



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

Conditional Use Process Type III

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



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CHECKLIST

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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

- ☐ ☐ 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*.
- ☐ ☐ **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.
- ☐ ☐ One (1) copy of a written statement describing the Conditional Use Permit request, and detailing how your request meets the approval criteria. **Ask staff for applicable Municipal Code chapters and approval criteria.** Applicable Code Criteria for this application includes:

- ☐ ☐ 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.
- ☐ ☐ If the development is located in a Hazard (“H”) Overlay Zone, submit one (1) copy of an affidavit signed by a licensed professional engineer that the proposed development will not result in significant impacts to fish, wildlife and open space resources of the community. If major site grading is proposed, or removal of any trees having trunks greater than six inches in diameter is proposed, then submit one (1) copy of a grading plan and/or tree-cutting plan.
- ☐ ☐ **Two (2) 11” x 17” paper copies** of the proposed plans, printed to scale no smaller than 1”=50’. The plans shall include the following information:
 - ☐ **Vicinity Map.**
 - ☐ Vicinity map at a scale of 1”=400’ showing the relationship of the project site to the existing street or road pattern.
 - ☐ **Site Plan**-the following general information shall be included on the site plan:
 - ☐ Date, north arrow, and scale of drawing;

- ☐ Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
- ☐ Property lines (legal lot of record boundaries);
- ☐ Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
- ☐ Location of all jurisdictional wetlands or watercourses on or abutting the property;
- ☐ Finished grading contour lines of site and abutting public ways;
- ☐ Location of all existing structures, and whether or not they are to be retained with the proposed development;
- ☐ Layout of all proposed structures, such as buildings, fences, signs, solid waste collection containers, mailboxes, exterior storage areas, and exterior mechanical and utility equipment;
- ☐ Location of all proposed hardscape, including driveways, parking lots, compact cars and handicapped spaces, loading areas, bicycle paths, bicycle parking, sidewalks, and pedestrian ways;
- ☐ Callouts to identify dimensions and distances between structures and other significant features, including property lines, yards and setbacks, building area, building height, lot area, impervious surface area, lot densities and parking areas;
- ☐ Location of vision clearance areas at all proposed driveways and streets.
- ☐ **Landscape Plan**
The following general information shall be included on the landscape plan:
 - ☐ Layout and dimensions of all proposed areas of landscaping;
 - ☐ Proposed irrigation system;
 - ☐ Types, sizes, and location of all plants to be used in the landscaping (can be a “palette” of possible plants to be used in specific areas for landscaping);
 - ☐ Identification of any non-vegetative ground cover proposed, and dimensions of non-vegetative landscaped areas;
 - ☐ Location and description of all existing trees on-site, and identification of each tree proposed for preservation and each tree proposed for removal;
 - ☐ Location and description of all existing street trees in the street right-of-way abutting the property, and identification of each street tree proposed for preservation and each tree proposed for removal.
- ☐ **Elevations Plan** - The following general information shall be included on the elevations plan:
 - ☐ Profile elevations of all buildings and other proposed structures;
 - ☐ Profile of proposed screening for garbage containers and exterior storage areas;
 - ☐ Profile of proposed fencing.
- ☐ **Sign Plan.**
 - ☐ Location and profile drawings of all proposed exterior signage.
- ☐ **Color and Materials Plan.**
 - ☐ Colors and materials proposed for all buildings and other significant structures.

CONDITIONAL USE – TYPE III: 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 and set of preliminary plans to the Planning Department.

2. 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.
3. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are also routed to various City/State/County departments, as applicable, for their comments. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
4. 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.
5. Prior to the public hearing, the City will prepare notice materials for posting on the subject property. Staff will post this material at least ten (10) days before the public hearing.
6. The staff report will be available to all interested parties at least seven (7) days prior to the hearing.
7. The Planning Commission holds a public hearing. The staff report is presented to the Commission. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
8. The Commission then issues findings of fact which support approval, approval with conditions, or denial of the application. A decision may be appealed to the City Council.
9. If the Planning Commission decision 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 decision of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body for further consideration.

CONDITIONAL USE PERMIT – TYPE III: STANDARDS AND CRITERIA

Under Section 16.50.010 of the Canby Municipal Code, an application for CONDITIONAL USE PERMIT approval shall be evaluated based on the following standards and criteria:

- A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the city; and
- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features; and
- C. All required public facilities and services exist to adequately meet the needs of the proposed development; and
- D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone.