

ORDINANCE NO. 6504

CDCA-002-25: MINOR AND MAJOR COMPREHENSIVE PLAN AMENDMENTS

AN ORDINANCE APPROVING AMENDMENTS TO SECTIONS OF THE HILLSBORO COMMUNITY DEVELOPMENT CODE NO. 6094, AS AMENDED, TO REFINE THE PROCESS FOR MINOR AND MAJOR AMENDMENTS TO THE COMPREHENSIVE PLAN.

WHEREAS, Community Development Code Ordinance No. 6094 (CDC) was adopted by the City Council on August 5, 2014 and took effect on September 4, 2014; and

WHEREAS, Planning Division staff, having worked with the new CDC since September 4, 2014, has identified a number of sections where the current CDC language ought to be clarified or amended to follow or improve current procedures; and

WHEREAS, Planning Division staff, have realized through implementation of the CDC that clarifications are needed and opportunities for efficiencies can be gained by revising the CDC sections associated with minor and major comprehensive plan amendments; and

WHEREAS, the Planning Commission initiated the amendments on May 14, 2025 through the approval of Order No. 8461 to consider amending the CDC for those purposes; and,

WHEREAS, on June 11, 2025, the Planning Commission held a public hearing to consider the proposed amendments and consider public testimony; and,

WHEREAS, the Planning Commission found that the proposed amendments are “desirable, appropriate and proper” and recommended City Council approval of the proposed amendments to the CDC based on the supporting findings attached hereto as Exhibit B.

WHEREAS, the City Council considered the Planning Commission’s recommendation at their regular meeting on July 1, 2025, and adopted the findings of the Planning Commission as its own in regard to this matter; and

WHEREAS, based on those findings and conditions, the City Council hereby determines that the proposal conforms to the Hillsboro Comprehensive Plan and the CDC.

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

Section 1. Pursuant to CDC Sections 12.70.060.J and 12.80.140, the City Council hereby approves amendments to sections of the CDC, as shown in Exhibit A attached to this Ordinance; and

Section 2. The City Council approval is based on the Amendments set forth in Exhibit A, with language to be added shown as underlined text and language to be deleted shown as overstruck text and the Findings in Exhibit B of this Ordinance.


Section 3. Except as herein amended, CDC Ordinance No. 6094, as amended, shall remain in full force and effect.

Section 4. This Ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

First approval by the Council on this 1st day of July, 2025.

Second approval and adoption by the Council on this 15th day of July, 2025.

Approved by the Mayor this 15th day of July, 2025.



Beach Pace, Mayor

ATTEST: 

Amber Rios, City Recorder

EXHIBIT A
Proposed Amendments
Case File CDCA-002-25 Minor and Major Comprehensive Plan Amendments

Language proposed to be added shown in *italic* typeface.
Language proposed to be deleted shown in ~~strikethrough~~ typeface.
Explanatory comments not included in amendments shown in *[bracketed italic gray highlight]*.

SUBCHAPTER 12.01
GENERAL PROVISIONS

[No changes to Sections 12.01.100 through 12.01.430]

12.01.500 Definitions. As used in this Code, the following words, terms and phrases are defined as shown in this section. Terms defined in this section are shown in *italic typeface* where they occur in other definitions.

[No changes to Abbreviated Environmental Report through Public Engagement Committee (PEC)]

Public Facility Plan. A plan created by the City *or other public agency* in accordance with Statewide Planning Goal 11 to coordinate programs, policies, jurisdictional responsibilities, project timing or financing for public facilities or services or for topic areas required by a Statewide planning goal to be addressed in the Comprehensive Plan.

SUBCHAPTER 12.80
APPLICATIONS

- 12.80.005 Purpose**
- 12.80.010 Annexation**
- 12.80.020 Conditional Use**
- 12.80.030 Cultural Resource Alterations, Relocations, and Demolitions**
- 12.80.040 Development Review**
- 12.80.050 Director's Interpretation**
- 12.80.060 Fence Permit**
- 12.80.070 Floodplain Activity**
- 12.80.080 Home Occupation Permit**
- 12.80.090 Land Divisions, Property Line Adjustments, and Lot Consolidations**
- 12.80.092 Property Line Adjustment**
- 12.80.094 Lot Consolidation**
- 12.80.096 Partition**

12.80.098	Subdivision
12.80.099	Expedited and Middle Housing Land Divisions
12.80.100	Modification of Approved Plans and Permits
12.80.110	Nonconforming Use or Structure Expansion
12.80.120	Planned Unit Development
12.80.122	PUD Implementation through Development Review or Land Division Approval
12.80.130	Significant Natural Resources Permit
12.80.140	Text Amendment
12.80.150	Variances and Adjustments
12.80.152	Variances
12.80.154	Minor Adjustments
12.80.156	Major Adjustments
12.80.158	Standard-Specific Approval Criteria for Variances and Adjustments
12.80.160	Zoning and Comprehensive Plan Amendments
12.80.162	Comprehensive Plan Amendment
12.80.164	Comprehensive Plan Minor Text Amendment
12.80.166	Comprehensive Plan Major Amendment
12.80.168	Zone Change
12.80.170	Zoning Review
12.80.180	Non-Temporary Emergency Shelter Review

[No changes to Sections 12.80.005 through 12.80.162]

12.80.164 Comprehensive Plan Minor **Text Amendment.**

- A. Purpose. A Comprehensive Plan Minor **Text** Amendment application provides a process to consider small-scale legislative amendments to the text, *figures, or exhibits* of the Comprehensive Plan whenever the evidence of the need for such a revision is documented, ~~and the amendment does not have significant effect beyond an immediate site or area.~~ Such amendments may be necessary to reflect changing community conditions, needs, and desires; to fulfill regional obligations; or to address changes in State law. *An amendment to reflect the current adopted version of a document or plan incorporated by reference into the Comprehensive Plan shall be adopted as a Minor Plan Amendment to the Comprehensive Plan.* A Comprehensive Plan Minor **Text** Amendment is distinguished from a Comprehensive Plan Major Amendment by the scale and scope of the amendment ~~and geography affected.~~
- B. Minor Amendment – Public Facility Plan. *The City Council or Planning Commission may initiate a Comprehensive Plan Minor Amendment to incorporate a Public Facility Plan as part of the Comprehensive Plan in accordance with State statute and regulations implementing Statewide Planning Goal 11. A Public Facility Plan, defined in Section 12.01.500, may include plans created by City or other agencies for water systems, sewer systems, schools, streets and roadways, public airports, public transit and public transportation, and other public facility or utilities systems or services.*

BC. Exceptions. The term "Comprehensive Plan ~~Text~~ Minor Amendment" does not include, and the procedures of this subsection do not apply to any of the Comprehensive Plan amendments listed in Sections 12.80.162 and 12.80.166, nor to any City Functional Plan as defined in Section 12.01.500.

CD. Procedure. A Comprehensive Plan Minor ~~Text~~ Amendment application is reviewed using the Type IV procedure described in Section 12.70.060. However, the Planning Director is authorized to make nonsubstantive typographical, grammatical and cross-referencing corrections to the Comprehensive Plan as needed without initiating the Comprehensive Plan Minor ~~Text~~ Amendment process.

1. A Comprehensive Plan Minor ~~Text~~ Amendment application may be initiated by the Planning Commission or the City Council. Public hearings on City-initiated Comprehensive Plan Minor ~~Text~~ Amendment shall be held before the Planning Commission.

DE. Approval Criteria. To approve a Comprehensive Plan Minor ~~Text~~ Amendment, the Review Authority shall make findings of fact, based on evidence provided, that the following criteria are satisfied:

1. The proposed ~~text~~ *amendment* is necessary to reflect changing community conditions, needs, and desires, to fulfill regional obligations, or to address changes in State law.
2. The proposed ~~text~~ *amendment* supports the goals and policies of the Comprehensive Plan.
3. *Except for project timing and financing provisions, the Public Facility Plan is consistent with state statutes, the Statewide Planning Goals, and state regulations.*
4. *The Public Facility Plan complies with any applicable provisions of the Comprehensive Plan.*

EF. Conditions of Approval. Approval of a Comprehensive Plan Minor ~~Text~~ Amendment application cannot be conditioned by the City.

FG. Appeal of a Decision. Refer to Section 12.70.180.

GH. Expiration of a Decision. An approved Comprehensive Plan Minor ~~Text~~ Amendment does not expire: refer to Section 12.70.140.

HI. Extension of a Decision. An approved Comprehensive Plan Minor ~~Text~~ Amendment is not subject to extension: refer to Section 12.70.150.

(Ord. 6250 § 1, 2017; Ord. 6322 § 1, 2019; Ord. 6401 § 1, 2022)

12.80.166 Comprehensive Plan Major Amendment.

- A. Purpose. A Comprehensive Plan Major Amendment application provides for a significant change or revision to the Comprehensive Plan text or map and is initiated by the City Council or Planning Commission.

- B. Major Amendment-Significant Change. The City Council or Planning Commission ~~are authorized to~~ *may* initiate a Comprehensive Plan Major Amendment that proposes a significant change to the Plan. A "significant change" is one that amends or refines both the Plan text and map, affects a large geographic area and is likely to have significant environmental, energy, economic and social consequences. A significant change includes but is not limited to Plan amendments that incorporate community plans as part of the Comprehensive Plan ~~or incorporate portions of a public facility plan as part of the Comprehensive Plan in accordance with State statute and regulations implementing Statewide Planning Goal 11.~~
- ~~1. Public Facility Plan. A Public Facility Plan, defined in Section 12.01.500, may include plans created by City or other agencies for water systems, sewer systems, schools, streets and roadways, public airports, public transit and public transportation, and other public facility or utilities systems or services. Those portions of a Public Facility Plan required to be included in the Comprehensive Plan shall be adopted by ordinance as a major plan amendment to the Comprehensive Plan Text or Map, as applicable.~~
 21. Community Plan. A Community Plan, defined in Section 12.01.500, may contain a map, policy statements, and recommendations relating to development densities, public facility and utility improvements, and the arrangement of land uses to guide future land use decisions and implementing measures for a specific geographic area. An area-specific refinement plan must be consistent with the Statewide Planning Goals and the Comprehensive Plan.
- C. Major Amendment-Plan Revision. The City Council is authorized to initiate a Comprehensive Plan Major Amendment to propose a Plan Revision. A "Plan Revision" means a revision(s) to the entire Comprehensive Plan text or map initiated; (1) under a Periodic Review Program pursuant to ORS 197.628; (2) to implement an adopted Regional Framework Plan or Metro Functional Plan; or (3) as part of a comprehensive evaluation of the Comprehensive Plan.
- D. Exceptions. The term "Comprehensive Plan Major Amendment" does not include and the procedures of this Subsection do not apply to any of the Comprehensive Plan amendments listed in Sections 12.80.162 and 12.80.164, nor to any City Functional Plan as defined in Section 12.01.500.
- E. Procedure. A Comprehensive Plan Major Amendment application is reviewed using the Type IV procedure described in Section 12.70.060.
1. A Comprehensive Plan Major Amendment-Significant Change may be initiated by the Planning Commission or the City Council. A public hearing shall be held before the Planning Commission. The City Council may choose to hold a hearing on the application, pursuant to Subsection 12.70.060.J.
 2. A Comprehensive Plan Major Amendment-Plan Revision may be initiated by the City Council. Public hearings shall be held before both the Planning Commission and the City Council.
 3. A Public Communications and Engagement Plan is required for a Comprehensive Plan Major Amendment application, pursuant to Subsection 12.70.062.B.

F. Approval Criteria. To approve a Comprehensive Plan Major Amendment, the Review Authority shall make findings of fact, based on evidence provided, that the following criteria are satisfied:

1. The amendment or revision is in the City's best interest.
2. A factual basis has been documented, establishing the public need for the amendment.
3. All applicable provisions of the adopted Public Communications and Engagement Plan have been satisfied pursuant to Subsection 12.70.062.C.
4. Except for project timing and financing provisions, ~~the Public Facility Plan or~~ the Community Plan is consistent with Statewide Planning Goals and with the Comprehensive Plan.
- ~~5. The Public Facility Plan complies with applicable State statutes and regulations that regulate those portions of a public facility plan that are required to be included in the Comprehensive Plan.~~
- ~~6~~5. The proposed changes reflect the factual basis established in the adopted Comprehensive Plan's technical framework or implementing plans as they are updated and amended over time.
- ~~7~~6. The proposed changes support the intent of applicable goals and policies in the Comprehensive Plan.
- ~~8~~7. The proposed changes are equally or more supportive of the Comprehensive Plan and its components taken together as a whole than the existing language or designation.

G. Conditions of Approval. Approval of a Comprehensive Plan Major Amendment application cannot be conditioned by the City.

H. Appeal of a Decision. Refer to Section 12.70.180.

I. Expiration of a Decision. An approved Comprehensive Plan Major Amendment does not expire: refer to Section 12.70.140.

J. Extension of a Decision. An approved Comprehensive Plan Major Amendment is not subject to extension: refer to Section 12.70.150.

(Ord. 6250 § 1, 2017; Ord. 6294 § 1, 2019; Ord. 6322 § 1, 2019; Ord. 6401 § 1, 2022)

[No changes to Sections 12.80.168 through 12.80.180]

Exhibit B
Findings of Fact
Case File CDCA-002-25 Minor and Major Comprehensive Plan Amendments

I. BACKGROUND INFORMATION

These findings and conclusions are associated with Case File CDCA-002-25 Minor and Major Comprehensive Plan Amendments, legislative text amendments to the Community Development Code (CDC), Ordinance No. 6094, as amended.

The proposed text amendments clarify the Comprehensive Plan Minor Text Amendment and Major Amendment processes. A Comprehensive Plan Minor Text Amendment application provides a process to consider small-scale legislative amendments to the text of the Comprehensive Plan whenever the evidence of the need for such a revision is documented. A Comprehensive Plan Major Amendment application provides for a significant change or revision to the Comprehensive Plan text or map.

Staff is seeking to amend the Comprehensive Plan Minor and Major Amendment processes to eliminate confusion and clarify what constitutes a Comprehensive Plan Minor Amendment. Specifically, that updates to documents and plans incorporated by reference into the Comprehensive Plan shall be processed as a minor amendment.

Additionally, staff is proposing to classify amendments to a Public Facility Plan as a Comprehensive Plan Minor Amendment. A Public Facility Plan consists of documents and plans adopted by providers of facilities and services within the city and incorporated by reference into the Comprehensive Plan. This change will ensure that all updates to documents and plans incorporated by reference into the Comprehensive Plan are processed similarly as a Minor Plan Amendment.

The proposed text amendments would affect the following subchapters of the CDC:

- 12.01.500 Definitions
- 12.80 Applications

The code amendments proposed would affect CDC sections 12.80.164 and 12.80.166 which govern the application process and requirements for Comprehensive Plan Minor Text Amendments and Comprehensive Plan Major Amendments.

II. PROCEDURAL REQUIREMENTS

The proposed amendments were initiated through approval of the Planning Commission Order No. 8461 on May 14, 2025. A public hearing is being held on June 11, 2025. Notice of the public hearing was published in the May 22, 2025 and May 29, 2025 editions of the

Hillsboro News-Times, a newspaper of general circulation as required in CDC Section 12.70.060.

III. APPLICABLE APPROVAL CRITERIA

CDC Section 12.80.140.D specifies the approval criteria for a proposed text amendment. The applicable criteria are as follows:

D. Approval Criteria. In order to approve a Text Amendment application, the Review Authority shall make findings of fact, based on evidence provided, that the following criteria are satisfied:

1. The CDCA addresses an issue or issues of concern on a variety of properties or conditions, and is not intended to resolve a property-specific or condition-specific situation;

Finding: This CDCA is designed to clarify the Comprehensive Plan Minor Text Amendment and Major Amendment application processes in response to the remand of the City's adoption of the 2021 Economic Opportunities Analysis and concerns over the city's interpretation of the code and what constitutes a minor text amendment. It is not property-specific. This criterion is met.

2. The CDCA is consistent with relevant goals and policies of the Hillsboro Comprehensive Plan, any applicable Community Plans, and with the provisions of this Code;

Finding: There are no Community Plans applicable to these amendments. Chapter 14 of the Comprehensive Plan addresses Land Use Procedures and Plan Administration. The proposed amendments are consistent with the following goals and policies:

- LU Goal 4 – Plan Administration: Establish accessible, efficient, and effective procedures for managing the Comprehensive Plan and its implementation tools.
- LU Policy 4.5 – Amending the Comprehensive Plan: Establish and codify criteria in the Community Development Code for authorizing legislative and quasi-judicial amendments to the Comprehensive Plan to ensure that the proposed changes forward the overall intent of the Comprehensive Plan and its components taken together as a whole rather than solely the existing policy language or designation.
- LU Policy 4.9 – Incorporating System Plans: Adopt updates to system plans, as required by state law or necessary to address changing community needs, and incorporate these plans by reference in the Comprehensive Plan according to the legislative Comprehensive Plan amendment procedures codified in the Community Development Code.

As described in the Procedural Requirements section of these findings, the proposed amendments were initiated by the Planning Commission; notice was provided to the

Department of Land Conservation and Development (DLCD) and to the public, and a public hearing was held to receive testimony. The procedural requirements of CDC Section 12.70.060 have therefore been met. This criterion is met.

3. *The CDCA is consistent with relevant provisions of the Metro Urban Growth Management Functional Plan;*

Finding: None of the Titles in the Metro UGM Functional Plan are relevant to the proposed amendments. This criterion is not applicable.

4. *The CDCA is consistent with relevant provisions of the Statewide Planning Goals, the Oregon Administrative Rules (OAR), and State statutes.*

Finding: Oregon Revised Statutes (ORS) 197.610 – 197.651 and Oregon Administrative Rule (OAR) 660-018 list requirements for “Post-Acknowledgement [Plan] Amendments,” also known as PAPAs. Their requirements are reflected in CDC Section 12.70.060 regarding the Type IV process, and Section 12.80.140 Text Amendment applications. As described earlier, the amendments meet the internal procedural requirements of the CDC and therefore meet these state regulations. This criterion is met.

5. *The CDCA is deemed by the Review Authority to be desirable, appropriate and proper.*

Finding: The proposed amendments are desirable in that they reflect needed modifications to relevant code language to allow for effective implementation of the regulations. The amendments are appropriate in that they are consistent with Hillsboro Municipal Code (HMC) allowance for editorial changes (HMC Section 1.01.060) and with the purpose statement for Text Amendments (CDC Section 12.80.140.A): “Such amendments are necessary to reflect changing community conditions, needs, and desires, to fulfill regional obligations, and to address changes in state law”. The amendments are proper in that they are consistent with, align with, and will assist with implementing the goals and policies of the Comprehensive Plan by maintaining up to date procedures and regulations to implement the Comprehensive Plan. For the reasons stated above, the amendments are desirable, appropriate, and proper and therefore, this criterion is met.

IV. TESTIMONY FROM PARTIES

No testimony was received leading up to and during the public hearing.

V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED BY REFERENCE IN FINDINGS

The Staff Report dated June 4, 2025 was available seven days prior to the public hearing in compliance with State law and the CDC. The staff report and attachments are included as findings to the decision.