

City of John Day
450 East Main Street
John Day, OR 97845

Modification to Approved Plans Application

Application Type		(Applicant: check one)	
Pre-Submittal Modification to Approved Plan:		<input type="checkbox"/>	
Existing Approved Plan Type I:		<input type="checkbox"/>	
Existing Approved Plan Type II:		<input type="checkbox"/>	
Existing Approved Plan Type III:		<input type="checkbox"/>	
Required Project Information		(Applicant: complete this section)	
Applicant Name:		Phone:	
Company:		Fax:	
Address:			
Applicant's Rep.:		Phone:	
Company:		Fax:	
Address:			
Property Owner:		Phone:	
Company:		Fax:	
Address:			
ASSESSOR'S MAP NO:		TAX LOT NO(S):	
Property Address:			
Size of Property:		Acres <input type="checkbox"/>	Square Feet <input type="checkbox"/>
Approved Use of Property:			
Description of Modification: <small>If you are filling in this form by hand, please attach your proposal description to this application.</small>			
Signatures: Please sign and print your name and date in the appropriate box on the next page.			
Required Project Information		(City Intake Staff: complete this section)	
Associated Applications:		Signs:	
Pre-Sub Case No.:		Date:	Reviewed by:
Case No.:		Date:	Reviewed by:
Application Fee: \$		Technical Fee: \$	Postage Fee: \$
TOTAL FEES: \$		PROJECT NUMBER:	

Owner Signatures

This application form is used for both the required pre-submittal meeting and subsequent complete application submittal. Owner signatures are required at both stages in the application process. **An application without the Owner's original signature will not be accepted.**

Pre-Submittal

The undersigned acknowledges that the information in this application is correct and accurate for scheduling of the Pre- Submittal Meeting.

Owner:

Signature

Date: _____

Print

Submittal

I represent this application to be complete for submittal to the City. Consistent with the completeness check performed on this application at the Pre-Submittal Meeting, I affirm the information identified by the City as necessary for processing the application is provided herein or the information will not be provided if not otherwise contained within the submittal, and the City may begin processing the application with the information as submitted. This statement serves as written notice pursuant to the requirements of ORS 227.178 pertaining to a complete application.

Owner:

Signature

Date: _____

Print

5-4.6.010

Modifications - Purpose

The purpose of this Chapter is to provide an efficient process for modifying land use decisions and approved development plans, in recognition of the cost and complexity of land development and the need to conserve City resources.

This Chapter applies when an applicant proposes to modify an approved application or condition of approval approved through a Type II or Type III procedure. This Chapter does not apply to ministerial (Type I) decisions or legislative (Type IV) decisions.

A. **Major Modification Defined.** The City Planning Official shall determine that a major modification(s) is required if one or more of the changes listed below are proposed:

1. A change in land use;
2. An increase in density by more than ten (10) percent, provided the resulting density does not exceed that allowed by the land use district;
3. A change in setbacks or lot coverage by more than ten (10) percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district;
4. A change in the type and/or location of access-ways, drives or parking areas affecting off-site traffic;
5. An increase in the floor area proposed for non-residential use by more than fifteen (15) percent where previously specified;
6. A reduction of more than ten (10) percent of the area reserved for common open space; or
7. Change to a condition of approval, or a change similar to items 1-6, that could have a detrimental impact on adjoining properties. The City Planning Official shall have discretion in determining detrimental impacts warranting a major modification.

B. **Major Modification Applications; Approval Criteria.** An applicant may request a major modification using a Type II or Type III review procedure, as follows:

1. Upon the City Planning Official determining that the proposed modification is a major modification, the applicant shall submit an application form, filing fee and narrative, and a site plan using the same plan format as in the original approval. The Planning Official may require other relevant information, as necessary, to evaluate the request.
2. The application shall be subject to the same review procedure (Type II or III), decision making body, and approval criteria used for the initial project approval, except that adding a conditional use to an approved project shall be reviewed using a Type III procedure.
3. The scope of review shall be limited to the modification request. For example, a request to modify a parking lot shall require site design review only for the proposed parking lot and any changes to associated access, circulation, pathways, lighting, trees, and landscaping. Notice shall be provided in accordance with Chapter 5-4.1.
4. The decision making body shall approve, deny, or approve with conditions an application for major modification based on written findings on the criteria.

A. **Minor Modification.** A minor modification is a change that can be approved administratively and does not meet any of the thresholds for a major modification listed in Section 5-4.6.030.A.

B. **Minor Modification Review Procedure.** The Planning Official using a Type I or a Type II review procedure, under Section 5-4.1.020 or 5-4.1.030, shall review an application for approval of a minor modification. The Planning Official is responsible for determining the appropriate review procedure based on the following criteria:

1. Minor modifications that involve only clear and objective code standards may be reviewed using a Type

I procedure;

2. Minor modifications that involve one or more discretionary standards shall be reviewed through Type II procedure; and

1. When the code is unclear on whether the application should be a Type I or Type II review, a Type II procedure shall be used.

C. **Minor Modification Applications.** An application for minor modification shall include an application form, filing fee and narrative, and a site plan using the same plan format as in the original approval. The Planning Official may require other relevant information, as necessary, to evaluate the request.

D. **Minor Modification Approval Criteria.** The Planning Official shall approve, deny, or approve with conditions an application for minor modification based on written findings that the modification is in compliance with all applicable requirements of the Development Code and conditions of approval on the original decision, and the modification is not a major modification as described in Section 5-4.6.030.A, above.