

COLUMBIA COUNTY  
LAND DEVELOPMENT SERVICES

COURTHOUSE  
230 STRAND  
ST. HELENS, OREGON 97051  
(503) 397-1501

Non-Conforming Land Use/Structure Application

File No. \_\_\_\_\_

**NON-CONFORMING USE-Rebuild; Change; Move; Expand**

**APPLICANT:** Name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone No.: Office \_\_\_\_\_ Home \_\_\_\_\_

Email: \_\_\_\_\_

Are you the \_\_\_\_\_ property owner? \_\_\_\_\_ owner's agent?

**PROPERTY OWNER:** \_\_\_\_\_ same as above, OR:

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

**PROPERTY ADDRESS** (if assigned): \_\_\_\_\_

**TAX ACCOUNT NO.:** \_\_\_\_\_ Acres: \_\_\_\_\_ Zoning: \_\_\_\_\_

\_\_\_\_\_ Acres: \_\_\_\_\_ Zoning: \_\_\_\_\_

\_\_\_\_\_ Acres: \_\_\_\_\_ Zoning: \_\_\_\_\_

**PRESENT USES:** (farm, forest, bush, residential, etc.)

Use: \_\_\_\_\_ Approx. Acres

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total acres (must agree with above): \_\_\_\_\_

**PROPOSED USES:**

\_\_\_\_\_  
\_\_\_\_\_

**WATER SUPPLY:** \_\_\_\_\_ Private well \_\_\_\_\_ Community system

Name of community water system: \_\_\_\_\_

**SEWAGE DISPOSAL SYSTEM:** \_\_\_\_\_ Subsurface Septic \_\_\_\_\_ Community

Is the property approved for a subsurface sewage disposal system?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Not Applicable

**CONTIGUOUS PROPERTY:** List all other properties you own which have boundary lines touching this property:

Tax Account No.

Acres

Co-owners (if any)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION:**

I hereby certify that all of the above statements, and all other documents submitted, are accurate and true to the best of my knowledge and belief.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**NOTE:** Please attach an accurate and detailed plot plan, including property lines, existing and proposed structures, location of septic tank and drainfield, farm - forest areas, large natural features (cliffs, streams, etc.).

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Planning Department Use Only

Date Rec'd. \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Receipt No.: \_\_\_\_\_

Administrative: \_\_\_\_\_

Check #: \_\_\_\_\_ Cash  Credit

Zoning: \_\_\_\_\_

Staff Member: \_\_\_\_\_

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## NON-CONFORMING USE FACT SHEET

1. Current use of property of buildings: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. If you are enlarging a non-conforming building, please supply the following:

Land area occupied by the existing building: \_\_\_\_\_ square feet.

Land area to be occupied by addition(s): \_\_\_\_\_ square feet.

**(Note: this may not be more than 40% of the land area of the existing building)**

3. Describe the practical difficulties or public need your proposal will alleviate:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Describe how your proposal will be no more than is necessary to overcome the practical difficulties or to meet the public need: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Describe how your proposal will not interfere with the use and enjoyment of other properties in the area, nor reduce their property values: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Describe how your proposal will not endanger the public health, safety and general welfare:

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Please Provide:

1. An accurate plot plan, showing property lines, existing and proposed structures, roads and driveways, the location of your septic tank and drainfield, large natural features (e.g. streams, cliffs), etc.
2. A vicinity map.
3. The application fee.
4. Adequate documentation (with pictures and/or utility bills) that the lawfully established non-conforming residence has the following:
  - a. Intact exterior walls and roof structure;
  - b. Interior plumbing, including kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
  - c. Interior wiring for interior lights: and
  - d. A heating system.

## 1506 NON-CONFORMING USES:

- .1 Continuation of Non-Conforming Uses or Structures: Except as provided in this section, a Non-Conforming Use or structure may be continued, even though it is not in conformity with the use, height, area, and all other regulations for the district in which it is located.
- .2 Normal Maintenance and Repairs: Normal maintenance of a Non-Conforming Use is permitted, including structural alterations to the bearing walls, foundation, columns, beams, or girders, provided that:
  - A. No change in the basic use of the building occurs that would make the use less conforming to the district.
- .3 A Non-Conforming Use may be changed to a use allowable under the underlying district. After a Non-Conforming Use changes to a conforming use, it shall not thereafter be changed back to a Non-Conforming Use.
- .4 Reinstatement of a Discontinued Use: A Non-Conforming Use may be resumed if the discontinuation is for a period less than 1 year. If the discontinuance is for a period greater than 1 year, the building or land shall thereafter be occupied and used only for a conforming use.
- .5 Rebuilding, Change, Moving, or Use Expansion: A Non-Conforming building or use may be rebuilt, moved, or changed in use to a use of the same restrictive classification or expanded, subject to the provisions outlined herein, if upon review in accordance with Section 1601 the Director finds all the following to exist:
  - A. That such modifications are necessary because of practical difficulties or public need;
  - B. That such modifications are not greater than are necessary to overcome the practical difficulties or meet the public need;
  - C. That such modifications will not significantly interfere with the use and enjoyment of other land in the vicinity, nor detract from the property value thereof; and
  - D. That such modifications will not endanger the public health, safety, and general welfare.
- .6 Rebuilding: When a building or structure is damaged by fire or any other cause beyond the control of the owner, it may be rebuilt.
- .7 Change of Use: A Non-Conforming Use may be changed to a use of the same or a more restrictive classification but not to a use of a less restrictive classification, pursuant to subsection 1506.5.
- .8 Moving: A Non-Conforming Use may be moved to another location on its lot or parcel provided the height and yard requirements of the district in which it is located are met, pursuant to Section 1506.5.

- .9 Expansion: A Non-Conforming Use may be expanded one time only. This expansion shall not exceed 40% of the square footage on the ground level of the existing structure, pursuant to Section 1506.5.