



CITY OF PHILOMATH

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A P P L I C A T I O N

COMPREHENSIVE PLAN/ZONING AMENDMENT

Application Fee: \$ 3,200

**A PRE-APPLICATION MEETING IS REQUIRED PRIOR TO THE SUBMITTAL OF THIS APPLICATION.
ALL SECTIONS MUST BE COMPLETED. ATTACH ADDITIONAL SHEETS IF NECESSARY.
REVIEW WILL BEGIN ONLY WHEN THE APPLICATION IS DETERMINED TO BE COMPLETE.**

PROPERTY OWNER(S) INFORMATION

Names(s): _____ Phone #1: _____
Mailing Address: _____ Phone #2: _____
City: _____ State: _____ Zip: _____ Email: _____

APPLICANT INFORMATION

Names(s): _____ Phone #1: _____
Mailing Address: _____ Phone #2: _____
City: _____ State: _____ Zip: _____ Email: _____

Interest in Property (*Owner, Purchaser, Agent, etc.*): _____

Other individuals to be notified of this application: *Name, Address, City & Zip, or Email*

PROPERTY INFORMATION

Site Address(es): _____
City: _____ State: _____ Zip: _____

Assessor's Map & Tax Lot Number(s): _____

Legal description: Lot: _____ Block: _____ Subdivision: _____

Zoning designation from: _____ to _____

Comprehensive Plan designation from: _____ to _____

Total land area involved in the request: _____

Current use(s) of the property: _____

Existing Structures: _____

If yes, will any of these structures be removed? Yes No. (Before you demolish or remove any structure, you must obtain a demolition/moving permit from the City of Philomath Building Division.)

What is the anticipated time of development: _____

What additional public facilities and private facilities will be needed for the proposed development? _____

Indicate at what level (i.e., size of sanitary sewer, storm sewer, street width, etc.) these public facilities will be needed to serve the proposed development. Also indicate the approximate dates when these public facilities will be needed.

	Size	Approximate Date Needed
Streets	_____	_____
Sanitary Sewer	_____	_____
Storm Sewer	_____	_____
Water	_____	_____

Request Summary (Example: "New 50 foot by 150 foot warehouse in the Rural Industrial zone.")

GENERAL INFORMATION

The Comprehensive Plan is the City's controlling land-use document, guiding public and private activities that affect Philomath's growth, development, and livability. The Plan is flexible and reflects changing circumstances and community attitudes through occasional map and/or text amendments. The Philomath Development Code provides a process for amending the Comprehensive Plan without violating its integrity or frustrating its purpose. This process applies to proposed changes to the Comprehensive Plan map designations, text, and the Urban Growth Boundary.

A pre-application meeting with City Staff is required prior to the submittal of this application. The meeting provides for an exchange of information about Development Code and Comprehensive Plan requirements and offers technical and design assistance to the applicant.

If the City determines an application for a Plan amendment is legislative in nature, the application will be reviewed through the legislative procedures of the Development Code. Quasi-judicial applications are reviewed through the Type IV procedures. Area-specific amendments, including map amendments outside the city limits, are processed in accordance with the City-County Urban Growth Management Agreement.

REVIEW CRITERIA

There must be at least one finding of fact statement for each applicable Criteria 1 through 4 and one finding of fact statement for Criteria 5 through 10. Please provide these findings of fact on an attached sheet of paper.

Comprehensive Plan Map Amendment Criteria:

1. A legislative amendment is consistent with the goals and policies of the Comprehensive Plan, the statewide planning goals, and any relevant area plans adopted by the City Council.
2. A legislative amendment is needed to meet changing conditions or new laws.
3. The requested designation for a quasi-judicial map amendment meets all of the following tests:
 - a. The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be more supportive of the Comprehensive Plan as a whole than the old designation.
 - b. The requested designation is consistent with any relevant area plans adopted by the City Council.
 - c. The requested designation is consistent with the Comprehensive Plan map pattern.
 - d. The requested designation is consistent with the Statewide Planning Goals.
4. The Director may initiate a review through the Type I procedure for the types of corrections to the Comprehensive Plan map listed below:
 - a. The correction may be made for mapping errors such as:
 - i. A map line that was intended to follow a topographical feature does not do so. Topographical features include the tops and bottoms of hillsides, the banks of water bodies, and center lines of creeks or drainage ditches;
 - ii. The line on the map does not match the legal description or map shown or references in the ordinance which applied the designation; or
 - iii. When there is a discrepancy between maps and there is clear legislative intent for where the line should be.
 - b. The correction may be made when a map line is based on the location of a reference item that has since been moved. Reference items are rights-of-way, tentative rights-of-way, utility easements and similar items. Map line changes in these cases must not be more than a minor change to the map pattern and must not result in any significant impacts to abutting lots.

Zoning Map Amendment Criteria:

5. The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for.
6. If the site is or has been zoned or used for industrial or agricultural purposes, a Phase I Environmental Assessment by a certified company shall be provided. Based on the results of the Phase I Environmental Assessment, a Phase II Assessment may be required, accompanied by a mitigation plan for all contamination identified in the assessment.
7. Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zoning designation.
8. Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area.
9. Any unique natural features or special areas involved such as floodplains, slopes, significant natural vegetation, historic district will not be jeopardized as a result of the proposed rezoning.
10. The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.

Signature(s)

All owners of the property must sign this application or a statement authorizing the applicant to act for the owner must accompany the application.

I hereby certify that the information contained in this application is accurate to the best of my knowledge, and that the proposed use would not violate any deed restrictions attached to the property.

Applicant Signature Date

Co-Applicant or Property Owner Signature Date

PROCESSING INFORMATION *(PMC 18.105.040)*

This application will be reviewed at a public hearing before both the Planning Commission and City Council. Surrounding property owners who are entitled to individual notice will be notified of the application and given an opportunity to submit evidence and testify at the hearing. The City will send notices of pending action and final decision to the applicant, other local government agencies involved in the processing of the application, surrounding property owners who received an initial notice, and all other persons who participate in the proceedings.

Anyone who participated may appeal the final decision of the City Council to the Land Use Board of Appeals (LUBA).

For Office Use Only

Date Application Received: _____ Receipt Number: _____ By: _____

Internal File Number: _____ ePermitting File Number: _____

Planner Assigned: _____ Date Application Deemed Complete: _____