

ARTICLE 8.6 – ZONE DESIGNATION CHANGE

SECTION 8.6.001 - PURPOSE

The purpose of a Zone Designation Change is to provide for revision in response to individual landowner needs, and for zone changes required to maintain conformance with the City of La Grande Comprehensive Plan.

SECTION 8.6.002 - REVIEW PROCEDURE

All requests for a Zone Designation Change shall be subject to the Planning Commission and City Council Review Procedures.

SECTION 8.6.003 - REVIEW CRITERIA

A proposed Zone Designation Change shall meet the following criteria:

- A. The Zone Designation Change is in conformance with the Comprehensive Plan, and all other provisions of the Land Development Code;
- B. The property affected by the Zone Designation Change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning;
- C. The property affected by the proposed Zone Designation Change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060);
- D. The proposed Zone Designation Change will have no adverse effect on the appropriate use and development of abutting properties.

SECTION 8.6.004 - PROCESSING

In the processing of a Zone Designation Change, the following procedures shall be followed, in accordance with Chapter 9 of this Code:

- A. Initiation by Property Owner - An application for a Zone Designation Change may be initiated by the owner of the subject property or the authorized representative of the owner. The authorization of said representative shall be in writing and filed with the application.
- B. Filing - Application shall be made on forms provided by the Community Development Department/Planning Division, shall set forth in detail all required information, and shall be accompanied by a filing fee set by Resolution of the City Council to defray a portion of the costs incidental to the proceedings. The application shall be accompanied by any such information as listed on the application submittal checklist. Twenty (20) copies of the application materials shall be submitted to the Community Development Department/Planning Division, for distribution to and review. Additional copies may be required as needed for review and consideration by the La Grande Planning Commission and City Council.
- C. Incomplete Application – No review shall be scheduled if it is determined by the Community Development Director/Planner that the application does not provide the required information. Upon receipt of notification from the City that an application is incomplete, the applicant shall have up to sixty (60) days to supply the required information or the application shall be terminated by the City. In lieu thereof, the applicant may advise the Community Development Director/Planner

that they are unable to submit the requested information and request that the application be processed and a decision issued based on the information submitted.

- D. Initiation by the Community Development Director/Planner - The Community Development Director/Planner may initiate proceedings for a Zone Designation Change limited to Zone Designation Changes required to implement the City of La Grande Comprehensive Plan. The Community Development Director/Planner shall refer said Zone Designation Changes to the Planning Commission. If a mapping error is to be corrected in the affected zoning maps, said error shall be referred to the Planning Commission by the Community Development Director/Planner. Mapping error and Zone Designation Change shall be in writing stating the purpose of the proposed change.
- E. Public Hearing by Planning Commission - Upon receipt of an application for a Zone Designation Change, the Community Development Director/Planner shall set a date for a public hearing, as provided by Chapter 9, Article 9.5.
- F. Notice - Notice of a hearing on a proposed Zone Designation Change shall be provided as prescribed in Article 9.6, Section 9.6.001 of this Code. Notice of the proposal shall also be submitted to the Oregon Department of Land Conservation and Development and other affected agencies for review in accordance with Oregon Administrative Rules.
 - 1. If an application would change the zone of property which includes all or part of a mobile home park as defined in ORS 446.003, the governing body shall give written notice by first class mail to each existing mailing address for tenants of the mobile home park at least twenty (20) days, but not more than forty (40) days, before the date of the first hearing on the application. The governing body may require the applicant for such a Zone Designation Change to pay the cost of such notice. The failure of a tenant to receive notice which was mailed shall not invalidate any Zone Designation Change.
- G. Review - The Planning Commission shall review the proposed Zone Designation Change and make a recommendation to the City Council in accordance with the procedure established in Chapter 9.
- H. Limitation - No request for a Zone Designation Change shall be considered by the Planning Commission on the same property or substantially the same property within a one (1) year period immediately following a previous denial of such request except the reviewing authority may consent to a new hearing if in the opinion of the reviewing authority new evidence or a change of circumstances warrant it.
- I. Public Hearing by City Council - Upon receipt of a recommendation of the Planning Commission, the Community Development Director/Planner shall set a date for public hearing, as provided by Chapter 9, Article 9.5, before the City Council.
- J. Review by City Council - The City Council shall review the proposed Zone Designation Change and reach a decision in accordance with the procedure established in Chapter 9, and Oregon Revised Statutes. If the decision of the City Council is to approve the proposed Zone Change, such action shall be confirmed through amendment of the Official Zoning Map by the Community Development Department/Planning Division.