



DEPARTMENT OF PLANNING AND DEVELOPMENT

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GENERAL INFORMATION

REGARDING AN APPLICATION FOR A LAND USE ACTION

IMPORTANT – PLEASE READ BEFORE STARTING YOUR APPLICATION

Attached is an application for an approval of a land use action. Completion of this application form and providing the supporting information is the most important part of the application process. The information requested is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or it may result in a denial of the request.

In all land use actions, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request. In preparing your application, a planner can explain which sections of the ordinances pertain to your specific request. **You must address each ordinance criteria in writing, on a point-by-point basis, in order for this application to be deemed complete.**

The planning staff can answer questions regarding the process and procedures, but they cannot prepare responses to the applicable criteria. If you require assistance with the application, you may want to confer with a professional land use consultant or attorney.

INFORMATION REQUIRED

For

CONDITIONAL USE APPLICATIONS

For all conditional use permit applications, the following minimum information must be submitted for the application to be considered complete:

1. Plot plan, drawn to scale, of the subject property showing:
 - A. all property lines
 - B. all existing and proposed buildings and setbacks from all property lines
 - C. the location of the septic system, well and all easements
 - D. access to the property, and whether it is a state highway, county road, public road or private easement. Note: Applicant should check to determine if an access permit is required.
 - E. all wetland areas, areas of geological hazard, streams and waterways, and areas subject to flood hazard
 - F. general description of the topography and vegetation
 - G. plans for fencing
2. Total floor area, height and use of all existing and proposed structures.
3. Operating characteristics of all proposed commercial and industrial uses (what, where, when & how).
4. Location of all required off-street parking and loading facilities, if any.
5. Size and location of proposed signs, if any.
6. Other information as determined by staff.

NOTE: ALL APPLICATIONS MUST BE COMPLETE. FAILURE TO SUBMIT A COMPLETE APPLICATION WILL DELAY THE ACCEPTANCE AND PROCESSING OF YOUR APPLICATION.

Signature of Property Owner

Date

Signature of Applicant (if other than property owner)

Date

CONDITIONAL USES

What is a Conditional Use? A conditional use is one that may be located in a certain zoning district, provided it will not be detrimental to the public health, morals, and welfare and will not impair the integrity and character of that district. These uses are subjected to individual scrutiny in order to provide that they are permitted in a zone only when they comply with standards imposed by the ordinance, and are conditioned in such a way as to protect the neighborhood and public interest. A common example of a conditional use is a public utility substation, which must be located in a residential district.

How do I apply? To apply, submit a completed application, the appropriate filing fee, and a plot plan of the property, which shows all property lines, and the location of all existing and proposed structures. The application must be signed by the property owner or authorized in writing by the owner. The applicant should also submit a written description of the proposed use, which details the characteristics of the use (e.g. size and use of any structures, number of employees, amount of traffic generated, etc.)

How long does it take? If the request is determined by staff to be routine, the application will be handled administratively and typically takes 30 days to process. During this time, staff will review the proposal and document their findings in a staff report. The applicant and property owners within 250 feet of the subject property will be notified of the staff decision and will be given 15 days in which to appeal. If not appealed during this 15-day period, the staff decision is final. A staff decision, which is appealed, is forwarded to the Planning Commission for consideration at a public hearing.

If the conditional use has more than routine significance, the request will be reviewed by the Planning Commission in a public hearing. It generally takes six weeks to get on the agenda of the Planning Commission. Its decision is also subject to an appeal period of 15 days.

A conditional use permit generally is valid for two years, unless substantial construction pursuant thereto, as defined in the County land use code, has taken place. However, authorization may be extended upon request.

NOTE: THE GUIDELINES LISTED ABOVE ARE GENERAL IN NATURE. APPLICANTS ARE REQUESTED TO REFER TO THE LINCOLN COUNTY DEVELOPMENT CODE FOR COMPLETE REQUIREMENTS.