

# BAKER CITY-COUNTY PLANNING DEPARTMENT



1995 Third Street | Suite 131 | Baker City, OR | 97814  
 Phone: (541) 523-8219 | Fax: (541) 523-8340



## APPLICATION FOR A CODE, MAP OR PLAN AMENDMENT

|  |                                  |
|--|----------------------------------|
| App. No. _____                                       | City Planning: 101-131-3-40-4104 |
| Date Submitted: _____                                | Received by: _____               |
| Fee Collected: \$ _____                              | Date Paid: _____                 |
| MAKE CHECKS PAYABLE TO: <b>BAKER COUNTY PLANNING</b> |                                  |

PROPOSED AMENDMENT: \_\_\_\_\_

| APPLICANT               |              |            | PROPERTY OWNER          |              |            |
|-------------------------|--------------|------------|-------------------------|--------------|------------|
| Last Name               | First        | MI         | Last Name               | First        | MI         |
|                         |              |            |                         |              |            |
| <b>Mailing Address</b>  |              |            | <b>Mailing Address</b>  |              |            |
|                         |              |            |                         |              |            |
| <b>Physical Address</b> |              |            | <b>Physical Address</b> |              |            |
|                         |              |            |                         |              |            |
| <b>City</b>             | <b>State</b> | <b>Zip</b> | <b>City</b>             | <b>State</b> | <b>Zip</b> |
|                         |              |            |                         |              |            |
| <b>Telephone</b>        |              |            | <b>Telephone</b>        |              |            |
|                         |              |            |                         |              |            |
| <b>Email</b>            |              |            | <b>Email</b>            |              |            |
|                         |              |            |                         |              |            |

### PROPERTY INFORMATION

Property Address: \_\_\_\_\_ Zone: \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_ Ref. \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_ Ref. \_\_\_\_\_

Was a pre-application conference held for this project?     Yes     No

Are there additional reviews pending?     Yes     No    If yes, File #: \_\_\_\_\_

**NOTICE TO APPLICANT:** On original application form, please print legibly using black/dark blue ink or type. Applicants are advised to review the list of submittal requirements and recommendations indicated on each land use application form and in the applicable Code Section prior to submitting an application. Incomplete applications will not be scheduled for review until the Planning Department receives all required submittal materials. Failure to provide materials or address the approval criteria in sufficient detail may cause your application to be delayed or denied.

ADDITIONAL PROJECT TEAM MEMBERS. Please include any other parties you wish to receive notice and staff report(s).

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

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

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

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

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**NOTICE TO APPLICANT:** By signing, the applicant certifies the information provided herein is accurate and that he/she is authorized to make the application and that there are no covenants, conditions or restrictions (CC&Rs) that may limit or prohibit the proposed adjustment. The City of Baker City does not monitor, nor have enforcement authority over CC&Rs.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner(s) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

*\*\*\* Note: If the applicant is not the owner, by signing, the owner hereby grants permission for the applicant to act in his/her behalf concerning this application.*

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APPLICATION SUBMISSION REQUIREMENTS – All materials shall be submitted in complete, collated application packets. Packets shall be stapled, bound, or otherwise attached to prevent loss of individual sheets or parts.

- Original **APPLICATION FORM** signed by all parties. Multiple forms may be used if necessary.
- **NARRATIVE** including all approval criteria and your responses.
- **SITE PLAN** showing existing conditions and proposed changes. All site plans should be printed at 1" = 20' scale; 1:40 or 1:100 scale may be used for very large projects. All materials larger than 8 ½ X 11 shall be folded to 8 ½ X 11 size.

MAKING FINDINGS – A Development Code, Zoning Map or Comprehensive Plan amendment may be approved if the Planning Commission finds the application conforms to the criteria found in the Development Code, the Comprehensive Plan, Statewide Planning Goals and the applicable development standards. Before the Planning Commission can review an application, the applicant must submit information that adequately supports the application. **The applicant bears the burden of proof to show that the criteria are met.**

FORMAT FOR FINDINGS – Statements addressing individual criteria consist of two parts:

1. Factual information, such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: onsite inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

EXAMPLE: **Criterion:** *The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.*

**Response:** State fact(s) relating to the question: *“Light manufacturing is allowed as a conditional use in the C-G zone pursuant to Table 2.3.110A of the Development Code. The site is 1.37 acres, is flat, and has 150 feet of frontage along X Street, which is more than adequate to accommodate a custom furniture manufacturing shop and associated showroom. Our proposed 12,500 square foot building, with 12 parking spaces, a loading dock, and landscaping, can be easily accommodated on the site with room for expansion. Please note that our site plans include potential expansion of both the building and parking areas, in order to permit complete build-out and not require an additional conditional use permit. All operations will be inside the building, which will be constructed to minimize noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, and other potential negative externalities.”*

**Conclusion:** State your conclusion: *“The proposed conditional use is appropriate for the site and will not pose any undue hazards on neighboring properties or the general public.”*

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## APPLICABLE BAKER CITY DEVELOPMENT CODE SECTIONS AND OTHER REFERENCES

**4.7.200 Legislative Amendments.** Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Section 4.1.500 and shall conform to the Transportation Planning Rule provisions in Section 4.7.600, as applicable.

### 4.7.300 Quasi-Judicial Amendments

**A. Applicability of Quasi-Judicial Amendments.** Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial zone map amendments shall follow the Type III procedure, as governed by Section 4.1.400, using standards of approval in Section 4.7.300.B. The approval authority shall be as follows:

1. The Planning Commission shall review and act upon land use zone map changes that do not involve comprehensive plan map amendments;
2. The Planning Commission shall make a recommendation to the City Council on an application for a comprehensive plan map amendment. The City Council shall decide such applications; and
3. The Planning Commission shall make a recommendation to the City Council on a land use zone change application that also involves a comprehensive plan map amendment application. The City Council shall decide both applications.

**B. Criteria for Quasi-Judicial Amendments.** A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

1. Approval of the request is consistent with the Statewide Planning Goals;
2. Approval of the request is consistent with the Comprehensive Plan;
3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and
4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use zone map regarding the property which is the subject of the application; and

5. The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.600.

**4.7.400 Conditions of Approval for Quasi-Judicial Amendments.** A quasi-judicial decision may be for denial, approval, or approval with conditions; conditions shall be based on applicable regulations and factual evidence in the record. Legislative amendments may only be approved or denied.

All amendments to the Development Code, Zoning or Comprehensive Plan Maps, or the Comprehensive Plan, whether legislative or quasi-judicial, need to demonstrate consistency with the Comprehensive Plan and the Statewide Planning Goals.