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## MODIFICATION TO AN APPROVED MINOR DEVELOPMENT PERMIT

### **WHAT IS A MODIFICATION TO A DEVELOPMENT PERMIT?**

A Modification to an approved development permit (modification) is a change proposed by an owner/applicant that affects an approved Development Permit on a site. Modifications to a minor development permit are classified as the same type of development as the original permit and are reviewed under the same review criteria as the original permit, except that the review criteria are limited to those that are affected by the modification [LOC 50.07.003.11].

### **PRE-APPLICATION CONFERENCE REQUIRED**

A Pre-Application (Pre-App) Conference is not required for modifications to an approved development permit where there is no increase in the intensity of the use and no new building permit would result. A Pre-App is required for all other modification applications prior to submitting the land use application. The purpose of the Pre-App is to discuss the development proposal, the applicable criteria, and the requirements for completing an application. Please refer to the City's Pre-App handout for more detailed information on this process.

### **NEIGHBORHOOD MEETING**

Following the Pre-App but prior to submitting the Land Use application, the applicant may be required to hold a neighborhood meeting to identify potential issues or conflicts regarding the proposed development [LOC 50.07.003.1.f]. The applicant will be notified at the pre-app whether a neighborhood meeting will be required. Please refer to the City's Neighborhood Meeting handout for more detailed information on this process.

### **APPLICATION PROCEDURE**

Following the Pre-App and neighborhood meeting (if required), the applicant files a complete application with the Department of Planning and Building Services using the Land Use Application form available at the department (and on our website at [www.ci.oswego.or.us](http://www.ci.oswego.or.us)). The applicant also provides information and materials specified in the Pre-App Checklist. Please refer to the attached "Submittal Requirements" section for a list of the materials that are typically required for a modification application. A complete list of the required application materials for your proposal will be provided at the Pre-App.

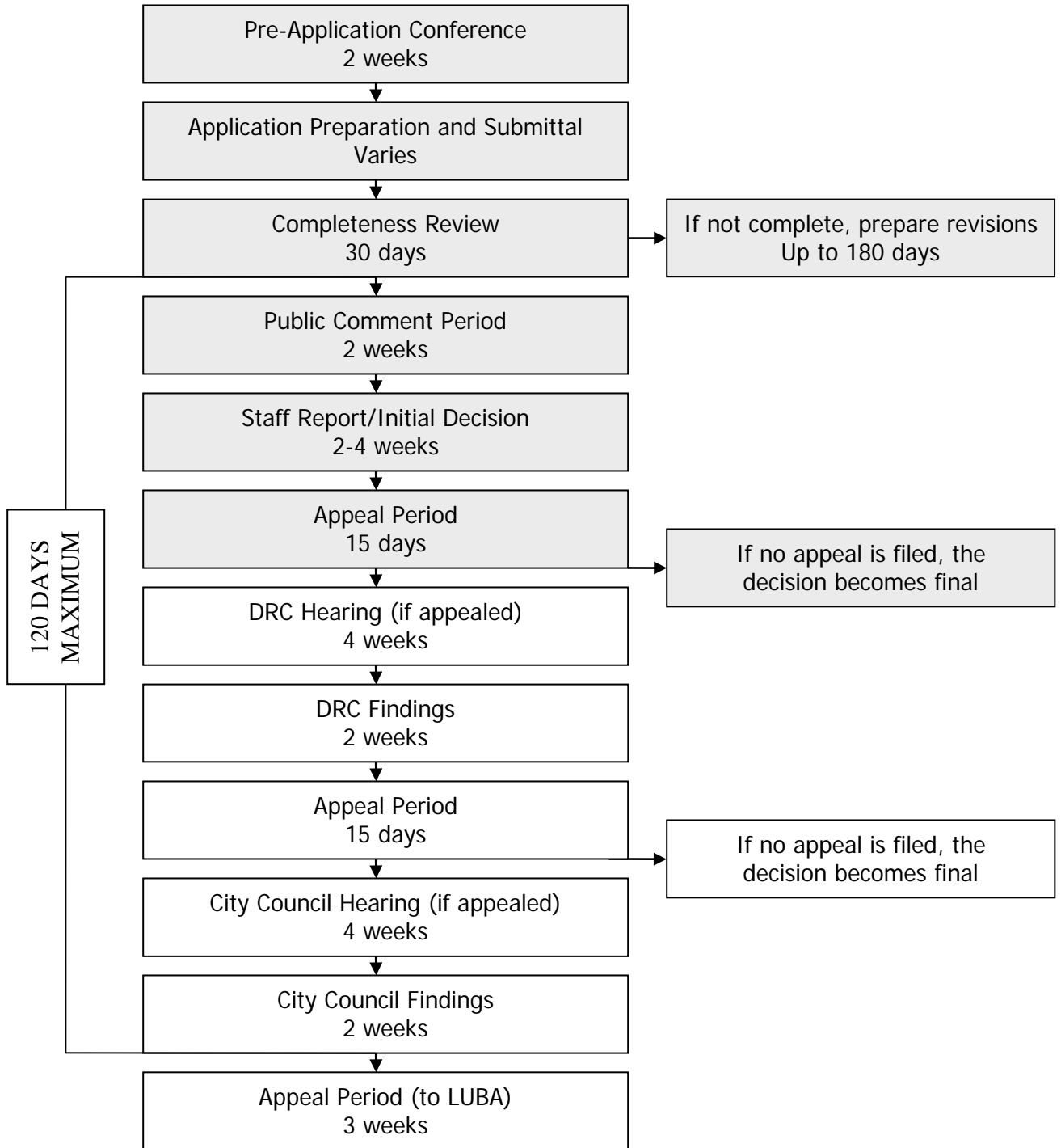
Submitted plans and attachments are routed to all concerned city departments for review. The City has 30 days to determine whether the modification application is complete. If the application is "incomplete," a letter will be sent to the applicant indicating what additional information is necessary. When an application that is reviewed administratively is deemed "complete," the City mails a Notice of Application to surrounding property owners, which begins a 14-day comment period. For applications that are reviewed by the Development Review Commission (DRC), the City mails a Notice of Public Hearing to surrounding property owners at least 20 days prior to the hearing date.

## **WHO MAKES THE DECISION**

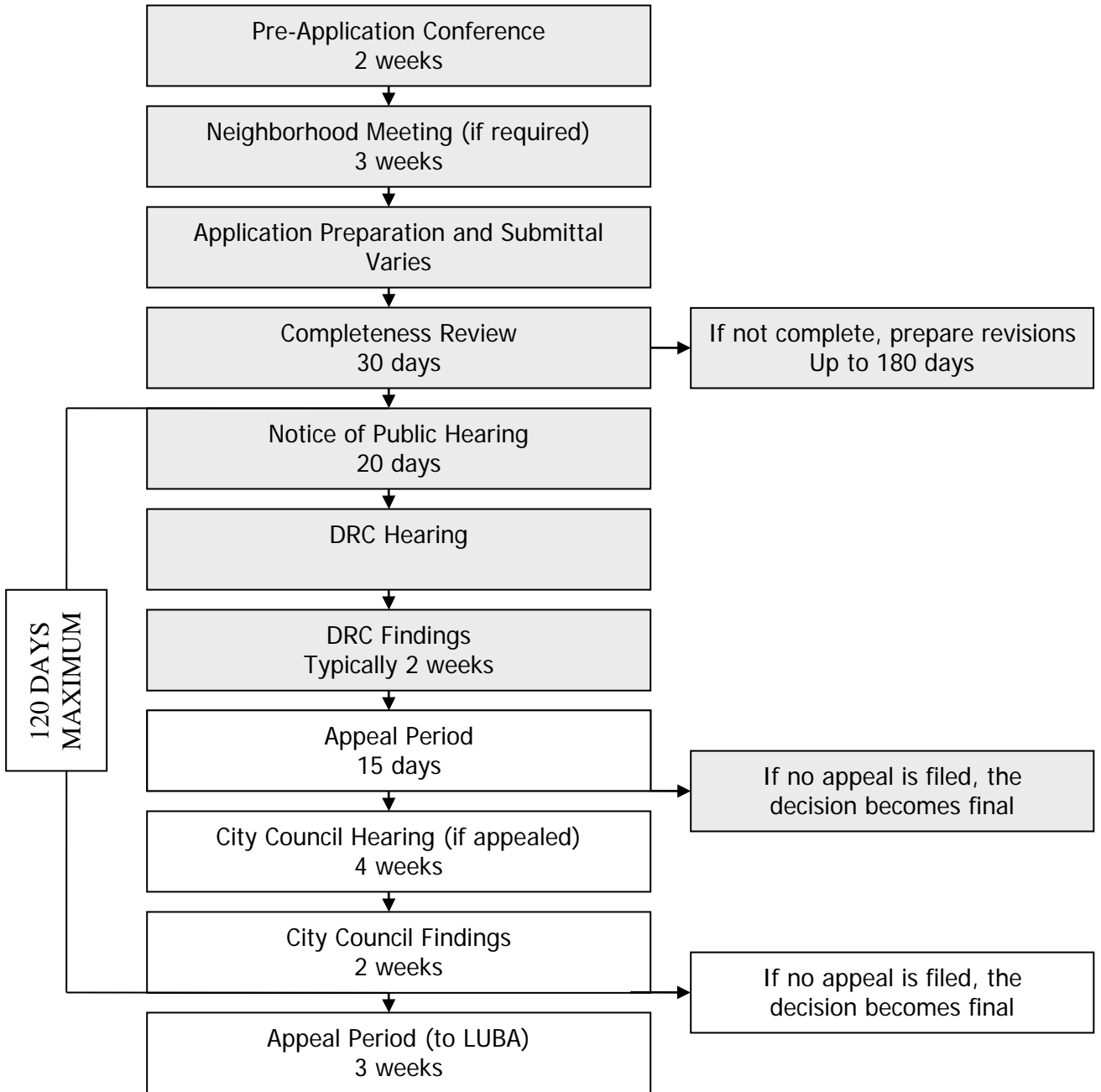
Depending on the scope and complexity of the proposal, either planning staff will make the decision on the modification application following the comment period or the DRC will make the decision at a public hearing. The applicant will be notified which review body will make a decision on the application at the Pre-App. If staff finds that the modification request will be controversial or that there is a high likelihood that the staff decision will be appealed, staff will automatically forward the application to the DRC for a public hearing.

The application will be evaluated on the basis of the information provided by the applicant, the criteria listed in the pertinent sections of the City's Community Development Code and other codes, public comment, and inspection of the property. Appeals of the staff decision can be made to the DRC. Appeals of the DRC's decision can be made to the City Council. The following flow charts identify the typical review process for modification applications that are reviewed administratively and by the DRC; however, special circumstances may increase certain processing times.

# DEVELOPMENT REVIEW PROCESS (STAFF DECISION)



# DEVELOPMENT REVIEW PROCESS (PUBLIC HEARING)



# SUBMITTAL REQUIREMENTS

A complete application is required before the City can proceed with technical analysis and make an informed decision on your application. Following is a list of materials that are typically required for modification applications; however, as each request is unique, additional items may be identified at the Pre-App Conference. Only digital submissions of materials will be accepted. Please do not submit your application until all the items on the list that apply to your proposal have been included. Consult with the Department of Planning and Building Services if you have a question. All application materials are public records.

## GENERAL

Please submit an electronic copy of each of the following items, including any additional items requested by the City in the Pre-Application Checklist:

- Completed Land Use Application form signed by the property owner(s). Agent authorization is required if application is not signed by owners of all subject parcels.
- Proof of ownership such as a copy of deed or title report.
- A survey map that is prepared, stamped and signed by a licensed surveyor that illustrates the existing structure(s) on the site, existing setbacks, two-foot contour lines, easements (if any), and all trees that are 6" in diameter or greater on or in close proximity to the site. [Note: depending on the nature of the proposed modification, a survey may not be required.]
- All relevant graphic information such as a scaled site plan, floor plans, and complete elevation drawings (showing existing and finished ground elevations). Please clearly label the existing and proposed footprint and existing and proposed portions of the structure(s) on all plans.
- If tree removal is proposed, a site plan illustrating the location, size, and species of all trees on the site and identifying those designated for removal. Be sure to address the Type II tree removal criteria [LOC 55.02.080 of the Tree Code] and include a mitigation plan. Tag trees requested for removal with a yellow ribbon.
- A narrative addressing all applicable standards listed in the Pre-App Checklist in detail.
- Neighborhood Meeting Information as required by LOC 50.07.003.1.f.
- Payment of application fee.
- Additional information as identified by the City in the Pre-App Checklist.