must be filed with the Planning Offices on forms prescribed by the Planning Director.
- b. Notice of a proposed revision within, or to, the urban growth boundary will be given to the appropriate city at least thirty (30) days before the County public hearing.
- c. Notification of Hearing:
 - 1). Notices of public hearings shall summarize the issues in an understandable and meaningful manner.
 - 2). Notice of a legislative or judicial public hearing shall be given as prescribed in ORS 215.503. In any event, notice shall be given by publishing notice in the newspaper of record at least twenty (20) days, but not more than forty (40) days,

prior to the date of the hearing.

3). A quorum of the Planning Commission must be present before a public hearing can be held. If the majority of the County Planning Commission present cannot agree on a proposed change, the Commission will hold another public hearing in an attempt to resolve the difference or send the proposed change to the County Governing Body with no recommendation.

4). After the public hearing, the Planning Commission shall recommend to the County Governing Body that the revision be granted or denied, and the facts and reasons supporting their decision. In all cases the Planning Commission shall enter findings based on the record before it to justify the decision. If the Planning Commission sends the proposed change with no recommendation, the findings shall reflect those items agreed upon and those items not agreed upon that resulted in no recommendation.

5). Upon receiving the Planning Commission's recommendation, the County Governing Body shall take such action as they deem appropriate. The County Governing Body may or may not hold a public hearing. In no event shall the County Governing Body approve the amendment until at least twenty (20) days have passed since the mailing of the recommendation to parties.

15.1.6 Appeals. The decision of the County Governing Body will be final unless appealed to a higher court.

15.1.7 Review. In any event, the Comprehensive Plan and implementing Ordinances shall be reviewed as often as necessary if the Planning Commission and County Governing Body finds that there are compelling reasons to justify such change, i.e., criteria listed in Section 15.1.3. A public statement will be issued by the Planning Commission and/or County Governing Body on whether any revision is needed.

ⁱ These rules and criteria come directly from OAR 660-012. For more information and definitions see the rule.