



COMMUNITY DEVELOPMENT DEPARTMENT

360 SW Avery Avenue
Corvallis, OR 97333-1139
(541) 766-6819
www.co.benton.or.us/cd/

APPLICATION

COMPREHENSIVE PLAN MAP / ZONING MAP AMENDMENT(S)

File # _____

Fee: \$ _____
(SEE CURRENT FEE SCHEDULE)

- Zone/Comp Plan change only
With Goal Exception
Mineral/Aggregate Overlay (Goal 5 PAPA)

ALL SECTIONS MUST BE COMPLETED. ATTACH ADDITIONAL SHEETS IF NECESSARY.
REVIEW WILL BEGIN ONLY WHEN THE APPLICATION IS DETERMINED TO BE COMPLETE

I. Property Owner(s) Information

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

II. Applicant/Authorized Agent Information

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

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

III. Property Information

Property Address (if different than above) _____

Tax Lot number(s) of contiguous property owned by the same individual(s):

Assessor's Map Tax Lot Number: T _____ S, R _____ W, Section(s) _____, Tax Lot(s) _____

Current use(s) of the property _____

Indicate the means of access to the property: [] State Highway [] Public Road [] Private Road

Does the access road cross a railroad? _____ If yes, please draw the location on your map and describe here: _____

Are there presently any buildings and/or mobile homes located on the property? YES _____ NO _____

If yes, please list the present use of each building: _____

Is there a septic system on the property: YES___ NO_____ When was it installed?_____

Water Supply: None _____ Well _____ City _____ City Association_____

Other_____ **Please provide well log, water quality test, and septic records information.**

Indicate the Urban Growth or Plan Review Area in which the property is located: _____

Corvallis UG_____ PR_____; N. Albany UG_____ PR_____; Philomath UG_____ PR_____

Adair UG_____ PR_____ Monroe UG_____ PR_____.

Indicate any similar uses to the requested use that are located nearby, and the distance to each:_____

IV. Request Summary (Example: “Conditional Use approval to operate a commercial kennel in the RR Zone.”)

V. Attached Documentation: With all land use applications, the “burden of proof” is on the applicant. It is important that you provide **ALL** the information listed on the following pages at the time you submit your application. The processing of your application does not begin until the application is determined to be complete.

Attachments

1. A detailed scale drawing or map identifying all existing and proposed locations of roads, power lines, phone lines, septic system(s), well(s), utilities, easements, structures, driveways, pedestrian walks, off street parking and loading and landscape areas.
2. One copy of deed(s) or other proof of property ownership for the subject property.
3. A completed copy of the attached Criteria - Set I, below (all applications need to address these criteria).
4. If an Exception to a Statewide Goal is necessary, a completed copy of the appropriate Criteria - Set II, below.

ATTACHMENT (Criteria - Set I)

Benton County Development Code Applicant_____

Section 53.505 through 53.525 Tax Lot(s)_____

Proposed Plan Designation_____

Proposed Zone_____

Criteria - Zone Change / Comprehensive Plan Amendment All applications need to address these criteria:

1. Please list any policies within the Benton County Comprehensive Plan which support this application (indicate policy, chapter and page numbers).
2. Present findings, and information, for each of the following statements as it applies to the proposed plan or zone change:

- a. The proposed plan designation and/or zone for the property is more appropriate than the current plan designation and/or zone when considering existing uses, changes in circumstances since the current designation was applied, or information that indicates that the current designation was not properly applied.
- b. The area proposed for a change in plan designation and/or zone is more appropriate for the proposed designation than other locations in the community or County.
- c. Identify all uses on area properties. Identify the proposed use on the subject property. Identify how any proposed conflicting use would have a minimal impact on area properties.
- d. Adverse impacts upon the community or County would result if the uses permitted in the proposed zone change and/or plan designation were not permitted.
- e. Any increased level of services which could be demanded as a result of the zone change and/or comprehensive plan map amendment can be made available to the area.
- f. The proposed zone change and/or comprehensive plan map amendment is consistent with comprehensive plan policies.
- g. The proposed comprehensive plan map amendment and/or zone change is consistent with Statewide Planning Goals.

ATTACHMENT (Criteria - Set II)

Benton County Development Code

Applicant _____

Section 53.505 through 53.525

Tax Lot(s) _____

Proposed Plan Designation _____

Proposed Zone _____

Criteria - Plan Amendment/Zone Change - Goal Exception

One of the following three sets of Exceptions criteria must be addressed if the proposed Plan Map change requires an Exception to one or more of the Statewide Goals. Please provide attached information that shows that all of the standards of 1, 2, or 3 have been met.

- 1. ___ For a "Developed" Exception, the following applies (OAR 660-04-025):
 - A. Findings must demonstrate that land is already physically developed to the extent that it is no longer available for uses allowed by the applicable Goal.
 - B. Findings must show:
 - 1) Exact nature and extent of area;
 - 2) Extent and location of existing physical development;
 - 3) Uses allowed by a Goal to which an exception is being taken shall not be used to justify an exception as "physically developed".

- 2. ___ For a "Committed" Exception, the following applies (OAR 660-04-028):

- A. An exception is justified under this category when "land subject to the exception is irrevocably committed to uses not allowed by the applicable Goal because existing adjacent uses and other relevant factors make uses allowed by the applicable Goals impracticable."
- B. Findings must address:
 - 1) Existing adjacent uses;
 - 2) Public facilities and services;
 - 3) Parcel size and ownership patterns;
 - i) This must include an analysis of how existing parcel sizes came about. Past land divisions made without application of the Goals do not in themselves demonstrate irrevocable commitment--the County must also show some other type of development to justify commitment.
 - ii) Parcels created under the Goals cannot be used to justify commitment.
 - iii) Differing contiguous parcels under one ownership must be considered as one parcel.
 - iv) Small parcels alone do not justify commitment--parcels must be clustered in a large group and at least partially developed to justify commitment.
 - 4) Neighborhood and regional characteristics;
 - 5) Natural boundaries or other buffers separating the exception area from adjacent resource land;
 - 6) Physical development (structures, facilities, etc.);
 - 7) Other relevant factors; and
 - 8) Facts must support a conclusion that it is "impracticable" to apply the Goal in a given situation or area.

3.____ For a "Need" Exception, the following applies (OAR 660-04-022):

- A. Reasons must justify why the state policy embodied in the applicable Goals should not apply.
- B. It must be demonstrated that areas which do not require a new exception cannot reasonably accommodate the use. This requirement can be satisfied by broad review of similar uses.
- C. The economic, social, environmental and energy consequences resulting from the use must be shown to be not significantly more adverse than would result from the same proposal being located in another area requiring an exception.
- D. The proposed uses must be shown to be compatible with other adjacent uses or can be so rendered.
- E. Reasons showing a need for rural residential land cannot be based on market demand; and a strong connection must exist between the subject area and "existing or planned rural industrial, commercial or other economic activity."

Signature(s)

I hereby certify that I am the legal owner(s), or contract purchaser, of the above noted property; that I desire to apply for the Plan and/or Zone Change indicated in this application with attachments and that the information contained therein is true and accurate to the best of my knowledge; that the requested change would not violate any deed restrictions attached to the property involved

Owner/Contract Purchaser Signature

Date

