



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

5/17/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialis

SUBJECT: City of Hillsboro Plan Amendment
DLCD File Number 001-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, May 28, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged

Cc: Deborah Raber, City of Hillsboro
Gloria Gardiner, DLCD Urban Planning Specialist

<paa> YA

Notice of Adoption

**THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**



Jurisdiction: **Hillsboro**

Local file number: **HCP 5-09**

Date of Adoption: **5/4/2010**

Date Mailed: **5/7/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 1/19/2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amend Comprehensive Plan Section 1 (IV) (B) to allow the Planning Commission or City Council to initiate a Minor Plan Map Amendment and to amend the Plan Map approval criteria to include consistency with the Comprehensive Plan.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **n/a**

to: **n/a**

Location: **n/a**

Acres Involved: **0**

Specify Density: Previous: **n/a**

New: **n/a**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

n/a

Local Contact: **Deborah Raber**

Phone: (503) 681-6155 Extension:

Address: **150 E. Main Street**

Fax Number: **503-681-6245**

City: **Hillsboro**

Zip: **97123-**

E-mail Address: **debbier@ci.hillsboro.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 5938

HCP 5-09: COMPREHENSIVE PLAN MAP INITIATION AND CRITERIA

AN ORDINANCE AMENDING COMPREHENSIVE PLAN ORDINANCE NO. 2793 AS AMENDED, SECTION 1 PLANNING AND CITIZEN INVOLVEMENT SUBSECTION (IV) (B) REGARDING MINOR COMPREHENSIVE PLAN LAND USE MAP CHANGES.

WHEREAS, Comprehensive Plan Section 1 (IV) (B) sets forth the procedures and criteria for minor Comprehensive Plan Land Use Map changes, and

WHEREAS, these procedures and criteria presently do not include an option for the City to initiate minor Plan Map changes when circumstances may warrant the change, and also do not include as a criterion consistency with the Comprehensive Plan itself, and

WHEREAS, pursuant to Comprehensive Plan Section 1 (IV) (A), the Planning Commission initiated an amendment to the Comprehensive Plan text on January 13, 2010, and

WHEREAS, the Planning Commission considered the amendments at a public hearing on March 24, receiving testimony in support of the amendments, and no testimony in opposition, and

WHEREAS, at the conclusion of the public hearing the Planning Commission adopted Order No. 8024, recommending City Council approval of the proposed amendments, with the Planning Department staff reports on this matter dated January 7, March 10, and March 17, 2010, as findings in support, and

WHEREAS, the City Council considered the Planning Commission's recommendation at the regular meetings on April 20 and May 4, 2010, and

WHEREAS, the City Council adopts the findings attached hereto as Attachments A, B, and C in support of their decision.

NOW, THEREFORE, THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. Comprehensive Plan Ordinance No. 2793, section 1 Planning and Citizen Involvement, subsection (IV) (B) is amended with the addition of new criteria for City initiation of land use map amendments, and the addition of a new criterion of approval for land use map amendments, with deleted text shown in overstrike typeface and added text shown in bold italic typeface as follows:

(B) Minor Plan Amendment: Plan Map.

A minor plan amendment proposing a change to the Comprehensive Plan Map designation shall be processed pursuant to quasi-judicial notice and procedures and may be requested at any time by a property owner(s), a person(s) purchasing property under contract, or a person(s) who has the written consent of the property owner. *A minor Plan Map amendment may also be initiated by the City Council or the Planning Commission where:*

- (1) The land use on the subject property has changed substantially since the adoption of the Plan Map designation, and is inconsistent with the current Plan Map designation;*
- or*

- (2) *The subject property has passed from public ownership and use to private ownership and use, or the reverse; or*
- (3) *The current Plan Map designation on the subject property is inconsistent with surrounding properties, based on earlier Plan Map changes, and development of the subject property under the implementing zone of the Plan Map designation would have substantial adverse effects on the surrounding properties; and*
- (4) *The proposed designation is supportive of and implements goals and policies of the Comprehensive Plan.*

An applicant for such a Map amendment shall show: 1) that the property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan; and, 2) that a need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area.

Approval of a minor Plan Map amendment shall be based on demonstration that all of the following criteria are satisfied:

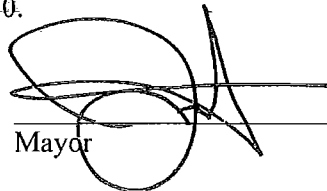
- (1) *The property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan;*
- (2) *A need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area; and*
- (3) *The proposed designation is consistent with relevant goals and policies of the Hillsboro Comprehensive Plan.*

Section 2. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

First approval of the Council on this 20th day of April 2010.

Second approval and adoption by the Council on this 4th day of May 2010.

Approved by the Mayor this 4th day of May 2010.



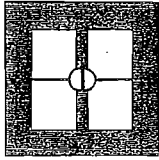
Mayor

ATTEST:



City Recorder

CITY OF HILLSBORO

**STAFF REPORT**

March 17, 2010

TO: Planning Commission
FROM: Planning Department

RE: Proposed Comprehensive Plan text amendments regarding minor Plan Map amendments initiation and criteria: Case File HCP 5-09

REQUEST

Planning staff requests that the Planning Commission recommend City Council approval of proposed text amendments to Comprehensive Plan Ordinance No. 2793, Section 1 Planning and Citizen Involvement. The proposed amendments would insert new language authorizing City initiation of Comprehensive Plan Map amendments, and add a new criterion for minor Plan Map changes requiring that such Map changes be consistent with the goals and policies of the Plan. The proposed language of the Plan text amendments is shown on page 2 of this staff report.

The Planning Commission initiated the proposed amendment at its regular meeting on January 13, 2010.

BACKGROUND

In November 2009 City Council received a request from a downtown property owner to change the Comprehensive Plan map designation on several properties north of the downtown area. The request specifically concerned properties currently designated RMR Mid-Rise Density Residential, as illustrated on the attached vicinity map. The RMR designation on the properties is a remnant of a larger area predating the adoption of the SCPA Station Community Planning Area designation in 1996.

The RMR designation allows construction of three- to five-story residential structures at densities between 23 and 28.75 units per net acre. For comparison, the Palladia, Lionsgate, and Rock Creek Landing developments in Tanasbourne are developed at this density. City staff agrees that the remnant downtown RMR area is inconsistent with the surrounding properties, and that its development at these densities would have a substantial adverse effect on the surrounding properties.

Situations involving “outdated” Plan designations occur throughout the City, where changed circumstances or land uses have created inconsistency between the Plan Map designation and the use on the ground, or between the current designation and new designations on surrounding properties. Examples of this situation include the following properties:

Property	Inconsistent Current Designation	Appropriate Designation
Century High School	Low Density Residential	Public Facility
Liberty High School	Industrial	Public Facility
Lowes Home Improvement Store	Public Facility	Commercial
Port of Portland properties	Industrial	Public Facility
Noble Woods Park	Low / Medium Density Residential	Open Space
Frances Street Park	Medium Density Residential	Open Space

In response to direction from the City Council, Planning staff developed a two-step process as a possible solution to these inconsistencies: a legislative Comprehensive Plan text amendment; followed by a quasi-judicial minor Comprehensive Plan Map change.

PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

As described earlier in this staff report, the proposed Comprehensive Plan text amendments would revise Section 1 Planning and Citizen Involvement, which would add new language authorizing City initiation of Comprehensive Plan Map amendments and a new criterion for minor Plan Map changes demonstration of consistency with the goals and policies of the Plan. The proposed language of the Plan text amendments I Section 1 (IV) (B) is shown below, with added language in ***bold italic*** typeface and deleted language ~~overstruck~~.

(B) Minor Plan Amendment: Plan Map.

A minor plan amendment proposing a change to the Comprehensive Plan Map designation shall be processed pursuant to quasi-judicial notice and procedures and may be requested at any time by a property owner(s), a person(s) purchasing property under contract, or a person(s) who has the written consent of the property owner. ***A minor Plan Map amendment may also be initiated by the City Council or the Planning Commission where:***

- (1) The land use on the subject property has changed substantially since the adoption of the Plan Map designation, and is inconsistent with the current Plan Map designation; or***
- (2) The subject property has passed from public ownership and use to private ownership and use, or the reverse; or***
- (3) The current Plan Map designation on the subject property is inconsistent with surrounding properties, based on earlier Plan Map changes, and development***

of the subject property under the implementing zone of the Plan Map designation would have substantial adverse effects on the surrounding properties; or

- (4) The proposed designation is supportive of and implements goals and policies of the Comprehensive Plan.*

~~An applicant for such a Map amendment shall show: 1) that the property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan; and, 2) that a need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area.~~

Approval of a minor Plan Map amendment shall be based on demonstration that all of the following criteria are satisfied:

- (1) The property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan;*
- (2) A need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area; and*
- (3) The proposed designation is consistent with relevant goals and policies of the Hillsboro Comprehensive Plan.*

Planning staff would now recommend that the language of new subsection (B) (3) be changed to read as follows:

- (3) The current Plan Map designation on the subject property is inconsistent with surrounding properties, based on earlier Plan Map changes, and development of the subject property under the implementing zone of the Plan Map designation would have substantial adverse effects on the surrounding properties; or-and*

This change would set the threshold for city-initiated Plan map changes to include at least one of the three circumstances listed in Subsections (B) 1, 2, or 3 plus Plan compliance, rather than Plan compliance being an additional circumstances as is implied by the word “or” in the existing language.

PUBLIC TESTIMONY RECEIVED

No public testimony has been received to date on the proposed amendments. Notice of the proposed Plan text amendments was published in the Hillsboro Argus as required by Section 1 (IV) (A). Notice was also sent to the Department of Land Conservation and Development.

FUTURE COMPREHENSIVE PLAN MAP MINOR CHANGES

As mentioned earlier in this staff report and in a March 10th staff report to the Planning Commission submitted for the Commission's public hearing on the Downtown Urban Renewal Plan, the Plan text amendments are the first of a two-part process intended to rectify several situations throughout the City involving outdated Plan designations, where changed circumstances or land uses have created inconsistency between the Plan Map designation and the use on the ground, or between the current designation and new designations on surrounding properties. The second part of this process would be the City's initiation of minor Plan Map amendments on several sites meeting the proposed threshold criteria in Section 1 (IV) (B). The first minor Plan Map change to be initiated would be on the properties north of downtown, to change the current RMR Mid-Rise Density Residential designation to RM Medium Density Residential. The purpose of that Plan Map amendment will be to bring the Plan designation of this remnant area into consistency with surrounding properties, allowing future redevelopment at appropriate densities. Planning staff anticipates coordinating future city-initiated Plan changes on other sites listed in the table on page 2, especially the city-owned park sites, over the next two years as schedules permit.

Assuming the text amendments are approved by the Planning Commission at the hearing on March 24th, they will be forwarded to City Council for possible approval on May 4, 2010. Planning staff anticipates initiating the Plan Map amendments on the downtown RMR remnant lots in June, with anticipated public hearings in August and possible adoption in October.

RECOMMENDATION

Planning staff requests that the Planning Commission open the public hearing on the proposed Comprehensive Plan text amendments on March 24, 2010 and receive any testimony submitted. Assuming no testimony is submitted in opposition (none is anticipated), Planning staff further recommends that the Commission consider approving the attached draft Order recommending City Council approval of the proposed text amendments.

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Deborah A. Raber AICP
Planning Project Manager

Attachments:

Land Use Map excerpt showing RMR designation north of downtown
Draft Order recommending Council approval of proposed Plan text amendments

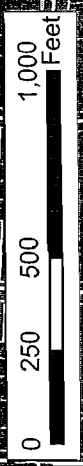


RMR Designation North of Downtown



Legend

- FP Flood Plain
- OS Open Space
- I Industrial
- PF Public Facility
- RL Residential Low density
- RM Residential Medium density
- RH Residential High density
- RMR Residential Mid Rise density
- C Commercial
- SCPA Station Community Planning Area
- MU-UR Mixed Use - Urban Residential
- MU Mixed Use
- MU-UC Mixed Use - Urban Commercial
- MU-UE Mixed Use - Urban Employment
- MU-I Mixed Use Institutional



ORDER NO. 8024

HCP 5-09: COMPREHENSIVE PLAN MAP INITIATION AND CRITERIA

AN ORDER RECOMMENDING CITY COUNCIL APPROVAL OF AMENDMENTS TO COMPREHENSIVE PLAN SECTION 1 (IV) (B) REGARDING MINOR COMPREHENSIVE PLAN LAND USE MAP CHANGES.

WHEREAS, Comprehensive Plan Section 1 (IV) (B) sets forth the procedures and criteria for minor Comprehensive Plan Land Use Map changes, and

WHEREAS, these procedures and criteria presently do not include an option for the City to initiate minor Plan Map changes when circumstances may warrant the change, and also do not include as a criterion consistency with the Comprehensive Plan itself, and

WHEREAS, pursuant to Comprehensive Plan Section 1 (IV) (A), the Planning Commission initiated an amendment to the Comprehensive Plan text on January 13, 2010, and considered the amendments at a public hearing on March 24, and

WHEREAS, the Planning Commission hereby adopts the Planning Department staff reports on this matter dated January 7, March 10, and March 17, 2010, as findings in support of the proposed amendments.

THE CITY OF HILLSBORO PLANNING COMMISSION ORDERS AS FOLLOWS:

Section 1. Based on the testimony and record, the Planning Commission recommends that City Council approval of the following amendments to Section 1 (IV) (B) of Comprehensive Plan Ordinance No. 2793 as amended, as shown in bold italic typeface and overstrike typeface:

(B) Minor Plan Amendment: Plan Map.

A minor plan amendment proposing a change to the Comprehensive Plan Map designation shall be processed pursuant to quasi-judicial notice and procedures and may be requested at any time by a property owner(s), a person(s) purchasing property under contract, or a person(s) who has the written consent of the property owner. *A minor Plan Map amendment may also be initiated by the City Council or the Planning Commission where:*

- (1) The land use on the subject property has changed substantially since the adoption of the Plan Map designation, and is inconsistent with the current Plan Map designation; or*
- (2) The subject property has passed from public ownership and use to private ownership and use, or the reverse; or*

- (3) *The current Plan Map designation on the subject property is inconsistent with surrounding properties, based on earlier Plan Map changes, and development of the subject property under the implementing zone of the Plan Map designation would have substantial adverse effects on the surrounding properties; and*
- (4) *The proposed designation is supportive of and implements goals and policies of the Comprehensive Plan.*

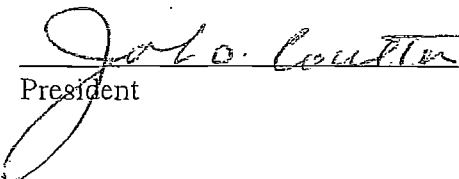
~~An applicant for such a Map amendment shall show: 1) that the property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan; and, 2) that a need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area.~~

Approval of a minor Plan Map amendment shall be based on demonstration that all of the following criteria are satisfied:


- (1) The property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan;*
- (2) A need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area; and*
- (3) The proposed designation is consistent with relevant goals and policies of the Hillsboro Comprehensive Plan.*

Section 2. This order takes effect immediately upon approval.

Approved this 24th day of March, 2010.

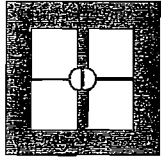


President

ATTEST: 

Secretary

CITY OF HILLSBORO

MEMORANDUM

March 10, 2010

TO: Planning Commission
FROM: Planning Department

RE: Schedule for upcoming consideration of proposed Comprehensive Plan text and minor Plan Map amendments

At their regular meeting on January 13, 2010, the Planning Commission initiated amendments to the text of the Hillsboro Comprehensive Plan. The proposed amendments would insert new language authorizing City initiation of Comprehensive Plan Map amendments, and add a new criterion requiring that all minor Plan Map amendments be consistent with the goals and policies of the Plan. The proposed amendments were authorized by City Council on December 1, 2009. Formal initiation of the amendment was intended for the December 9, 2009 Planning Commission meeting, which had been cancelled. The case file for the text amendments is HCP 5-09.

These amendments are the first of a two-part process intended to rectify several situations throughout the City involving outdated Plan designations, where changed circumstances or land uses have created inconsistency between the Plan Map designation and the use on the ground, or between the current designation and new designations on surrounding properties. The second part of this process will be the City's initiation of a minor Plan Map amendment on several properties north of downtown, to change the current RMR Mid-Rise Density Residential designation to RM Medium Density Residential. The purpose of the Plan Map amendment will be to bring the Plan designation of this remnant area into consistency with surrounding properties, allowing future redevelopment at appropriate densities.

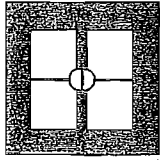
No opposition has been expressed to the proposed text amendments. Assuming the text amendments are approved by the Planning Commission at the hearing on March 24th, they will be forwarded to City Council for possible approval on May 4, 2010. Planning staff anticipates initiating the Plan Map amendments on the downtown RMR remnant lots in June, with anticipated public hearings in August and possible adoption in October.

Respectfully submitted,
CITY OF HILLSBORO PLANNING DEPARTMENT

A handwritten signature in cursive script, appearing to read "Deborah A. Raber".

Deborah A. Raber AICP
Planning Project Manager

CITY OF HILLSBORO



January 7, 2010

MEMORANDUM**TO:** Planning Commission**FROM:** Planning Department**RE:** Proposed initiation of Comprehensive Plan text amendments regarding minor Plan Map amendments initiation and criteria**BACKGROUND**

City Council recently received a request from a downtown property owner to change the Comprehensive Plan map designation on several properties north of the downtown area. The request specifically concerns properties currently designated RMR Mid-Rise Density Residential, as illustrated on the attached vicinity map. The RMR designation on the properties is a remnant of a larger area predating the adoption of the SCPA Station Community Planning Area designation in 1996.

The RMR designation allows construction of three- to five-story residential structures at densities between 23 and 28.75 units per acre. For comparison, the Palladia, Lionsgate, and Rock Creek Landing developments in Tanasbourne are developed at this density. City staff agrees that the remnant downtown RMR area is inconsistent with the surrounding properties, and that its development at these densities would have a substantial adverse effect on the surrounding properties.

Situations involving “outdated” Plan designations occur throughout the City, where changed circumstances or land uses have created inconsistency between the Plan Map designation and the use on the ground, or between the current designation and new designations on surrounding properties. Examples of this situation include the following properties:

Property	Inconsistent Current Designation	Appropriate Designation
Century High School	Low Density Residential	Public Facility
Liberty High School	Industrial	Public Facility
Lowes Home Improvement Store	Public Facility	Commercial
Port of Portland properties	Industrial	Public Facility
Noble Woods Park	Low / Medium Density Residential	Open Space
Frances Street Park	Medium Density Residential	Open Space

City planning staff have developed the following two-step process a possible solution to these inconsistencies.

PROPOSED SOLUTION

Step 1: Amend the Comprehensive Plan text: HCP Section I (IV) (B) sets forth the procedures for a minor Comprehensive Plan Land Use Map change. Planning staff proposes a change to the first paragraph of Subsection (B), inserting new language authorizing City initiation of Comprehensive Plan Map amendments, and a change to the second paragraph to add a new criterion requiring that all minor Plan Map amendments be consistent with the goals and policies of the Plan. The proposed language of the Plan text amendments is shown in the attached draft Order.

Step 2: Change the Comprehensive Plan Land Use Map: Assuming that the Plan text change is approved by the Planning Commission and the City Council, the City would then initiate a minor Comprehensive Plan Land Use Map change on the downtown RMR properties to change the designation to RM Medium Density Residential, consistent with the density on surrounding properties. The remaining inconsistencies shown in the table on page 1 could be resolved as time permits, possibly within a two year time frame.

CITY COUNCIL RESPONSE TO PROPOSED RESOLUTION

At their December 1st meeting, City Council received a staff report proposing this solution and recommending that the Planning Commission authorize initiation of the Comprehensive Plan text amendments. City Council accepted the report without further questions.

RECOMMENDATION

Planning staff requests that the Planning Commission authorize initiation of the amendments by adopting the attached draft Order.

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Deborah A. Raber AICP
Planning Project Manager

Attachments:

- Land Use Map excerpt showing RMR designation north of downtown
- Draft Order initiating proposed Comprehensive Plan text amendments

ORDER NO. 8022

HCP 5-09: COMPREHENSIVE PLAN MAP INITIATION AND CRITERIA

AN ORDER INITIATING AMENDMENTS TO COMPREHENSIVE PLAN SECTION 1 (IV) (B) REGARDING MINOR COMPREHENSIVE PLAN LAND USE MAP CHANGES.

WHEREAS, Comprehensive Plan Section 1 (IV) (B) sets forth the procedures and criteria for minor Comprehensive Plan Land Use Map changes, and

WHEREAS, these procedures and criteria presently do not include an option for the City to initiate minor Plan Map changes when circumstances may warrant the change, and also do not include as a criterion consistency with the Comprehensive Plan itself, and

WHEREAS, Comprehensive Plan Section 1 (IV) (A) authorizes the Planning Commission to initiate minor Comprehensive Plan text amendments, and .

WHEREAS, the Planning Commission believes it may be appropriate to consider amending Section I (IV) (B) to include the above provisions.

THE CITY OF HILLSBORO PLANNING COMMISSION ORDERS AS FOLLOWS:

Section 1. The following amendments to Section 1 (IV) (B) of Comprehensive Plan Ordinance No. 2793 as amended, as shown in bold italic typeface and overstrike typeface, are hereby initiated:

(B) Minor Plan Amendment: Plan Map.

A minor plan amendment proposing a change to the Comprehensive Plan Map designation shall be processed pursuant to quasi-judicial notice and procedures and may be requested at any time by a property owner(s), a person(s) purchasing property under contract, or a person(s) who has the written consent of the property owner. ***A minor Plan Map amendment may also be initiated by the City Council or the Planning Commission where:***

- (1) The land use on the subject property has changed substantially since the adoption of the Plan Map designation, and is inconsistent with the current Plan Map designation; or***
- (2) The subject property has passed from public ownership and use to private ownership and use, or the reverse; or***

- (3) *The current Plan Map designation on the subject property is inconsistent with surrounding properties, based on earlier Plan Map changes, and development of the subject property under the implementing zone of the Plan Map designation would have substantial adverse effects on the surrounding properties; or*
- (4) *The proposed designation is supportive of and implements goals and policies of the Comprehensive Plan.*

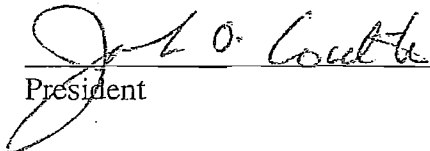
~~An applicant for such a Map amendment shall show: 1) that the property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan; and, 2) that a need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area.~~

Approval of a minor Plan Map amendment shall be based on demonstration that all of the following criteria are satisfied:

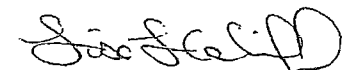
- (1) *The property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan;*
- (2) *A need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area; and*
- (3) *The proposed designation is consistent with relevant goals and policies of the Hillsboro Comprehensive Plan.*

Section 2. The Planning Commission further orders that a public hearing on the proposed amendments in Section 1 be scheduled for March 24, 2010.

Approved this 13th day of January 2010.



President

ATTEST: 

Secretary



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