



# ***Conditional Use Permit Checklist***

**City of Klamath Falls Development Services, 226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601**

This checklist is a guide to what constitutes a complete **Conditional Use Permit** application. Applications found to be incomplete upon submittal will not be accepted or if an application is accepted and found incomplete, it will not be processed until the missing components are submitted.

Prior to applying, you have the option of requesting a pre-application meeting with City staff and other agencies to discuss and gain an understanding of the application process and the requirements you will need to meet to proceed with your proposal. Pre-application meetings cost 10% of the application fee, which will be credited toward the total fee should you choose to proceed. This fee is nonrefundable.

## **THE FOLLOWING ARE REQUIRED AND SHALL BE SUBMITTED WHEN APPLYING FOR A CONDITIONAL USE PERMIT:**

- ☐- Completed General Review Application form (**TO BE COMPLETED IN INK**)
- ☐- Completed Conditional Use Permit Application form (**TO BE COMPLETED IN INK**)
- ☐- List of all property owners within **250 feet** of the subject property and a completed Public Hearing Notice Mailing List form
- ☐- Completed Applicant and Owner Statement form and Copy of Deed
- ☐- **Site Plan** (Use 8 ½" x 11" sheets for lots less than or equal to 10,000 square feet. Use a minimum of 11" x 17" & a maximum of 24" x 36" for larger lots or those requiring greater detail. At least one copy must be a maximum of 11" x 17" or smaller so it is easily reproduced) including, but not limited to:
  - ☐- Date of site plan
  - ☐- External lighting
  - ☐- Name of project
  - ☐- North arrow
  - ☐- Trash containers
  - ☐- Existing site features
  - ☐- Written & graphic scale
  - ☐- Location & type of fencing <sup>1</sup>
  - ☐- Location of adjacent streets
  - ☐- Location & type of handicap access
  - ☐- All existing & proposed improvements
  - ☐- Present zoning & intended use of the property
  - ☐- Location of existing & proposed signs <sup>1</sup>
- ☐- Existing utilities including easements, poles, overhead or underground lines, etc.
- ☐- Lot & building dimensions, setback dimensions & height of all existing and proposed structures.
- ☐- Proposed layout of parking lot, including location & dimension of parking spaces, handicap parking spaces, curb islands, internal planter strips, maneuvering aisles & access driveways indicating directions of travel. Also note type of existing & proposed surface materials.
- ☐- Location of all recreational amenities such as open play areas, swimming pools, tennis courts, tot lots, etc.
- ☐- Site data in tabular form including: total area of property, building coverage, existing gross floor area, parking lot coverage, parking lot landscape coverage, and number of parking stalls required.

(Continued)

- ☐- Finished floor elevations – show existing grade contours and finished grades or contours clearly.
- ☐- Size & location of all existing and proposed public and private utilities, easements or rights-of-way.
- ☐- Location, dimensions and names of proposed internal streets showing center line radii and curb return radii (location and dimensions of existing & proposed sidewalks shall also be shown).
- ☐- Proposed gross floor area and number of residential units as appropriate (in tabular form).
- ☐- All applicable criteria in the current editions of the City Code, Community Development Ordinance (CDO) and Public Works Engineering Standards.

☐- **Landscape Plan** (2 copies) including but not limited to the following:

- ☐- Tree planting calculations
- ☐- Storm water retention/detention areas
- ☐- Paving materials
- ☐- Type of existing & proposed irrigation
- ☐- Existing vegetation noting species, size and drip lines of trees, with a distinction shown between vegetation to be retained or removed.
- ☐- New plant material (quantities and species) graphically distinguishing between new and existing plant material and between species of new plant material.
- ☐- Screening, noting materials used as screen, height of screen material, device or area requiring screening and height of device to be screened (exterior areas that may require screening include parking, refuse storage and mechanical equipment).
- ☐- All applicable criteria in the Community Development Ordinance.

☐- Vicinity map (indicating the relationship and forms of existing developments in the general area and zoning surrounding the subject property).

☐- Building elevations (minimum of front & one side elevation), including a description of materials to be used to provide an accurate representation of color, texture and finish. Actual material samples may be submitted, but are not required.

☐- Tenant sign criteria (for commercial projects only) <sup>1</sup>

☐- Application fee

☐- Mailing notice costs (current postage rate plus 10 cents, multiplied by the number of property owners required to be notified).

☐- Legal Notice costs (not required upon application submittal but will be billed and shall be paid within 30 days of the final decision of the application, if applicable).

\* \* \*

<sup>1</sup> Fences and signs are not approved through the Conditional Use Permit process. A fence or sign permit must approve new or modified fencing or signage respectively.



# General Review Application

City of Klamath Falls Development Services  
226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

File Number(s):

## OFFICIAL USE ONLY

Date Received: \_\_\_\_\_ Date Application Complete: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Date of Pre-App Meeting: \_\_\_\_\_

↓ DATE OF DLCD NOTICE—FOR ANNEXATION AND ZONE CHANGE ONLY ↓

Notice of Proposal: \_\_\_\_\_ Notice of Adoption: \_\_\_\_\_

## APPLICATION TYPE

↓ Applications processed through the City Planning Department – *Check all that apply* ↓

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Design Review—Major (\$750)   | <input type="checkbox"/> Design Review—Minor (\$300)     | <input type="checkbox"/> Conditional Use Permit (\$1,000) |
| <input type="checkbox"/> Variance—Major (\$750)  | <input type="checkbox"/> Variance—Minor (\$300)          | <input type="checkbox"/> Annexation (\$500)               |
| <input type="checkbox"/> Land Partition—Tentative (\$750)  | <input type="checkbox"/> Subdivision—Tentative (\$1,500) | <input type="checkbox"/> Zone Change (\$2,000)            |
| <input type="checkbox"/> Nonconforming Use Exception (\$175) <input type="checkbox"/> Other → Please Describe: _____ |  |   |

## APPLICANT INFORMATION

*Please check primary contact person*

**TO BE COMPLETED IN INK**

☐ Landowner Name: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

☐ Applicant Name: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

☐ Agent (e.g. Architect, Engineer, Surveyor): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

City Business License No: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

## SUBJECT SITE INFORMATION

Property Address: \_\_\_\_\_

Map & Tax Lot Number(s): \_\_\_\_\_

Subdivision, Lot & Block: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Total Size of Parcel(s): \_\_\_\_\_

Describe current uses, existing structures, other improvements and vegetation on the property: \_\_\_\_\_

Existing easements and/or deed restrictions—Purpose and Description: \_\_\_\_\_

Volume & Page Number: \_\_\_\_\_

(continued)

## PROJECT INFORMATION

- Briefly describe the project and proposed use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Will any portion of the facility, once operational, be age restricted? ☐ Yes ☐ No

## TRAFFIC STATEMENT

- Describe the amount of traffic the proposal will generate and the impact on local streets and traffic conditions: \_\_\_\_\_  
\_\_\_\_\_

## ENVIRONMENTAL IMPACTS

- Describe any noise potentially generated by the proposed use (including during construction): \_\_\_\_\_  
\_\_\_\_\_
- Describe pollution emissions that will be generated by the proposed use: \_\_\_\_\_  
\_\_\_\_\_
- Describe the impact of the proposal on adjacent scenic views, historical resources or other environmental resources: \_\_\_\_\_  
\_\_\_\_\_

## CONSTRUCTION IMPACTS

- If excavation or fill is planned, explain the purpose, location and amount of each: \_\_\_\_\_  
\_\_\_\_\_
- If tree removal is planned, explain the purpose of removal and the location and number of trees to be removed: \_\_\_\_\_  
\_\_\_\_\_

## PLEASE NOTE

- If driveways are planned as part of your proposal, please note the type (residential or commercial), width and location of each on the site plan.
- If sidewalks are planned, show the width and location on the site plan.
- If water and sewer are planned, show the main lines and service lines on the site plan.
- If storm water is planned, show the main lines and service lines or on-site detention/retention on the site plan.



# *Conditional Use Permit Application*

City of Klamath Falls Development Services, 226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

## **TO BE COMPLETED IN INK**

This is a Conditional Use Permit (CUP) application supplement, required for all CUP applications. **Please write a response (facts and findings) to each statement (criterion) explaining how your proposal meets that criterion.** Attach additional sheets if necessary.

### REQUIRED FINDINGS

The Community Development Ordinance (Sections 11.100-11.120) allows the granting of a Conditional Use Permit only when certain findings can be made (i.e., criterion are met). Please complete this form to explain how you think the requested Conditional Use Permit will satisfy the following criteria (1-6).

1. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required to adjust said use with land and uses in the neighborhood.

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2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

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3. The proposed use will have no adverse effect on abutting property or the permitted uses thereof.

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4. That adequate capacity of City facilities for water, sewer, paved access, electricity and storm drainage can and will be provided to and through the property. ***You may address each “City facility” (water, sewer, paved access, electricity & storm drainage) separately.***

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5. The proposed use is similar in scale, bulk, and coverage, and is architecturally compatible with other uses in the same vicinity and zone.

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6. Provision of public facilities and services to the site will not cause service delivery shortages to existing development.

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**Please remember** that when a Conditional Use Permit is approved, the permit is void one year from the date of approval if substantial progress toward the specific conditional use has not been made. Also, when a conditional use allowed via an approved Conditional Use Permit is discontinued for a period in excess of one year, the permit becomes null and void.



# Public Hearing Notice Mailing List

City of Klamath Falls Development Services, 226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

## INSTRUCTIONS FOR PROVIDING PUBLIC HEARING NOTICE INFORMATION FOR:

**Land Partition   Conditional Use Permit   Flood Hazard Permit   Variance   Nonconforming Use Exception**

When applying for any of the above, please provide the information necessary to notify the nearby property owners about all public hearings for your project. This information is to be provided in the following manner:

Obtain a current copy of the County Assessor map (tax maps) that include your project site and all parcels within **250 feet** of any part of the parcel on which your project is located, including public rights-of-way. The exterior property lines of the parcel(s) on which your project is located, even if your project will occupy only a portion of the parcel(s), must be clearly outlined on the map, and another line must be clearly drawn indicating a distance of **250 feet** from all exterior property lines you have outlined. Check the scale shown on each map (they may be different) and use the adjoining maps if necessary to include all property within **250 feet**. **The County Assessor Office may be able to print a list of addresses for you. If interested, you may inquire with them at the County Government Center at 305 Main Street, Klamath Falls, OR 97601.**

Obtain names, addresses and tax lot numbers of all owners of property within 250 feet, as listed on the last preceding tax roll of the Assessor of Klamath County. List the above information in the following order:

- ☐ Tax Account Number
- ☐ Property Owner Name
- ☐ Street Address
- ☐ City, State and Zip Code

NOTE: Type or print labels on the form provided or on a sheet of labels. Print them legibly or the mailing list will be returned. Typed mailing labels will speed the application process.

You are required to pay for the Mailing Notice costs (current postage rate plus 10 cents multiplied by the number of property owners to be notified) with your application fee.

You may also be required to pay for Legal Notice costs. These costs will be billed to you and shall be paid within 30 days of the final decision.

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### ACKNOWLEDGMENT OF MAILING LIST

STATE OF OREGON  
COUNTY OF KLAMATH  
CITY OF KLAMATH FALLS



I, \_\_\_\_\_, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, I submitted with my application, such names, addresses and Tax Account Numbers as are listed on the last preceding tax roll of the Assessor of Klamath County.

That said list contains a true copy of all property owners within 250 feet of the subject property.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

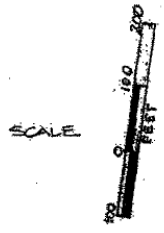
Notary Public for Oregon

\_\_\_\_\_

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.

KLAMATH COUNTY  
1400

SEE MAP 38 09 3340



NORTH ARROW ↑

ADJOINING MAP →

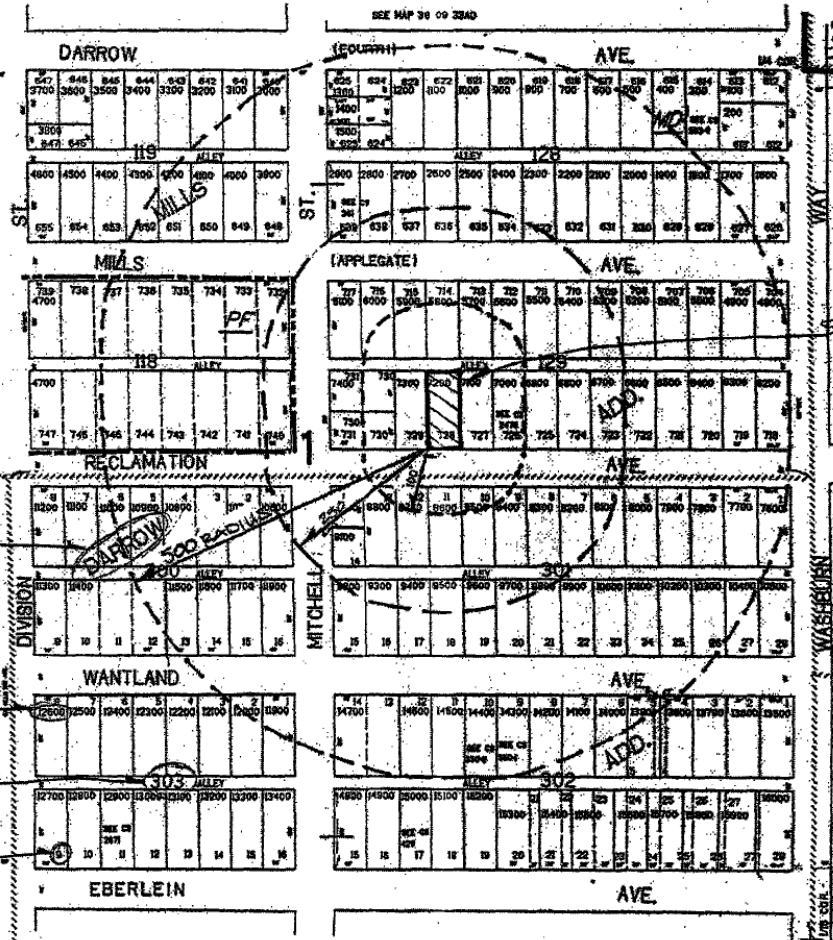
SEE MAP 38 09 3300

SUBDIVISION 2  
NAME

TAX LOT NUMBER 2

BLOCK NUMBER 2

LOT NUMBER 2



SUBJECT  
PROPERTY

SEE MAP 38 09 3400

SEE MAP 38 09 3300

MAP NUMBER 38-09 330A  
KLAMATH FALLS





# ***Applicant & Owner Statement***

City of Klamath Falls Development Services, 226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

I (we) the undersigned applicant(s) and/or owner(s) of the parcel of land located at the address listed below; identified as the Tax Account Number(s) also listed below, realize that this application rests upon the above answers and accompanying data and do hereby affirm and certify under penalty of perjury, that the foregoing statements and answers are in all respects true and correct to the best of my/our knowledge. By submission of this application, the owner and developer hereby grant the City permission to erect a public notice sign on the subject property for public information purposes.

Subject Property Address: \_\_\_\_\_

Subject Property Tax Account Number(s): \_\_\_\_\_

## **APPLICANT(S):**

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

If the applicant listed on this application is not the sole deed holder of the property or properties described above, complete the following or submit a separate written authorization from the owner:

## **AUTHORIZATION TO ACT AS AGENT**

I (we) the undersigned, hereby certify that as deed holder(s) of record of property or properties described above, hereby authorize the person(s) listed as the applicant(s) on this application to act and appear as agent, with respect to this application.

## **LANDOWNER(S):**

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

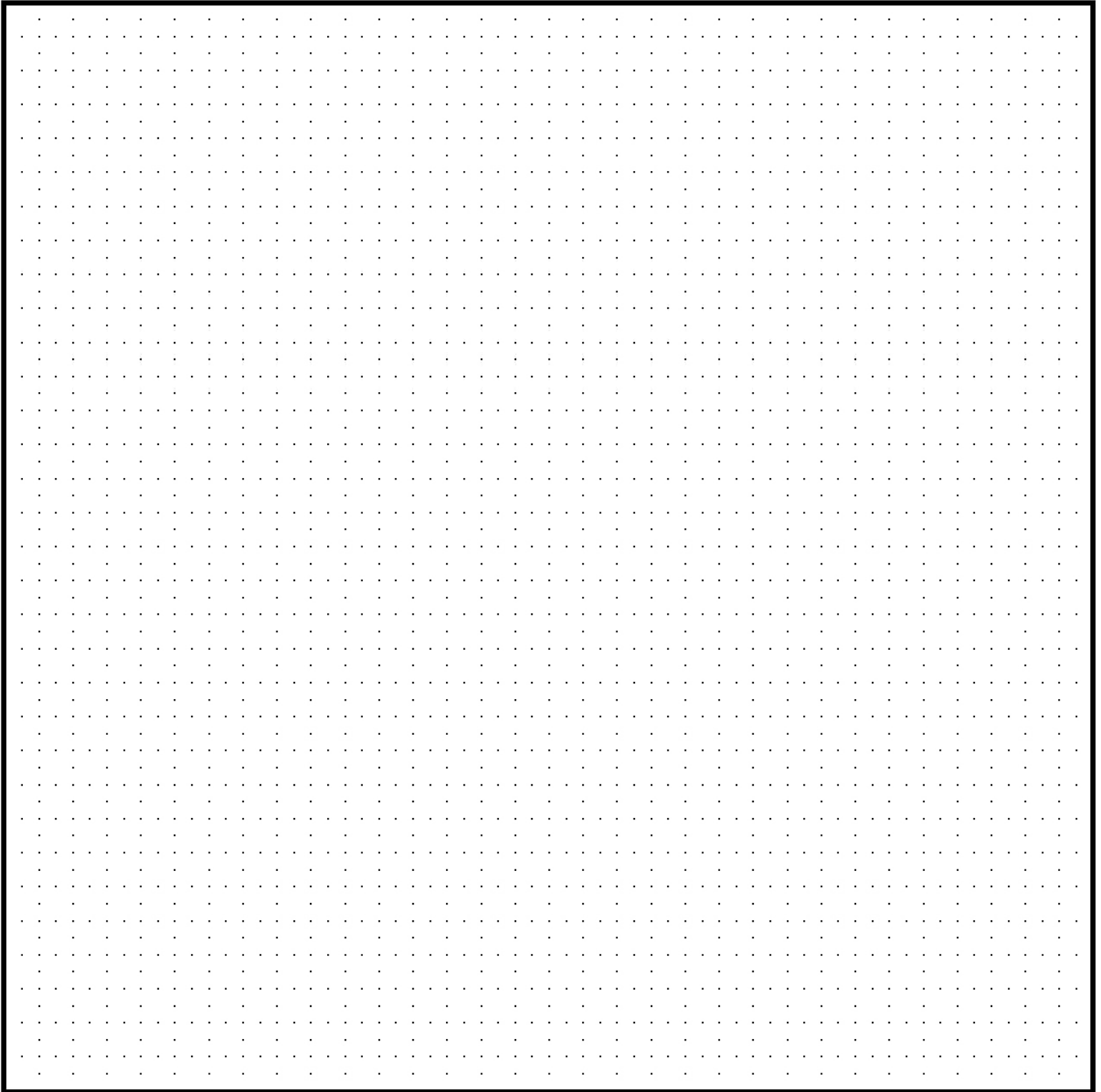
Date: \_\_\_\_\_

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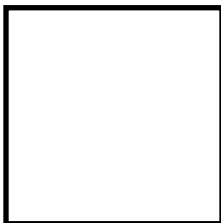
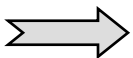
**SITE PLAN FORM**  
**CITY OF KLAMATH FALLS DEVELOPMENT SERVICES**

A site plan is required for several land use applications. This form is provided for this purpose, although site plans are not restricted to this form. Please review the reverse side of this form for site plan requirements. Property owners are responsible for accurately locating property lines. The City strongly recommends hiring a licensed surveyor, prior to building, to locate property lines.

*Revised October 2019*



Please draw  
an arrow in  
box at right  
to indicate  
NORTH.



Applicant Name(s): \_\_\_\_\_  
Site Address (if known): \_\_\_\_\_  
Map & Tax Lot Number(s): \_\_\_\_\_  
Scale: 1" (4 squares) = 20' (1 square = 5') or: \_\_\_\_\_  
Date: \_\_\_\_\_ ☐ Check box if this plan is a revision of an earlier version

## Site Plan Checklist

**Note:** the following are basic things that need to be shown on a site plan. Depending on the circumstances of your proposal, additional attributes may be required. You are advised to check with the City Planning Division to see what is expected of your site plan. This form may not be large enough to provide ample detail for complex proposals, such as major commercial or industrial developments.

- ☐ Fill out all information below the drawing field (grid).
  - ☐ Name(s) of applicant(s).
  - ☐ Site address. If one has not yet been assigned for this site you may leave this blank.
  - ☐ Current Map & Tax Lot Number(s) according to the County Assessor.
  - ☐ Scale. The default scale is 1 inch (or four “squares”) is equal to 20 feet. The scale is flexible depending on the circumstances of your proposal. A different scale may be used as long as it is identified in the space provided. **The site plan needs to be drawn to the scale indicated.**
  - ☐ Date of the site plan. Each revised site plan needs to also have a revised date. If the map is a revision of an earlier version, please check the appropriate box.
  - ☐ Draw an arrow in the box provided that indicates **true north**.
- ☐ Exterior property boundaries/dimensions shall be shown.
- ☐ All existing and proposed structures shall be shown and indicated as such. Dimensions and type (e.g. house, shed, garage, shop, etc.) of all structures shall be shown as well.
- ☐ Distances between all existing and proposed structures and between all structures and all property lines shall be indicated.
- ☐ Total square footage of each proposed and existing structure shall be indicated. The square footage of existing structures and any additions to them shall be noted separately.
- ☐ Height of proposed and existing structures shall be noted.
- ☐ Total square footage of lot(s) shall be noted.
- ☐ Location, dimensions and surface type (e.g. gravel, dirt, asphalt or concrete) of proposed and existing driveways shall be shown.
- ☐ Location, name and surface types (e.g. gravel, dirt, asphalt or concrete) of adjacent streets and alleys shall be shown.
- ☐ Location, type (e.g. water, sewer, access, open-space, etc.) and dimensions of all easements shall be shown.
- ☐ Location, dimensions and surface types (e.g. asphalt or concrete) of all off street parking spaces shall be shown.
- ☐ Location and dimensions of proposed landscaping shall be shown. A separate landscape plan may be required.

### What do I need to file?

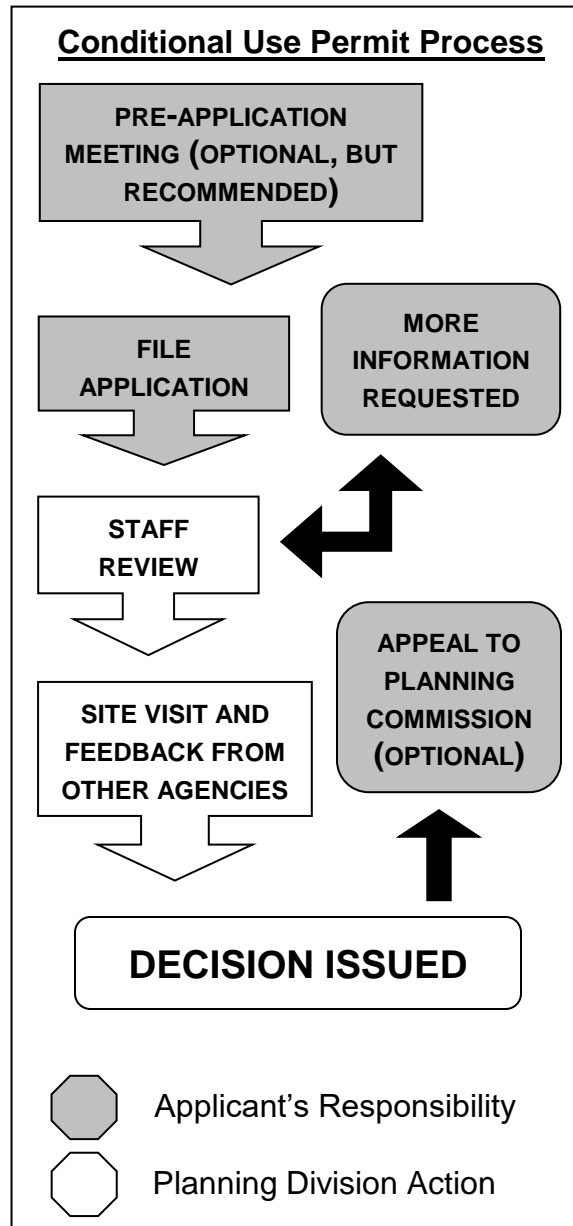
A checklist of the information and materials you will need to provide for a complete Conditional Use Permit application can be obtained at the City Planning Division. They include:

- Complete General Review Application
- Complete Conditional Use Permit Application
- Public Notice Mailing List for properties within 250-feet of the subject site
- Complete Acknowledgment of Mailing List form
- Complete Applicant & Owner Statement form
- Site Plan (10 copies 11"x17")
- Vicinity Map (10 copies 11"x17")
- Filing Fee
- Mailing Notice Costs (postage + \$0.10 x number of property owners notified)

### What is considered when a proposed project is reviewed?

When requesting approval of a Conditional Use Permit, applicants should keep in mind that the project will be carefully reviewed to determine how the proposal relates to the specific site, and effects its neighborhood and community. In other words, the decision makers want to ensure that the development fits with the surrounding area and supports adopted community goals. The proposed use must comply with ordinance and comprehensive plan requirements, and the site must be able to physically accommodate the proposed use.

A Site Construction Permit issued by City Development Services Engineering, may be required. For further information about this permit, please contact the City Development Services Engineering Division.



*This guide is designed to provide general information only. It is not a City ordinance or policy and has no legal effect. The Comprehensive Plan and other chapters of the City Community Development Ordinance & City Code are the official regulations of the City. Those documents, rather than this guide are the only legal basis for assessing how City regulations affect property development.*

### **A User's Guide to the:**

# CONDITIONAL USE PERMIT PROCESS



**City of Klamath Falls  
Development Services  
Planning Division**

**226 South 5<sup>th</sup> Street  
P.O. Box 237  
Klamath Falls, OR 97601  
(541) 883-4950**

## **What is a Conditional Use Permit?**

There are certain land uses and types of businesses that may have unique impacts on their surrounding neighborhoods. Examples of such impacts may include increased traffic, noise or visual concerns. These uses are carefully reviewed through the Conditional Use Permit process. A “conditional use” is a use that is permitted within a given zone only when certain conditions have been or will be met. Conditional Use Permits are approved administratively by the Planning Division staff and may be appealed to the Planning Commission and City Council. Conditional Use Permits authorize a use and set conditions for its establishment and operation.

Conditional Use Permits are required for projects or other land uses that may have the potential to affect the neighborhood or community. Examples include:

- *Day Care Facilities, a triplex or fourplex, or a manufactured home park in a Medium Density Zone*
- *Any commercial use in an Industrial Zone*
- *A Public Facility in a General Commercial Zone*
- *A dock or wharf in a Single Family Zone*
- *Antique or thrift shops in the Downtown Business Overlay Zone*

## **What laws regulate Conditional Use Permits?**

Sections 11.100 – 11.120 of the Community Development Ordinance (CDO) regulate the granting of a Conditional Use Permit. In addition, each zoning category, described in CDO Chapter 12, identifies the types of uses that require Conditional Use Permits.

## **Who approves a CUP?**

The Planning Director (or staff) makes the decision to **approve** or **deny** the application. The Director’s decision may be appealed to the Planning Commission (See the *Users Guide to the Appeal Process* for more information). Approval of a CUP means that your application will be approved if you abide by the special conditions of the project. These conditions are established to allow the City to develop in an orderly and efficient manner and to alleviate any detrimental effects on adjacent properties. Examples of these conditions include:

- *An increase of the required lot size*
- *Control of location and number of vehicular access points*
- *Dedication and improvement of additional rights-of-way*
- *Limited hours of operation*
- *A change in the required amount of off street parking spaces*
- *The construction of sight obscuring fencing, landscaping and/or sound barriers*
- *Other conditions as determined by the Planning Director*

## **How much does it cost?**

The fee for a Conditional Use Permit is \$750. The fee for a pre-application meeting is 10% of the application fee (i.e. \$75). This fee is deducted from your final application fee, should you choose to apply after the pre-application meeting. In total, you would pay \$750.

## **Where can I get more information?**

You can call or visit the City Development Services Planning Division (or) visit the City’s web site at: [www.klamathfalls.city](http://www.klamathfalls.city)

## **Should I attend a pre-application conference?**

Attending a pre-application meeting is recommended. These meetings are held on Thursday mornings. An appointment for a pre-application conference can be made by calling or visiting the City Planning Division. A minimum of one-week notice is required for scheduling the conference to allow the Planning Division enough time to notify and invite other City departments and outside agencies to the meeting. This also allows time for each department or agency to review the request. At the time a conference is scheduled, it is beneficial to provide the Planning Division with a site plan and/or other documents pertinent to the proposal, as it gives each department or agency more information to provide you with more thorough and detailed comments at the conference.

You may also bring additional information to the meeting if you wish. During the pre-application conference, you will be given an overview of the process, and comments and suggestions from various agencies.

## **How long does it take?**

Processing time varies depending on the circumstances of the site you propose to develop and/or modify, and the complexity associated with the project. Typically, a Conditional Use Permit takes about three weeks to process. You can expedite the review process by making sure your application is complete, your proposal is clearly stated, and all required information is provided. The Planning Division is available to answer your questions regarding any application requirement. For more information, call (541) 883-4950 and ask to speak with a Planner.