

CONDITIONAL USE APPLICATION

CITY OF YAMHILL
PLANNING DEPARTMENT
CITY HALL
YAMHILL, OREGON 97148
(503) 662-3511

Date Rec'd: _____
Docket Number: _____
Hearing Date: _____
Date Rec'd: _____

		APPLICANT IS	TITLE HOLDER OF THE PROPERTY INFORMATION
Legal Owner	()		Name: _____ Phone #: _____
Contract Buyer	()		Address: _____
Option Holder	()		APPLICANT INFORMATION
Agent	()		Name: _____ Phone #: _____
			Address: _____

LEGAL DESCRIPTION OF THE PROPERTY INVOLVED IN THIS APPLICATION

Property Address: _____ Size: _____ X _____ Total Area: _____
 Map #: _____ Lot #: _____ Block #: _____ Sub-Division: _____
 Total Area Involved: _____ Current Zoning: R-1 ___; R-2 ___; R-3 ___; C-3 ___; RLC ___; LI ___

INTRODUCTION

This application is provided for the filing and review of all proposed conditional use permits in the City of Yamhill. The application is organized to correspond with the requirements of Yamhill City Municipal Code Chapters 10.128 and 10.104, which establish standards and procedures for the issuance of conditional use permits in the City of Yamhill. These Chapters should be consulted when preparing this application.

The filing of this application will initiate a process that includes the following:

- A) Application submission to the City Recorder or designated official.
- B) Scheduling of a public hearing with the City Planning Commission.
- C) Notification of affected citizens and agencies.
- D) City Review.
- E) Planning Commission hearing and discussion.

WHAT IS BEING REQUESTED?

What is Requested: _____

Proposed Use(s) and sequence of construction: _____

Anticipated Timetable for Project: _____ Start _____ Finish _____

Present Use of this property: _____

Will fill or removal be required to develop this site: Yes _____ No _____ How Much _____

State specific reasons for this request and its effects on the surrounding area: _____

How will surface water be taken care of: _____

Total off-street parking spaces (paved 10' x 20') proposed: _____

Total employees and/or occupants: Present: _____ Proposed: _____

APPLICANT'S CERTIFICATION

No title search or survey will be made by the City of Yamhill before this application is processed. It is the responsibility of the applicant for any permits to determine whether he has the legal right to use the property in question for the intended purpose. No permission for such use, either express or implied, is given by the City of Yamhill by the issuance of any permit.

I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NOTE: Attach detailed, accurate site plans. Other statements, plans, photos, data, etc., which would help to substantiate and clarify your request may also be submitted. Attach responses to all questions prior to submission to the City.

Applicant's Signature

Date of Application

Owners' Signature

Date of Application

CONDITIONAL USE PERMIT APPLICATION

CONDITIONAL USE PERMIT INFORMATION:

A Conditional Use is a use that is permitted in a zoning district due to its public convenience and necessity. Such a use is permitted only upon the approval of the Planning Commission after a public hearing and a finding that such a Conditional Use will not be detrimental to the comprehensive plan and surrounding property. Reasonable conditions can be attached to its approval to uphold the spirit and intent of the zoning regulations and mitigate any adverse effect upon the neighborhood properties.

In order for the application to be approved the applicant must provide substantiation for the request either in written form or in person at the hearing. The applicant has the burden of proving justification for the request; the more drastic the change or the greater the impact of the change in the neighborhood, the greater the burden on the applicant. The Planning Commission considers the following criteria to be relevant and will be considered in making its decision on the proposed conditional use:

- 1.) What, in detail, are you asking for?
- 2.) Does your request conform to the Comprehensive Plan?
- 3.) What are the present conditions in the neighborhood and how will your request change these?
- 4.) How will the public be benefited by your request?
- 5.) Is there a public need for your request?
- 6.) Is there any other property in the general area of your request which is zoned for the use you are requesting, but is not being used that way?
- 7.) Do you think a mistake was made when the present zoning was put into effect?

APPLICATION:

A complete Application includes the following items:

- 1.) The application form filled out as completely as possible. Give as thorough an explanation and justification as possible. If additional explanation or materials would assist or support the request, attach these and include them with the application form. All applications shall have the owner of the properties signature(s) on the application. The owner of the property shall be defined as being the legal owner, contract buyer, agent, or option holder.
- 2.) A copy of a Detailed Plot Plan of the property for which action is requested, illustrating that which is being requested, is required for all Conditional Use applications. Such a plot plan drawn to scale should illustrate the following minimum items:
 - A.) The date, north-point, scale, and a good and sufficient description to define the location and boundaries of the parcel.
 - B.) Approximate acreage of the parcel under a single ownership, or, if more than one ownership is involved.
 - C.) For land adjacent to and within the parcel, show locations, names, and existing widths of all streets and easements; and location and size of sewer and water lines, and drainage ways.
 - D.) Outline and location of existing and proposed structures and improvements, including setback dimensions of existing and proposed structures and land features, along with the principal features of terrain and vegetation.
 - E.) Such additional information as required by the Planning Commission procedures.
- 3.) A list of the names and addresses, from the last preceding County Tax Roll, of all owners of property situated within 300 feet of the subject property, including public rights-of-way, of the external boundaries of the affected property.

- | | | | |
|-----|---------------------------------|-------------------|----------------|
| 4.) | Application Fee | <u>\$ 500.00</u> | |
| | Deposit | <u>\$ 725.00</u> | |
| | Professional Review Fee | <u>\$ 1000.00</u> | *if applicable |
| | Initial City Fee at Application | <u>\$ 1225.00</u> | |
- 5.) Make certain the Application is signed by the Legal Owner(s) of the affected property. (Proof of title may be required.)

SUBMISSION OF APPLICATION:

A completed application shall be filed with the City Recorder at least thirty (30) days prior to the Planning Commission Meeting at which the Public Hearing will be conducted.

A minimum fee of \$500.00 for the Conditional Use Permit Application shall be charged for application review upon filing of the application. Such fee shall be non-refundable. The applicant is advised he/she/they will be subject to Professional Service Charges of Yamhill Municipal Code Section 10.128.230.

The City Recorder shall schedule a public hearing before the Planning Commission as established in the Yamhill Municipal Code. The Planning Commission shall review the application at its regularly scheduled meeting and determine whether the proposal is compatible with the City of Yamhill Comprehensive Plan and all other applicable regulations. The Planning Commission may require any conditions or modifications in the plan as are deemed necessary to carry out the Yamhill Comprehensive Plan.

PROFESSIONAL EXPENSES:

10.128.230 Professional Expenses. In addition to any other fees prescribed by the City Council, there is imposed upon an Applicant before the Planning Commission or City Council, an additional fee for the professional review of the application. Said fee shall not exceed \$1,000.00 unless approved by majority vote of the Planning Commission or City Council. Said fee shall not exceed actual cost to City for professional services of planners, engineers, attorneys, or other professionals whose assistance is sought by the Planning Commission and/or City Council.

The City shall not bill for the first four (4) hours of the professional review performed by City Staff and the first four (4) hours of the professional review performed by the City Planner. Unless specifically included within the application fee, all services by the City Engineer and the City Attorney shall be covered under Professional Expenses. The City shall have the authority to impose the above-said fee only in those cases where additional professional review, beyond four (4) hours, engineering review, and/or legal review, is required on the application. Prior to imposing said fee or beginning professional review of such projects, the City Recorder shall notify the Applicant that his application is subject to the Professional Review Fee and that the Applicant shall be liable for said fees. Such notifications may be made by printing said notification on the land use application to come before the Planning Commission and/or City Council. The City, after notification to Applicant of the professional review fee, shall provide the Applicant a period of not less than seven days in which to withdraw his application without being responsible for said fee. The City, at the request of the applicant, may provide to the applicant an estimate of the Professional Review Fee; however, such estimates shall not be binding in any way upon the City. An estimated Professional Review Fee may be charged at the time of initial or subsequent hearing if the governmental body has good cause to believe a fee will be required.

The Professional Review Fee shall be collected from the applicant before final approval of the application. If estimated professional review fees have been collected by the City, and the Professional Review Fee actually charged to the City by a professional is less than the amount rendered by the Applicant, the City Recorder shall refund to the Applicant the balance of the fee paid beyond the professional fees actually charged the City. Likewise, if the estimated professional review fees paid by the applicant are insufficient to cover the amount assessed by the City by the designated professionals, then the City Recorder will have the authority, prior to the Planning Commission or City Council acting upon the application, to collect additional fees. (Ord. 350, '15.22, 1984)