

# 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



## REZONE APPLICATION

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

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

**Fee: \$357.00 + \$260 = \$617.00**

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

(Mailing & Advertising \$260.00)

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

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

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

Name \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

\_\_\_\_\_

email \_\_\_\_\_

\_\_\_\_\_

signature \_\_\_\_\_

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

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**If this request involves a change in the Comprehensive Plan map, please submit a Comprehensive Plan Change application form.**

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

### 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 \_\_\_\_\_

# REZONE JUSTIFICATION

THE FOLLOWING INFORMATION MUST BE COMPLETED IN FULL. AN APPLICATION WILL NOT BE ACCEPTED FOR A ZONE CHANGE REQUEST WITHOUT THIS INFORMATION

THE CITY WILL USE THESE ANSWERS IN ITS ANALYSIS OF THE MERITS OF THE APPLICATION

PLEASE PRINT CLEARLY OR TYPE

## **A. DESCRIPTION OF PROPERTY:**

Township \_\_\_\_\_ S Range \_\_\_\_\_ E Section \_\_\_\_\_, Willamette Meridian

Tax Lot # \_\_\_\_\_

Lot Size \_\_\_\_\_ Current Zoning \_\_\_\_\_  
(ACRES OR SQUARE FEET)

Property Address \_\_\_\_\_

Name of Subdivision \_\_\_\_\_

### **EXISTING RECORDED EASEMENTS:**

Purpose & Description: \_\_\_\_\_

Book & Page No. \_\_\_\_\_ Inst. # \_\_\_\_\_

### **EXISTING DEED RESTRICTIONS:**

Purpose & Description: \_\_\_\_\_

Book & Page No. \_\_\_\_\_ Inst. # \_\_\_\_\_

## **B. SPECIFICATION OF REQUEST**

Zone Requested \_\_\_\_\_

Intended use under new zone (Explain in detail, including all operational characteristics, use extra sheets.) \_\_\_\_\_

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**C. JUSTIFICATION**

**PROPOSED FINDINGS**

In preparing findings of fact to support a Zoning Map Amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required finding clearly does not apply to the current proposal.

Explain in detail, using extra sheets as needed, how the proposed zone change complies with the following required findings:

1. Explain how the proposed zoning map amendment is in conformance with statewide planning goals and guidelines.

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2. Explain how the proposed zoning map amendment is in conformance with the Acknowledged Comprehensive Plan.

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3. As applicant, you must explain how there has been a mistake or error in the original zone designation or a change in physical, social or market conditions generally affecting the area, which makes this proposed zone change appropriate.

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3. As applicant, you must show a public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.

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5. Explain how the property affected by the change, if approved, is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.

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6. Explain how the property affected by the proposed change of zone is properly related to streets and other public facilities and with services adequate to meet the demands of the uses allowed in the new zone. This shall explain how this proposal will not absorb a disproportionate share of public facilities, utilities and general assets.

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7. Explain how the proposed change in zoning will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

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### **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-20 QUASI-JUDICIAL ZONING MAP AMENDMENT**

**10B-20-05 PURPOSE, AUTHORITY.** The quasi-judicial zoning map amendment procedures are designed and authorized to adjust zone boundaries and create new zoning classifications on the official zoning map within areas on the land use plan indicated for the uses allowed by the map change. Such changes shall be in conformity with the land use goals of the state. The decision of the Commission shall be the final decision of the City unless an appeal is filed as authorized by this Title.

**10B-20-25 HEARING DECISION.** The Commission shall hold a public hearing on the action and shall approve, deny, or modify the proposed zoning map amendment and shall make findings as appropriate to support the decision. The Planning Director shall notify the applicant of the decision of the Commission and notify any person appearing at the hearing in person, if they are not present when the final decision is rendered, or if the person has appeared in writing. During the hearing, persons appearing shall be advised that they must testify in favor of or in opposition to the action to gain standing to appeal the Commission's decision to the Council. Persons testifying shall be advised that they must address one or more of the criteria or required findings set forth in this Title for quasi-judicial zoning map amendment decisions in order to establish standing to appeal the final local decision to the Oregon Land Use Board of Appeals.

**10B-20-30 REQUIRED FINDINGS, DECISION CRITERIA.** In preparing findings to support a quasi-judicial zoning map amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required findings clearly does not apply to the current action:

1. The zoning map amendment is in conformance with statewide planning goals and guidelines.
2. The zoning map amendment is in conformity with the acknowledged comprehensive plan.
3. The applicant has demonstrated a mistake or error in the original zone designation or the applicant has demonstrated a change in physical, social or market conditions generally affecting the area which make the proposed change appropriate.
4. A public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.
5. The property affected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.
6. The property affected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.

The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

### **Note:**

**Rezone applications are decided by the City Council. However, the application must first go to the Planning Commission for a recommendation on the new zone. Applicants should allow a minimum of two months for an application to be processed by the City; additional time may be necessary if the request involves a Comprehensive Plan change.**

**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

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

## **SUPPLEMENTAL INFORMATION TO SUBMIT WITH APPLICATIONS:**

**The following additional data may be required at the discretion of the Planning or Public works Official:**

1. Any data required by OMC land development regulations.
2. Finished floor elevation related to curb, street, or other established grade or benchmark.
3. Drainage patterns. All lots shall show grading and drainage and finished grades or contours (clearly indicated).
4. The size and location of all existing and proposed public and private utilities, easements, or right of way.
5. The size, setback dimensions, and height of all proposed structures, and all existing structures to be retained on-site, and the use of each structure. The locations may be indicated by construction site envelopes showing possible legal locations near the spot, building dimensions including height, and building separation.
6. Location, dimensions and names of adjacent streets and proposed internal streets, showing centerline radii and curb return radii.
7. The location and dimensions of existing and future sidewalks shall be shown.
8. The proposed layout of parking lots including the location and dimensions of parking spaces, curbed islands, internal planter strips, maneuvering aisles, and access driveways with indication of direction of travel.
9. The location of all signs, exterior lighting and fencing to be used to divide properties and to screen mechanical equipment and trash containers.
10. Existing physical features including drainage ways and structures with indication as to which are to be retained. Adjacent properties and their physical features within 50 feet of the property line shall be identified, including setback dimensions of adjacent structures.
11. The location of existing trees and scrubs and notation of which are to be retained on the property; location and dimensions of proposed landscaped areas; location and types of all proposed plant material and ground cover; location and type of irrigation systems; and, all other pertinent landscape features.
12. Location of all recreational amenities such as open play areas, swimming pools, tennis courts and recreational equipment.
13. Statement of maintenance responsibility for all improvements shown on the site plan.
14. Site data in tabular form including:
  - a. Total area of the property in square feet.
  - b. Building coverage in square feet and percent total.
  - c. Parking lot in square feet and percent total.
  - d. Landscaped area in parking lot in square feet.
  - e. All other landscaped areas in square feet.
  - f. Number of parking spaces provided.
  - g. Number of residential units if appropriate.
  - h. Existing and proposed gross floor area in square feet.

**If the applicant is not the property owner, the Planning Official may require documentation of consent to represent the owner including:**

- A. A description of the property and the specific action for which approval is sought
- B. Signature of owner
- C. Date of consent
- D. Party to whom consent is given
- E. Notarization of consent

**If you are providing large or detailed plans, please provide electronic copies with your application, or make arrangements to email them to staff.**

**Electronic copies of all written materials are appreciated if available.**