

SECTION 11.0900 APPLICATION SUBMITTAL AND COMPLETENESS REVIEW

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11.0901 Application Forms and Checklists

- A. The Manager shall supply land use application forms pursuant to the standards contained in the applicable state law, comprehensive plan, and implementing ordinance provisions.
- B. The Manager shall supply checklists or information sheets for applications, which shall detail the specific information which must be contained in the application, including format and number of copies.

11.0902 Application Submittal

- A. Applications for development permits shall be submitted upon forms established by the Manager. Applications will not be accepted in partial submittals. All of the following items must be submitted to initiate the completeness review:
 - 1. Application form, including required notarized signature(s) that demonstrate consent of all owners of the affected property;
 - 2. Deed, title report or other proof of ownership;
 - 3. Completed checklist provided in **11.0901**, including all required materials;
 - 4. Evidence of compliance with neighborhood meeting procedures, if required by **Section 11.0800** for the particular type of application;
 - 5. Plans required for the particular type of application as noted by staff on the completed application checklist;
 - 6. Special reports or plans required to demonstrate that the specific proposal and its site constraints comply with applicable codes. These are noted on the application checklist;
 - 7. Application narrative to address applicable code approval criteria and standards as noted by staff on the completed application checklist; and
 - 8. Payment for the appropriate land use application fee(s) and deposit(s), based on the fee schedule in effect on the date of application submittal.

11.0903 Completeness Review

- A. The Manager shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within thirty (30) calendar days after the city receives the application submittal, except for industrial reviews as described in **Section 7.0003(D)(6)(a)**, which shall have such a determination made within 14 calendar days after the City receives the application

submittal.

- B.** Incompleteness shall be based solely on failure to pay required fees, failure of the applicant's narrative to address the relevant criteria or development standards, or failure to supply the required information listed in the checklist and shall not be based on differences of opinion as to quality or accuracy. Determination that an application is complete indicates only that the application contains the information necessary for a qualitative review of compliance with the Development Code standards.
- C.** If the application was complete when first submitted or 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 upon the standards and criteria that were in effect at the time the application was first submitted.
- D.** If an application is incomplete, the completeness notice shall list what information is missing and allow the applicant to submit the missing information. The completeness notice shall include a form, designed to be returned to the Manager by the applicant, indicating whether or not the applicant intends to amend or supplement the application.
- E.** The application will be deemed complete for purposes of this section upon receipt by the city of:
 - 1.** All of the missing information;
 - 2.** Some of the missing information and written notice from the applicant that no other information will be provided; or
 - 3.** Written notice from the applicant that none of the missing information will be provided.
- F.** The application will be deemed void if the application has been on file with the city for more than 180 calendar days and the applicant has not met the obligations of **subsection E** above.
- G.** Pursuant to ORS 227.178, the city will reach a final decision on an application within 120 calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to extend the 120 calendar day time line pursuant to **subsection H** below or unless State law provides otherwise.

For *Qualifying Applications* as defined in **Section 3.0103**, unless waived by the applicant, the City will reach a final decision within 100 calendar days from the date that the application is deemed complete.
- H.** The 120 calendar day time line may be extended at the written request of the applicant. The total of all extensions may not exceed 245 calendar days.

11.0904 Resubmittal of Application Following Denial

An application which has been denied or an application which was denied and which on appeal or review has not been reversed by a higher authority, including the Land Use Board of Appeals, the Land Conservation and Development Commission or the courts, will be rejected for the same or a substantially similar proposal or for the same or substantially similar action for a period of at least 12 months from the date the final city action is made denying the application unless there is substantial change in the facts, a change in the Development Code, or a change in city policy which would change the outcome.