



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

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ZONING MAP AMENDMENT APPLICATION

Application Fee: \$2000.00

INTRODUCTION

- A. An application for amendment of the Land Development Code may be initiated to amend the Zoning Map, text or a combination of the Zoning Map and text.
- B. A separate application to amend the Zoning Map shall be required for each proposed map designation. Approval of one application shall not mandate approval of other applications. The application may be consolidated for public hearing purposes if the applications are interrelated and consolidation would expedite their review.
- C. An application to amend the Zoning Map and text shall require at least two separate applications: one or more applications to amend the map and one to amend the text. Approval of one application shall not mandate approval of the other application.
- D. If an application to amend the Zoning Map or text of the Land Development Code necessitates a *Plan Map* or *Plan* text amendment, the two applications may be consolidated into a single public hearing.

Application Check List (for departmental use only)

Date Received: _____ Receipt number: _____ Fee paid: _____

Application accepted by: _____ File number assigned: _____

Planner assigned: _____ Date deemed complete: _____

Scheduled PC hearing date: _____ Scheduled BC hearing date: _____

Date notice mailed to DLCD: _____ Date adoption mailed to DLCD: _____

Other applications included: _____ Plan Map Amendment _____ Plan Text Amendment

_____ Code Text amendment _____ Other _____

_____ Proposal is located within:

UGA _____ Planning area _____

Fire District _____ A.O./Airport notification area _____

Floodplain _____ Hazard Area _____ Wetland _____

Wildlife Habitat _____ Riparian Habitat _____ Fish Habitat _____

S.B.H.O. _____ Historic _____ Greenway _____

_____ EHP approval, if required. _____ Accurate maps and site plans

THIS FORM MUST BE FILLED OUT COMPLETELY, IN INK OR TYPE WRITTEN

I. Property Owner/Applicant Information

- A. Applicant(s) _____
Address _____
City _____ State _____ Zip Code _____
Phone number (home) _____ (work) _____
- B. Property owner(s) _____
Address _____
City _____ State _____ Zip Code _____
Phone number (home) _____ (work) _____
- C. Applicant's representative (if any) _____
Address _____
City _____ State _____ Zip Code _____
Phone number (home) _____ (work) _____

II. Property Information

- A. Legal description of property: Township _____ Range _____ Section(s) _____
Tax Lot(s) _____
- B. Site Address (if any): _____

- C. Property size in acres _____
- D. Adjacent tax lots in same ownership:
Township _____ Range _____ Section _____ Tax Lot(s) _____ Area _____
Township _____ Range _____ Section _____ Tax Lot(s) _____ Area _____
- E. Nearest city or town _____ Distance _____
Nearest cross road _____ Distance _____
- F. Zoning designation _____ Plan designation _____
- G. What is the area of the aggregate resource site in acres? _____
- H. Name of Fire Protection District: _____
- I. How is vehicle access provided to the property?
Frontage on County Road (name) _____

Frontage on Local Access Road (name)_____

Frontage on State Highway (name)_____

Volume and Page of recorded easement to a public road (attach copy)_____

J. Is the property located within an urban growth boundary or planning area? () Yes () No
If yes, name of City: _____

K. What is the current use of the property? (Check all that apply.)
() Agriculture () Forestry () Commercial () Industrial () Residential

L. Describe any dwellings, barns, buildings, structures, fences, wells, septic systems or other improvements that are on the property. (Show these improvements on your site plan.)

M. Describe any natural features on the property such as drainage ways, creeks, streams, swales, wetlands, ponds, steep slopes or hills. (Show these features on your site plan.)

III. Proposed Amendment

A. Current zoning designation of the subject property: _____

B. Proposed zoning designation of the subject property: _____

C. Will the map amendment affect all of an existing tax lot or only a portion? _____
If the proposal will affect only a portion, how large is the affected area? _____

D. Please describe the intended use of the property that will result if the zoning map is amended.

If there is no use proposed, please describe the purpose of the zone amendment.

E. Please describe the operating characteristics of the intended use. Include a description of structures, size and use of structures, hours and days of operation, vehicles, machinery, and any other operational and design characteristics.

F. Why was this location chosen?

G. Describe the land uses on adjoining properties.

North: _____

South: _____

East: _____

West: _____

H. Describe the land uses occurring within a one-half-mile radius of the subject property.

North: _____

South: _____

East: _____

West: _____

IV. Decision Criteria for Zoning Map Amendments

The decision criteria for a Zoning Map amendment are in Linn County Code (LCC) 921.822(B).

The applicant for a Zoning Map amendment has the burden of proof to prove the decision criteria are satisfied.

A Zoning Map amendment from one zoning district to another may be granted only if, on the basis of the application, investigation, testimony and evidence submitted, findings and conclusions show that all of the following conditions exist:

A. The presence of development limitations, including but not limited to geologic hazards, natural hazards, water quality and quantity and septic suitability, do not significantly adversely affect development permitted in the proposed zoning district [LCC 921.822(B)(1)].

1. Please describe any development limitations that exist on the property, including but not limited to geologic hazards, natural hazards, water quality and quantity and septic suitability.

2. Attach documents that establish the site's suitability for the proposed zoning district. Include documentation of septic suitability, water availability and water quality, and information on natural or geologic hazards.

3. Would the development limitations identified in Question 1 above significantly adversely affect development permitted in the proposed zoning district?

() Yes () No

If not, explain why not. Attach another sheet if necessary.

B. The amendment will result in a development pattern having no significant adverse impact upon transportation facilities, police and fire protection, storm drainage facilities or the provision of other regional public facilities [LCC 921.822(B)(2)].

1. If the proposed zone amendment is approved, will the development allowed on the property result in a development pattern having a significant adverse impact upon transportation facilities, police and fire protection, storm drainage facilities or the provision of other regional public facilities? () Yes () No

2. If not, explain why not. Attach another sheet if necessary.

C. The amendment will result in a development pattern compatible with uses on nearby lands and will have no significant adverse impact on the overall land use pattern in the area [LCC 921.822(B)(3)].

1. Will the proposed amendment result in a development pattern compatible with uses on nearby lands? () Yes () No

Please explain why or why not. Attach another sheet if necessary.

2. Will the proposed amendment result in a development pattern having a significant adverse impact on the overall land use pattern in the area? () Yes () No

Please explain why or why not. Attach another sheet if necessary.

D. Is the amendment consistent with the intent and purpose statement of the proposed zoning district [LCC 921.822(B)(4)]? () Yes () No

Please explain why or why not. Attach another sheet if necessary.

- E. Is the amendment consistent with the existing *Comprehensive Plan* map designation [LCC 921.822(B)(5)]? Yes No

Please explain why or why not. Attach another sheet if necessary.

If the amendment is not consistent with the existing *Comprehensive Plan* map designation, an application for an amendment to the *Comprehensive Plan* map is also required.

- F. The amendment will not have a significant adverse impact on a sensitive fish or wildlife habitat [LCC 921.822(B)(6)].

1. Is the property located within a sensitive fish or wildlife habitat? Yes No

If yes, please describe. _____

2. Will the land uses allowed by the amendment have a significant adverse impact on sensitive fish or wildlife habitat? Yes No

Please explain why or why not. _____

- G. The amendment, if within an adopted urban growth boundary, is consistent with the *Comprehensive Plan* and implementing ordinances of the affected city [LCC 921.822(B)(7)].

If the property is located within a designated urban growth area, explain why the proposed amendment is consistent with the *Comprehensive Plan* and implementing ordinances of the affected city. Attach another sheet if necessary.

VII. Owner/Applicant Certifications

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true and any approval granted based on this information may be revoked if it is found that such statements are false.

Owner/applicant signature _____ Date _____

Owner/applicant signature _____ Date _____

VI. Verification of Ownership

Only the owner of the property is authorized to complete this section.

A. I hereby certify that this application does not violate any recorded codes, covenants or restrictions that are attached to the subject property.

B. I have the following legal interest in the property:

_____ owner of record

_____ land sales contract purchaser

_____ holder of a recorded exclusive option to purchase

C. Property Owner Signature _____ Date _____

PLEASE NOTE: County Code does not allow an application to be reviewed unless the owner has first authorized it. The assessor's office records are used to verify the ownership.

The Linn County Assessor's Office records indicate that:

Township____, Range____, Section(s)____, Tax Lot(s)_____

is owned or is being purchased by: _____

If more than one owner is included, please list all other owners.

Other owners:

(1)_____

(3)_____

(2)_____

(4)_____

Assessor or Planning Staff Signature

Date

STANDARD SITE PLAN DRAWING

For a complete and accurate evaluation of your proposal, it is necessary to include sufficient information and detail on a site plan drawing. An example is provided as a guide to the preparation of your plan. The site plan you submit will constitute the formal development plan upon which your request is based.

You may submit separate plans to show details of particular aspects of your proposal, i.e. landscaping, off-street parking, topography and drainage plans.

Any public or semi-public use or activity will require written detail and description of such use, i.e. number of employees, hours of operation, unusual equipment or activities that may produce noise, odor, glare, vibration, etc., equipment storage areas, guard or watchman requirements, aerial hazards and road access needs.

This site plan requirement is in addition to any other requirements for zoning, building, sanitation or other governmental permits or standards compliance.

SITE PLAN REQUIREMENTS:

- (1) The site plan must be submitted on paper no larger than 8½ inches by 14 inches and drawn to scale.
- (2) Indicate the scale (for example, 1" = 200') on the site plan.
- (3) Include a North arrow indicating the direction of North on the map.
- (4) Include the applicant's name and address in an information block at the bottom of the page.
- (5) Show the dimensions of the property. These may be taken from surveys, deeds and assessor's records.
- (6) Indicate the names of roads adjacent to the property.
- (7) Indicate the approximate distance and direction to nearest city or town.
- (8) Indicate the dimensions and distance from property lines to all structures, both existing and proposed, as well as fences, culverts, light standards and signs on the property and adjacent properties.
- (9) Indicate the location of existing and proposed access ways, parking and loading areas, approaches and barriers. The type of surfacing should be indicated.
- (10) Identify the location of significant land features, such as streams, creeks, drainage areas and slope.
- (11) Identify the location of existing and/or proposed septic tanks, repair areas and wells. If known, indicate any wells or septic systems on adjacent properties if they are within 10 feet of this property.
- (12) Indicate existing uses of land (cultivation, pasture, timber, etc.). Indicate types of crops, pasture, grass and timber species.

Attach sample plot plan (see sample plotplan on Planning and Building webpage)