

SUPPLEMENTAL APPLICATION ALTERATION/CHANGE OF NONCONFORMING USE (November - 2008)

APPLICANT INFORMATION		
Name:	File #	
WHAT IS AN ALTERATION OR CHANGE OF A NONCONFORMING USE?:		
structure, or land allowed by right when established to a change in the zone or zoning regulation dwelling or other structure(s), a commercial or	(ZDO), Sec. 202, defines a Nonconforming Use as "A use of any building, shed or that obtained a required land use approval when established but, ons, is now prohibited in the zone." A Nonconforming Use may be a industrial use, or any other use in a zoning district that was permitted when d use or structure in the zoning district in which it is located. The ZDO	

WHAT IS NEEDED FOR APPROVAL?:

operation, operational changes, and changes to the use itself, etc.

An alteration of, or change in, a Nonconforming Use **MAY** be permitted after evaluation of the requested alteration with respect to the criteria contained in Sec. 1206 of the ZDO. The County must make written findings to support the decision. The applicant is responsible for providing evidence to support the request for an alteration or change.

allows for alterations to, or changes in, a Nonconforming Use subject to the provisions of Sec. 1206 of the ZDO. An alteration to, or change in, a Nonconforming Use may include, but is not limited to, structural additions, changes to the usage of areas of the property, signing changes, increases in number of employees, a change of hours and/or days of

WHAT ARE CHANCES FOR APPROVAL?:

Staff cannot predetermine the decision on this or any other land use application. A decision of approval or denial will only be made after the complete application is processed, comments are sought, and the application is reviewed by the Planning staff. This includes review of citizen and agency comments. The decision is based on criteria appropriate to this application as listed in Sec. 1206 of the ZDO.

APPLICATION PROCESS:

This permit application is subject to the Administrative Action process and public notice pursuant to Subsec. 1305.02 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 to mitigate potential adverse impacts of the alteration or change. Any decision on this application can be appealed to the County Land Use Hearings Officer and to the State Land Use Board of Appeals (LUBA) by the applicant or any other interested person.

interested person. STAFF WILL ATTACH THE FOLLOWING PERTINENT INFORMATION: _____ Land Use Application _____ CPO Information _____ Sample Plot Plan _____ Application Process ZDO Sections _____ & 1206

HOW LONG WILL IT TAKE TO GET A FINAL DECISION ON THIS APPLICATION?:

Approximately 45 days for the initial staff decision. If the staff decision is appealed, the final County decision by the Land Use Hearings Officer may take an additional 8 to 10 weeks (approximate).

COMPLETE APPLICATIONS REQUIRE THE FOLLOWING:

1.	<u>Land Use Application</u> – Information about the applicant and land involved in the request.	
2.	<u>Supplemental Application</u> – Information requested on this form. Please be as complete and thorough as possible. Use additional sheets of paper as necessary to completely describe your proposal and answer the questions contained herein.	
3.	<u>Application Fee</u> - \$ (Fee is nonrefundable upon decision or staff report; partial refund if withdrawn after notice; full refund if withdrawn prior to notice.)	
4.	<u>Plot Plan</u> – The site development plan must be drawn to scale on 8.5" x 11" or 8.5" x 14" paper. The plan must show and clearly identify the existing and proposed development of the property including all structures, parking areas, drain field locations, landscaping and/or significant vegetation, slope of the property, entrance/access location(s), north arrow, the scale of the drawing, dimensions of the property and structures.	
5.	Building Profile (if applicable) – The building profiles shall be drawn to scale on 8.5" x 11" or 8.5" x 14" paper and must clearly depict the proposed new structures or additions to existing structures.	
CRITERIA FOR APPROVAL: SEE SEC. 1206 FOR SPECIFIC REQUIREMENTS, THEN ANSWER THE FOLLOWING:		
1.	When was the existing use, structures and/or physical improvements established? (please give specific dates if possible). Describe the buildings, vehicles, equipment and materials used, days and hours of operation, number of employees and other operational and physical information. Submit land use, building, septic, or other permit documents; utility records, dated photographs, tax appraisal information, dated aerial photographs, tax records, receipts, licenses, notarized affidavits, etc. to document the date of establishment of the use, structure(s) and/or physical improvements, and the continuity of the use since established.	
2.	Describe any changes in the existing use, structures and/or physical improvements since establishment. Describe the buildings, vehicles, equipment and materials used, days and hours of operation, number of employees and other operational and physical information as changes occurred.	

3.	Describe in detail the proposed changes to the use, structure(s), and/or physical improvements. Describe all structural and operational changes proposed.
4.	Describe in detail why the alterations of the structure(s) and/or physical improvements, and/or the changes in the use will not create additional adverse impacts upon the surrounding neighborhood. Describe any measures planned to mitigate the potential adverse impacts of the changes; e.g. screening, buffering, pollution control equipment, acoustical insulation or barriers, traffic management plan, etc.
Please	direct questions to Rick McIntire, Sr. Planner at 503-742-4516 or rickm@co.clackamas.or.us

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