

**Sec. 64.025. Plan map amendments.**

- (a) *Applicability.* Amendments to a plan map shall be adopted as provided in this section. The two types of plan map amendments are major and minor. As used in this section, the term "plan map" means the urban growth boundary, the comprehensive plan map, or a general land use map in a neighborhood plan.
- (1) A major plan map amendment is:
- (A) Any amendment to the urban growth boundary; or
- (B) An amendment to either the comprehensive plan map or a general land use map in a neighborhood plan, where the amendment involves the creation, revision, or implementation of broad public policy generally affecting more than one property owner or a large number of individual properties.
- (2) A minor plan map amendment is an amendment to either the comprehensive plan map or a general land use map in a neighborhood plan, where the amendment affects only a small number of properties or a closely circumscribed set of factual circumstances.
- (b) *Standing to initiate plan map amendments.*
- (1) Notwithstanding SRC 300.1110, a major plan map amendment may only be initiated by the Council.
- (2) Notwithstanding SRC 300.1110, a minor plan map amendment may only be initiated by the Council, the Planning Commission, or an owner of property that is the subject of the amendment, or that owner's agent.
- (c) *Procedure type.*
- (1) Major plan map amendments are legislative decisions, and are processed according to the Legislative Procedures under SRC chapter 300.
- (2) Minor plan map amendments are quasi-judicial decisions, and are processed as a Type III procedure under SRC chapter 300.
- (d) *Submittal requirements.*
- (1) *Initiation.*
- (A) A major or minor plan map amendment may be initiated by the Council by the adoption of a resolution, identifying the property that is the subject of the amendment, and setting forth the public purpose for the amendment.
- (B) A minor plan map amendment may be initiated by the Council or the Planning Commission by the adoption of a resolution, identifying the property that is the subject of the amendment, and setting forth the public purpose for the amendment, or by an applicant by the submission of an application that complies with subsection (d)(2) of this section.
- (2) In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for an applicant-initiated minor plan map amendment shall include the following:

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- (A) An existing conditions plan of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
- (i) The total site area, dimensions, and orientation relative to north;
  - (ii) The location of existing structures and other improvements on the site, including, but not limited to, buildings, accessory structures, fences, walls, parking areas, and driveways, noting their distance from property lines;
  - (iii) The location of drainage patterns and drainage courses, if applicable;
- (B) A traffic impact analysis, if required by the Director.
- (e) *Criteria.*
- (1) *Major plan map amendment.* A major plan map amendment may be made if:
- (A) The amendment is in the best interest of the public health, safety, and welfare of the City.
  - (B) The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.
- In considering a major plan map amendment whether the amendment has a significant effect on a City-owned transportation facility per OAR 660-012-0060(1). The following shall be considered:
- (i) Performance standard. The performance standard shall be a volume to capacity ratio of 1.0 during the peak travel hour, which is the standard established in the Salem Transportation System Plan for operation of existing streets and intersections.
  - (ii) Determining significance. For the purposes of determining whether a proposed major plan map amendment will degrade the performance of an existing or planned transportation facility for OAR 660-012-0060(1)(c)(C) and (D), the following will not be considered significant:
    - (aa) The plan map amendment increases average daily trips on a facility by fewer than 200 daily vehicle trips, or
    - (bb) The calculated volume to capacity ratio with proposed plan amendment is within 0.03 of the volume to capacity ratio with existing plan map designations.
- If the amendment is determined to have a significant effect, OAR 660-012-0060(2)-(4) shall apply.
- (2) *Minor plan map amendment.* The greater the impact of the proposed minor plan map amendment, the greater the burden on an applicant to demonstrate that the criteria are satisfied. A minor plan map amendment may be made if it complies with the following:
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- (A) The minor plan map amendment is justified based on the existence of one of the following:
- (i) *Alteration in circumstances.* Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.
  - (ii) *Equally or better suited designation.* A demonstration that the proposed designation is equally or better suited for the property than the existing designation.
  - (iii) *Conflict between comprehensive plan map designation and zone designation.* A minor plan map amendment may be granted where there is a conflict between the comprehensive plan map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the comprehensive plan map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:
    - (aa) Whether there was a mistake in the application of a land use designation to the property;
    - (bb) Whether the physical characteristics of the property are better suited to the uses in zone as opposed to the uses permitted by the comprehensive plan map designation;
    - (cc) Whether the property has been developed for uses that are incompatible with the comprehensive plan map designation; and
    - (dd) Whether the comprehensive plan map designation is compatible with the surrounding comprehensive plan map designations;
- (B) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;
- (C) The proposed plan map designation provides for the logical urbanization of land;
- (D) The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and
- (E) The amendment is in the public interest and would be of general benefit.