



City of Canby
 Planning Department
 111 NW 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001

LAND USE APPLICATION

MODIFICATION

APPLICANT INFORMATION: *(Check ONE box below for designated contact person regarding this application)*

Applicant Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Representative Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Property Owner Name: _____ Phone: _____
 Signature: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Property Owner Name: _____ Phone: _____
 Signature: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations, including but not limited to CMC Chapter 16.49 Site and Design Review standards.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

 Street Address or Location of Subject Property Total Size of Property Assessor Tax Lot Numbers

 Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation

 Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

MODIFICATION APPLICATION – INSTRUCTIONS

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email. Required application submittals include the following:

Applicant City
Check Check

- One (1) copy of this application packet. The City may request further information at any time before deeming the application complete.
- Payment of appropriate fees – cash or check only. Refer to the city’s Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.
- Mailing labels (1" x 2-5/8") for all property owners and all residents within 500 feet of the subject property. **If the address of a property owner is different from the address of a site, a label for each unit on the site must also be prepared and addressed to “occupant.”** A list of property owners may be obtained from a title insurance company or from the County Assessor. Ask staff if mailing labels are necessary for your proposal.
- One (1) copy of a written, narrative statement describing the proposed development and detailing how it conforms with the Municipal Code and to the approval criteria. Depending on your proposal, you may need to submit revised site plans, elevations, or a simple narrative. **Ask staff for applicable Municipal Code chapters and approval criteria.** Applicable Code Criteria for this application includes:

- Ten (10) paper copies of the proposed plans, printed to scale no smaller than 1"=50'. The plans shall include the proposed modifications.

MODIFICATION APPLICATION – INFORMATION

The Modification process provides a way to make changes to a previous land use approval, including site plans, elevations, or conditions of approval. Our goal is to allow small changes to be made swiftly and easily while allowing public review of more substantial changes.

Applicants should consult with Planning Department staff in advance to determine whether Modifications are Minor, Intermediate or Major:

- **Minor Modifications** have a negligible impact on an approved site plan, land use decision, or condition of approval. Examples include changing the spacing or species of approved landscaping plants, altering lot sizes by a few square feet, or amending utility plans. Minor Modifications can be reviewed and approved by planning staff. These changes can usually be decided within a few days.
- **Intermediate Modifications** have a more substantial impact but do not completely change the application. Examples include changes in building design, residential lot configurations, or commercial driveway locations. These changes are reviewed by the Planning Commission without a public hearing. However, notice of the Commission’s decision is provided to neighbors and those involved in the original decision; these people can request a public hearing. Items can usually be scheduled for a decision by the Commission in two or three weeks but the process can take several months if a public hearing is required. More information on this process is provided below.

- **Major Modifications** have substantial impacts to an approved site plan or land use decision. Examples include: changing the type of housing or business proposed for a site; greatly increasing the amount of traffic generated by an existing use; or reconfiguring an entire subdivision. Major Modifications require a new land use application and are considered in a new land use process.

Factors to be considered in the City's determination include impact on neighboring properties and public service provision.

Frequently asked questions:

What's my first step?

Once you know what you would like to change, make an appointment to talk to a city Planner. We'll help you determine what type of Modification you have and what the process will be.

What are the fees?

The fee depends on what type of Modification you have and whether a public hearing is requested. Fees for each type are listed at the top of the attached application sheet.

How long will it take?

As noted above, it depends on what type of Modification you have and whether a public hearing is requested. Minor Modifications can sometimes be done over the counter; Intermediate Modifications with a hearing may require several months.

What is the process for Intermediate Modifications?

The process for Intermediate Modifications is a little unusual, so here's some extra information. You'll need to submit a Modification application with the required fee, mailing labels, and enough information about your request for staff and the Planning Commission to make an informed decision. Depending on your proposal, you may need to submit revised site plans, elevations, or simply a narrative description of your proposal. Planning Department staff will help you figure out exactly what's needed.

We'll usually schedule your request for consideration by the Planning Commission at the next available meeting under the "new business" part of the agenda (the Commission meets on the 2nd and 4th Mondays of most months, and your application will need to be in at least two weeks in advance to make the agenda, if there's room).

At the meeting, staff will explain your proposal and make a recommendation to the Planning Commission. You'll also have a chance to talk with the Commission and provide any other information or answer questions. If the Commission approves your request, notice will be sent to neighbors and those who testified at the original public hearing. Any individual can request a public hearing; if one is requested, you (the applicant) will have to pay an extra fee to cover the costs. The public hearing requires three weeks' notice (see the *About Public Hearings* handout for more information).

If the Planning Commission denies your request, you may appeal to the City Council, but you'll need to file an Appeal application and pay another fee.