



Department of Planning and Building Services  
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## CONDITIONAL USES

### **WHAT IS A CONDITIONAL USE?**

A Conditional Use is an activity that requires a Conditional Use Permit (CUP) in order to operate. Conditional uses cannot be permitted outright in a zone because of some characteristics that are not entirely compatible with other uses allowed in the zone. A hearing body reviews the conditional use and, if necessary, imposes conditions to insure that the proposed use will be as compatible as practical with surrounding uses and meets all applicable code criteria. The approval criteria for conditional use applications are listed in LOC 50.07.005.3 and LOC 50.07.003.15.d, in addition to standards applicable to specific uses [LOC 50.03.003, 50.07.004.12].

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

A Pre-Application (Pre-App) Conference is required for all CUP 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 REQUIRED**

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

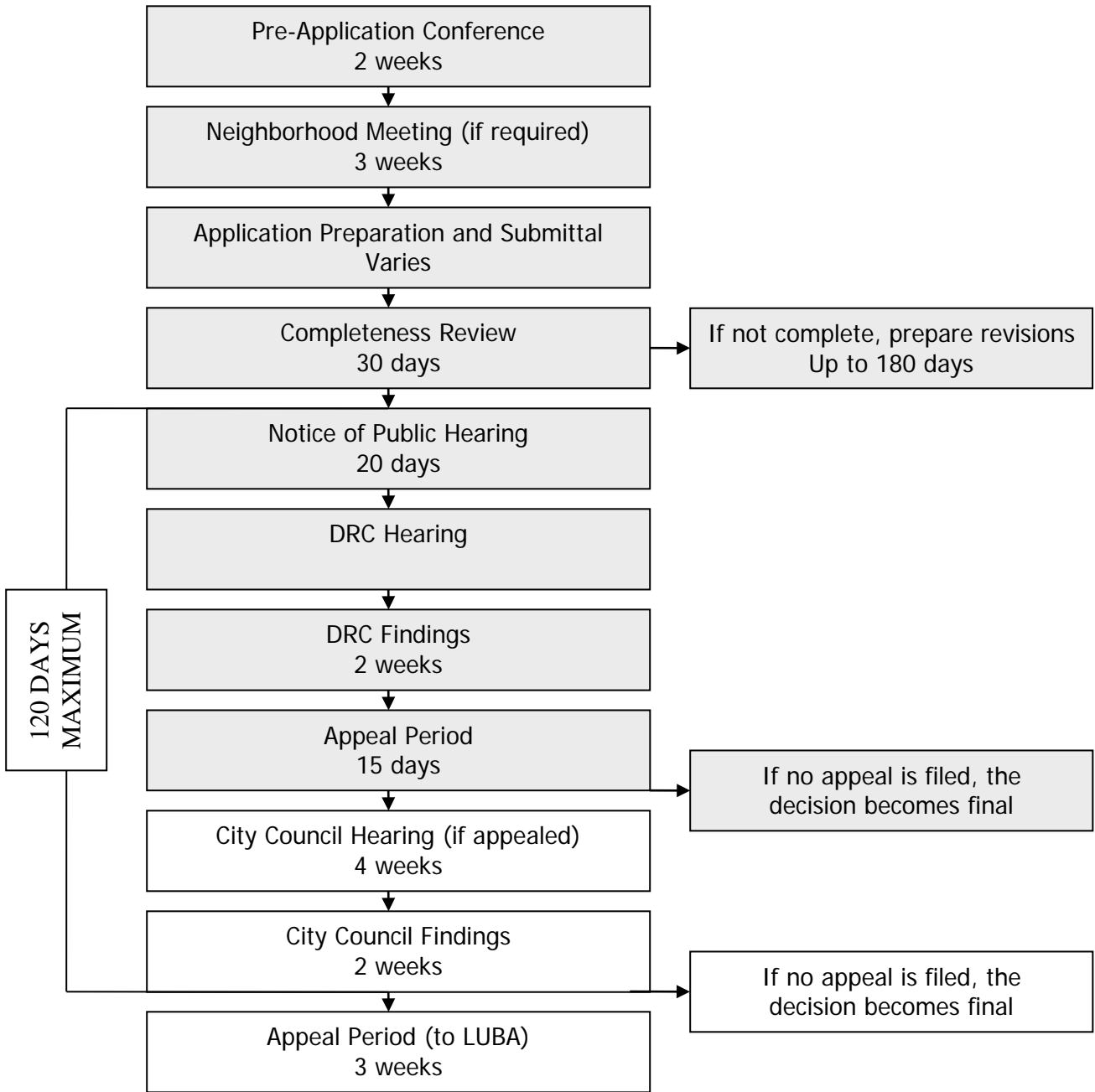
### **APPLICATION PROCEDURE**

Following the neighborhood meeting, 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 CUP 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 CUP application is complete. If the application is "incomplete," a letter will be sent to the applicant indicating what additional information is necessary. When the application is deemed "complete," the City schedules a hearing date before the Development Review Commission (DRC) and mails a Notice of Public Hearing to surrounding property owners at least 20 days prior to the hearing. The City also provides the applicant with a notice sign to post at the site.

**WHO MAKES THE DECISION**

The DRC will make a decision on the CUP application at the 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 DRC's decision can be made to the City Council. The following flow chart identifies the typical review process for CUP applications; however, special circumstances may increase certain processing times.



# 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 CUP applications; however, as each CUP request is unique, additional items may be identified at the Pre-App Conference. 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 become public information.

## GENERAL

The following items are required to be submitted in **FIVE COLLATED SETS** unless otherwise noted:

- 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 (**TWO SETS**).
- 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.
- All relevant graphic information such as a scaled site plan, floor plans, and detailed elevation drawings (label all materials and show existing and finished ground elevations).
- Detailed landscape, parking, utility and grading plans.
- Technical reports, such as drainage, arborist, traffic, or geotech reports (**THREE SETS**).
- 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.
- Sticky back address labels with name and addresses of at least 50 properties within 300+ feet of the site boundaries (excludes the site and City owned properties). This information shall be obtained from the most current tax assessor records (**TWO SETS**). Please make sure to add tax lot and tax map information for each lot above the respective address (see Mailing Label handout for specific instructions).
- Neighborhood Meeting Information as required by 50.07.003.1.f (**ONE SET**).
- 8 x 11 ½ reductions of all oversized materials (**TWO SETS**).
- Payment of application fee.
- Additional information as identified by the City in the Pre-App Checklist.