

## 33.810 Comprehensive Plan Map Amendments

# 810

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### **33.810.010 Purpose**

This chapter states the procedures and review criteria necessary to process a Comprehensive Plan Map amendment. The chapter distinguishes between amendments which are processed in a quasi-judicial manner and those processed in a legislative manner. A discussion of quasi-judicial and legislative is found in 33.700.070.H.

### **33.810.020 Initiating a Comprehensive Plan Map Amendment**

- A. Quasi-Judicial.** Requests for Comprehensive Plan Map amendments which are quasi-judicial may be initiated by an applicant, the Planning Commission, or the City Council. The Director of BDS may request the Planning Commission to initiate an amendment. Initiations by a review body are made without prejudice towards the outcome.
- B. Legislative.** Requests for Comprehensive Plan Map amendments which are legislative may be initiated by the Planning Commission or the City Council. Others may request the Planning Commission to consider an initiation. Initiations by a review body are made without prejudice towards the outcome.

### **33.810.030 Concurrent Zone Changes Allowed**

Requests for zoning map amendments may be considered concurrently with a Comprehensive Plan Map amendment. Zoning map amendments must be to a zone corresponding to the requested Comprehensive Plan Map designation. Concurrent zoning map amendments must meet all the approval criteria of Chapter 33.855, Zoning Map Amendments.

### **33.810.040 Procedure**

- A. Quasi-Judicial.** Requests for a Comprehensive Plan Map amendment which are quasi-judicial are reviewed through a Type III procedure. City Council adoption is also required for these requests. In addition, any post-acknowledgement procedures required by the State must be followed.
- B. Legislative.** Requests for a Comprehensive Plan Map amendment which are legislative are reviewed through the legislative procedure stated in Chapter 33.740.

### 33.810.050 Approval Criteria

- A. Quasi-Judicial.** Amendments to the Comprehensive Plan Map that are quasi-judicial will be approved if the review body finds that the applicant has shown that all of the following criteria are met:
1. The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be equally or more supportive of the Comprehensive Plan as a whole than the old designation;
  2. The requested change is consistent with Statewide Land Use Planning Goals;
  3. In order to prevent the displacement of industrial and employment uses and preserve land primarily for these uses, the following criteria must be met when the requested amendment is from an Industrial Sanctuary or Mixed Employment Comprehensive Plan Map designation:
    - a. The uses allowed by the proposed designation will not have significant adverse effects on industrial and employment uses in the area or compromise the area's overall industrial character;
    - b. The transportation system is capable of supporting the uses allowed by the proposed designation in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated as required by criterion A.3.c;
    - c. Measures proportional to the impacts of the uses allowed by the proposed designation are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements; and
    - d. Transportation improvements adjacent to the development and in the vicinity needed to support the proposed development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
    - e. The uses allowed by the proposed designation will not significantly interfere with industrial use of the transportation system in the area, including truck, rail, air, and marine facilities;
    - f. The site does not have direct access to special industrial services such as multimodal freight movement facilities;

- g. The proposed designation will preserve the physical continuity of the area designated as Industrial Sanctuary or Mixed Employment and not result in a discontinuous zoning pattern;
- h. The uses allowed by the proposed designation will not reduce the ability of Portland's Central City, Regional or Town Centers to attract or retain the principal retail, cultural, and civic facilities; and
- i. The size of the area that may be given a new Comprehensive Plan Map designation is as follows:
  - (1) If the site is designated Industrial Sanctuary, and Metro also has designated the site as part of a Regionally Significant Industrial Area, no more than 10 acres may be given a new Comprehensive Plan Map designation;
  - (2) If the site is designated Industrial Sanctuary, and Metro has designated the site as an Industrial Area, but not as part of a Regionally Significant Industrial Area, no more than 20 acres may be given a new Comprehensive Plan Map designation;
  - (3) If the site is designated Industrial Sanctuary, and Metro has designated the site as an Employment Area, no more than 40 acres may be given a new Comprehensive Plan Map designation;
  - (4) If the site is designated Mixed Employment, no more than 40 acres may be given a new Comprehensive Plan Map designation;
  - (5) Exception. If the site is not designated as industrial or employment by Metro, these size limits do not apply.

**B. Legislative.** Amendments to the Comprehensive Plan Map which are legislative must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by the City Council.

### **33.810.070 Recently Annexed Areas**

Areas annexed into the City will automatically receive City Comprehensive Plan designations as part of the process of applying comparable zoning. See 33.855.080, Recently Annexed Areas.

### **33.810.080 Corrections to the Comprehensive Plan Map**

The Director of BDS may initiate a review through the Type II procedure for the types of corrections to the Comprehensive Plan Map listed below. Nondiscretionary corrections to the Comprehensive Plan Map may be initiated by the Director of Planning and Sustainability as described in Section 1.01.037 of the Portland City Code.

**A. Mapping errors.** The correction may be made for mapping errors such as:

- 1. A map line that was intended to follow a topographical feature does not do so. Topographical features include the tops and bottoms of hillsides, the banks of water bodies, and center lines of creeks or drainage ditches;

2. There is a discrepancy between maps and on balance there is sufficient evidence of legislative intent for where the line should be located.

- B. Movement of the reference item for the map line.** The correction may be made when a map line is based on the location of a reference item that has since been moved. Reference items are rights-of-way, tentative rights-of-way, utility easements and similar items. Map line changes in these cases must not be more than a trivial change to the map pattern and must not result in any significant impacts to abutting lots.

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*(Amended by: Ord. No. 167054, effective 10/25/93; Ord. No. 169324, effective 10/12/95; Ord. No. 174263, effective 4/15/00; Ord. No. 176092, effective 12/21/01; Ord. No. 176469, effective 7/1/02; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 186639, effective 7/11/14; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18.)*