



Planning and Zoning
Department of Transportation and Development
 Development Services Building
 150 Beaver Creek Road | Oregon City, OR 97045
 503-742-4500 | zoninginfo@clackamas.us
 www.clackamas.us/planning

STAFF USE ONLY

Staff Initials: _____ File Number: _____

Land use application for:

REPLACEMENT DWELLING

In AG/F or EFU Districts

Application Fee: \$785

APPLICANT INFORMATION			
Applicant name:	Applicant email:	Applicant phone:	
Applicant mailing address:	City:	State:	ZIP:
Contact person name (if other than applicant):	Contact person email:	Contact person phone:	
Contact person mailing address:	City:	State:	ZIP:

PROPOSAL
Brief description of proposal:

SITE INFORMATION		
Site address:	Comprehensive Plan designation:	Zoning district:
Map and tax lot #: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____	Land area:	
Adjacent properties under same ownership: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____		

Printed names of all property owners:	Signatures of all property owners:	Date(s):
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I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Applicant signature:	Date:
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A. Review applicable land use rules:

This application is subject to the provisions of [Section 401, Exclusive Farm Use District \(EFU\)](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO) if the subject property is zoned EFU, or to the provisions of [Section 407, AG/Forest District \(AG/F\)](#) and Subsection 401.05(C)(1) if the subject property is zoned AG/F. It is also subject to the ZDO's definitions, procedures, and other general provisions outlined in the ZDO.

If the subject property is zoned AG/F, the property must have been predominantly agriculture on January 1, 1993, to qualify for this permit.

B. Turn in all of the following:

- Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- Application fee:** The cost of this application is **\$785**. Payment can be made by cash, by check payable to "Clackamas County," or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Dated Photographs or other Evidence:** Provide dated photographs or other evidence clearly demonstrating that the dwelling proposed to be replaced has, or formerly had, the following features:
 1. Intact Exterior Walls and Roof Structure;
 2. Indoor Plumbing Consisting of a Kitchen Sink, Toilet and Bathing Facilities Connected to a Sanitary Waste Disposal System;
 3. Interior Wiring for Interior Lights; and
 4. A Heating System
- Tax Assessor Appraisal Jacket:** Provide Copies of the Appraisal Jacket, obtained from the County Department of Assessment & Taxation, which indicates when the dwelling was first assessed on the property.
- Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - All existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions, with particular attention to: 1) the location of the existing or demolished home that is proposed to be replaced, and 2) the proposed new home site;
 - Setbacks of all structures from lot lines and easements;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
 - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- Evidence of agricultural use:** If the subject property is zoned AG/F, include evidence, such as dated aerial photos and tax records, demonstrating that the property was predominantly agriculture on January 1, 1993.

C. Answer the following questions:

Accurately answer the following questions in the spaces provided. Attach additional pages, if necessary.

1. Is the proposed replacement dwelling using all or part of the footprint of the replaced dwelling?

NO

YES

2. If the answer to Question 1 is "NO," explain how the proposed replacement dwelling will be sited near a road, ditch, river, property line, forest boundary or another natural boundary of the lot or parcel:

3. For the purpose of minimizing the adverse impacts on resource use of land in the area, explain how the proposed replacement dwelling will be sited, if possible, within a concentration or cluster of structures, or within 500 yards of another structure:

FAQs

When is a Replacement Dwelling in AG/F or EFU District permit required?

The County's Zoning and Development Ordinance (ZDO) allows for the replacement of an existing, or previously existing, single-family dwelling on agricultural land that is zoned Exclusive Farm Use (EFU) subject to certain criteria. The dwelling requires an EFU Replacement Dwelling land use permit.

What is the permit application process?

EFU Replacement Dwelling permits are subject to a "Type II" land use application process, as provided for in [Section 1307](#) of the ZDO. Type II decisions include notice to owners of nearby land, the Community Planning Organization (if active), service providers (sewer, water, fire, etc.), and affected government agencies. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The Planning Director's decision can be appealed to the County Land Use Hearings Officer.

What is needed for the County to approve a land use permit?

A replacement dwelling in the AG/F or EFU District *may* be permitted after an evaluation by the County of applicable standards of the ZDO. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

If approved, how long would the EFU Replacement Dwelling permit be valid?

Generally, the Replacement Dwelling in AG/F or EFU District permit is valid in perpetuity and does not expire or require renewal. However, there are limits on a permit issued for a dwelling that is in such a state of disrepair that the dwelling is unsafe or constitutes an attractive nuisance, as determined by a County Building Codes official (see [ORS 215.291 \(5\)](#)).

How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type II land use application within 45 days) of when we deem the application to be complete. State law generally requires a final County decision on a land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area, although there are some exceptions.

If an application is submitted and then withdrawn, will a refund be given?

If a submitted Type II application is withdrawn before it is publicly noticed, 75% of the application fee paid will be refunded. If a submitted application is withdrawn after it is publicly noticed, but before a decision is issued, 50% of the application fee will be refunded. No refund will be given after a decision is issued.

Who can help answer additional questions?

For questions about the County's land use permit requirements and this application form, contact Planning and Zoning at **503-742-4500** or zoninginfo@clackamas.us. You can also find information online at the Planning and Zoning website: www.clackamas.us/planning.

Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or drenhard@clackamas.us.

503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод?

翻译或口译? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?