



# CITY OF STAYTON

## APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

### APPLICATION AND DECISION MAKING PROCEDURES

Prior to submittal of an application, a pre-application meeting with City Staff is required. A completed pre-application form and sketch plan drawing need to be submitted at least 7 days in advance of the meeting. Meetings are held every Tuesday afternoon and there is no fee for the first required pre-application meeting.

#### 1. APPLICATION FEE

Submission of a completed application form, with a plan and attachments, and payment of the application fees are required before the review process begins. The application and fees shall be submitted to the Planning Department during regular business hours. **The fee for this application is \$1,300.** If the cost to the City does not reach the amount of the fee paid, the excess fee will be refunded to the applicant after the file is closed. If during the processing of the application, the costs to the City exceed 75% of the fee paid, the applicant will be required to pay an additional 50% of the fee amount, to assure that there are adequate funds to continue to process the application.

#### 2. REVIEW FOR COMPLETENESS AND SCHEDULING A HEARING

The City Planner will review the submitted application for completeness and, within 30 days from the date of submittal, determine if the applicant has provided all required information. If the application is incomplete, the City Planner will notify the applicant of the items which need to be submitted. Once the application is deemed complete, the Planner will schedule a hearing before the Stayton Planning Commission. Planning Commission meetings are regularly scheduled for the last Monday of the month. State law requires the City to notify the Department of Land Conservation and Development 35 days before the first hearing on any amendment to the comprehensive plan. This will be taken into consideration when the first hearing is scheduled.

#### 3. STAFF REPORT

Once a hearing date is set, the City Planner will prepare a staff report summarizing the applicant's proposal, the decision criteria, comments from other agencies or the public, and address whether the application complies with code requirements or suggest conditions to meet those requirements. A copy of the staff report will be provided to the applicant no less than 7 days prior to the public hearing.

#### 4. PUBLIC HEARING BEFORE THE STAYTON PLANNING COMMISSION

Prior to the public hearing, notice is required to be sent to all property owners within 300 feet of the property 20 days before the hearing. The hearing is to give all interested parties an opportunity to comment on the application. The hearing is conducted by the Chairperson in accordance with the Stayton Public Hearing Rules of Procedure. These rules are available at City Hall.

At the conclusion of the hearing and deliberation, the Planning Commission will adopt an order recommending action to the City Council stating the decision criteria, findings of fact, conclusions whether the application meets any applicable standards and the Commission's decision. The Commission may decide to recommend denial, approval, or approval of the application with changes.

#### 5. PUBLIC HEARING BEFORE THE STAYTON CITY COUNCIL

Amendments to the comprehensive plan must be adopted by ordinance. Therefore, a second public hearing will be scheduled before the Stayton City Council. A notice is required 10 days prior to the hearing, which will be held at the regular Council meeting, on the first or third Monday of every month. Staff reports, Planning Commission findings, and any new information will be presented to Council for consideration. The purpose of the hearing is to receive further public testimony, to review the application and consider the Planning Commission's recommendation. Generally, the Council will make a decision at the conclusion of the hearing process, but may delay the decision for further information or action by the applicant. The Council will then adopt an order either approving or denying the application and subsequently an ordinance.

#### 6. APPEALS

Council actions may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 through 197.855.

#### 7. FOR MORE INFORMATION

Call or write to City of Stayton Planning Dept., (mailing address) 362 N. Third Avenue, (building address) 311 N. Third Avenue, Stayton, Oregon 97383. (503) 769-2998; email: [dfleishman@ci.stayton.or.us](mailto:dfleishman@ci.stayton.or.us).

## APPLICATION CHECKLIST FOR COMPREHENSIVE PLAN AMENDMENT

This checklist has been prepared to assist applicants in submitting an application that includes all the submission requirements in Sections 17.12.170.5. Please note that this checklist may paraphrase the requirements from the Code. It is the applicant's responsibility to read and understand the requirements of the Code. Review of an application will not begin until a complete application has been submitted. If you have questions, contact the Planning Department.

- Property Owner Authorization: If the applicant is not the owner of the property, the application must include written indication of the applicant's right to file the application. This may be a purchase and sale agreement, an option or other document that gives the applicant some legal interest in the property. If the applicant is to be represented by another individual (planning consultant, engineer, attorney) the application must be accompanied by a statement that the applicant's representative has the authorization of the applicant(s) to file the application.
- If a Comprehensive Plan text amendment, the proposed changes to the Comprehensive Plan showing the any existing text to be deleted crossed out and any proposed text to be added underlined.
- If a Comprehensive Plan Map amendment, a plan drawn to a scale of 1 inch equals not more than 50 feet, showing:
  - A north point and graphic scale
  - Tax map and tax lot numbers.
  - Boundary lines of the parcel and area of the property in acres or square feet.
  - Existing and proposed Comprehensive Plan Map designation boundaries
- Vicinity Map: The vicinity map may be drawn on the same map as the site plan. All properties, streets, natural features, and current zoning within 300 feet of the perimeter of the parcel shall be shown on the vicinity map.
- A statement of availability, capacity, and status of existing water, sewer, storm drainage, transportation, park, and school facilities.
- A statement of increased demand for the above facilities that will be generated by the proposed change in land use designation.
- A statement of additional facilities required to meet the increased demand and phasing of such facilities in accordance with projected demand.
- A statement outlining the method and source of financing required to provide those additional facilities identified in subsection 3) above
- A Transportation Impact Analysis, based on the standards and requirements in Section 17.26.050. The Transportation Impact Analysis shall also meet the requirements of Oregon Administrative Rule 660-012-0060.

Submission of all materials in an electronic format is encouraged.

### **BURDEN OF PROOF**

This is a quasi-judicial application in which the applicant has the burden of proof. According to law, the applicant must present to the decision maker facts, evidence, analysis, and justification for each and every criteria of SMC 17.12.170.6 in order to carry out that burden of proof. It is important to remember that there is no assumption that the applicant is entitled to this approval. The burden lies with the applicant to prove how the proposal complies with the criteria, not with the City of Stayton.

Stayton Municipal Code Title 17, Land Use and Development, is available online at:  
[www.staytonoregon.gov](http://www.staytonoregon.gov). Click on the Document Center tab and select Municipal Code.



# CITY OF STAYTON APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

PROPERTY OWNER: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

APPLICANT'S REPRESENTATIVE: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING

ENGINEERING

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

Select one of the above as the principal contact to whom correspondence from the Planning Department should be addressed:

owner  applicant  applicant's representative  planning consultant  engineer

COMPREHENSIVE PLAN TEXT AMENDMENT

COMPREHENSIVE PLAN MAP AMENDMENT

CURRENT COMPREHENSIVE PLAN MAP DESIGNATION: \_\_\_\_\_

PROPOSED COMPREHENSIVE PLAN MAP DESIGNATION: \_\_\_\_\_

LOCATION:

Street Address: \_\_\_\_\_

Assessor's Tax Map and Lot Number(s): \_\_\_\_\_

Closest Intersecting Streets: \_\_\_\_\_

SIGNATURE OF APPLICANT: \_\_\_\_\_

DO NOT WRITE BELOW THIS LINE

Application received by: \_\_\_\_\_ Date: \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_ Receipt No. \_\_\_\_\_

Land Use File# \_\_\_\_\_

## QUESTIONS TO BE ADDRESSED IN NARRATIVE STATEMENT

The Stayton Planning Commission, with assistance from the Planning Department and the Public Works Department will use the information provided by the applicant to analyze the merits of this application. A decision to approve or deny the application is made based on how well the applicant presents information to show the application meets the standards and criteria set forth in the Stayton Land Use and Development Code 17.12.170.5. Please provide the following information in full and attach to this application as Exhibit B.

1. How is the amendment consistent with the goals and policies of the Comprehensive Plan, the statewide planning goals, and any relevant area plans adopted by the City? In the case of a Comprehensive Plan Map amendment, how does the requested designation for the site compare with relevant Comprehensive Plan policies and, on balance, more supportive of the Comprehensive Plan as a whole than the old designation?
2. Why does the current Comprehensive Plan not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation? How is the addition of this property to the inventory of lands for the proposed designated consistent with projected needs for such lands in the Comprehensive Plan?
3. Explain how the amendment is in compliance with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, how does the proposal comply with the applicable criteria in the LCDC Administrative Rules for the type of exception needed?
4. Are existing or anticipated transportation facilities adequate for the uses permitted under the proposed designation? Is the proposed amendment in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)?
5. How does the current Comprehensive Plan Map provide more than the projected need for lands in the existing land use designation?
6. Are the public facilities and services necessary to support the uses allowed in the proposed designation available or likely to be available in the near future?
7. How will the uses allowed in the proposed designation affect existing or planned uses on adjacent land?