



City of Canby
 Planning Department
 111 NW 2nd Avenue
 P.O. Box 930
 Canby, OR 97013
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LAND USE APPLICATION

CONDO – 6 OR FEWER UNITS OR CONDO CONVERSION - 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

- 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

**CONDO – 6 OR FEWER UNITS OR CONDO CONVERSION –
Instructions to Applicants**

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.

- 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.

CONDOMINIUM PROJECT INVOLVING NEW CONSTRUCTION OF SIX OR FEWER UNITS OR CONDOMINIUM CONVERSION

The following standards shall apply to all condominium projects involving the new construction of six or fewer units:

- A. All utilities shall be separated on a unit-to-unit basis, except in cases where the units are to be in multi-story structures where some of the units will not have ground floors, in which case the utilities shall be separated as much as possible from one unit to the next. The developer shall present plans for utility separation to the city engineer, utility board manager, Canby Telephone Association manager and, if warranted, an appropriate official of the Northwest Natural Gas Company.
- B. Applicants shall be responsible for compliance with all applicable city, county and state regulations governing the construction, platting and sale of condominium units.
- C. Improvement requirements for small condominium projects shall be the same as those which would be required for a subdivision of the property. These shall include:
 - 1. Curb, gutter and sidewalk construction to city standards;
 - 2. Installation and extension of utilities;
 - 3. Street improvements adjacent to site;
 - 4. Dedication of right-of-way sufficient to allow for the widening or expansion of the street;
 - 5. Filing of a waiver of the right to remonstrate against any future public facility or utility improvements which would benefit the property. (Ord. 740 section 10.5.70(B), 1984)

Review by City Planner.

- A. The City Planner shall review the information submitted by the applicant and shall determine whether it meets the requirements of this and other applicable ordinances. Upon completion of this review, the City Planner shall notify the applicant in writing of the required conditions to be met prior to sale or occupancy of the units.
- B. If modifications to the project are necessary to assure compliance with the applicable regulations, the City Planner shall notify the applicant of such modifications.
- C. Included with the written notification from the City Planner will be one copy of the proposed plot plan labeled "tentatively approved," or "tentatively denied" and marking any modification or corrections which may be necessary. (Ord. 740 section 10.5.70(C), 1984)

Responsibilities of applicant.

- A. The applicant shall be responsible for compliance with all applicable requirements prior to sale or occupancy of the units. This shall include the following final procedures as well as compliance with the basic standards of this and other applicable ordinances.

- B. The developer shall file with the City Planner a reproducible copy (Mylar or sepia) of the recorded plat of the development.
- C. Included with the copy of the plat will be copies of the by-laws of the owners' association and any contracts, covenants, restrictions or waivers of remonstrance recorded for the property.

Conversion to condominium.

Proposals to convert existing rentals or leased property to condominium ownership shall comply with the requirements of section 16.70.030, regardless of the number of units involved. Applicants intending to utilize the provisions of this chapter must file the appropriate application and receive written approval from the City Planner prior to receipt of a certificate of occupancy for the units.