

**MISSION STATEMENT: TO CREATE A HEALTHY, SAFE, DIVERSE, AND PROSPEROUS CITY
BY ENGAGING COMMUNITY MEMBERS TO DEVELOP AN ENRICHED QUALITY OF LIFE.**

PLANNING COMMISSION MEETING AGENDA

CITY OF ONTARIO OREGON

MONDAY, MAY 11, 2026, 6:00 PM, MT

[Zoom Link](#)



Pursuant to the Public Meetings Laws and Rules within the Oregon Revised Statutes, the Commission has the authority, ability, and standing to take action on any items on the Agenda, or add items to the Agenda, during a meeting, as long as all public meeting notice requirements have been met.

1) CALL TO ORDER

Roll Call: Blu Fortner _____ Al Christiani _____ Vacant _____ Max Twombly _____ Tyler Whitaker _____
William Ecret _____ Chair John Breidenbach _____

Council Liaison _____ City Manager _____ Planning & Zoning Director _____
Planning & Zoning Technician _____

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on May 4, 2026. Copies of the Agenda are available at the Community Development Center and on the city's website at www.ontariooregon.org.

3) MOTION TO ADOPT THE AGENDA

4) MOTION TO ADOPT MINUTES

A) Motion to Adopt Minutes for March 10, 2025

5) PUBLIC COMMENTS Citizens may address the Planning Commission; however, the Planning Commission may not be able to provide an immediate answer or response. Out of respect to the Commissioners and others in attendance, please limit your comment to three minutes. Please state your name and city of residence for the record.

6) PUBLIC HEARING

A) **ACTION 2026-04-06CPAMD:** Request to annex tax lot 802 on map 18S47E11BC and rezone it from Urban Growth Area Commercial Zone (UGA-C) to City General Commercial Zone (C-2) and also annex tax lot 700 on map 18S47E11BC and rezone it from Urban Growth Area Residential Zone (UGA-C) to City General Commercial Zone (C-2).

7) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

8) ADJOURN



PLANNING COMMISSION MEETING MINUTES
Monday, March 10, 2025
6:00 pm

The Ontario Planning Commission was called to order at 6:00 pm in the Council Chambers of City Hall. Commission members present were: Blu Fortner, James Grissett, Tyler Whitaker, and William Ecret. Chairman John Breidenbach and Max Twombly were excused. Chairman Al Christiani was absent.

City Staff present were: Dan Cummings, City Manager; Jennifer Braden, P&Z Technician; Kellie Schmidt, City Finance Department, and Tatiana Burgess, Planning & Zoning Director. Susann Mills, Ex-Officio, was present.

The meeting was recorded on tape and the tape was on file at the City Community Development Center. The Agenda for this meeting was emailed on or before March 3, 2025. Copies of the Agenda were available at the City Community Development Center.

Vice Chairman Fortner led everyone in the Pledge of Allegiance.

ADOPTION OF AGENDA

William Ecret moved, seconded by Tyler Whitaker, to adopt the Agenda as presented. Roll call vote: Fortner-yes; Grissett-yes; Whitaker-yes; Ecret-yes. Motion carried 4/3/0.

ADOPTION OF MINUTES FROM FEBRUARY 10, 2025, MEETING

Tyler Whitaker moved, seconded by William Ecret, to adopt the minutes from February 10, 2025, as presented. Roll call vote: Fortner-yes; Grissett-yes; Whitaker-yes; Ecret-yes. Motion carried 4/3/0.

There were no unscheduled public appearances.

CONTINUED SHORT-TERM RENTAL ORDINANCE

Vice Chairman Fortner opened the Public Hearing.

There were no objections to Planning Commission jurisdiction, no abstentions or ex-parte contact, or conflict of interest declarations.

City Manager Dan Cummings informed the Planning Commissioners that the changes requested at the February 10th, 2025, Planning Commission hearing had been made, and that the completed Short-Term Rental Ordinance was now being presented for their decision to recommend the ordinance to City Council for approval.

Vice Chairman Fortner opened the Public Hearing.

Ms. Burgess presented the staff report.

Ms. Burgess read the following letter into the record. It was received by her on March 9, 2025 and was addressed to her as the City Planner:

“RE: Adopt Ordinance #2837-2025 (Exhibit A) to amend Ontario Municipal Code, Title 10A, by setting standards for property owners to regulate the operation of short-term rentals within the referenced zones in the City limits .

Dear Commission Members:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

Both HLA and FHCO commend the City and support the adoption of 1/2/2025. Planning staff created a detailed staff report with Goal 10 findings that made a compelling case that this ordinance will help the City meet its housing needs. This will be used as a good example for other jurisdictions.

Thank you for your consideration of our comments.

Sincerely, John Miller, Executive Director, Fair Housing”

Vice Chairman Fortner opened the floor for discussion.

There were no proponents or opponents present or attending via Zoom.

Mr. Clark presented testimony (neither proponent nor opponent):

“Nathan Clark, Ontario Oregon. I want to say something about me. Before moving here, I spent nearly 20 years as an engineer for safety oversight for automotive shop equipment, which is a pretty high-risk thing. Before that I was a police officer in the great state of Oregon, and before that I served in the military, so I’m not new to rules and regulations nor do I have an aversion towards them. That is why, I have six bullet points I’d like to go over, just as kind of a reference to be taken as you will, in no particular order of importance. To start with, Ontario only has a handful of short-term rentals, so adopting regulations designed for like, high tourism areas is a little bit disproportionate in my opinion. So I think the ordinances we adopt should reflect the life we live, and I don’t think that, no matter how well the City is planning, we probably will not become a tourist destination and end up with a city with dozens and dozens of AirBNB’s. I don’t think we could even imaginarily project that. Secondly, when regulations become so burdensome that they negate the economic value of the property owner, it can be conveyed as “regulatory tanking”, which is protected under the 5th Amendment, of course, as seen in [Penn and Central Transport?] vs City of New York. Basically, what I’m saying is that imposing heavy regulations on us citizens who are really just leveraging our own assets to provide an income for our families can be seen as too far of an overreach and I could see this can have the potential to do that, so I felt it my duty to say something. Before passing really stringent laws it might be wise to consider that less restrictive measures could be taken instead of just of a “boilerplate”, “across the board” sense. Thirdly, this has to do with zoning, local regulations are due to have a legitimate purpose. The village of ...(unintelligible), Amber Realty Company, 1926, allows zoning to make regulations but it can’t be arbitrary and it must be fair. So, an overly stringent ordinance that focus on a particular group can be seen as arbitrary or risk-taking by the City who is adopting the ordinance. (unintelligible) That is to say, is that if there isn’t an apparent or an evident risk of the short-term rentals here or the short term, the short number of short-term rentals, that there hasn’t been significant harm, the City could be exceeding that limitation by adopting very stringent rules, shall we say. This one has to do with basically fairness. I know everybody doesn’t like hearing this ...(unintelligible) however, from everything we’ve read, we’ve had these meetings, we’ve definitely had

enough of these meetings, in my opinion, but, the short-term rental owners will be subject to TOT tax. I'm absolutely a proponent for that, it makes sense and it is fair, however, I do read into more that these short-term rental owners shouldn't probably be subjected to more scrutiny than, say, your hotels or anything else in the area. As an example, more specifically, mandatory inspections and external license posting, which is not something that is extended to anybody else but this key group. Again, that just goes towards balanced regulations, to not necessarily burden us property owners. Another issue that I do see in the ordinance is keyed toward our Fourth Amendment actually and it is the kind of blanket inspection consent where the City can't really be considered to have the perpetual right to inspect a property without probable cause of a violation of something. I really strongly suggest that we do consider that as a potential infringement upon our rights, inside of our homes. And my sixth point is more of a recommendation, a couple of them. I would like to be part of the solution, because being a part of the problem is a poor man's ...(unintelligible) a fool. But, maybe if we could focus more on safety, you know, this ordinance could be focused more on safety issues instead of control and power and extreme regulatory issues in such a small community that has such a limited number. Things like smoke alarms, emergency contacts, stuff I don't think anybody would have a problem with. And secondly, I would even donate my own time if need be, but perhaps this is the opportunity for the City to have a partnership with these short-term rental owners, or maybe there is short-term rental advocacy groups that maybe they could be involved to set guidelines that are proportionate and not over-stepping. The third piece to this one is actually directly pertaining to me because I do have an AirBNB, I no longer do, we did shut it down voluntarily, but it is what kicked off a lot of these meetings. It is a small treehouse. I would say that maybe in situations where you have structures, either antique or unique, instead of throwing the baby away with the bath water, so to speak, because this is a massive market not just in our country in others, these what are called unique stays in short-term rentals, perhaps we could consider some sort of a non-conforming structure permits or variance procedures to allow some of these to be used in our area, which of course could open up more tourism. Because, at the end of the day, all of these AirBNB's, the few that there are, these people are coming in, many times they're coming in because traditional lodging isn't going to give them, or afford them, what they need. For instance, we have someone staying with us that is working on the prison, they're redoing the generators up there and they have a utility trailer. Of course, we have off-street parking at our AirBNB so, that's not something, if you were traveling into Ontario, Oregon, you didn't know the area, you probably wouldn't want your equipment trailer sitting in a hotel parking lot, next to the highway. So, a lot of people like the comfort of being able to go to an AirBNB to be able to make.... this person is staying for nearly a month-to be able to cook meals, stuff that is not really afforded in a hotel. So, my closing statement is just a brief of what I said, but Ontario is not a high-density tourism, with only a handful of short-term rentals, adopting stringent rules designed for larger cities does seem disproportionate, potentially infringing on our Fifth [sic] Amendment rights. Unduly burdening our legitimate use of property and limiting the ability to supplement our income could be upheld as similar to the village of [Eucalid?], but also require regulations to be rational not arbitrary, and protect the property owner's legitimate investment ... (unintelligible)...and expectations. We urge the Council to adopt a balanced approach that ensures public safety while respecting local families' property rights. I couldn't remember all that so I had to read it. Again, I'm not an opponent, I'm not strictly a proponent, I believe in structure, very much believe in structure, but I also believe that having structure for the sake of structure is not necessarily the right way to go about it. I think there is a happy medium here somewhere, that's why I show up to these."

Vice Chairman Fortner noted that no one is requiring short-term rental owners to run a business in a residential property, and as such, running a business in a residential property inherently brought in requirements for safety of renters and first responders. Vice Chairman Fortner stated he did not see any portion of the draft ordinance that was burdensome, and that the Planning Commission had been working to make it less burdensome.

Mr. Clark agreed and stated that he appreciated the openness of the Commission in working through this matter and stated that his comments had been made at this meeting to highlight potential issues that should be addressed, especially since short-term rentals were private homes and private property.

Chairman Grissett commented on the unique build of Mr. Clark's treehouse residence. He commented that safety was very important in such structures, and noted that the fire department and building department wanted to have basic safety. He noted that not every private home had, for instance, smoke detector inspections but all new homes were required to have them when built. He noted that egress on windows was required in new homes, and that he would want to see similar safety features in a unique listing like Mr. Clark's treehouse. He asked Mr. Clark what was not up to code or was unsafe in his treehouse.

Mr. Clark responded that he had voluntarily met with the Building Official to get information about what would be required to rent the property. He noted there were safety protocols in place (window and a fire ladder). He noted that the steps going up didn't meet current Code for steps, and the ceilings were too low. He said that he was not required to shut down the AirBNB but did so voluntarily. He noted that such unique listings might be good candidates for variances to some of the Codes or requirements.

Vice Chairman Fortner asked Mr. Cummings or Ms. Burgess to speak to that issue specifically.

Mr. Cummings responded and said that the building codes that were being discussed were State codes, not City, and the City didn't have the authority to override them. He would recommend that owners of unique listing properties work with the Building Official and the State Building Code division to pursue potential variances.

(Response from Mr. Clark that was muffled/unintelligible.)

Mr. Cummings encouraged Mr. Clark to keep working with the City Building Official regarding his unique listing.

Vice Chairman Fortner commented that they would all really like to work with Mr. Clark and see his listing be approved.

Vice Chairman Fortner asked the online attendee if they had any comment to make.

Janelle Eden (from Ontario, Oregon) attended via Zoom and provided comment.

Ms. Eden commented that she had not prepared a statement but wanted to add a comment that she had been and AirBNB host for three years. She did not feel Ontario would see a flood of customers who would need an AirBNB and felt that the AirBNB market might already be at saturation. She said her personal goal in renting an AirBNB was for her guests to have a wonderful rental experience and for there to be little to no impact on the neighborhood. She noted that she didn't have a thorough knowledge of the proposed ordinance but shared that her experience as an AirBNB owner had been very positive. She noted that AirBNB served a category of people who preferred not to stay in hotels. She stated she looked forward to working with the City, not against it.

Vice Chairman Fortner asked if Ms. Eden had read through the ordinance and if so, had she found anything that would conflict with her business.

Ms. Eden responded she had not read it thoroughly and could not provide a specific response to Mr. Fortner's question.

Vice Chairman Fortner said the next step would be present the Short-Term Rental Ordinance to the City Council for their approval and that the public would have another opportunity to make comments at that time.

Mr. Cummings shared with Ms. Eden that one of the main functions of the ordinance would be to bring short-term rentals that operated in single family zones (RS-50) into compliance with the City zone codes.

No other public comment.

Vice Chairman Fortner closed the public comment portion of the hearing.

Ms. Burgess added some additional comments. She shared that in her research for this topic, she had come across many highly positive reviews for current Airbnb's operating in Ontario. She also expressed thanks to Mr. Clark for being willing to get involved in the process and for working with the Building Department regarding his listing. She reiterated that the short-term rental guidelines were dictated by the State Building code, and stated that she hoped to find a path forward that would benefit short-term rental owners. She reminded the Commission that ordinance followed land use laws for property, and State Building Codes for the dwellings.

Ms. Burgess also noted that she had found eleven listings when doing her research and felt that establishing the ordinance now would help the City to manage the properties currently in operation and any future growth of the short-term rental industry in Ontario.

Ms. Burgess also responded to Mr. Clark's comment about the City potentially infringing on private property rights. She explained that the inspection required for licensing the short-term rental only applied to areas that were being designated and rented for the short-term rental. No other portion of the home or property would be subject to inspection. Additionally, she explained that inspections would only be required upon initial application approval and that subsequent license renewal would be mainly focused on life and safety and parking requirements.

Chairman Grisset asked Ms. Burgess for clarification on renting one-room studios as Airbnb's that did not have a defined bedroom space.

Ms. Burgess referred to ORS 90.262, which regulated rentals and included long-term rentals. According to the definition the space that was being used primarily for sleeping space must be at least 70 square feet and configured in a way that provided adequate fire egress. A studio would be allowed under those qualifications, and the owner would be required to denote the sleeping area of the studio when submitting for licensing.

Vice Chairman Fortner asked if those definitions allowed the living room of a studio to be counted as sleeping space.

Ms. Burgess confirmed that any bedroom/sleeping areas in an AirBNB would be defined and inspected according to the area the owner had designated on their floor plan at the time of the license application process.

APPROVAL OF SHORT-TERM RENTAL ORDINANCE – FINDINGS OF FACT

Will Ecret moved, seconded by James Grissett to adopt the Finding of Fact as presented. Roll call vote: Fortner-yes; Grissett-yes; Whitaker-yes; Ecret-yes. Motion carried 4/3/0.

APPROVAL OF ORDINANCE 2837-2025 TO AMEND TITLE 10A TO REGULATE SHORT-TERM RENTALS IN CITY LIMITES BE RECOMMENDED TO CITY COUNCIL

Will Ecret moved to approve the Short-term , seconded by James Grissett. Roll call vote: Fortner-yes; Grissett-yes; Whitaker-yes; Ecret-yes;. Motion carried 4/3/0.

Ms. Burgess commented that due to the short time between the March 10th Planning Commission and the subsequent City Council meeting on March 11th, the ordinance would be presented to the City Council on March 11th as an "information only" item. No Motion would be presented regarding the Short-Term Rental Ordinance on March 11th and the City Council would be asked to table the matter until the next Council meeting, to be held on March 25, 2025, at 6:00pm, in the City Council Chambers. She informed the Planning Commission that doing so would allow time for public notice of the Ordinance and allow for public comment to be made regarding the ordinance at that City Council meeting.

MOTION TO ADJOURN

Will Ecret moved, seconded by Tyler Whitaker, to adjourn. Roll call vote: Fortner-yes; Grissett-yes; Whitaker-yes; Ecret-yes;. Motion carried 4/3/0.

Blu Fortner
Vice Chairman

Attest: Jennifer Braden
Planning & Zoning Technician



**AGENDA REPORT
PUBLIC HEARING
May 11, 2026**

To: Planning Commission

FROM: Tatiana Burgess, Planning Director

SUBJECT: **ACTION 2026-04-06CPAMD: REQUEST TO ANNEX TAX LOT 802 ON MAP 18S47E11BC AND REZONE IT FROM URBAN GROWTH AREA COMMERCIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2) AND ALSO ANNEX TAX LOT 700 ON MAP 18S47E11BC AND REZONE IT FROM URBAN GROWTH AREA RESIDENTIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2).**

DATE: April 28, 2026

PROPOSED MOTION:

A. APPROVAL:

- 1. I MOVE THAT THE PLANNING COMMISSION APPROVE THE FINDING OF FACTS FOR THE ANNEXATION OF TAX LOT 802 ON MAP 18S47E11BC AND REZONING IT FROM UGA COMMERCIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2) AND ALSO, ANNEXATION OF TAX LOT 700 ON MAP 18S47E11BC AND REZONING IT FROM UGA RESIDENTIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2), AS SET FORTH IN ACTION 2026-04-06CPAMD BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH IN THIS REPORT.**
- 2. I MOVE THAT THE REQUEST FOR THE ANNEXATION OF TAX LOT 802 ON MAP 18S47E11BC AND REZONING IT FROM UGA COMMERCIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2) AND ALSO, ANNEXATION OF TAX LOT 700 ON MAP 18S47E11BC AND REZONING IT FROM UGA RESIDENTIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2) AS SET FORTH IN ACTION 2026-04-06CPAMD BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH IN THIS REPORT BE RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL**

B. DENIAL:

- 1. I MOVE THAT THE REQUEST FOR ANNEXATION OF TAX LOT 802 ON MAP 18S47E11BC AND REZONING IT FROM UGA COMMERCIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2) AND ALSO, ANNEXATION OF TAX LOT 700 ON MAP 18S47E11BC AND REZONING IT FROM UGA RESIDENTIAL ZONE (UGA-C) TO CITY GENERAL COMMERCIAL ZONE (C-2), AS SET FORTH IN ACTION 2026-04-06CPAMD BE**

RECOMMENDED FOR DENIAL TO THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH IN THIS REPORT.

SUMMARY:

The applicants and owners request that tax lot 802 on Assessor's Map 18S47E11BC be annexed into the City and rezoned from Urban Growth Commercial Zone (UGB-C) to City General Commercial Zone (O-C-2) and tax lot 700 on Assessor's Map 18S47E11BC be annexed into the City and rezoned from Urban Residential Zone (UGB-R) to City General Commercial (O-C-2).

BACKGROUND:

The subject parcels are 1.65 acres in total, more or less, and are the site of an old dwelling, as well as a small mini-storage facility. The sites face SE 5th Ave, along an unimproved road section.

CURRENT SITUATION:

The applicant intends to develop the site into a 20-space RV park with full utility hookups (water, sewer, electricity) at each space, a 500 sq.ft. office and laundry building, trash enclosure, privacy fencing, landscaping, and public improvements, including curb, gutter, sidewalk, fire hydrant, and stormwater swales along SE 5th Ave. All development must comply with applicable provisions of the OCC (City of Ontario Zoning Ordinance as set forth in the Ontario City Code), and the City of Ontario Comprehensive Plan. Generally, unless otherwise noted, if a request is found to be consistent with the Zoning Ordinance, it is considered to be consistent with the Comprehensive Plan and the planned development is an approved zoning under the comprehensive plan.

1. REZONE

Section 10B-20-30 REQUIRED FINDINGS, DECISION CRITERIA. In preparing findings to support a quasi-judicial zoning map amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required finding clearly does not apply to the current action:

1. The zoning map amendment is in conformance with statewide planning goals and guidelines.
2. The zoning map amendment is in conformity with the acknowledged comprehensive plan.
3. The applicant has demonstrated a mistake or error in the original zone designation, or the applicant has demonstrated a change in physical, social or market conditions generally affecting the area which make the proposed change appropriate.
4. A public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.
5. The property affected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.
6. The property affected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.
7. The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

Findings:

1. Explain how the proposed zoning map amendment is in conformance with statewide planning goals and guidelines.

The City of Ontario, Malheur County and the State of Oregon have all agreed upon the Comprehensive Plan and Map. Within that map, the proposed annexation will close the gap in the zoning map, and provide and eliminate an urban growth area, that is currently surrounded in its entirety by properties that had been previously annexed into the City.

The applicant chose to rezone the subject parcels, and assign the City's General Commercial (C-2) zone, to preserve long-term flexibility for multi-family residential developments or other expansive commercial uses. If the proposed annexation is approved, the subject parcel will increase the City's available inventory of commercially zoned land, enabling commercial activity and employment, as well as preserving the option of developing the properties for multi-family dwelling purposes.

2. Explain how the proposed zoning map amendment is in conformance with the Acknowledged Comprehensive Plan.

The property is within the City of Ontario UGA and the annexation and rezoning of the property is in compliance to the acknowledged Comprehensive Plan. The annexation will not render a net change on allowed uses. The property zone will change from the Commercial and Residential zone within the Urban Growth Area, to the General Commercial (C-2) Zone within the City limits. The C-2 zone designation will be compliant with the Goal 14: Urbanization, and will preserve the commercial/ mixed-use character of the subject parcels, as consistent with the commercial corridor along SE 5th Ave. Both the principal permitted and conditional uses will be expanded from the currently allowed uses.

3. As applicant, you must explain how there has been a mistake or error in the original zone designation or a change in physical, social or market conditions generally affecting the area, which makes this proposed zone change appropriate.

The applicant's requested zone change from a UGA Zone to a City Zone does not imply that there has been a mistake or an error in the original zone. In fact, this request for annexation and zone change only shows that the original zone designation of UGA zones was done with future thought of economic growth in mind. What has changed is the growth and development around the subject area. The proposed annexation will allow the applicant to connect the development into the City services, which will expand the City's infrastructure (Goal 14), available housing supply (Goal 10) and overall livability and economic development (Goal 9).

4. As applicant, you must show a public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.

The public will benefit by annexing and re-zoning these parcels into the city limits through increased tax revenue, increased development and increased infrastructure. The rezoning of the UGA zoned parcels to City General Commercial will allow for better use of the area, since the proposal is for a fully developed RV park. The RV Park will provide much-needed affordable temporary and workforce housing in an area with near-zero rental vacancies. The C-2 zoning designation also preserves future multi-family development options.

5. Explain how the property affected by the change, if approved, is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.

The minimum parcel size in the General Commercial (C-2) zone, once annexed in, is 3,000 sq. ft. The total proposed annexation area is 71,874 sq.ft., more or less. Should a residential development occur in a C-2 zone, it shall comply with the multi-family residential requirements, as outlined in Ontario Municipal Code 10A-29-07, which specifies that a minimum of 10 dwelling units is required. The annexation of the subject property will enable the applicant to meet the commercial zone site standards requirements, as well preserve the ability to meet the residential development requirements, as needed. A detailed site plan has been submitted by the applicant that demonstrates that all site development requirements can be met.

6. Explain how the property affected by the proposed change of zone is properly related to streets and other public facilities and with services adequate to meet the demands of the uses allowed in the new zone. This shall explain how this proposal will not absorb a disproportionate share of public facilities, utilities and general assets.

The parcel far exceeds the minimum parcel size and will be able to be developed into large developments as planned for in the comprehensive plan. The surrounding infrastructure is capable of handling traffic and expansion of services, for the proposed RV-park development. The properties have direct access to an existing right-of-way: SE 5th Ave. The developer will install at own cost: water service/meter, sewer connections, curb, gutter and sidewalk, fire hydrant, as well as onsite stormwater swales. As part of the UGA the property has been part of the City Transportation Master Plan, Water Master Plan, Waster Water Master Plan and the City Storm Water Master Plan and therefore has been approved to provide city services to this property.

7. Explain how the proposed change in zoning will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

The annexed properties will be in harmony with the surrounding developed properties and will not result in any adverse effects to the adjacent properties zoned the same. The proposed development will include privacy fencing and frontage landscaping, which will aid any potential noise, glare or lighting mitigation. The proposed development will also include paved surfaces and onsite stormwater retention swales, which will eliminate dust and vibration discharges. The principal permitted uses will be more expansive, and consistent with the General Commercial zone.

SUMMARY CONCLUSIONS: Based on the findings above: The City of Ontario Municipal Code Implements policies contained in the City of Ontario Comprehensive Plan conform to the Statewide Planning Goals; generally, if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. As this proposal meets the criteria in the above section, this proposal is consistent with Statewide Planning Goals.

CRITERION IS MET

- a. The findings 2 above show that the request is within goals and conformance of the Acknowledged Comprehensive plan. Therefore, this proposal has demonstrated itself to be consistent with the Comprehensive Plan. **CRITERION IS MET**
- b. The information in finding 3, indicates that there has been no mistake and the request is consistent with the Comprehensive Plan. Therefore, there is no mistake, and the request follows the comprehensive plan and approved zoning and demonstrates that this criterion is met. **CRITERION IS MET**
- c. As noted in finding 4, rezoning from the UGA zones to City zones would not be considered as the granting of a special privilege for a single property as it is providing for the same zoning as the comprehensive plan. **CRITERION IS MET**
- d. As noted in the findings 5, the subject property size is adequate to demonstrate consistency with this criterion. **CRITERION IS MET**
- e. As noted in the finding 6 above, the properties are properly related to streets and public facilities within the public streets and the existing uses and services demonstrate that uses allowed in the proposed zone are provided. **CRITERION IS MET**
- f. In the finding 7 above, that while the impact on surrounding properties will be low, with the proposed change in zoning, compliance with present City of Ontario ordinances will be essential in eliminating these issues. The permitted uses will remain the same and be subject to change due to the annexation.

CRITERION IS MET

FINAL CONCLUSION: ALL CRITERIA ARE MET

2. ANNEXATION

1. 10B-45-10 INITIATION OF ACTION. When a person, authorized by statute, wishes to extend the city's boundaries, an application on forms supplied by the city shall be filed with the Planning Director and which include: annexation consent forms, by the property owners, and by tenants if required by law or court decision; request for a change in zoning map designation, or plan change if required; request for other quasi-judicial action if required; fees, and other exhibits and requirements for a quasi- judicial action as set forth in this Title. All land use actions associated with the annexation shall be consolidated, as feasible, and one fee paid.

2. Oregon Revised Statute 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Findings:

1. The applicant has paid the fees and provided the proper application with signatures.
2. The property is annexable because it lies inside the Urban Growth Boundary and is contiguous with the current city limits.
3. The property currently has three different UGA zones in the Urban Growth Area and the companion requested City zones are consistent with contiguous property.
4. Findings from preceding sections of this report are herein included by this reference. A change to the comprehensive plan map or text is not necessary to annex the property; however, the annexation of the property must be consistent with all applicable Comprehensive Plan Policies.
5. Annexation would benefit the city by increasing tax revenue, and by providing more potentially developable residential land.

FINAL CONCLUSION: All criteria and standards applicable to a request for annexation have been met. The property may be annexed.

SUMMARY CONCLUSIONS AND PLANNING COMMISSION DECISION

A request for the annexation and rezoning of property may be recommended for approval or denial by the Planning Commission to the City Council if all applicable decision criteria and standards are found met, or able to be met through appropriate conditions of approval. In this case, findings must be made by the Planning Commission that the specific criteria are either met, able to be met through conditions of approval, or not met; options and discussion are provided under “**Findings:**” and “**Conclusion:**” for each criterion. All the criteria and standards must be met in order for the request to be recommended for approval.

ANALYSIS:

- A. **STRATEGIC PLAN** This project falls under the Growth goal of the City Council's strategic plan; specifically allowing for annexation of land to add growth and more tax base. It allows for the development of the property.
- B. **FINANCIAL** The requested annexation will add to the City tax base.
- C. **TIMING** The rezoning of this property is needed in a timely manner to allow for the proposed development, as a response to the identified temporary housing need.
- D. **POLICY/LEGAL** The proposed development must comply with applicable provisions of the OCC (City of Ontario Zoning Ordinance as set forth in the Ontario City Code), and the City of Ontario Comprehensive Plan. Generally, unless otherwise noted, if a request is found to be consistent with the Zoning Ordinance, it is consistent with the Comprehensive Plan. A rezone must be made by an Ordinance and the City Council is the Final Authority for approving a City Ordinance.

ALTERNATIVES:

The Planning Commission could table the action until a time certain if more information is needed to make a decision.

RECOMMENDATION:

Staff recommends that the Planning Commission approve and adopt the findings of facts and send a recommendation to the City Council to approve the annexation and rezone from Urban Growth Area Commercial and Residential zones to City General Commercial zone of the subject properties as per the report.

ATTACHMENTS:

1. Attachment 1 - Annexation Area Legal Description
2. Attachment 2 - Annexation Area Boundary Map
3. Attachment 3 - Parcels Before Rezone
4. Attachment 4 - Parcels After Rezone
5. Attachment 5 - Preliminary Layout
6. Annexation & Rezoning Zoning Application

Attachment "1"

Annexation Boundary Description

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 47 E., W.M.:

Sec. 11: A parcel of land in N1/2 NW1/4 SW1/4 NW1/4 described as follows:

The East 100 feet of the following parcel of land:

Beginning at the Northwest corner of said N1/2 NW1/4 SW1/4 NW1/4;

Thence East, coincident with the North boundary thereof, 396 feet;

Thence South 330 feet, more or less, to the South boundary of said N1/2 NW1/4 SW1/4 NW1/4;

Thence West, coincident with the said South boundary, 396 feet;

Thence North, coincident with the West boundary thereof, 330 feet, more or less, to the Point of Beginning.

SUBJECT to road right of way along the North.

ALSO, a parcel of land in the S1/2 NW1/4 SW1/4 NW1/4 described as follows:

Commencing at the Northwest corner of said S1/2 NW1/4 SW1/4 NW1/4;

Thence S. 89 degrees 57' 41" E., coincident with the North boundary thereof, 296.61 feet to the Point of Beginning;

Thence S. 89 degrees 57' 41" E., coincident with the North boundary thereof, 100 feet;

Thence S. 00 degrees 11' 47" E., 12.10 feet;

Thence N. 89 degrees 57' 41" W., 100 feet;

Thence N. 00 degrees 11' 47" W., 12.10 feet to the Point of Beginning.

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 47 E., W.M.:

Sec. 11: A parcel of land in the SW1/4 NW1/4 described as follows:

Beginning at a point 396 feet East of the Northwest corner of the said SW1/4 NW1/4;

Thence South 330 feet;

Thence East 132 feet;

Thence North 330 feet;

Thence West 132 feet to the Point of Beginning.

SUBJECT to road right of way along the North.

Said Annexation Parcel contains 1.65 acres more or less.

- End of Description -

Attachment "2"

Annexation Boundary Map

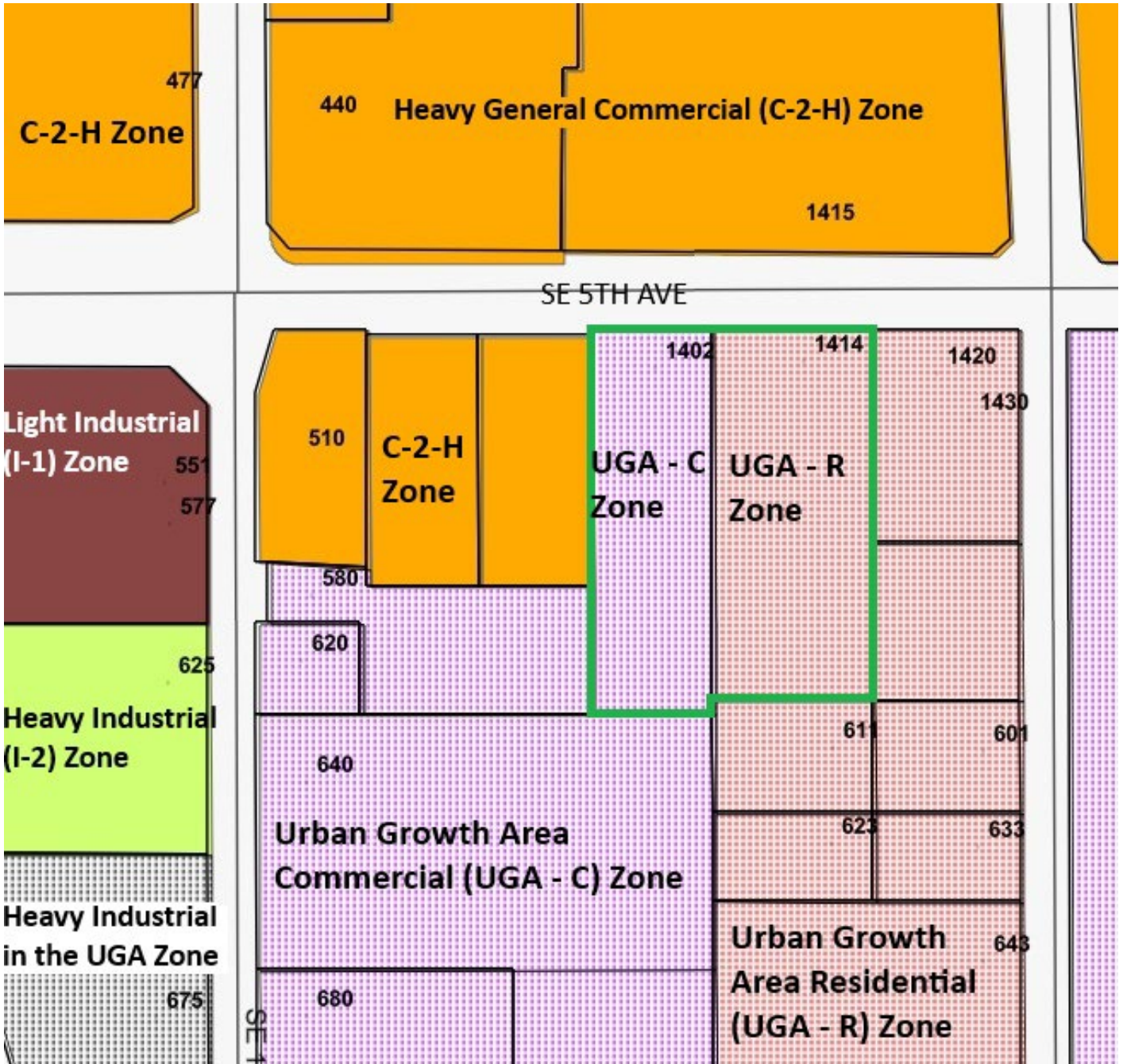


S.W. 1/4 N.W. 1/4 SEC. 11 T.18S. R.47E. W.M.
 MALHEUR COUNTY
 1" = 100'

SEE MAP 18S 47E 11B

Attachment "3"

Parcels Before Rezone



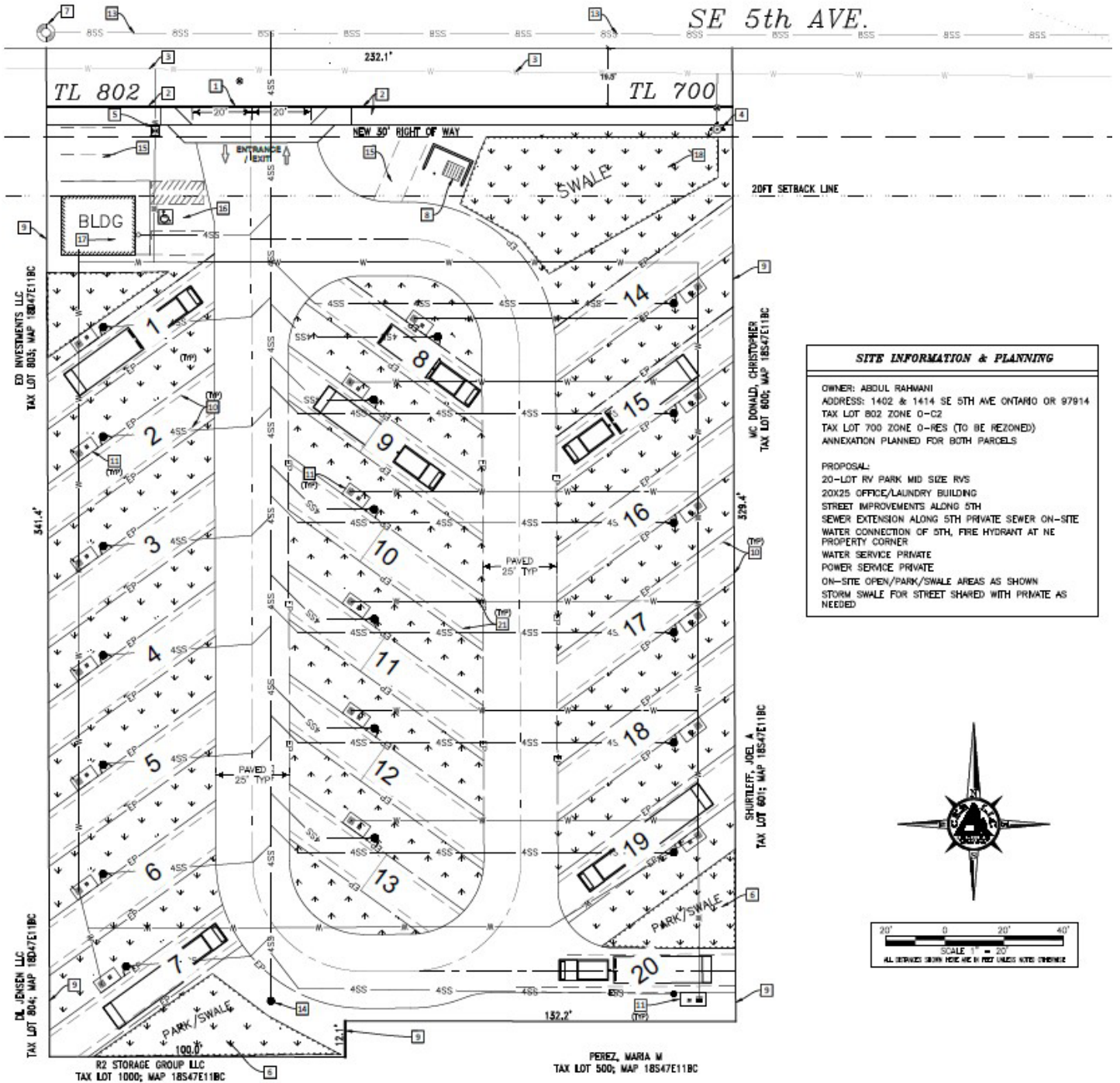
Attachment "4"

Parcels After Rezone

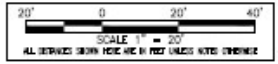


Attachment "5"

Preliminary Layout



| SITE INFORMATION & PLANNING | |
|---|--|
| OWNER: ABOLU RAHMANI | |
| ADDRESS: 1402 & 1414 SE 5TH AVE ONTARIO OR 97914 | |
| TAX LOT 802 ZONE O-C2 | |
| TAX LOT 700 ZONE O-RES (TO BE REZONED) | |
| ANNEXATION PLANNED FOR BOTH PARCELS | |
| PROPOSAL: | |
| 20-LOT RV PARK MID SIZE RVS | |
| 20X25 OFFICE/LAUNDRY BUILDING | |
| STREET IMPROVEMENTS ALONG 5TH | |
| SEWER EXTENSION ALONG 5TH PRIVATE SEWER ON-SITE | |
| WATER CONNECTION OF 5TH, FIRE HYDRANT AT NE PROPERTY CORNER | |
| WATER SERVICE PRIVATE | |
| POWER SERVICE PRIVATE | |
| ON-SITE OPEN/PARK/SWALE AREAS AS SHOWN | |
| STORM SWALE FOR STREET SHARED WITH PRIMATE AS NEEDED | |



City of Ontario Planning and Zoning Application Form

444 SW 4th Street, Ontario, OR 97914

Permit Center Annex: 458 SW 3rd Street

Voice (541) 881-3222 / (541) 881-3224

Fax (541) 881-3251



ANNEXATION & REZONE APPLICATION

FILE # _____

Date Received _____

Fee: \$421.00 + \$260 + \$107 = \$788.00

(Mailing & Advertising \$260.00)

(Base Ordinance recording fee \$107.00)

Fee: PLUS 2 cents per square foot

Time Received _____

PDAC Date: March 4, 2026

Accepted as Complete _____

Applicant(s) – attach additional sheets as necessary

Name Sulaiman Rahmani

Address 512 Skyline Drive

San Ramon, Ca 94583

Telephone (925) 768-5000

email salrahmani@gmail.com

signature 

Property Owner(s) – attach additional sheets as necessary

Abdul H Rahmani

4312 Cowell Rd

Concord, Ca 94518

(925) 708-7699

abdul8844@yahoo.com

signature 

Description of proposed action: Annex and rezone two adjacent parcels (Tax Lots 700 & 802, Tax Map 18S47E11BC) into the City of Ontario. Rezone both parcels to C-2 General Commercial. Currently in UGA under Malheur County jurisdiction. TL 802 is county commercial; TL 700 is county residential. C-2 recommended by City Planning Director at PDAC meeting 3/4/26 to allow broad commercial use including proposed 20-space RV park with office/laundry building, and future multi-family residential. See attached Feasibility Study for full justification.

If the application includes any site plans or other drawings, please submit electronic copies in pdf format

OFFICE USE ONLY

120 day time limit
DLCD 45-day notice required
Notice of PC Hearing
Notice to media
Hearing dates
Notice of Decision
Associated applications

Accepted as complete _____
Y/N _____ Date mailed _____
Date mailed _____
Publication date _____
PC _____
Date mailed _____

Final decision by _____
Date of first hearing _____
Posted on site _____
Emailed _____
CC _____
Appeal deadline _____

ANNEXATION & REZONE JUSTIFICATION

THE FOLLOWING INFORMATION MUST BE COMPLETED IN FULL. AN APPLICATION WILL NOT BE ACCEPTED FOR A ZONE CHANGE REQUEST WITHOUT THIS INFORMATION

THE CITY WILL USE THESE ANSWERS IN ITS ANALYSIS OF THE MERITS OF THE APPLICATION

PLEASE PRINT CLEARLY OR TYPE

A. DESCRIPTION OF PROPERTY:

Township 18 S Range 47 E Section 11, Willamette Meridian

Tax Lot # 700 and 802

Lot Size 1.65 acres (71,874 SF total) Current Zoning Residential (TL 700) / Commercial (TL 802)
(ACRES OR SQUARE FEET)

Property Address 1402 and 1414 SE 5th Avenue, Ontario, OR 97914

Name of Subdivision N/A – unplatted metes and bounds parcels

EXISTING RECORDED EASEMENTS:

Purpose & Description: Road ROW along North (SE 5th Ave); Water Right Agreement 1896

Book & Page No. Book 1, Page 66 Inst. # Leases & Agreements

EXISTING DEED RESTRICTIONS:

Purpose & Description: None identified per Preliminary Title Report (File No. 151561AM)

Book & Page No. N/A Inst. # N/A

B. SPECIFICATION OF REQUEST

Zone Requested C-2 General Commercial (for both Tax Lots 700 and 802)

Intended use under new zone (Explain in detail, including all operational characteristics, use extra

sheets.) 20-space RV park with full utility hookups (water, sewer, electric) at each space, a 500 SF office/registration

and laundry building, trash enclosure, privacy fencing, landscaping, and public improvements including curb, gutter,

sidewalk, fire hydrant, and stormwater swales along SE 5th Avenue. C-2 zoning requested per City Planning Director's

recommendation to preserve long-term flexibility for multi-family residential or other commercial uses. Engineering by

CK3, LLC, Ontario, OR. See attached Feasibility Study and CK3 site plan for complete details.

C. JUSTIFICATION

PROPOSED FINDINGS

In preparing findings of fact to support a Zoning Map Amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required finding clearly does not apply to the current proposal.

Explain in detail, using extra sheets as needed, how the proposed zone change complies with the following required findings:

1. Explain how the proposed zoning map amendment is in conformance with statewide planning goals and guidelines.

The rezoning conforms with Oregon Statewide Planning Goals 1 (Citizen Involvement – applicant participated in PDAC process and will participate in public hearings), Goal 2 (Land Use Planning – action is consistent with the acknowledged Comprehensive Plan’s UGA designation), Goal 9 (Economic Development – C-2 enables commercial activity and employment), Goal 10 (Housing – C-2 permits multi-family residential, addressing Oregon’s documented 500,000-unit housing deficit), and Goal 14 (Urbanization – annexation of UGA land with available infrastructure represents orderly, efficient urban growth). See Feasibility Study, Section F.1 for detailed analysis.

2. Explain how the proposed zoning map amendment is in conformance with the Acknowledged Comprehensive Plan.

The property is within the City’s designated Urban Growth Area (UGA). The UGA designation under the Comprehensive Plan anticipates urbanization and annexation of these parcels. The City Planning Director confirmed at the March 4, 2026 PDAC meeting that C-2 General Commercial is there recommended zoning for both parcels. No Comprehensive Plan amendment is required. The C-2 zone is consistent with the commercial/mixed-use character of the SE 5th Avenue corridor.

3. As applicant, you must explain how there has been a mistake or error in the original zone designation or a change in physical, social or market conditions generally affecting the area, which makes this proposed zone change appropriate.

Significant changes in market and social conditions have occurred since the original residential zoning: (a) Oregon now faces a deficit of ~500,000 housing units over the next 20 years, with only 13,000 permits issued in 2024 against a state target of 36,000/year; (b) Idaho’s population surpassed 2M in 2024, growing 7% since 2020, with housing demand spilling into Malheur County; (c) Malheur County median home prices rose 5% even as sales declined, indicating supply constraints; (d) Ontario’s role as the commercial hub for the OR-ID border region has intensified; (e) adjacent properties along SE 5th Ave are in commercial/industrial use, making residential zoning inconsistent with the area’s character.

3. As applicant, you must show a public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.

There is a clear public need for additional commercial and housing-flexible land in Ontario. Oregon's Housing Needs Analysis documents an acute statewide shortage. The Governor declared a housing emergency. The RV park will provide affordable temporary and workforce housing in an area with near-zero rental vacancy. C-2 zoning preserves future multi-family development. This is not a special privilege – it responds to documented regional needs, and City staff recommended this classification.

5. Explain how the property affected by the change, if approved, is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.

The combined 1.65-acre site (71,874 SF) is adequate for C-2 development. TL 802 has ~232' of frontage on SE 5th Ave; TL 700 adds ~305' of depth. Parcels are regular in shape with sufficient area to meet all C-2 setbacks (0' front/back, 7' sides). The CK3 site plan demonstrates 20 RV spaces, office/laundry building, roadway, parking, landscaping, and stormwater all fit within the site.

6. Explain how the property affected by the proposed change of zone is properly related to streets and other public facilities and with services adequate to meet the demands of the uses allowed in the new zone. This shall explain how this proposal will not absorb a disproportionate share of public facilities, utilities and general assets.

The property fronts SE 5th Ave (paved, two-lane) with direct access. City water mains exist along SE 5th Ave. City sewer is extending to Thrifty Way with a stub-out available. The developer will install at own cost: water service/meter, sewer connection/manhole, curb/gutter/sidewalk, fire hydrant, stormwater swales, and ADA driveway approach. SDC transportation fees (\$8,500+) will be paid. The development will not absorb a disproportionate share of public facilities – it expands them.

7. Explain how the proposed change in zoning will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

The proposed C-2 zoning and RV park use will not create adverse impacts. The development includes: privacy fencing along the boundary, landscaping along frontage (6% of lot, 65% green/growing), on-site stormwater retention, proper sewer connections, and "no parking" signage per Fire Dept. requirements. The vacant parcels will be improved with paved surfaces, utilities, and maintained grounds. RV parks generate minimal traffic compared to retail or restaurant uses permitted under C-2.

10B-45-05 PURPOSE AND AUTHORITY. Annexations shall be processed according to the provisions of the Oregon Revised Statutes, The Comprehensive Plan and provisions of this Title. The inclusion of land within the urban growth boundaries as shown on the comprehensive plan shall be evidence of the annexability of the land if other statutory criteria are met, and therefore no land hearing on the subject of annexability need be held.

10B-45-10 INITIATION OF ACTION. When a person, authorized by statute, wishes to extend the city's boundaries, an application on forms supplied by the city shall be filed with the Planning Director and which include: annexation consent forms, by the property owners, and by tenants if required by law or court decision; request for a change in zoning map designation, or plan change if required; request for other quasi-judicial action if required; fees, and other exhibits and requirements for a quasi-judicial action as set forth in this Title. All land use actions associated with the annexation shall be consolidated, as feasible, and one fee paid.

10B-45-15 HEARING DATE, NOTICE, DECISION. When the Planning Director receives a complete petition for annexation, he/she shall determine if annexation is in harmony with the comprehensive plan and if the accompanying documents are in compliance with the statutes. If the petition is in compliance with the plan and statutes, the Planning Director shall transmit the annexation question to the City Council for preparation of an ordinance and advertising of a public hearing.

The Planning Director shall advertise a public hearing on the quasi-judicial change of the zoning map as specified in Title 10A and 10B. If the requested zoning change requires a legislative plan change, the Planning Director shall set hearing dates and advise D.L.C.D. as set forth in this Title for legislative plan changes. Each constituent action in a consolidated action shall be decided and subject to appeal according to the procedures set forth in this Title for each type of action.

10B-45-20 AGENCY COORDINATION. Within ten days after the effective date of the annexation proceedings, the City Recorder shall submit to the Oregon Secretary of State one copy of the annexation ordinance, a copy of the statement of consent of landowners in the territory annexed; a description of metes and bounds or legal subdivision, and a map depicting the new city limits. Similar exhibits shall also be sent to the Malheur County Assessor, Malheur County Clerk, Malheur County Planning Department, and the Center of Population Research and Census at Portland State University. The map of the new City limits shall be sent to all local utilities and to the Fire and Police Departments.

OMC 8-12-9: Charge Imposed. Annexation Charge. On any parcel of land annexed to the City after the effective date of this chapter, a two cent (\$.02) per square foot charge shall be imposed on the gross land area annexed at the time of annexation. (Ord. 2391)

Note:

Any property under consideration for annexation must also receive a City zone. If the applicant(s) and/or property owner(s) and City staff are in agreement over the new zone, the City will initiate a zone change application as part of the annexation. No other forms are required.

If the property owner requests a City zone that is other than that suggested by staff, or is not in conformance with the Comprehensive Plan, the applicant shall file a separate Rezone application, along with the requisite fee.

10B-05-15 BURDEN, CRITERIA OF PROOF.

1. The proponent of proposals shall have the burden of proving the justification of the request. The greater the impact of the request on an area, the greater is the burden upon the proponent.
2. The requested proposal must be supported by proof that it conforms to all applicable standards and criteria of the OMC. The Planning Official may require that proponents submit written evidence, facts and/or written findings substantiating such conformance, as part of the application.

CHAPTER 10B-20 QUASI-JUDICIAL ZONING MAP AMENDMENT

10B-20-05 PURPOSE, AUTHORITY. The quasi-judicial zoning map amendment procedures are designed and authorized to adjust zone boundaries and create new zoning classifications on the official zoning map within areas on the land use plan indicated for the uses allowed by the map change. Such changes shall be in conformity with the land use goals of the state. The decision of the Commission shall be the final decision of the City unless an appeal is filed as authorized by this Title.

10B-20-25 HEARING DECISION. The Commission shall hold a public hearing on the action and shall approve, deny, or modify the proposed zoning map amendment and shall make findings as appropriate to support the decision. The Planning Director shall notify the applicant of the decision of the Commission and notify any person appearing at the hearing in person, if they are not present when the final decision is rendered, or if the person has appeared in writing. During the hearing, persons appearing shall be advised that they must testify in favor of or in opposition to the action to gain standing to appeal the Commission's decision to the Council. Persons testifying shall be advised that they must address one or more of the criteria or required findings set forth in this Title for quasi-judicial zoning map amendment decisions in order to establish standing to appeal the final local decision to the Oregon Land Use Board of Appeals.

10B-20-30 REQUIRED FINDINGS, DECISION CRITERIA. In preparing findings to support a quasi-judicial zoning map amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required finding clearly does not apply to the current action:

1. The zoning map amendment is in conformance with statewide planning goals and guidelines.
2. The zoning map amendment is in conformity with the acknowledged comprehensive plan.
3. The applicant has demonstrated a mistake or error in the original zone designation or the applicant has demonstrated a change in physical, social or market conditions generally affecting the area which make the proposed change appropriate.
4. A public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.
5. The property affected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.
6. The property affected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.

The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

Note:

Annexation & Rezone applications are decided by the City Council. However, the application must first go to the Planning Commission for a recommendation on the new zone. Applicants should allow a minimum of two months for an application to be processed by the City; additional time may be necessary if the request involves a Comprehensive Plan change. An annexation is not a land use decision and is not appealable to LUBA.

SITE INFORMATION

STRUCTURES: Are any of the following structures present on the site? (If so, please specify number)

| | <i>Total</i> | <i>Occupied</i> | <i>Vacant</i> | <i>Persons</i> |
|---|--|-----------------|--------------------------|-------------------|
| Single Family Structures | <u>1</u> | <u>1</u> | <u>0</u> | <u>2</u> |
| Multifamily structures | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| Mobile homes | <u>1</u> | <u>1</u> | <u>0</u> | <u>1</u> |
| Total population of annexed area | <u>3</u> | | Date of population count | <u>March 2026</u> |
| Barn or other agricultural structure(s) | <u>None</u> | | | |
| Industrial Building(s) | <u>None</u> | | | |
| Commercial Building(s) | <u>Approximately 20 storage units (to be removed prior to development)</u> | | | |
| Accessory building(s) | <u>Minor structure / shed (to be removed prior to development)</u> | | | |
| Other | <u>None</u> | | | |

SERVICES

Water City of Ontario _____ Well x None _____

Sanitary Sewer City of Ontario _____ Septic x None _____

Fire City of Ontario _____ Ontario RFD x

Streets City of Ontario _____ Malheur County x

Does the property have frontage along or access to City of Ontario streets? No

Does the property have frontage along or access to Malheur County streets? Yes – SE 5th Avenue

Does the property have frontage along or access to ODOT roads/highways? No

LIVESTOCK

Please list the number and type of all livestock currently present on the property None

BUSINESSES

Are any businesses operating on the property? Yes — storage unit rentals (tenants being transitioned out in preparation for development. Total 20 units - 9 tenants transitioned out = 11 tenants remaining to be transitioned out).

CONFIDENTIAL

CENSUS INFORMATION

ADDRESS: 1402 & 1414 SE 57th Ave, Ontario, OR 97914

HOUSING TYPE

- Single Unit Structure
- Multiple Unit Structure
- Trailer or Mobile Home

TENURE

- Owner Occupied
- Renter Occupied
- Vacant
- Seasonal

RESIDENTS

| | Last Name | First Name | Sex | Age |
|------------|----------------|----------------|----------|----------------|
| Respondent | <u>Randell</u> | <u>Delbert</u> | <u>M</u> | <u>unknown</u> |
| 2. | <u>Silvan</u> | <u>Levin</u> | <u>M</u> | <u>unknown</u> |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |
| 7. | _____ | _____ | _____ | _____ |
| 8. | _____ | _____ | _____ | _____ |
| 9. | _____ | _____ | _____ | _____ |
| 10. | _____ | _____ | _____ | _____ |

Please attach additional sheets if necessary

Portland State University College of Urban and Public Affairs Center for Population Research and Census

503-725-3922

<http://www.pdx.edu/prc/>

ANNEXATION & REZONE


FILE # _____

Applicant is:

- The owner of the property
- The purchaser of the property under a duly executed written consent of the owner to make such application
- A lessee in possession of the property who has the written consent of the owner to make such authorization
- The agent of any of the above, who is duly authorized in writing by the principal

AUTHORIZATION:

I hereby consent that I am authorized to make the application for annexation & rezone and the statements within this application are true and correct to the best of my knowledge and belief. I verify that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by the City of Ontario may be revoked if it is determined that the authorization was issued on account of false statements or misrepresentation.




Signature of applicant

4/1/2026

Date

Signature of applicant

Date



Signature of property owner

4/3/26

Date

Signature of property owner

Date

Signature of property owner

Date

Incomplete applications, or insufficient information, may result in delay or denial of the application.

SUPPLEMENTAL INFORMATION TO SUBMIT WITH APPLICATIONS:

The following additional data may be required at the discretion of the Planning or Public works Official:

1. Any data required by OMC land development regulations.
2. Finished floor elevation related to curb, street, or other established grade or benchmark.
3. Drainage patterns. All lots shall show grading and drainage and finished grades or contours (clearly indicated).
4. The size and location of all existing and proposed public and private utilities, easements, or right of way.
5. The size, setback dimensions, and height of all proposed structures, and all existing structures to be retained on-site, and, the use of each structure. The locations may be indicated by construction site envelopes showing possible legal locations near the spot, building dimensions including height, and building separation.
6. Location, dimensions and names of adjacent streets and proposed internal streets, showing centerline radii and curb return radii.
7. The location and dimensions of existing and future sidewalks shall be shown.
8. The proposed layout of parking lots including the location and dimensions of parking spaces, curbed islands, internal planter strips, maneuvering aisles, and access driveways with indication of direction of travel.
9. The location of all signs, exterior lighting and fencing to be used to divide properties and to screen mechanical equipment and trash containers.
10. Existing physical features including drainage ways and structures with indication as to which are to be retained. Adjacent properties and their physical features within 50 feet of the property line shall be identified, including setback dimensions of adjacent structures.
11. The location of existing trees and scrubs and notation of which are to be retained on the property; location and dimensions of proposed landscaped areas; location and types of all proposed plant material and ground cover; location and type of irrigation systems; and, all other pertinent landscape features.
12. Location of all recreational amenities such as open play areas, swimming pools, tennis courts and recreational equipment.
13. Statement of maintenance responsibility for all improvements shown on the site plan.
14. Site data in tabular form including:
 - a. Total area of the property in square feet.
 - b. Building coverage in square feet and percent total.
 - c. Parking lot in square feet and percent total.
 - d. Landscaped area in parking lot in square feet.
 - e. All other landscaped areas in square feet.
 - f. Number of parking spaces provided.
 - g. Number of residential units if appropriate.
 - h. Existing and proposed gross floor area in square feet.

If the applicant is not the property owner, the Planning Official may require documentation of consent to represent the owner including:

- A. A description of the property and the specific action for which approval is sought
- B. Signature of owner
- C. Date of consent
- D. Party to whom consent is given
- E. Notarization of consent

If you are providing large or detailed plans, please provide electronic copies with your application or make arrangements to email them to staff.

Electronic copies of all written materials are appreciated if available.

SEPARATE AGREEMENT MAKING CONSENT IRREVOCABLE

NAME: Abdul H. Rahmani

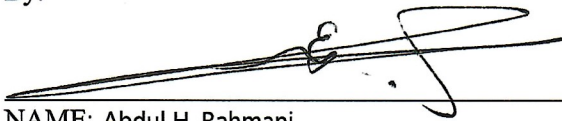
ADDRESS: 4312 Cowell Rd

ADDRESS: Concord, Ca 94518

On this day I (We) executed a consent to annexation for the City of Ontario, for the below described property. The one-year period for the validity of my consent under ORS 222.173 is hereby waived.

Description: See Exhibit "A" and Map Exhibit B.

By:



NAME: Abdul H. Rahmani

NAME:

STATE OF California)

) SS.

COUNTY OF Contra Costa)

The foregoing instrument was acknowledged before me this 02 day of April, 2026.

by Abdul H. Rahmani





Notary Public for the State of ~~Oregon~~ California
My Commission expires: 11/25/29

Filed in the office of:
City Recorder
Ontario City Hall
444 SW 4th Ave
Ontario, OR 97914

CONSENT TO ANNEXATION BY PROPERTY OWNER(S)

1. In accordance with ORS 222.170 it is hereby represented and stated that the undersigned is/are the owner(s) of either the legal and/or equitable title to the real property herein described.
2. The undersigned irrevocably consents to be annexed to the City of Ontario without an election being held within the territory to be annexed, at such future time as all legal requirements for annexation have otherwise been met and at the discretion of the City. This irrevocable consent to annexation is an instrument affecting the title and possession of the real property described herein.
3. All terms and conditions herein imposed shall run with the land and shall be binding upon and inure to the benefit of the successors in interest of owner. Upon any sale or division of the property as herein described the terms of this consent shall apply separately to each parcel and the owner of each parcel shall succeed to the obligations imposed on owner by this consent.
4. The below signatures on the original consent were filed in the office of the City Clerk in accordance with the State Statute. The undersigned parties are all the property owners within the lands referenced below.

Description: See Exhibit "A" and Map Exhibit B.

By: Abdul H. Rahmani
NAME OF COMPANY IF APPLIES

Abdul H. Rahmani
NAME:



NAME:

STATE OF California)
) SS.
COUNTY OF Contra Costa)

The foregoing instrument was acknowledged before me this 02 day of April, 2026
by Abdul H. Rahmani



Brandie Barnhart
Notary Public for the State of ~~Oregon~~ California
My Commission expires: 11/25/29

Exhibit "A"

LEGAL DESCRIPTION FOR THE CITY OF ONTARIO ANNEXATION

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 47 E., W.M.:

Sec. 11: A parcel of land in the N1/2 NW1/4 SW1/4 NW1/4 described as follows: The East 100 feet of the following parcel of land: Beginning at the Northwest corner of said N1/2 NW1/4 SW1/4 NW1/4; Thence East, coincident with the North boundary thereof, 396 feet; Thence South 330 feet, more or less, to the South boundary of said N1/2 NW1/4 SW1/4 NW1/4; Thence West, coincident with the said South boundary, 396 feet; Thence North, coincident with the West boundary thereof, 330 feet, more or less, to the Point of Beginning. SUBJECT to road right of way along the North.

ALSO, a parcel of land in the S1/2 NW1/4 SW1/4 NW1/4 described as follows: Commencing at the Northwest corner of said S1/2 NW1/4 SW1/4 NW1/4; Thence S. 89 degrees 57' 41" E., coincident with the North boundary thereof, 296.61 feet to the Point of Beginning; Thence S. 89 degrees 57' 41" E., coincident with the North boundary thereof, 100 feet; Thence S. 00 degrees 11' 47" E., 12.10 feet; Thence N. 89 degrees 57' 41" W., 100 feet; Thence N. 00 degrees 11' 47" W., 12.10 feet to the Point of Beginning.

Land in Malheur County, Oregon, as follows: Sec. 11: A parcel of land in the SW1/4 NW1/4 described as follows: Beginning at a point 396 feet East of the Northwest corner of the said SW1/4 NW1/4; Thence South 330 feet; Thence East 132 feet; Thence North 330 feet; Thence West 132 feet to the Point of Beginning. SUBJECT to road right of way along the North.

Map/Tax Acct #(s): 18S4711BC 802 and 18S4711BC 700
Source: Statutory Warranty Deed, Recording No. 2017-0308, Malheur County, Oregon

END OF DESCRIPTION

Exhibit "B"
Map of Property

See attached:

1. Title report plat map showing Tax Lots 700 and 802 with dimensions and acreages
2. Satellite image with property boundaries outlined in yellow
3. CK3, LLC preliminary site plan (Drawing EX1.0)