



APPLICATION PACKET FOR A **ZONING ADJUSTMENT OR VARIANCE**

GENERAL:

Zoning Adjustments and Variances are intended to relax zoning restrictions in cases where strict compliance with the regulations is not possible or practicable. Neither process can allow a use that is prohibited, or change certain standards relating to manufactured dwellings. Zoning Adjustments are administrative decisions and can only be granted within narrow limits – Variances are decided by the Planning Commission in public hearing and are not limited in the degree of relief they can provide. The limitations of a Zoning Adjustment are:

1. Lot Area: Up to a 5 percent reduction in the minimum lot area.
2. Lot Coverage: Up to an increase of 5 percent in lot coverage.
3. Front Setback or Setback Abutting a Street: Up to a 10 percent reduction of a setback.
4. Side Setback: Up to a 20 percent reduction in setback, but no less than a 5 foot setback in a RS or R1S zone or less than the requirements of the state building code, whichever is more restrictive.
5. Rear Setback: Up to a 20 percent reduction in setback, but no less than a 5 foot setback, except in those zones permitting zero setbacks the minimum setback shall be either 5 feet or zero.
6. Lot Width: Up to a 10 percent reduction.
7. Lot Depth: Up to a 10 percent reduction.
8. Building or fence Height: Up to a 10 percent increase in height.
9. Parking Standards: Up to a 5 percent reduction in required parking spaces except no reduction in the number of handicapped vehicle parking spaces or in dimensional standards.
10. Joint-Use Vehicle Parking: Up to 20 percent of the required vehicle parking may be satisfied by joint use of the parking provided for another use.
11. Fences and Freestanding Walls: The location or height of a fence or free-standing wall, excluding the adjustment of any such facilities within a clear vision area.

Any adjustment that exceeds these limits must be by the Variance process.

REQUIRED SUBMITTALS:

1. Uniform Application (One copy.)

Note: In the case of multiple applications, only one Uniform Application form need be submitted, so long as each application is included in the description of the proposal.

- ### **2. Site Plan** (Six paper copies plus one electronic copy, preferably in .pdf format. If necessary for clarity, the information may be shown on two or more plans, such as a streets and utilities plan, grading plan, or others.)
- a. Scale: 1" = 50' or smaller. The Director may specify a different scale to ensure readability.
 - b. Image Area: 50' from the perimeter of the subject property and abutting rights-of-way.
 - c. Tax lots in subject property, with tax lot number.
 - d. Property lines
 - e. Streets and easements:
 - i. Public rights-of-way, with street names.
 - ii. Public and private easements.
 - iii. Pedestrian and bike facilities.
 - iv. Street trees.
 - f. Utilities.
 - i. Water lines and fire hydrants.
 - ii. Sanitary sewer lines, manholes, cleanouts, and lift stations.
 - iii. Storm drain lines, catch basins, ditches, culverts, and detention facilities.
 - iv. Street lights.
 - g. Contour lines, existing and proposed, 2' interval. The Director may waive this requirement if the site is essentially flat and no significant grading is proposed.
 - h. Natural features:
 - i. 100 year floodplain. [FEMA]
 - ii. Wetlands shown on the Woodburn Wetlands Inventory that are within or abut the subject property require a wetlands delineation prepared by the applicant, at the time of application.
 - iii. Top of bank of streams.
 - iv. Riparian Corridor and Wetlands Overlay District (RCWOD) boundaries.
 - v. Wells. [State Water Resources]
 - vi. Septic systems.
 - vii. Trees 4" or more in caliper, noting species.
 - i. Use, building footprint and location of all existing structures on the subject property.
 - j. Setbacks.
- ### **3. Architectural drawings (floor plan and elevations) if the adjustment or variance involves a building** (Six paper copies plus one electronic copy, preferably in .pdf format.)
- ### **4. Narrative demonstrating compliance with the criteria of the Woodburn Development Ordinance** (One paper copy plus one electronic copy, preferably in Microsoft Word format.)
- a. Section 2.1 – Zoning district regulations of the relevant zone
 - b. Section 5.102.06 – Zoning Adjustment or
 - c. Section 5.103.12 – Variance

- 5. **Latest recorded deed(s) for the subject property, or the recorded sales contract** (One copy.)
- 6. **Notification area map and mailing labels:**
 - a. A map with the notification area, depicting a line 250 feet, equidistant from all boundaries of the subject property (one copy.)
 - b. Self adhesive labels for each property within the notification area, showing the owner's name, the tax lot number of the ownership and the owner's mailing address (two copies.)
 - c. An affidavit by the preparer of the notification list, that the address labels reflect the ownership and address data as contained in the current property tax rolls (one copy.)

Note: In the case of multiple applications, only one set of the notification area map and mailing labels need be submitted.

7. **Filing Fee:**

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|-------------------|---------|
| Zoning Adjustment | \$1,042 |
| Variance | \$2,432 |

Prior to deeming an application complete, the Director may request additional information.

Zoning Adjustments are Type II decisions. The decision is made by the Director of Economic & Development Services. Notice of the decision is mailed to surrounding property owners, who may appeal the decision to the City Council. The Council may also choose to review the decision on its own motion. State law gives the City 30 days to determine if the application is complete, and another 120 days to finish the decision process (including appeals.) A typical Zoning Adjustment application – one that is complete upon submittal and is not appealed – is usually finished in 4 to 6 weeks.

Variances are Type III decisions. Type III decisions are made by the Planning Commission after a public hearing. Notice of the public hearing is mailed to surrounding property owners and posted on the property. Notice of the decision is mailed to surrounding property owners, who may appeal the decision to the City Council. The Council may also choose to review the decision on its own motion. State law gives the City 30 days to determine if the application is complete, and another 120 days to finish the decision process (including appeals.) A typical Variance application – one that is complete upon submittal and is not appealed – is usually finished in 6 to 10 weeks.



CITY OF WOODBURN

| |
|----------------------|
| File No: _____ |
| Related Files: _____ |

Department of Economic & Development Services
 270 Montgomery Street • Woodburn, Oregon 97071
 Phone: 503-982-5246 • Website: www.woodburn-or.us

UNIFORM APPLICATION (SOLICITUD UNIFORME)

General Information (Información General)

| | |
|--|--|
| Project location (Ubicación del Proyecto): | |
| Tax Lot No. (Designación del Evaluador del Condado): | |
| Property owner (Propietario): | Applicant (Solicitante): |
| Mailing Address (Dirección Postal): | Mailing Address (Dirección Postal): |
| Telephone (Teléfono): | Telephone (Teléfono): |
| E-mail (Dirección Cibernética): | E-mail (Dirección Cibernética): |
| Description of the proposal (Descripción del proyecto): | |
| _____ | |
| _____ | |
| _____ | |

Requested Review (Solicitud a revisar)

| | | |
|---|---|--|
| <input type="checkbox"/> ACCESS PERMIT TO CITY ARTERIAL | <input type="checkbox"/> EXTENSION OF A DEVELOP. DECISION | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> ANNEXATION | <input type="checkbox"/> MODIFICATION OF CONDITIONS | <input type="checkbox"/> ZONING ADJUSTMENT |
| <input type="checkbox"/> CONDITIONAL USE | <input type="checkbox"/> PARTITION PRELIMINARY APPROVAL | <input type="checkbox"/> ZONE CHANGE |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> PHASING PLAN | <input type="checkbox"/> OTHER: |
| <input type="checkbox"/> EXCEPTION TO STREET IMPROV. REQ. | <input type="checkbox"/> SUBDIVISION PRELIMINARY APPROVAL | |

Certification (Certificación)

I hereby declare that as applicant or property owner, I have read the foregoing application and know the contents of the application to be true. (Por la presente declaro que como solicitante o propietario, he leído la solicitud anterior y sé que lo contenido es verídico.)

| | |
|--|--|
| Owner _____ (Firma del Propietario) | Applicant _____ (Firma del Solicitante) |
| Print Name _____ (Escriba en letra de molde) | Print Name _____ (Escriba en letra de molde) |
| Date (Fecha) _____ | Date (Fecha) _____ |