

# APPLICATION FOR LAND USE REVIEW

**COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT**  
**Planning Division**  
 1000 Adams Avenue, P.O. Box 670  
 La Grande, OR 97850  
 (541) 962-1307  
 Fax (541) 963-3333



### Instruction for Completing this Form

Please complete this form in blue or black ink. The form must be either hand written or typed so as to be clearly legible.

1. Check the applicable Land Use Application(s) below that is being applied for.
2. Refer to the Fee Schedule on Page 2 of this Application to calculate the required fee that shall accompany the Application submittal.
3. Refer to the Submittal Checklists under the "Staff Use Only" section on Page 2 of this Application for a summary of submittal requirements. *(Note: Failure to provide required information shall result in the application being deemed incomplete.)*

### LAND USE APPLICATIONS

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> <b>Annexation Petition</b>                                       | <input type="checkbox"/> Land Development Code Amendment                        | <input type="checkbox"/> Site Plan Review           |
| <input type="checkbox"/> Appeal of Planning Division Decision                             | <input type="checkbox"/> Land Use Approval Time Extension                       | <input type="checkbox"/> Segregation of Tax Lot     |
| <input type="checkbox"/> Appeal of Planning Commission Decision                           | <input type="checkbox"/> Lot Line Adjustment                                    | <input type="checkbox"/> Sign Permit                |
| <input type="checkbox"/> Comprehensive Plan Document or Map Amendment                     | <input type="checkbox"/> Major Land Partition                                   | <input type="checkbox"/> Subdivision                |
| <input type="checkbox"/> Conditional Use Permit   | <input type="checkbox"/> Minor Land Partition                                   | <input type="checkbox"/> Temporary Use Permit       |
| <input type="checkbox"/> Duplex Division  | <input type="checkbox"/> Planned Unit Development                               | <input type="checkbox"/> Variance - Administrative  |
| <input type="checkbox"/> Fence Height Waiver  | <input type="checkbox"/> Preliminary Land Use Review                            | <input type="checkbox"/> Variance - Commission      |
| <input type="checkbox"/> Floodplain Development Permit <i>(Separate Applic. Required)</i> | <input type="checkbox"/> Public Right-of-Way Encroachment                       | <input type="checkbox"/> Wetland Development Permit |
| <input type="checkbox"/> Geologic Hazard Site Plan  | <input type="checkbox"/> Public Right-of-Way Dedication                         | <input type="checkbox"/> Zone Change Designation    |
| <input type="checkbox"/> Historical Landmarks Review                                      | <input type="checkbox"/> Public ROW Vacation <i>(Separate Applic. Required)</i> |   |
| <input type="checkbox"/> Home Occupation Permit   |   |   |

### OWNER/APPLICANT INFORMATION

Applicant/Agent: _____	Land Owner: _____
Mailing Address: _____	Mailing Address: _____
City/State/Zip: _____	City/State/Zip: _____
Telephone: _____	Telephone: _____
Fax: _____	Fax: _____
Email: _____	Email: _____

### PROJECT INFORMATION

Site Address: \_\_\_\_\_ Description: \_\_\_\_\_

Legal Desc.: T\_\_\_S, R\_\_\_E, Section \_\_\_\_\_, Tax Lot \_\_\_\_\_

Project Value: \_\_\_\_\_ *(Based on contractors bid estimate.)*

### OTHER PERMITS

Are other permits required by the City, State or Federal jurisdictions for this project?  Yes  No

*(If yes, identify each permit that applies and the status of each permit. If a decision has been issued, a copy of the decision may be required.)*

City of La Grande Building Permits:  Required  Submitted/Processing  Decision Issued

Check applicable permits:  MH/Modular Setup  Structural  Mechanical  Electrical  Plumbing

City of La Grande Right-of-Way Permit:  Required  Submitted/Processing  Decision Issued

Oregon Department of State Lands (DSL):  Required  Submitted/Processing  Decision Issued

Oregon Department of Environmental Quality (DEQ):  Required  Submitted/Processing  Decision Issued

Other (Explain): \_\_\_\_\_:  Required  Submitted/Processing  Decision Issued

Other (Explain): \_\_\_\_\_:  Required  Submitted/Processing  Decision Issued

# APPLICATION FOR LAND USE REVIEW

PAGE 2

## COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

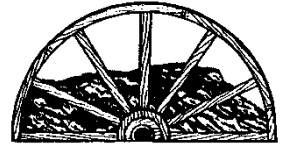
### Planning Division

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CITY of LA GRANDE  
THE HUB OF NORTHEASTERN OREGON

### APPLICANT/OWNER CERTIFICATION

**The applicant/owner understands and agrees that:**

- Any approvals associated with this request may be revoked if found in conflict with information represented in this application;
- The approval of this request does not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by City of La Grande ordinances, codes or regulations;
- The applicant hereby authorizes City officials of the City of La Grande to enter the property and inspect activity in conjunction with the proposed development project.

**Applicant Signature:** \_\_\_\_\_ **Owner Signature:** \_\_\_\_\_

### STAFF USE ONLY

Application Submittal Checklist: *(not all may apply)*

- Twenty (20) copies for circulation and review
- Detailed Statement/Narrative Addressing Compliance with Review Criteria
- Submittal or Approval Documentation for Other Permits Associated with Project

Development Plan Submittal Checklist: *(not all may apply)*

- Site Plan
- Parking -Circ. Plan
- Landscaping Plan
- Utility Plan
- Grading-Drainage Plan
- Floodplain Dev. Plan
- Wetland Delineation

*(Additional plans may be required depending on nature and scope of the development project.)*

Zone: \_\_\_\_\_

File Number: \_\_\_\_\_ Application Complete: \_\_\_\_\_

Application Fee: \_\_\_\_\_ 120 Day Deadline: \_\_\_\_\_

Receipt Number: \_\_\_\_\_ 245 Day Deadline: \_\_\_\_\_

### Land Use Application Fee Schedule

Annexation Petition	\$1000	Minor Land Partition	\$250 + \$5/lot
Appeal of Planning Division Decision	\$75	Planned Unit Development	\$500 + \$5/lot + Actual Costs for Advertising and Public Notice
Appeal of Planning Commission Decision	\$150	Public Right-of-Way Encroachment	\$50 + Document Recording Fees
Comprehensive Plan Designation Change	\$300 + Actual Costs for Advertising and Public Notice	Public Right-of-Way Dedication	\$0
Comprehensive Plan Document Amendment	Actual Costs	Public Right-of-Way Vacation	Actual Costs
Conditional Use Permit	\$375	Preliminary Land Use Review (Pre-Application Meeting)	\$0
Duplex Division	\$250 + \$5/lot	Segregation of Tax Lot	\$25
Fence Height Waiver	\$25	Sign Permit	\$75
Floodplain Development Permit	\$75	Site Plan Review - New/Expansion	\$75 (Projects \$0-\$50k) \$150 (Projects \$50k-\$100k) (+ \$0.50/\$1000 over \$100k)
Geologic Hazard Site Plans	\$75	Subdivision	\$500 + \$5/lot + Actual Costs for Advertising and Public Notice
Historical Landmarks Review	\$75	Temporary Use Permit	\$125
Home Occupation Permit	\$75	Variance Permit (Administrative)	\$175
Land Development Code Amendment	Actual Cost	Variance Permit (Planning Commission)	\$450
Land Use Approval Time Extension	\$25	Wetland Plan Review	\$75
Lot Line Adjustment	\$150	Zone Change/LDC Amendment	\$300 + Actual Costs for Advertising and Public Notice
Major Land Partition	\$500 + \$5/lot	Zoning Approval	\$25.00

\*Application fee for multiple planning actions is equal to the greatest single fee, not the sum of all fees.

\*Application fee may be increased to include third party engineering and/or consulting fees when required.

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The following instructions and process are for “**property owner initiated**” applications. *[per Ordinance 2978, Series 2001]*

## **INSTRUCTIONS**

- 1. The **APPLICATION FOR ANNEXATION** must be filled out completely. The applicant may be a property owner within the area proposed to be annexed or an authorized agent of a property owner(s). **The application submittal shall include the following:**
  - A. A **Map** demonstrating that the proposed annexation is contiguous to the City.  
*[Note: The map must demonstrate compliance with **Criteria A and B**, see below.]*
  - B. A written **Legal Description** of the land proposed to be annexed. An electronic copy of the description (in Microsoft Word Format). This may be provided via email or other means.
  - C. The **Names and Ages** of all residents and a list of all registered voters in the proposed annexation area.  
*[Note: This is a requirement of the State of Oregon and U.S. Census for the purpose of tracking population related data. This information is to be provided on the “Confidential” form included in the application packet. Please know that the City respects the property owner’s right for this information to remain confidential. The City does not retain a copy of this form. The original form is submitted to the Population Research Center at Portland State University.]*
  - E. **Addresses** of all parcels within the proposed annexation area.
  - F. **Consent to Annexation Forms**, in a form provided by the City, with notarized signatures of all property owners and electors within the proposed annexation area.
  - G. A **Narrative Statement of Facts Regarding the Need for the annexation**.  
*[Note: This narrative is to address **Criteria C** below.]*
  - H. A **Narrative Statement of Facts Regarding Existing Utilities** discussing the availability, capacity and status of existing water, sewer, storm drainage, transportation, parks and other City services that would be provided to the annexed area.  
*[Note: The applicant is responsible for conducting the research to gather this information. The intent of this narrative is to determine whether the property “can” or “cannot” be served with City services. If the determination is that the property cannot be served by existing services (e.g. lack of water pressure, no street or utility infrastructures, other), then the applicant needs to identify this in the narrative. This narrative is to address **Criteria D** below.]*
  - H. Depending on the size and scope of the request, additional information may be required to accompany the application. **It is the applicant’s responsibility to provide sufficient information for the City to make the findings to support its decision.**
  
- 2. The **APPLICATION FEE** shall accompany the application. The fee shall be paid before the application is deemed complete and processed by the Planning Division.

## **PROCESS**

The following outlines the application review process for an annexation as required by Oregon Revised Statutes, Chapter 222. **The applicant can anticipate this process taking from one (1) month to over five (5) months** depending on the size and scope of the request.

**ORS 222.125 Process: Approval by City Council Resolution.** When Consent to Annexation Forms are signed by 100% of the property owners, who represent more than 50% of the electors, the annexation may be approved by Resolution of the City Council. *[Month 1]*

**ORS Chapter 222 Standard Process:** Approval by City Council Ordinance.

- A. ***City Council Acceptance.*** The application is first presented to the City Council for acceptance. If the City Council feels that the annexation proposal has merit, it may accept the application by Resolution, directing the Planning Division to initiate the review and public hearing process. *[Month 1]*
- B. ***Planning Commission and City Council Review.*** The Planning Commission will conduct a public hearing and make a recommendation to the City Council. The City Council will conduct two (2) public hearings to consider the request. If approve, an Ordinance will be adopted declaring the requested lands to be annexed to the City of La Grande. *[Months 2 thru 4; with a 30 day appeal clause for the Ordinance, extending to Month 5]*

## **REVIEW CRITERIA**

For the application to be approved, the decision must demonstrate that the following Review Criteria has been met. It is the applicant's responsibility to provide sufficient information for the City to make the findings to support its decision.

- A. The property is contiguous to the City limits.
- B. The property is located within the City's Urban Growth Boundary
- C. The annexation meets at least one of the following purposes:
  - 1. To serve lands needing City water and sewer to alleviate a present or potential health hazard;
  - 2. To provide land to accommodate future urban development;
  - 3. To provide land for provision of needed transportation or utility facilities; or
  - 4. To ensure that lands adjacent to the City are developed in a manner consistent with City standards.
- D. The petitioner has adequately addressed infrastructure supply and demand issues. The annexation is considered timely in that an adequate level of urban services and infrastructure can be provided upon annexation or a plan is in place for the provision of such services or infrastructure in a reasonable period of time.

## **POLICY –CITY WATER/SEWER SERVICES**

For a property out of the City limits to receive City water or sewer services, such property shall **first** be annexed into the City limits, **or the person requesting services shall demonstrate that an attempt at annexation has failed.** To document such attempt:

- 1. The person desiring service must first submit a Utility Request to the Public Works Department and be advised in writing that annexation is required;
- 2. An Application for Annexation must be submitted in accordance with the Instruction listed above. The applicant must contact each property owner between the property proposed to be serviced and the City limits, requesting property owners to sign a "Consent to Annex Agreement" and an "Agreement Waiving One-Year Limitation for Annexation"; and,
- 3. The person requesting service must return the Application for Annexation and the Consent forms to the City with a signature or other written indication from the affected owner whether annexation is desired or not.

**The determination that the attempt at annexation has failed shall be determined by the City Council during the process discussed above. If such determination is made, it shall be at the City Council discretion whether to provide, or not provide, City services as requested.**

# CONFIDENTIAL

## CITY OF LA GRANDE, OREGON

ADDRESS \_\_\_\_\_

### HOUSING TYPES:

Single Unit Structure

Multiple Unit Structure

Trailer or Mobile Home

### TENURE:

Owner Occupied

Renter Occupied

Vacant

Seasonal

### RESIDENTS:

	<u>Last Name</u>	<u>First Name</u>	<u>Sex</u>	<u>Age</u>
Respondent	_____	_____	_____	_____
1)	_____	_____	_____	_____
2)	_____	_____	_____	_____
3)	_____	_____	_____	_____
4)	_____	_____	_____	_____
5)	_____	_____	_____	_____
6)	_____	_____	_____	_____
7)	_____	_____	_____	_____
8)	_____	_____	_____	_____
9)	_____	_____	_____	_____
10)	_____	_____	_____	_____

POPULATION RESEARCH CENTER



(503) 725-3922

## CITY OF LA GRANDE CONSENT TO ANNEXATION AGREEMENT

This AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the CITY OF LA GRANDE, a municipal corporation, hereinafter referred to as the "CITY", and (PROPERTY OWNER), hereinafter referred to as the "OWNER";

WITNESSETH:

WHEREAS, the CITY provides water, sewer, police, fire, and other services for residents and inhabitants of the City; and,

WHEREAS, the OWNER owns certain real property near said City and desires City sewer and water services therefore; and,

WHEREAS, the CITY has the ability to provide urban level services upon annexation; and,

NOW, THEREFORE, IT IS HEREBY UNDERSTOOD AND AGREED:

In consideration of this agreement of the CITY to furnish sewer and water service hereunder, the OWNER of real property described as:

[Legal Description of property.](#)

PHYSICAL ADDRESS: \_\_\_\_\_, La Grande, Oregon.

do hereby irrevocably consent in writing to the annexation of said property to the CITY for the purpose of avoiding the necessity of the City Council of the CITY calling or holding any election, posting any notice, or holding any hearing in connection therewith. This irrevocable consent shall run with the land and inures to the successors, assigns and heirs of the OWNER.

OWNER further covenants and agrees that the Consent to Annexation shall be effective for one (1) year, unless OWNER does specifically waive, by separate written agreement, pursuant to ORS 222.173 any claim that said Consent to Annexation is valid for one (1) year.

OWNER further covenants and agrees that until annexation, use of the above-described property shall be conducted as though within the corporate limits of the City and subject to all City Ordinances, rules and regulations pertaining thereto. Any deviation therefrom must first be approved by the CITY through proper channels. Said covenant shall run with the land and be binding on all successors in interest.

Should OWNER or their successors in interest default on any provision of this contract, the CITY shall have the right to terminate sewer and water service to the within described property.

The CITY agrees to furnish sewer and water service to the OWNER at the real property herein above described at rates established by the City Council of the CITY and under regulations prescribed by the City Council.



# CITY OF LA GRANDE

## AGREEMENT WAIVING ONE-YEAR LIMITATION FOR ANNEXATION

This AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the CITY OF LA GRANDE, a municipal corporation, hereinafter referred to as the "CITY", and (PROPERTY OWNER), hereinafter referred to as the "OWNER";

WITNESSETH:

WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, CITY and owner entered into a Consent to Annexation Agreement; and,

WHEREAS, said Consent to Annexation is valid for a one-year period and the parties recognize that annexation may not occur within one (1) year; and,

WHEREAS, OWNER desires to have the benefits of services described in said Consent to Annexation Agreement and in consideration therefore, hereby agree to this waiver;

NOW, THEREFORE, it is agreed, the Consent to Annexation, recorded in the Union County Deed Records, Microfilm Document Number \_\_\_\_\_, shall be effective, for an unlimited period of time and OWNER does specifically waive, pursuant to ORS 222.173 any claim that said Consent to Annexation is valid for one (1) year.

This Agreement shall run with the land, which is described in said Consent to Annexation Agreement, and inures to the successors, assigns and heirs of the OWNER.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first herein above written.

CITY OF LA GRANDE  
a Municipal Corporation

OWNER

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
(Owner 1)

ATTEST:

\_\_\_\_\_  
(Owner 2)

\_\_\_\_\_  
Alexandra Norgan Lund  
City Recorder

STATE OF OREGON )

) ss.

COUNTY OF UNION )

Personally appeared before me the above named person, (Owner), and acknowledged the foregoing instrument to be their voluntary act and deed.

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

Before me:

\_\_\_\_\_  
Notary Public for Oregon

original: City Hall Upstairs Vault  
photocopy: Planning Division, Public Works Department  
(Owner)