

# City of Ontario Planning and Zoning Application Form

444 SW 4<sup>th</sup> Street, Ontario, OR 97914

Community Development Center: 458 SW 3rd Street

Voice (541) 881-3224 / (541) 881-3222

Fax (541) 881-3251



## COMPREHENSIVE PLAN AMENDMENT

This form shall be used for any legislative code amendment application

**FILE #** \_\_\_\_\_

**Date Received** \_\_\_\_\_

**Fee: \$551.00+ \$260.00 = \$811.00**

(Mailing & Advertising: \$260.00)

**Time Received** \_\_\_\_\_

**Accepted as Complete** \_\_\_\_\_

**Applicant(s)** – attach additional sheets as necessary

**Property Owner(s)** – attach additional sheets as necessary

Name \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

\_\_\_\_\_

email \_\_\_\_\_

\_\_\_\_\_

signature \_\_\_\_\_

\_\_\_\_\_

**Description of proposed action:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If the application includes any site plans or other drawings, please submit electronic copies in pdf format

### Property information:

Address \_\_\_\_\_

Tax Map # \_\_\_\_\_

Tax Lot #(s) \_\_\_\_\_

Lot size \_\_\_\_\_

Zoning \_\_\_\_\_

Existing use \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### OFFICE USE ONLY

**120 day time limit**

**DLCD 45-day notice required**

Notice of PC Hearing

Notice to media

**Hearing dates**

Notice of Decision

**Associated applications**

Accepted as complete \_\_\_\_\_

Y/N\_\_\_\_ Date mailed \_\_\_\_\_

Date mailed \_\_\_\_\_

Publication date \_\_\_\_\_

PC \_\_\_\_\_

Date mailed \_\_\_\_\_

\_\_\_\_\_

Final decision by \_\_\_\_\_

Date of first hearing \_\_\_\_\_

Posted on site \_\_\_\_\_

Emailed \_\_\_\_\_

CC \_\_\_\_\_

Appeal deadline \_\_\_\_\_

\_\_\_\_\_

## **10B-05-15 BURDEN, CRITERIA OF PROOF.**

1. The proponent of proposals shall have the burden of proving the justification of the request. The greater the impact of the request on an area, the greater is the burden upon the proponent.
2. The requested proposal must be supported by proof that it conforms to all applicable standards and criteria of the OMC. The Planning Official may require that proponents submit written evidence, facts and/or written findings substantiating such conformance, as part of the application.

## **CHAPTER 10B-15 LEGISLATIVE AMENDMENT PROCEDURES**

**10B-15-05 LEGISLATIVE AMENDMENT, INITIATION OF ACTION.** Amendments to Title 10A, 10B, 10C or other Titles in the development code series, or to the Comprehensive Plan may be initiated by the Council or Commission by motion, or by individuals by application as provided for in this Title. Amendment actions shall first be referred to the Planning Commission for the public hearing and recommendation. The Department of Land Conservation and Development shall be notified of the pending action at least 45 days before the final hearing date, unless a shorter time is authorized by Oregon administrative regulations for the type of action being taken.

**10B-15-20 COMMISSION HEARING, DECISION.** The Commission shall hold a public hearing on the action and shall recommend approval, disapproval, or modification of the proposed amendment and shall make findings as appropriate to support the recommendation. Written findings and recommendations shall be forwarded to the Council by the Planning Director.

Upon receipt of the Commission's recommendation, the Council shall set a date for a public hearing on the recommendation. If the hearing is to be the final hearing on the action, the date must be set late enough to allow the Department of Land Conservation and Development notice period to expire. The Council may approve, reverse or modify the amendment and may adopt the Commission's findings, create new findings or add to or delete from the Commission's findings. The Council may remand the action to the Commission for further consideration. A copy of the final decision shall be transmitted to the Department of Land Conservation and Development.

**There are no specific approval criteria for an amendment to the Comprehensive Plan; the only requirement is that the Planning Commission shall make findings as appropriate to support a recommendation to the City Council. The applicant bears the burden of proof to show that the application has merit. This burden may include providing data to show that the City of Ontario is deficient in some area, and that the requested change will address the deficiency. The applicant is encouraged to provide as much information as possible, and will be responsible for defending the request to both the Planning Commission and City Council.**

**If the request involves a subsequent rezone, the applicant shall file a separate Rezone application, along with the requisite fee.**

Comprehensive Plan Amendment applications go to the City Council for a final decision. However, the application must first go to the Planning Commission for a recommendation on the request. The City must mail a Notice of Proposed Amendment form to DLCD at minimum of 45 days prior to the Planning Commission hearing. Applicants should allow a minimum of 2 ½ months for an application to be processed by the City.

**COMPREHENSIVE PLAN AMENDMENT**      **FILE #** \_\_\_\_\_

**Applicant is:**

- \_\_\_\_\_ The owner of the property
- \_\_\_\_\_ The purchaser of the property under a duly executed written consent of the owner to make such application
- \_\_\_\_\_ A lessee in possession of the property who has the written consent of the owner to make such authorization
- \_\_\_\_\_ The agent of any of the above, who is duly authorized in writing by the principal

**AUTHORIZATION:**

I hereby consent that I am authorized to make the application for a rezone and the statements within this application are true and correct to the best of my knowledge and belief. I verify that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by the City of Ontario may be revoked if it is determined that the authorization was issued on account of false statements or misrepresentation.

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of property owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of property owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of property owner

\_\_\_\_\_  
Date

Attach additional sheets if necessary

**Incomplete applications, or insufficient information, may result in delay or denial of the application.**