The following are the application submittal and completeness review procedures as set forth in Section 12.70.110 of the Community Development Code:

12.70.110 Application Submittal and Completeness Review.

A. Application Forms and Checklists.
   1. Forms for the submittal of all land use applications shall be available in the Planning Department. The City shall assure that these forms comply with applicable standards in state law and this Code.
   2. Land use applications shall include checklists or information sheets detailing specific information and plans to be contained in that application, including document formats and number of copies.

B. Fees. A fee schedule for land use applications and other Planning Department services provided by the City shall be set by resolution of the City Council. Required fees shall be paid at the time of application submittal or at the time of request for a particular service. Payment of the appropriate application fee is a jurisdictional requirement of this Code.

C. Application Submittal. Land use applications or permits required under this Code shall be submitted on the appropriate forms from the Planning Department. Submittal of a land use application on the appropriate form, signed by the property owner, is a jurisdictional requirement of this Code.

D. Application Materials. All of the following items must be submitted to initiate the 30 day completeness review of the application. All information supplied on the application form and accompanying the application shall be complete and correct as to the applicable facts:
   1. Completed application form, including the original wet ink signature of the property owner;
   2. Payment in full of the appropriate land use application or permit fee(s), based on the fee schedule in effect on the date of application submittal;
   3. Documentation of compliance with neighborhood meeting procedures, if required by Table 12.70.020-1 for that application;
   4. A written narrative listing the criteria and development standards applicable and relevant to the application and stating the evidence demonstrating the application’s compliance with the each criterion and standard. If compliance with a criterion or standard is stated to be demonstrated in a plan, drawing, or technical study in the application, the citation in the narrative to the demonstration must be sufficiently specific to allow convenient reference;
   5. Required plans and drawings for the particular type of application as noted on the application checklist. Such plans generally include, but are not limited to, the following:
      a. Existing site conditions plan;
      b. Site development plan, showing building footprints and on-site circulation;
      c. Building elevations and floor plan(s);
      d. Landscaping plan;

Last Revised: September 4, 2014
e. Fencing and lighting plan;

f. Grading and erosion control plan;

g. On site and adjacent infrastructure plan.

6. Required technical reports for the particular type of application as noted on the application checklist (e.g., transportation study, floodplain or wetland delineation, significant natural resource report, tree survey, noise study, etc.). Minimum specifications for transportation studies are listed in Sections 12.70.200 through 12.70.230. The Planning Department shall make every effort to advise the applicant of required technical reports at a pre-application conference.

7. Within 14 days after the submittal of an application, the Planning Director may require an applicant to submit additional technical reports upon a determination by the Director that:

a. The scale of the development would likely require traffic safety and other public facility or development site improvements;

b. The proposal could have significant adverse impacts on Goal 5 resources identified by the Comprehensive Plan;

c. The proposal would be located on, or could have significant adverse impacts upon natural hazard areas identified by the Comprehensive Plan; or

d. The proposal would likely result in significant adverse impacts with respect to noise, toxic or noxious matter, vibrations, odors, heat, glare, air pollution, wastes or other objectionable effects within the development site or immediate surrounding areas.

8. Upon written request by the applicant prior to application submittal, the Planning Director may waive non-jurisdictional application submittal requirements that in the Director’s opinion are not necessary to document the application’s compliance with applicable and relevant criteria and development standards. The Director may also modify application requirements based on the nature of the proposed application, development, site, or other factors. Any such waiver must be specifically approved by the Planning Director in writing prior to submittal.

E. Determination of Completeness and Commencement of Review.

1. To be deemed complete, an application must include all materials, information and fees listed in Section 12.70.110.D.1-7, unless a specific waiver has been granted by the Planning Director under Section 12.70.110.D.8.

2. The Planning Department shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within 30 days after the city receives the submittal.

3. If the application is deemed complete, the completeness notice shall advise the applicant of the commencement of application review and the date of the public hearing if required by the particular application.

4. Determination that an application is complete indicates only that the application is ready for review on its merits, not that the City will make a favorable decision on the application.

Last Revised: September 4, 2014
5. If an application was complete when first submitted, approval or denial of the application shall be based on the Code standards and criteria that were in effect at the time the application was first submitted.

6. Pursuant to ORS 227.178, the City will reach a final decision on an application within 120 days from the date the application is determined to be or deemed complete unless the applicant agrees to extend the 120 day time line or unless State law provides otherwise.

7. Pursuant to ORS 227.178, the 120 day timeline may be extended at the written request of the applicant. The total of all extensions may not exceed 245 days beyond the first 120 day extension, or 365 days from the date the application was deemed complete.

F. Determination of Incompleteness.

1. If an application is determined to be incomplete, that determination shall be based solely on failure to pay required fees, failure of the applicant’s narrative to address the relevant approval criteria or development standards, or failure to supply the required information listed on the application checklist. A determination of incompleteness shall not be based on differences of opinion as to the quality or accuracy of the application.

2. If an application is deemed incomplete, the incompleteness notice shall list what information is missing and allow the applicant to submit the missing information. The incompleteness notice shall also include a statement to the applicant of the need to indicate to the Planning Director whether or not the applicant intends to amend or supplement the application.

3. If an application is deemed incomplete upon initial submittal, it shall be deemed complete for purposes of this section when the City receives the following:
   a. All of the missing information listed in the completeness notice; or
   b. Some of the missing information, together with written notice from the applicant that no other information will be provided; and a request to proceed with review of the application; or
   c. Written notice from the applicant that none of the missing information will be provided, and a request to proceed with review of the application.

4. If the applicant submits the additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based on the Code standards and criteria that were in effect at the time the application was first submitted.

5. The application will be deemed void if it has been on file with the City for more than 180 days and the applicant has not submitted, pursuant to paragraph 3 above, some or all of the required additional information and/or a request to proceed with application review.