



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

TEMPORARY VENDOR Process Type I

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

TEMPORARY VENDOR APPLICATION – TYPE I
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

- 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*.

- 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. **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.

- One (1) paper copy of the proposed plot plan, printed on paper no smaller than 8.5”x11”, and drawn to an engineer’s scale no smaller than 1”=40’. The plot plan shall include the following information:
 - A. All legal lot lines, north arrow, lot size and dimensions, and location and names of all adjacent streets.
 - B. Location & description of all existing structures, landscaped areas, pavement, driveways, fire lanes, and parking and loading areas.
 - C. Location& description of the proposed temporary vendor activity. If any vehicle, tent, or other temporary structure will be erected, provide dimensions and height of the structure. Also illustrate the proposed location of all furniture, trash receptacles, fuel tanks, generators, signs, and temporary electrical hookups. Call out the distance between the proposed structures and equipment, and the lot lines in order to

demonstrate that all required setbacks are met.*(note: a separate sign permit must be obtained for any proposed signs).*

- D. Indicate how equipment such as trash cans, fuel tanks, or generators will be screened so that they are not visible from any abutting public right-of-way.

TEMPORARY VENDOR – TYPE I: APPLICATION PROCESS

1. 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.
2. Application requirements. Type I applications shall be made on forms provided by the Planning Director. The application shall be accompanied by all required information and fees.
3. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
4. Decision requirements. The Planning Director’s decision shall address all of the approval criteria. Based on the criteria and the facts contained within the record, the Planning Director shall approve, approve with conditions, or deny the requested permit. A written record of the decision shall be provided to the applicant and kept on file at the City.
5. Final decision. The decision shall be final on the date it is mailed or otherwise provided to the applicant, whichever occurs first.

TEMPORARY VENDOR – TYPE I: STANDARDS AND CRITERIA

16.08.140 Temporary vendor.

Any person who exhibits goods or services for sale or for offer in a temporary manner on private property, from a vehicle, trailer, tent, canopy, shipping container, or other temporary structure, or from one’s person or displayed on the ground or off the ground, shall first obtain permit approval in compliance with the following standards, and shall operate in compliance with this section and with all other applicable sections of the Canby Municipal Code.

- A. Exemptions. The following temporary activities do not require a Temporary Vendor permit, and are exempt from the standards in this section:
 1. Any person engaged in the mere delivery of any goods or services to a site, which were purchased from a regular place of business inside or outside the city;
 2. Any person engaged in delivery, exhibition, sale or offering of food on a site for a period of time not to exceed 2 hours during any 24 hour period;
 3. Any contractor who is engaged in constructing, maintaining, or repairing a structure, utility, equipment, or landscaping on a site; or
 4. Any person conducting a garage sale per Section 5.04.020.

B. Permit process.

1. A request for a Temporary Vendor permit shall be processed as a Type I decision pursuant to the procedures set forth in Chapter 16.89. A Temporary Vendor permit applicant shall demonstrate that the proposed activity meets all fire and life safety codes, and is in compliance with this section and with all other applicable sections of the Canby Municipal Code.
2. An application for a Temporary Vendor permit shall include a site plan drawn to scale, which includes all existing lot lines, setbacks, structures, landscaped areas, paved areas, and parking and loading spaces; and illustrates the proposed location and layout of all the Temporary Vendor's structures, equipment, furnishings, signage, and inventory.
3. The Temporary Vendor activity (e.g., retail, restaurant, etc) shall be an outright permitted use in the zoning district in which it is located; Or if the use is conditionally permitted in the zoning district, a Conditional Use Permit approval shall be required prior to issuance of a Temporary Vendor permit.
4. A "Site and Design Review" permit is not required for a permitted Temporary Vendor.
5. Any signage displayed by the Temporary Vendor must be in compliance with Chapter 16.42 sign standards, and all required Sign permits must be obtained.
6. A Temporary Vendor must obtain a City of Canby business license, if applicable.

C. Duration. A Temporary Vendor permit may be granted for a site for up to 90 consecutive calendar days, and then may be renewed once upon request for an additional 90 days, provided that the temporary vendor activity has been conducted in compliance with all applicable codes, and no public safety incidents have occurred on the site related to the temporary vendor activity. In no case shall a site be permitted to host Temporary Vendor activity for more than 180 days in any 12 month period.

D. A Temporary Vendor shall be located on a paved surface with adequate vehicular and pedestrian ingress and egress, in compliance with Section 16.10.070. Inventory and equipment shall not be displayed or stored in any landscaped areas.

E. A Temporary Vendor shall comply with all required development standards, such as height limitations, setbacks, vision clearance areas, and applicable conditions of any previous land use decisions for the site.

F. Equipment such as trash cans, fuel tanks, or generators shall be screened such that it is not visible from any abutting public right-of-way.

G. A Temporary Vendor shall not displace any vehicle parking spaces that are required to meet the minimum off-street parking requirements of another use on site or on a nearby site. A Temporary Vendor shall not encroach into required loading space areas, driveways, or vehicle maneuvering areas.

H. A Temporary Vendor that displaces one or more vehicle parking spaces is prohibited for any site that:

1. Is non-conforming in terms of meeting minimum required vehicle parking or loading space requirements; or
2. Has been granted a vehicle parking exception, and currently has less than the required minimum number of off-street vehicle parking spaces.

I. The property owner and the temporary vendor permit holder shall be jointly and severably responsible for any violation of this section or other applicable sections of the Canby Municipal Code. Any such violation may result in the immediate revocation or non-renewal of a temporary vendor permit, and may result in the denial of any future temporary vendor permit for the site upon which the violation occurred.