



City of Canby
Planning Department
222 NE 2nd Avenue
P.O. Box 930
Canby, OR 97013
Ph: 503-266-7001
Fax: 503-266-1574

LAND USE APPLICATION

COMPREHENSIVE PLAN AMENDMENT – Process Type IV

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

- ❶ 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.
- ❷ 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.
- ❸ 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

COMPREHENSIVE PLAN AMENDMENT – TYPE IV

Instructions to Applicants

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email to: PlanningApps@canbyoregon.gov

Applicant	City
Check	Check

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | One (1) copy of this application packet. The City may request further information at any time before deeming the application complete. |
| <input type="checkbox"/> | <input type="checkbox"/> | 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 <i>City of Canby</i> . |
| <input type="checkbox"/> | <input type="checkbox"/> | Please submit one (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT 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, an address for each unit on the site must also be included and addressed to “Occupant.” A list of property owners may be obtained from a title insurance company or from the County Assessor’s office. |
| <input type="checkbox"/> | <input type="checkbox"/> | 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, including the applicable Design Review Matrix, and availability and adequacy of public facilities and services. <u>Ask staff for applicable Municipal Code chapters and approval criteria.</u>
Applicable Code Criteria for this application includes:

_____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Three (3) copies of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (<u>payment must be received by the City before the traffic engineer will conduct or review a traffic impact study.</u>
Ask staff to determine if a TIS is required. |
| <input type="checkbox"/> | <input type="checkbox"/> | One (1) copy in written format of the Neighborhood Meeting Minutes as required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and the sign in sheet of attendees. |
| <input type="checkbox"/> | <input type="checkbox"/> | One (1) copy in written format of the Pre-Application Meeting Minutes |
| <input type="checkbox"/> | <input type="checkbox"/> | One copy of either the recorded plat or the recorded deeds or land sales contracts that demonstrates how and when legal property lines were established and where the boundaries of the legal lot(s) of record are located. If the property is a lot or parcel created by plat, a copy of the recorded plat may be obtained from the Clackamas County Surveyor’s office. If the property is a legal lot of record created by recorded deed or land sales contract at a time when it was legal to configure property lines by deed or contract, then those recorded deeds may be obtained from the Clackamas County Office of the Clerk, or a Title Company can also assist you in researching and obtaining deeds. |

COMPREHENSIVE PLAN AMENDMENT– TYPE IV: APPLICATION PROCESS

1. Prior to submitting an application, all applicants are encouraged to request a pre-application meeting with the City, or the City Planner may determine that a pre-application meeting is necessary after an application has been discussed or upon receipt of an application by the City. To schedule a pre-application meeting, an applicant must submit a completed pre-application form, 2 sets of preliminary plans and payment of fees (see Master Fee Schedule) to the Planning Department.
2. Prior to submitting an application, all applicants must hold a neighborhood meeting with surrounding property owners and any recognized neighborhood association representative, pursuant to the procedures described in Canby Municipal Code Section 16.89.070. In certain situations, the Planning Director may waive the neighborhood meeting requirement.
3. At the time an application is submitted to the City, payment of all required application processing fees is required. An application will not be accepted without payment of fees. City Staff can provide you with information concerning application fees.
4. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. Along with the comments received from others, the application is reviewed for completeness. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
5. Staff investigates the application, writes a staff report, issues public notice, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
6. Prior to the public hearing, staff will prepare notice materials for posting on the subject property. This material will be posted **by staff** at least ten (10) days before the public hearing.
7. The staff report will be available to all interested parties at least seven (7) days prior to the hearing.
8. The Planning Commission holds a public hearing where the staff report is presented. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
9. The Commission then issues findings of fact which support approval, modification, or denial of the application. A decision may be appealed to the City Council.
10. If an approval or a denial is appealed, City Council holds a public hearing. The staff report is presented and testimony taken, as at the original hearing(s). Unless the City Council decides to hear the appeal de novo, only testimony regarding items already in the record is permitted, and no new information may be entered. In the case of an appeal, the Council may affirm, revise or reverse the action of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body for further consideration.

LEGISLATIVE PLAN AMENDMENT STANDARDS AND CRITERIA

In judging whether or not a legislative plan amendment shall be approved, the Planning Commission and City Council shall consider:

1. The remainder of the Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;
3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;
4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;
5. Statewide planning goals.

QUASI-JUDICIAL PLAN AMENDMENT STANDARDS AND CRITERIA

In judging whether a quasi-judicial plan amendment shall be approved, the Planning Commission and City Council shall consider:

1. The remainder of the Comprehensive Plan of the city, as well as the plans and policies of the county, state, or any local school or service districts which may be affected by the amendments;
2. Whether all required public facilities and services exist, or will be provided concurrent with the anticipated development of the area.