



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

APPLICANT INFORMATION

Name: _____ File # _____

WHAT IS AN ALTERATION OR CHANGE OF A NONCONFORMING USE?:

The County Zoning & Development Ordinance (ZDO), Sec. 202, defines a Nonconforming Use as “A use of any building, structure, or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone.” A Nonconforming Use may be a dwelling or other structure(s), a commercial or industrial use, or any other use in a zoning district that was permitted when established, but is not now listed as a permitted use or structure in the zoning district in which it is located. The ZDO 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 operation, operational changes, and changes to the use itself, etc.

WHAT IS NEEDED FOR APPROVAL?:

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.

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.

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).

