



SUBSTANTIAL COMFORMANCE

SUBMITTAL PACKET

WHAT IS SUBSTANTIAL CONFORMANCE?

After a discretionary project is approved, the applicant may need to request minor revisions, usually as the result of a plan check or new requirement that emerges. Minor changes may be approved by staff if found to be in “substantial conformance” with the original project description, findings, and conditions.

WHAT PROJECTS QUALIFY?

In order to qualify for Substantial Conformance approval, planning staff must find that the minor changes do not increase the intensity of the project or have a potentially detrimental effect. Conditions of approval cannot be removed or revised as a Substantial Conformance request. If planning staff cannot make the finding of Substantial Conformance, and the applicant still wishes to pursue the revised project, an application for an amendment to the approval must be filed.

WHAT ARE THE DIFFERENT LEVELS OF REVIEW?

Planning staff will determine which of the following four levels of review applies to your project. If approved, a **Substantial Conformance Determination (SCD)** will be documented. Planning staff may request input for help in determining if the request is consistent with project approvals.

LEVEL	EXAMPLES	DETERMINATION
1	Very minor changes to the project, such as a change to an architectural element to meet design review comments	Staff documents the approval in the building permit application
2	Minor changes to the project such as moving a building two feet to accommodate an existing tree, relocate a trash enclosure, or transferring floor area with minimal effect to the elevations	Staff writes a letter to document the approval and a copy is sent to the decision-maker
3	Dialog with the decision-maker is necessary. Examples may include removal of a specimen tree to be preserved, changes in the location of a building, or changes to project phasing	Item is listed on the agenda for an informal “lunch meeting”. The applicant may be present
4	Rare circumstance in which staff determines that formal input is warranted and the item is scheduled on an agenda as a “Discussion Item”. An example is where additional square footage is proposed, a change in use is proposed, or an additional bedroom is added to a residential project	A cover memo is sent prior to the meeting and a notice may be provided. After input is received, staff writes a letter and a copy is sent to the decision-maker

HOW TO SUBMIT

All building permit and planning applications, including all supporting plans and documents, are accepted online via our [Accela Citizen Access Portal \(ACA\)](#). More information: [Electronic Submittals](#).

If a Substantial Conformance request is part of a *current project* that has an active Planning (PLN) Record, upload all supporting plans and documents as a “resubmittal” to your current PLN Record. If a Substantial Conformance request is for a *past project* (one without an active Planning Record), you will need to create a new PLN record and submit the information below.

WHAT TO SUBMIT

This document includes a basic list of information that is required to submit an application for Substantial Conformance. Depending on the specific elements of your request, and the level of review, Staff will inform you of any additional information required before a final determination is made.

FEES

Payment of fees is required for all applications.

Fees

Payment via check, electronic check, or credit card is required before project review or processing. Once the application is submitted, City staff will follow up electronically with an invoice for the total fee amount. Fees may be paid online, mailed, faxed, or dropped off at 630 Garden Street for processing. If paying by mail or fax, a [Fee Payment Submittal Sheet](#) is required. For more information, see: [How to Pay Invoiced Fees](#).

PLANS

Plan sets are required for most applications, depending on the request.

Project Plans

See the [Project Plan Submittal Guide](#) for the required contents of plan submittals. For minor projects, see the [Basic Site Plan](#) handout.

SUPPORTING MATERIALS

Supporting Materials are required, if applicable, as noted below.

Applicant Letter

Include a detailed description of the proposed request in a letter addressed to Planning Staff. This is your opportunity to explain your proposed project goals and why you are seeking approval. Describe the reasons for making changes to the project, especially if there are any new circumstances, changes to site conditions. Indicate how, in your opinion, the changes do not increase the intensity of the project or have a potentially detrimental effect.

If applicable, provide a copy of the original Planning Commission or Staff Hearing Officer Resolution and any conditions of approval. Include in your applicant letter a description of how each condition is still being met by the proposed project.