



**Planning and Zoning**  
**Department of Transportation and Development**  
Development Services Building  
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[www.clackamas.us/planning](http://www.clackamas.us/planning)

## REPLACEMENT DWELLING AGREEMENT INFORMATION

### **What is a Replacement Dwelling Agreement (RDA)?**

An RDA is a written acknowledgment by property owners that a dwelling qualifies for replacement with a new dwelling and that the dwelling to be replaced will be removed, demolished, or converted to a lawful accessory structure within three months of the new dwelling receiving its certificate of occupancy. The RDA is filed with the County.

### **When is an RDA required?**

Planning and Zoning requires an RDA be signed by all owners of a property when a new dwelling is proposed to replace an existing dwelling and zoning regulations do not permit both dwellings to remain.

### **Is anything other than an RDA required for Planning and Zoning to approve a replacement dwelling?**

It depends, particularly on the zone of the subject property, but potentially also on whether: there is a valid County land use approval or Measure 49 Election for a dwelling; the dwelling to be replaced is still existing; and, if it's not still existing, whether the dwelling was lost in a particular event, such as the 2020 wildfires. In most cases, the following requirements apply.

***If the property is zoned Ag/Forest (AG/F), Exclusive Farm Use (EFU) or Timber (TBR):*** Replacement requires prior approval of a Type II land use permit application for a [Replacement Dwelling in AG/F, EFU and TBR Districts](#). The application form and additional information is available online.

***If the dwelling to be replaced is a nonconforming use (e.g., is/was in a zone that does not allow residential uses, or if there are multiple dwellings on a property zoned to only allow one) and the property is not zoned AG/F, EFU or TBR:*** Replacement requires prior approval of a Type II land use application permit application for a [Nonconforming Use](#) verification and alteration.

***If the dwelling to be replaced was lost to wildfire:*** In lieu of the other options discussed above, you may need to provide evidence of when the former dwelling was lost and that it was lost to wildfire and not another type of fire. Other criteria also apply. Please consult with Planning and Zoning staff.

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SITE INFORMATION	
Site address:	Zoning district:
Map and tax lot #: Township: _____ Range: _____ Section: _____ Tax Lot: _____	Land area:

ANSWER THE FOLLOWING
<p><b>1. When was the dwelling to be replaced (i.e., the existing or former dwelling) established?</b></p> <p>Date (mm/dd/yyyy): _____/_____/_____</p>
<p><b>2. Is the dwelling to be replaced still existing?</b></p> <p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO, it was damaged, destroyed, or removed by (mm/dd/yyyy): _____/_____/_____</p>
<p><b>3. Was the dwelling to be replaced damaged or destroyed by wildfire?</b></p> <p><input type="checkbox"/> NO</p> <p><input type="checkbox"/> YES, it was damaged or destroyed by wildfire on (mm/dd/yyyy): _____/_____/_____</p>

ACKNOWLEDGEMENT						
<p><i>I/we, the undersigned, agree:</i></p> <ol style="list-style-type: none"><li><i>To not use the dwelling to be replaced (i.e., the existing or former dwelling) for residential purposes after the proposed new dwelling is occupied; and</i></li><li><i>To ensure the dwelling to be replaced is lawfully removed, demolished, or converted to an allowable nonresidential use within three months of the new dwelling receiving its certificate of occupancy (or final inspection in the case of a manufactured dwelling).</i></li></ol> <p><i>I/we, the undersigned, also understand:</i></p> <ol style="list-style-type: none"><li><i>The proposed new dwelling will only be authorized as the replacement of an identified existing or former dwelling;</i></li><li><i>Demolition or conversion of the dwelling to be replaced may require a permit from the Building Codes Division and, in the case of a manufactured dwelling, may require the involvement of the State of Oregon; and</i></li><li><i>Failure to lawfully remove, demolish, or convert the dwelling to be replaced is a violation of the Zoning and Development Ordinance and could result in Code Enforcement action.</i></li></ol> <table border="1"><tr><td>Printed names of all property owners:</td><td>Signatures of all property owners:</td><td>Date(s):</td></tr><tr><td> </td><td> </td><td> </td></tr></table>	Printed names of all property owners:	Signatures of all property owners:	Date(s):			
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## Attach a site plan

You must include a [site plan](#) with your RDA. The site plan must be accurate, drawn to scale, and illustrate:

- Lot lines, lot/parcel numbers, and acreage/square footage of lots;
- The dwelling to be replaced, labeled “DWELLING TO BE REPLACED”, and the proposed new replacement dwelling, labeled “REPLACEMENT DWELLING”;
- All other existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
- Setbacks of all structures from lot lines and easements; and
- Significant water bodies (rivers, streams, etc.).

<b>FOR STAFF USE ONLY</b>		
Reviewing staff's name:	Title:	Date reviewed:
Building permit number for replacement:	Land use file for replacement (if any):	Measure 49 Election number (if any):
Comments:		
Directions to Planning & Zoning staff: <ol style="list-style-type: none"><li>1. Email a digital copy to Permit Specialist (<a href="mailto:sthornhill@clackamas.us">sthornhill@clackamas.us</a>)</li><li>2. Upload a digital copy to associated building permit in Development Direct</li></ol>		