



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

STAFF USE ONLY

Land use application for:

MODIFICATION

(to an approved Type II or III Permit or its conditions)

Application Fee: \$2,251

Staff Initials:

File Number:

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):
<i>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.</i>		
Applicant signature:		Date:

A. Review applicable land use rules:

This application is subject to the provisions of [Section 1309, Modification](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

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 **\$2,251**. 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.
- ☐ **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 elements required of the site plan for the prior approval, such as existing and proposed structures, their setbacks, roads and easements, significant natural features, and utilities; and
 - The proposed modification, if it would result in changes to the site plan.
- ☐ **Preliminary statement of feasibility:** If a feasibility statement was required for the prior approval, you will need to again request that the property's water provider, sanitary sewer provider, and surface water management authority, as applicable, each complete a new copy of the [Preliminary Statement of Feasibility](#) available from the Planning and Zoning website, considering the proposed modification. Include those completed statements with your application.
- ☐ **Building elevation diagrams:** Submit new profiles showing any proposed modifications to existing or previously approved buildings.
- ☐ **Additional copies:** Certain applications for modification require additional document copies, and sometimes in different sizes. Planning and Zoning will notify the applicant of any additional copies required after the submitted application is reviewed.

C. Answer the following questions:

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

1. What is the file number of the prior approval?

The file number is: Z_____

2. Summarize what the prior approval authorized:

3. Describe the proposed modification of the approved land use permit or its conditions:

4. Explain how the modification is consistent with the prior approval. If applicable, list the number of people (employees, customers, students, etc.) associated with the proposed use, the days and hours of operation, and the buildings, vehicles, equipment, and materials associated with the proposed use:

5. A modification must be consistent with all Zoning and Development Ordinance (ZDO) provisions in effect on the date the modification request is submitted – not the rules in effect on the date of the prior approval.

Review the *current* ZDO criteria relevant to the application for the prior approval being modified. Also review the requirements of any Overlay Zoning Districts that apply to the subject property, special use requirements, and applicable development standards.

Explain how the proposed modification will be consistent with all ZDO provisions in effect on the date this modification request is submitted:

D. Respond in a narrative, with maps/plans, and with evidence:

Demonstrate in an attached narrative and/or labeled maps/plans drawn to-scale, and with other evidence as appropriate, that the modification will *not* result in *any* of the following:

1. A change in the type of use (e.g. commercial, industrial, institutional);
2. An increase of greater than 25 percent of the original approved building floor area;
3. An increase of greater than 25 percent of the original approved lot coverage;
4. An increase in the density of development (residential or recreational uses), or intensity of use, as demonstrated by a change in occupancy rating requiring substantial modifications to structures;
5. An increase in traffic congestion or use of public facilities;
6. A reduction in approved open space;
7. A reduction of off-street parking spaces or loading berths, except as provided under ZDO Section 1015;
8. A reduction in required pavement widths or a change in major access locations, except as required by the County.

FAQs

When is a Modification permit required?

The County's Zoning and Development Ordinance (ZDO) allows modifications to previously approved Type II and Type III land use decisions, and to their conditions of approval, subject to specified standards and criteria. Changes to an eligible approval require a Modification permit.

What is the permit application process?

Modification 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?

Modifications *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.

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, or the fee paid minus \$250, whichever is less, 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 paid, or the fee paid minus \$500, whichever is less, will be refunded. No refund will be given after a decision is issued. The \$5 Technology Fee is non-refundable.

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?