



Nonconforming Development Option 2 Application

FOR INTAKE, STAFF USE ONLY

File #

Date Rec by Neighborhood
Base Zone Overlay Zone Bill #
Quarter Section Map [Y] [N] Unincorporated MC
Plan District Related File #

APPLICANT: Complete all sections below that apply to the proposal. Please print legibly.

- Submit a Nonconforming Development Assessment which identifies in writing all development that does not meet the standards listed in section 33.258.070.D.2.b of the Zoning Code...
Submit a Site Plan to scale, identifying all development that does not meet the standards listed in section 33.258.070.D.2.b of the Zoning Code...
Complete this application, including the Option 2 Selection portion.
A fee is charged for a Nonconforming Development Assessment Request. Check the current fee schedule for Tier B Zoning Confirmation amount.

Check all that apply Applicant Owner Contact Person Other

Name
Street Address
City State Zip Code
Day Phone FAX email

Check all that apply Applicant Owner Contact Person Other

Name
Street Address
City State Zip Code
Day Phone FAX email

Development Site

Address or Location
Cross Street Sq. ft./Acreage

Site Tax Account Number(s) and Legal Description(s)

Table with 4 columns: Tax Account #, Property ID #, State ID #, Tax lot/Lot Block Addition/Section #

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## Option 2 Selection

Planning and Zoning Staff will review the submitted Nonconforming Development Assessment and provide written comments regarding the content of the assessment and the extent of required upgrades. There are three alternatives for receiving written comments from Planning and Zoning:

1. An applicant may receive written comments on the Nonconforming Development Assessment from Planning and Zoning **prior** to entering into the Option 2 agreement. This option offers the assurance of City analysis and review to determine specific upgrades that will be required at the end of the compliance period.
2. An applicant may receive written comments on the Nonconforming Development Assessment from Planning and Zoning **after** entering into the Option 2 agreement. This option expedites the Option 2 process and will result in quicker issuance of the initial building permit. However, this alternative does not provide certainty regarding the specific upgrades that will be required at the end of the compliance period prior to making the decision to enter into the covenant. The information is provided after the fact.
3. An applicant may choose to **not** receive written comments on the Nonconforming Development Assessment from Planning and Zoning. This option expedites the Option 2 process and will result in quicker issuance of the initial building permit. However, this alternative does not provide the certainty regarding the specific upgrades that will be required at the end of the compliance period. Instead, the specific upgrades will be identified at the end of the compliance period when the applicant requests that the site be certified.

**Note:** The Zoning Code changes over time. The Option 2 covenant binds an applicant to meet the standards in effect at the time of the initial building permit application. If one or more of the standards change over the compliance period and the site is certified compliant with standards in effect at the time of the initial building permit application, the site will still be out of conformance with the new standards. However, if certification is requested by the end of the compliance period, a two-year grace period is allowed during which no additional upgrades to nonconforming development are required. After the two-year grace period, building permits with a project value higher than the dollar threshold identified in Section 33.258.070.D.2.a, will trigger review for remaining nonconforming upgrades. In order to avoid additional review in the future, applicants may choose to comply with the standards in effect at the end of the compliance period.

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### Please select one

Planning and Zoning will provide written comment for the Nonconforming Development Assessment according to the preference marked below.

- 1. Please review the submitted Nonconforming Development Assessment and provide written comments **before** the covenant is executed and recorded.
- 2. Please review the submitted Nonconforming Development Assessment and provide written comments **after** the covenant is executed and recorded.
- 3. **No** written comments are necessary.