



SUPPLEMENTAL APPLICATION
Multiple Dwelling Land Division (TBR and AG/F Zoned Land)
(August 2018)

APPLICANT INFORMATION:

Name _____ File # _____ Date _____

What is a multiple forest dwelling lot division?

ORS 215.780 allows a lot division to separate parcels that have multiple legally established nonconforming single-family residential dwellings within the Forest (TBR) zone, Subsection 406.09(B) or Agricultural/Forest (AG/F) zone, Subsection 406.09(B) by reference. A Multiple Dwelling Lot Division is a type of land use application which may only be approved if the parcel and existing dwellings meet the specific approval criteria. This provision shall not apply to the creation of separate lots or parcels for temporary or accessory farm dwellings, residential trailers and recreational vehicles established under a previous land use approval.

What is needed for approval?

A Multiple Dwelling Lot Division MAY be permitted after evaluation according to criteria in the ZDO. The County must make written findings to support the decision. The applicant is responsible for providing evidence to demonstrate that the Multiple Dwelling Lot Division request satisfies the criteria in either Subsection 406.09(B) – TBR and AG/F by reference.

What are the chances for approval?

Staff cannot predetermine the decision on this or any application. A decision of approval or denial will only be made after the complete application is processed. This includes review of citizen and agency comments. The decision is based on criteria appropriate to this application as listed in the ZDO. In order to address the necessary criteria, the information requested in this supplemental application should be as thorough and complete as possible.

Application process:

Multiple dwelling lot division permits are subject to the Administrative Action process set forth in Section 1305 of the ZDO. Public comments received from the Community Planning Organizations (CPO), property owners, agencies and other interested parties may affect the decision on the application. Special conditions may be attached to any approvals. The final County decision can be appealed to the State Land Use Board of Appeals (LUBA) by the applicant or any other interested person.

Staff will attach the following pertinent information:

_____ Land Use Application _____ CPO Information _____ Section 401
_____ Sample Plot Plan _____ Application Process

How long will it take to get a final decision on this application?

Approximately 6 to 8 weeks, or 150 days if the initial decision is appealed.

COMPLETE APPLICATIONS REQUIRE THE FOLLOWING:

1. Land Use Application Form: - Information on applicant and land involved in the application.
2. Application Fee: \$_____ (*Fee is nonrefundable upon decision or staff report; partial refund if withdrawn after notice; full refund if withdrawn prior to notice.*)
3. Plot Plan: Drawn to scale on 8.5" x 11" or 8.5" x 14" paper, showing the property and your proposal (buildings, driveway, easements, etc.).
4. Supplemental Application: This application is reviewed through a Public notice process by Clackamas County. Submit the following information for a Multiple Dwelling Lot Division:
 - a. **The applicant must demonstrate that the dwellings were legally established prior to November 4, 1993.** Temporary dwellings, accessory farm dwellings, dwellings with a condition of removal at some later date and previous approval disallowing a division approved under a previous land use application will not qualify under this provision. Nonconforming dwellings must satisfy the provisions of Subsection 1206.06 of the ZDO. Appropriate documentation to establish a nonconforming dwelling can include County Assessor's records, utility billing or rental receipts and Building permits.
 - b. **Each dwelling complies with the criteria for a replacement dwelling under Subsection 406.05(D) for both the TBR and AG/F zoning districts by reference.** A copy of the Assessor's Record photo of the original dwelling is required. (It is suggested to supplement the application with individual addresses of each home, photo's showing all intact exterior walls and roof structure, indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system, interior wiring for interior lights and the heating system.)
 - c. **Except for one lot or parcel, each lot or parcel created under this provision shall be between two (2) and five (5) acres in size.** (Example: 40 acre lot with two dwellings is divided into one – 35 acre parcel and a maximum of one – 5 acre parcel. Indicate the proposed division size by plot plan marked – parcel 1, parcel 2, etc., etc.)
 - d. **At least one (1) dwelling is located on each lot or parcel created under this provision.** (Indicate on the plot plan where each dwelling is located.)
 - e. **A minimum of thirty (30) feet shall be required for front and rear yard setbacks and 10 feet for side yard setbacks except for pre-existing property lines that predate this requirement.** (Indicate the setbacks of each dwelling, all accessory structures, roads, driveways, wells, streams, septic systems and adjacent easements or roadways on the plot plan. Specifically identify all "proposed" changes, i.e., new access, new easement or new roadway.)
 - f. **INFORMATIONAL ONLY** - An irrevocable deed restriction prohibiting the landowner and their successors from further divisions will be required to be recorded if approval is made. The irrevocable deed restriction can only be released by the County Planning Director if the land use regulations no longer subject the property to this requirement. This will not be required at submittal of an application.

(**Questions:** Contact Alex Pichacz, Planner at 503-742-4510 or APichacz@clackamas.us)

**WHAT ELSE THE
PLANNING DIVISION WILL NEED
TO PROCESS YOUR REQUEST**

1. **PHOTOS SHOWING: EACH DWELLING
(WITH SEPARATE ADDRESS OR BUILDING NUMBER ON
PHOTOS)**
 - A. OUTSIDE OF DWELLING FROM ALL SIDES
 - B. INTERIOR KITCHEN SINK
 - C. INTERIOR TOILET
 - D. INTERIOR BATHING FACILITY
 - E. SEPTIC SYSTEM HOOKUP
 - F. ELECTRICAL BOX
 - G. LIGHT SWITCH AND LIGHT
 - H. HEATING SYSTEM

2. **ASSESSOR'S INFORMATION FROM THE
COUNTY ASSESSOR'S OFFICE** (*SEE ATTACHED
EXAMPLES*)

**REQUIRED ADDITIONAL INFORMATION TO BE
PROVIDED WITH PLOT PLAN**

Name: _____

Home Phone: (_____) - _____ - _____

Fax Number: (_____) - _____ - _____

E-Mail Address: _____

Is there a fire hydrant in the area? Yes No

If Yes above, distance of hydrant from driveway entrance? _____
Feet

Length of Driveway from Road to Dwelling: _____ Feet

Width of Driveway Hard Surface: _____ Feet

Width of Cleared Area Side to Side of Driveway: _____ Feet

Show On Plot Plan All Structures

Show On Plot Plan Topography of Driveway (Slope)

Show On Plot Plan Turnaround Area and Widths

Total Square Footage of House? _____ Sq. Ft.

Total Square Footage of Outbuildings? _____ Sq. Ft.