



**CURRY  
COUNTY  
DEPARTMENT  
OF PUBLIC  
SERVICES**

**PLANNING DIVISION**

**APPLICANT ASSISTANCE SHEET**

**ADMINISTRATIVE DECISION  
BY THE PLANNING  
DIRECTOR**

**WHAT YOU WANT TO DO:**

You need County approval for a land use, which according to the zoning ordinance is a "Conditional Use Subject to Approval by the Director", "Alteration of a Non-Conforming Use", "Variance", "Waiver of Minimum Lot Size" or other administrative matter. The zoning ordinance defines the specific land use as an "Administrative Decision" so you need to know about the Administrative Decision procedure itself.

**WHAT ZONING ORDINANCE STANDARDS  
ARE APPLICABLE?**

The actual procedures and rules for an Administrative Decision are set forth in Article II of the Curry County Zoning Ordinance. This Article also contains the procedures for most County land use decisions, appeals and other related land use matters.

The procedure for Administrative Decisions by the Director are specifically found in Sections 2.090 to 2.110 of the Curry County Zoning Ordinance. These sections of the ordinance are available if you wish to review the actual ordinance provisions.

This brochure is intended to explain the Administrative Decision procedure and is not a substitute for the ordinance provisions.

"Director" in this case refers to the Planning Director of Curry County or a staff designee.

**WHAT IS THE BASIC PROCEDURE OF AN  
ADMINISTRATIVE DECISION?**

The Administrative Decision procedure in its simplest description is a four-step process:

1. You make an application for the proposed land use of the subject property in accordance with the zoning ordinance.
2. You and other affected parties are notified of the Director's pending decision on your proposed use and are provided with a twenty (20) day time period to submit comment.
3. The Director investigates the application and makes a decision on your request based on the factual findings you submit to support the request and the comment received from affected parties.
4. The Director sends a written Order of the Administrative Decision to you and all affected parties who responded to the notice.

In making an Administrative Decision the Director has three options:

1. The requested conditional use can be approved based on findings which address the standards of the zoning ordinance.
2. The requested conditional use can be denied because your findings do not address or meet the standards of the zoning ordinance.

3. The Director can refer the application to the Curry County Planning Commission for a decision in a public hearing.

Administrative Decisions of the Director are appealable to the Curry County Planning Commission by an affected party who has standing in the decision by responding to the notice.

**WHAT ARE THE SPECIFIC  
REQUIREMENTS FOR APPLICATION?**

*A. Who can make application?*

An application for an Administrative Decision may be submitted for a use on a subject property by any of the following:

- a) The owner(s) of the property as listed in the records of the Curry County Assessor,
- b) The purchaser of the subject property who submits an executed contract of purchase that has been recorded with the county;
- c) A lessee in possession of the subject property who submits written consent of the application from the owner; or
- d) The agent of any of the above who submits evidence of being the authorized agent in writing by the principal.

*B. What must the application contain?*

The application must be filed on an application form provided by the Department of Public Services/Planning Division. In addition to the completed application form you must submit additional information in support of the application which will be discussed with you by a staff member. A checklist of required information for the application is attached to the application and will be reviewed with you at the time you pick up the application form. **All information indicated on the checklist must accompany the application when you submit it to the county.**

---

Incomplete applications will be returned without further processing as required by the zoning ordinance. The application must also be accompanied by the required fee in order to be accepted by the county.

*C. How do I file my application?*

Once you have completed the application form, prepared supportive findings, and obtained all additional information you are ready to submit the application to the county. You should then request a pre-application meeting with the planning staff to review the application. At the pre-application meeting a staff member will review the application and additional materials with you and advise you as to any information that may be missing or inadequate. The role of the county staff will be to help you deal with the forms and requirements for application to the county and to help you understand the land use decision process. **Staff cannot actually prepare your application for you, nor can they act as advocates or opponents.** If you encounter difficulties in preparing the findings and obtaining the additional information to support your application, you should consider engaging the services of a private consultant who can become your advocate and help you effectively make your case.

*D. How is my application processed?*

Once your application is accepted by the county as complete the Administrative Decision review process is initiated by the county. The county has 120 days to render its final decision, including appeals, in the matter of your application request. The 120 day time period can be extended with your approval.

The steps in processing your application are as follows:

---

X **Notice** - Staff prepares a written notice of your requested land use action which allows for a 20 day written comment period from all affected parties. Affected parties usually include all landowners within 250 feet of the property and various federal, state and local agencies. If your property is within a city urban growth boundary it also includes notice to that city.

X **Investigation** - The Director will examine your application and all supporting information as well as any written comments received in response to the notice. The Director or a staff member may also visit the site.

X **Decision & Order** - The Director will consider all information submitted with the application, all written responses, and information from a site visit in reviewing the proposed land use in terms of the zoning ordinance requirements. The Director will then make a decision to approve or deny the requested land use action and prepare a written document called an Order which explains the decision, any conditions on the decision and the time period (if any) of an approval. The Order will be sent to you and all respondents to the notice.

X **Referrals to the Planning Commission** - If the Director refers the land use decision to the Planning Commission you and all respondents to the notice will receive a letter which explains that action and the forthcoming public hearing process.

*E. How long does the process take?*

The length of the complete Administrative Decision process can be somewhat variable based upon the current number of land use decision applications being processed by the county.

---

However, from the date that the county accepts your application as complete you can expect a decision on your request within six (6) to eight (8) weeks. Also be advised that unexpected problems may arise with your application during the investigation which may require additional staff research or more information from you to resolve the problem.



Mack Arch on the Curry coast

For further information please contact:  
Curry County Department of Public Services  
Planning Division  
PO Box 746  
94235 Moore St  
Gold Beach, OR 97444  
541.247.3304  
FAX 541.247.4579