



City of Canby

Staff Report
File #: DR 21-03 / LLA 21-03
Dragonberry Produce – Phase II

HEARING DATE: June 28, 2021
STAFF REPORT DATE: June 18, 2021
TO: Planning Commission
STAFF: Ryan Potter, AICP, Senior Planner

Applicant Request

The applicant, Dragonberry Produce, requests Planning Commission approval to construct a second phase of their existing produce distribution business operating at 386 S Sequoia Parkway. To facilitate the proposed expansion, the applicant proposes to consolidate their existing property with an adjacent parcel (380 S Sequoia Parkway). The proposed warehouse building would include a drive-in cooler, nut processing facilities, and office space.

Approval of the proposed project includes applications for Site and Design Review (City File DR 21-03) and a Lot Line Adjustment (City File LLA 21-03).

Vicinity Map



Staff Recommendation

Based on the applications submitted and the facts, findings, and conclusions of this report, staff recommends **Approval** of DR 21-03 and LLA 21-03 pursuant to the Conditions of Approval identified in Section V of this Staff Report.

Property/Owner Information

Location: 380 & 386 S Sequoia Parkway
Tax Lots: 31E3401804 and 31E3401805
Property Size: 4.87 acres
Comprehensive Plan: LI – Light Industrial
Current Zoning: M-1 – Light Industrial
Owner: Amy Nguyen, Dragonberry Produce
Applicant: David Hyman, DECA Architecture, Inc.
Application Types: Site and Design Review (DR), Lot Line Adjustment (LLA)
City File Numbers: DR 21-03; LLA 21-03

Attachments

- A. Land Use Applications
- B. Application Narrative
- C. Site Plan and Elevation Exhibits
- D. Pre-Application Conference Meeting Minutes
- E. Neighborhood Meeting Minutes
- F. Traffic Analysis Letter

Existing Conditions

The proposed project would be constructed on what is now two separate parcels (together referred to in this report as the “subject property”). The first of these is the 3.87-acre parcel that contains Dragonberry Produce’s existing operations (approved in February 2010; City Files DR 09-02 and MOD 12-02). The business consists of a 14,257-square-foot warehouse and office building with loading docks, parking, and landscaping. These features are located on the eastern half of the parcel; the western half is vacant. The existing business has two driveways onto S Walnut Street, which curves around the property’s eastern and southern frontages. The second one-acre parcel is to the immediate west of the first and is vacant. This parcel was created in 2007 when a large square parcel was subdivided into roughly-equal quadrants connected by a shared private drive (Struble Estates, City File SUB 07-01).

The entirety of the subject property is zoned M-1, Light Industrial. Both parcels are largely devoid of natural vegetation but there is a cluster of mature trees along Sequoia Parkway and the existing business has street trees and extensive landscaping.

The subject property is located in the Canby Pioneer Industrial Park and is generally surrounded by other parcels that are also zoned M-1, Light Industrial. To the east across Walnut Street is a newly-constructed beverage distribution warehouse (Columbia Distributing) and an excavation and construction business (Canby Excavation). To the south across Walnut Street is a vacant parcel; across Sequoia Parkway is a machine parks manufacturer (Premier Gear & Machine Works). To the west is a newly constructed business that manufactures insect monitoring and control products (Alpha Scents). To the north is an industrially-zoned single family home with a deep setback from S Walnut Street.

Project Overview

The proposed project is an expansion of Dragonberry Produce's existing operations, which have been successful and need room to grow. The proposed 29,700-square foot building would be of concrete tilt-up construction and would include large drive-in coolers, nut processing facilities, and office space for shipping and receiving. As described in the applicant's narrative, the building's primary use would be the processing, packaging, and warehousing of produce. The exterior design and finishes would be designed to be compatible with the appearance of the existing building. Exterior improvements would include eight loading docks at the rear of the building, surface parking (see analysis under Chapter 16.10, below), and landscaping. A walkway would connect the existing building and proposed building. The westernmost portion of the subject property, west of the proposed building, would remain vacant in order to facilitate future expansion.

Access to and from the subject property would be provided via three access points: the business's two existing driveways onto S Walnut Street, and a new private drive connecting to S Sequoia Parkway. This third route of access will be a private driveway connecting to the private drive shared by the four parcels in the Struble Estates subdivision. As part of the proposed project, the applicant is planning to widen the turning radius of the existing driveway on the easternmost end of the subject property, to allow for easier truck movements and prevent future damage to the curbs at this location.

Lot Consolidation

As stated above, the subject property is currently comprised of two tax lots. The proposed building would traverse across the existing property line; therefore a lot consolidation (aka lot line adjustment) is required to ensure that the building complies with minimum setback requirements. For this reason, the project applicant has applied for a lot consolidation (City File LLA 21-03) to be included as a component part of the proposed project.

Analysis and Findings

I. Applicable Criteria

Applicable criteria used in evaluating this application are listed in the following sections of the City of Canby's Land Development and Planning Ordinance:

- 16.08 General Provisions
- 16.10 Off-street Parking and Loading
- 16.32 M-1 Light Industrial Zone
- 16.35 Canby Industrial Area Overlay Zone
- 16.42 Signs
- 16.43 Outdoor Lighting Standards
- 16.46 Access Limitations on Project Density
- 16.49 Site and Design Review
- 16.56 Land Division Regulations – General Provisions
- 16.58 Lot Line Adjustments
- 16.88 General Standards and Procedures
- 16.89 Application and Review Procedures
- 16.120 Parks, Open Space, and Recreation Land – General Provisions

II. **Facts and Findings**

The following analysis evaluates the proposed project's conformance with applicable approval criteria and other municipal code sections, as listed above in Section I. Sections of the Canby Municipal Code (CMC) are analyzed in the order that they appear in the code.

Section 16.08.070: *Illegally Created Lots*

This section of the CMC establishes that in no case shall a lot created in violation of state statute or City ordinance be considered as a lot of record for development purposes, until such violation has been legally remedied.

Finding 1: The submitted application materials include documentation demonstrating that the two parcels comprising the subject property are legally created lots eligible for development.

For the above reason, Planning Staff finds this request is consistent with applicable provisions of the CMC.

Section 16.08.150: *Traffic Impact Study*

This section of the CMC outlines requirements for studying the transportation impacts of a proposed project.

Finding 2: At the pre-application conference held for the proposed project on January 26, 2021, City Staff determined that a full Transportation Impact Analysis (TIA)¹ was likely not required due to the scope of the project, which is a minor expansion of an existing business that would not be expected to generate 25 or more trips during the AM and/or PM peak hours, or generate 400 or more daily trips. Accordingly, a traffic analysis letter (TAL) providing site-specific analysis was prepared by DKS Associates.

As discussed in the TAL, project-related vehicle trips were added to five intersections in the immediate vicinity of the project site to analyze the project's potential impacts. The proposed project is expected to generate approximately 49 total daily trips, with only five trips during both the AM and PM peak hours. This number of trips is not expected to meaningfully contribute to congestion on local roadways or intersections, nor would it result in the need for offsite improvements. Required onsite and frontage improvements are identified as conditions of approval in Section V of this Staff Report.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

Section 16.08.160: *Safety and Functionality Standards*

The City will not issue any development permits unless the proposed development complies with the City's basic transportation safety and functionality standards, the purpose of which is to ensure that development does not occur in areas where the surrounding public facilities are inadequate. At the time of development permit application submittal, the applicant shall demonstrate that the property has or will have the following:

¹ Alternatively called a Traffic Impact Study (TIS).

- A. Adequate street drainage;
- B. Provides safe access and clear vision at intersections;
- C. Public utilities are available and adequate to serve the project;
- D. Access onto a public street with the minimum paved widths as stated in Subsection E below.
- E. Adequate frontage improvements as follows:
 - a. For local streets and neighborhood connectors, a minimum paved width of 16 feet along the site's frontage.
 - b. For collector and arterial streets, a minimum paved width of 20 feet along the site's frontage.
 - c. For all streets, a minimum horizontal right-of-way clearance of 20 feet along the site's frontage.
- F. Compliance with mobility standards identified in the Transportation System Plan (TSP). If a mobility deficiency already exists, the development shall not create further deficiencies. (Ord 1340, 2011)

Finding 3: The adequacy of public utilities to serve the proposed project was discussed at the pre-application conference held on January 26, 2021. Electricity, water, gas, and sanitary sewer service currently serve the existing business and related infrastructure can be extended to serve the project site for Phase II. See Section V of this Staff Report for conditions of approval related to utility line extensions.

The project site has frontage on S Sequoia Parkway and S Walnut Street, which intersect on the site's southern edge. Although these are existing streets, frontage requirements are required for them to reflect their designated street classifications as identified in the City's TSP. Section V of this Staff Report identifies frontage requirements for S Sequoia Parkway and S Walnut Street. As part of the proposed project, the project applicant is also planning to enlarge the turning radii of the existing business's access onto S Walnut Street. This improvement is shown in the applicant's design drawings.

As discussed above under the response to Subsection 16.08.150, traffic generated by the proposed project would be negligible and would not "create further deficiencies" where existing deficiencies exist. Adequate vision clearance is demonstrated in the applicant's exhibits.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

Chapter 16.10: Off-Street Parking and Loading

This chapter of the CMC identifies requirements for vehicular parking, bicycle parking, and loading facilities when new development occurs.

Finding 4: As identified in Section 16.10.050, manufacturing and warehousing uses are both required to provide two off-street parking spaces per 1,000 gross square feet of office space, plus one space per 1,000 gross square feet of non-office space. The proposed building would contain 28,200 square feet of warehouse space and 1,500 square feet of office space. Therefore, 31.2 spaces are required (28.2 spaces for

warehouse uses plus three spaces for office uses). Thirty three parking spaces would be provided by the proposed project. Therefore, this requirement is met.

Subsection 106.10.060 requires industrial uses containing between 25,000 and 60,000 square feet of floor area to provide a minimum of two loading berths. The proposed project provides eight; therefore this requirement is met.

Planning Staff find that the proposed parking lot and site access are generally consistent with Subsection 16.10.070 of the CMC, including the following items:

- Compact spaces would not exceed 30 percent of parking spaces for passenger vehicles (all spaces would be standard sized).
- Parking areas and driveways would be paved surfaces.
- No parking spaces would back directly onto public streets.
- Accessible parking would be provided as required. ADA-compliant sidewalk ramps would be constructed as required.
- Sidewalks would extend directly from the ground floor entrance of the building to the public right-of-way, with a pedestrian path linking the building entrance with S Walnut Street.
- Sidewalks would be constructed on both public frontages (S Sequoia Parkway and S Walnut Street).
- The project site's egress/ingress points would not exceed the maximum width of 36 feet identified in the code.
- Curb cuts onto public streets would be well above the minimum five feet from adjacent property lines, except where the shared driveway on the western edge of the project would straddle multiple property lines.

For warehouse uses, Subsection 16.10.100 of the CMC requires a minimum of two bicycle parking spaces per development, or 0.1 space per 1,000 square feet, whichever is greater. The submitted site plan does not show bicycle parking for the proposed project. Since a minimum of three spaces is required, the proposed project must include these on the final site plan prior to site plan approval. This requirement is included as a condition of approval as identified in Section V of this Staff Report.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

Chapter 16.32: M-1 Light Industrial Zone

Lists of allowable uses and development standards for those uses are generally found in the respective chapters for each zone. The project site is zoned M-1, Light Industrial.

Finding 5: As listed in Section 16.32.010 of the CMC, uses permitted outright in the M-1 Zone include a broad range of manufacturing, processing, distribution, and storage uses. The proposed facility is consistent with this range of allowable uses.

The proposed project is generally consistent with the development standards required of land uses in the M-1 Zone, as summarized below:

- At almost five acres, the subject property is well above the 5,000-square-foot minimum lot area.
- The property's minimum lot width and street frontages are well above the minimum of 50 feet.
- No yard setbacks or lot coverage maximums apply.

- At 25 feet tall, the proposed building is considerably shorter than the maximum allowed 45 feet.
- No outside storage areas would abut a residential zone (although an industrially-zoned parcel with an existing single-family home is located to the immediate north of the project site).

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

Chapter 16.35: Canby Industrial Area Overlay (I-O) Zone

The Industrial Area Overlay (I-O) Zone allows land uses which are permitted by the underlying zone districts but identifies a number of additional standards and regulations that apply to development in the industrial park.

Finding 6: As indicated above, the proposed project is consistent with the range of land uses permitted in the M-1 Zone. The project’s consistency with individual provisions of Chapter 16.35 are summarized in the bullets below:

- **Conditional Uses.** This chapter of the CMC identifies a number of project aspects that require a project in the industrial park to obtain a conditional use permit (CUP). The proposed project would not fall under any of these categories. The project would not be expected to employ less than three employees per developed acre. It would not create over 60 acres occupied by a “single use or business.” Furthermore, the project would not feature retail or commercial uses and would not require an “H” occupancy under the Oregon Structural Specialty Code, which relates to business operations that generate physical and/or health hazards.
- **Prohibited Uses.** A number of prohibited uses are identified, including animal rendering plants, race tracks, landfills, nuclear power plants, and incinerators. The proposed land uses (produce distribution and nut processing) are not listed as prohibited.

Development standards and the project’s consistency with those standards are summarized in the bullets below:

- **Lot Area and Frontage.** The I-O Zone has no minimum lot area, minimum lot width/frontage requirements, or maximum lot coverage (for parcels in M-1).
- **Setbacks/Yard Requirements.** For buildings up to 25 feet in height, the I-O Zone requires a 20 foot minimum setback from the street. Parking and internal drives, except curb-cuts and entrance drives, are prohibited within that setback. Interior and rear yards are required to be a minimum of 10 feet wide. These setbacks are met by the proposed project.
- **Building Height.** As discussed above, the proposed 25-foot-tall building is below the maximum allowed height of 45 feet.
- **Building Orientation.** As required, the building provides “one public entrance facing the street” with a direct pedestrian connection from the building to S Walnut Street.

- **Building Design.** The proposed building would be of concrete tilt-up construction, which is consistent with the overlay zone's prohibition of metal building exteriors. As required, the site's truck loading/storage areas will be screened by plantings and site-obscuring fences; in this case, by their location behind the existing and proposed buildings.

Chapter 16.35 provides a design review matrix specific to the I-0 Zone that substitutes for the matrix used for projects elsewhere in Canby. Projects must meet the minimum acceptable score unless Planning Staff determines that certain provisions do not apply. The applicant's self-assessment of consistency with the design review matrix indicates that the project meets minimum scores for each category. Staff concurs with the applicant's scoring for all four categories (parking, transportation/circulation, landscaping, and building appearance/orientation).

For the above reasons, Planning Staff finds this request is consistent with applicable provisions of the CMC.

Chapter 16.42: Signs

Finding 7: Specific signage was not proposed at the time of application submittal. Therefore, approval of the proposed land use does not extend to future signage. However, subsequent to that submittal, a separate signage application for the future facility was received by Planning Staff and this will be processed separately from the land use approval. Chapter 16.42, *Signage*, of the Municipal Code identifies requirements that will apply to signs proposed for the project.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

Chapter 16.43: Outdoor Lighting Standards

The purpose of this chapter is to provide regulations for outdoor lighting that will minimize glare and light trespass, among other goals. The chapter identifies requirements related to the placement, shielding, height, and intensity of outdoor light fixtures. Because of the subject property's context, it is in Lighting Zone 2, as defined by Chapter 16.43. This zone is considered the "default condition for commercial and industrial districts in urban areas."

Finding 8: The application submittal does not include a photometric study or full lighting plan, but does identify the locations of proposed building and parking lot lighting fixtures, along with information on the types of fixtures. Based on the number, location, and types of lighting fixtures proposed, the proposed facility is not expected to generate a substantial amount of light or glare, nor is it anticipated to generate adverse impacts related to nighttime illumination. Section V of this Staff Report includes a condition requiring that outdoor lighting on the building's north-facing façade be sufficiently shielded (consistent with the CMC) to not adversely affect existing residential uses to the north.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC.

Chapter 16.46: Access Limitations on Project Density

This chapter addresses the number of street access points required compared to the level of development proposed, along with minimum dimensions of private drives.

Finding 9: As the proposed project does not create new parcels, introduce new public streets, or involve residential development, many of the provisions of this chapter do not apply. The proposed project features three access points, but two are existing driveways onto S Walnut Street used by the existing business and the third is an extension of a shared private driveway that already has a curb-cut on S Sequoia Parkway. While improvements to these access points would be constructed, no new access points onto public streets would be created.

As encouraged by Subsection 16.46.040, the proposed project would share access with parcels to the west via a shared private drive for which a shared access and maintenance agreement has already been established.

For the above reasons, Planning Staff finds this request is consistent with applicable provisions of the CMC.

Chapter 16.49: Site and Design Review Criteria

Chapter 16.49 of the CMC provides the following review criteria to be used in the design review process.

In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:

1. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable city ordinances insofar as the location, height and appearance of the proposed development are involved; and
2. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
3. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
4. The proposed development incorporates the use of Low Impact Development (LID) best management practices whenever feasible based on site and soil conditions. LID best management practices include, but are not limited to, minimizing impervious surfaces, designing on-site LID stormwater management facilities, and retaining native vegetation.
5. The Board shall, in making its determination of compliance with this Ordinances, shall use the matrix in Table 16.49.040 to determine compatibility unless this matrix is superseded by another matrix applicable to a specific zone or zones under this title. An application is considered to be compatible with the standards of Table 16.49.040 if the following conditions are met: a. The development accumulates a minimum of 60 percent of the total possible number of points from the list of design criteria in Table 16.49.040; and b. At least 10 percent of the points used to comply with (a) above must be from the list of LID Elements in Table 16.49.040.

6. Street lights installation may be required on any public street or roadway as part of the Design Review Application.

Finding 10: Planning Staff finds that the proposed project, including its site plan, architecture, and landscaping, is compatible with the surrounding context of the project site, which is located in an established industrial park featuring numerous other concrete tilt-up light industrial buildings. As noted in the application submittal, the proposed building would be painted in colors that reflect the design and character of Dragonberry Produce's existing building.

Specific subsections of Section 16.49 are analyzed below:

- **LID Best Management Practices.** To the extent feasible, the proposed project incorporates the LID best management practices listed above, including minimizing paved surfaces, retaining existing trees where possible, planting drought-tolerant native species, and incorporating vegetated stormwater basins into the project design.
- **Site Design Review Matrix.** The site and design review matrix provided in Subsection 16.49.040 applies to most locations in the City but is superseded by a more specific matrix for projects in the I-O Overlay Zone (Canby Pioneer Industrial Park). For an analysis of the proposed project's achievement of criteria in this matrix, see "Section 16.35: Canby Industrial Area Overlay (I-O) Zone", above. Furthermore, the project applicant filled out the matrix in Subsection 16.49.040 and also exceeds the minimum score when analyzed against those criteria.
- **Bicycle and Pedestrian Facilities.** The submitted materials demonstrate compliance with standards related to pedestrian facilities. There would be a direct pedestrian connection between the front of the building and S Walnut Street. Section V of this Staff Report requires the final site plan to show required bicycle parking.
- **Landscaping.** The Landscape Plan submitted by the project applicant complies with landscape requirements identified in the CMC, including parking lot landscaping. Planning Staff concur with the applicant's calculations in the submitted Landscaping Calculation Form.

The proposed project is unique in that it proposes to install a range of native and adapted plants, trees, and shrubs that are drought-tolerant and do not need permanent irrigation. This design is consistent with the first phase of the Dragonberry Produce facility, which was allowed an exception to the City's irrigation requirements via modification MOD 12-02. Staff note that the landscaping on the business's first phase are attractive and well-kept. In the unlikely event that the project's unirrigated landscaping is not thriving, a condition in Section V of this Staff Report requires the project applicant to install an irrigation system.

- **Revegetation in Unlandscaped Areas.** Subsection 16.49.130 aims to address erosion control issues when areas are not planned for landscaping. The westernmost portion of the project site is proposed to be vacant in the interim condition prior to construction of a future Phase III. Section V of this Staff Report includes a condition requiring vegetation of this area (e.g., ground cover or

hydroseed). As identified in the code, landscaping and exterior improvements shall be completed prior to issuance of certificates of occupancy.

For the above reasons, Planning Staff finds this request, as conditioned, is consistent with applicable provisions of the CMC to the extent feasible.

Chapter 16.58: Lot Line Adjustment

This chapter tasks the City Planner and/or City Engineer with reviewing proposed lot line adjustments and determining whether the following criteria are met. Note that the proposed lot consolidation is considered a lot line “adjustment” in the City’s codes and applications.

- A. Each of the remaining parcels and any structures located thereon shall be in full compliance with all regulations of this title, including the setback requirements of Division III. Except, however, that lot line adjustments are permitted on nonconforming lots and lots with nonconforming structures provided that the nonconforming lots and structures will be no less in conformity as a result of the lot line adjustment.

Finding 11: The proposed building would straddle the existing property line between the two existing affected parcels, therefore the proposed lot consolidation is required to accommodate construction of the proposed project. With approval of the lot consolidation, the consolidated property and its buildings would be consistent with applicable building setbacks.

- B. No new lots or parcels will be created as a result of the lot line adjustment without receiving approval as a partition or subdivision.

Finding 12: The proposed lot consolidation would not create new lots or parcels, it would only remove an existing lot line.

- C. If the City Planner or city engineer deems it necessary to assure the accuracy of recorded information, a survey may be required of the applicant. Such a survey will be at the applicant's cost.

Finding 13: At this time, Planning Staff see no reason to require a survey beyond that required by Clackamas County.

- D. Lot line adjustments shall not be permitted where the result will be the creation of additional building sites in known hazardous locations or where the appropriate development or extension of public facilities will be impaired as a result.

Finding 14: Neither of the two existing lots are in known hazardous locations. As discussed in the pre-application conference for the proposed project, existing public facilities and utilities are adequate to provide service to the consolidated project site. Extensions of utility lines would be required to service the western portion of the project site with or without the proposed lot consolidation.

For the above reasons, Planning Staff finds this request is consistent with applicable provisions of the CMC to the extent feasible.

Chapter 16.120: Parks, Open Space, and Recreational Land

This section of the CMC requires dedication of parkland or payment of system development charges (SDCs) to compensate for the increased demand for recreational amenities generated by new land uses.

Finding 15: The proposed project does not dedicate public park space. If approved, the City will provide the applicant with an itemized summary of applicable SDCs.

For the above reasons, Planning Staff finds this request is consistent with applicable provisions of the CMC.

III. Public and Agency Comments

Notice of this application and the opportunity to provide comment was forwarded to property owners and residents within a 500-foot radius and to applicable public agencies. At the time of this writing, no public or agency comments were received by Planning Staff.

IV. Conclusion

Staff has reviewed the applicant's narrative and submitted application materials and finds that the applications listed above conform to the applicable review criteria and standards, subject to the conditions of approval noted in Section V of this Staff Report. Planning Staff recommends that the Planning Commission **Approve** Site and Design Review application DR 21-03 and the Lot Line Adjustment application LLA 21-03 subject to the identified conditions of approval.

V. Conditions of Approval

Public and Utility Improvements:

1. Public improvements shall comply with all applicable City of Canby Public Works Design Standards. Identified street improvements (and right-of-way dedications, if any) must be designed and constructed (or bonded) to the satisfaction of the City Engineer. (Public Works/City Engineer)
2. Half-street improvements and frontage improvements to S Sequoia Parkway shall include installation of six-foot sidewalks, a five-foot planter strip, street lighting, and street trees along the entirety of the project site's frontage, including in front of future Phase III. The existing right-of-way appears to be sufficient to accommodate these improvements. (Public Works/City Engineer)
3. Half-street improvements and frontage improvements to S Walnut Street shall reflect that roadway's designation as a Collector street and truck route. This entails a three-lane cross-section featuring two 12-foot travel lanes and a 6-foot striped median (for 30 feet of paved width), sharrows for bike travel, and sidewalks. Restriping of the street shall be completed to reflect this street section. The existing right-of-way appears to be sufficient to accommodate these improvements. (Public Works/City Engineer)
4. Widening of the easternmost existing driveway onto S Walnut Street shall include internal reinforcements (e.g., dowels) between the existing driveway surface and new pavement, unless this requirement is explicitly waived by the City Engineer. (Public Works/City Engineer)
5. Sanitary sewer service shall be extended to serve the facility to the satisfaction of the City Engineer and the Public Works Department. (Public Works/City Engineer)
6. Water and electric service shall be extended to serve the facility to the satisfaction of the City Engineer and Canby Utility. Water services shall be constructed in conformance with Canby Utility requirements. (Public Works/City Engineer)

7. Access driveways for use by trucks shall be industrial type with large-radius curb returns to account for truck traffic. All driveways shall have an industrial driveway approach consisting of 8-inch minimum concrete thickness with reinforcements or mesh welded wire fabric. (City Engineer)
8. Driveways widths shall be a maximum of 40-feet wide as per City of Canby Municipal Code unless specifically allowed by the City Engineer. (City Engineer)
9. All private storm drainage shall be disposed of onsite. A final drainage report shall be submitted with the final construction plans.

The applicant shall demonstrate how the storm runoff generated from the new impervious surfaces will be disposed. If drywells (UIC) are used as a means to discharge storm runoff, they must meet the following criteria:

- a. The UIC structures' location shall meet at least of the two conditions:
 - i. The vertical separation distance between the UIC and seasonal high groundwater is more than 2.5 feet, or
 - ii. The horizontal separation distance between the UIC and any water well is a minimum of 267 feet in accordance with the City of Canby Stormwater Master Plan, Appendix "C", *Groundwater Protectiveness Demonstration and Risk Prioritization for Underground Injection Control Devices*.

The storm water drainage report and design methodology shall be in conformance with the requirements as stated in Chapter 4 of the City of Canby Public Works Design Standards dated December 2019. (Public Works/City Engineer)

10. Any existing domestic or irrigation wells shall be abandoned in conformance with OAR 690-220-0030. A copy of an Oregon Water Rights Department (OWRD) abandonment certificate shall be submitted to the City. (City Engineer)
11. Any existing onsite sewage disposal system shall be abandoned in conformance with DEQ and Clackamas County Water Environmental Services (WES) regulations. A copy of the septic tank removal certificate shall be submitted to the City. (City Engineer)
12. Water services and fire protection shall be constructed in conformance with Canby Utility and Canby Fire requirements. The applicant shall coordinate directly with these agencies. (Canby Fire)
13. The project applicant shall coordinate with Canby Fire to identify appropriate locations for fire hydrants. Prior to site plan approval, the project applicant shall provide an updated site plan identifying hydrant locations to the satisfaction of Canby Fire. (Canby Fire)

Lot Consolidation/Plat Approval:

14. The project applicant shall meet the County Surveyor's procedure requirements for the adjustment survey and recording of deeds to receive the County's final implementation approval. (Clackamas County Surveyor)
15. New deeds shall be prepared and recorded with the Clackamas County Clerk. A copy of the new recorded deeds and survey implementing this boundary adjustment shall be provided to the Canby Planning Department. (Planning/Clackamas County Clerk)

16. The applicant is responsible for obtaining approval from utility providers for the relocation, vacation, and/or addition of public utility easements, if necessary. Easements must be recorded on the new deed. (Planning)

Project Design/Site Plan Approval:

17. Per Table 16.10.100 in the CMC, the proposed facility shall include a minimum of three bicycle parking spaces. These shall be shown on the final site plan prior to site plan approval and the spaces must be located within 50 feet of the building's main entrance. (Planning)
18. If the unirrigated landscaping cannot be maintained in a green thriving condition during the majority of each year, upon notice by the City, the project applicant shall install permanent automatic irrigation to fix and maintain the landscaped areas consistent with the CMC. (Planning)
19. The project applicant shall plant vegetation on the western portion of the subject property that is proposed to be vacant in the interim condition (prior to construction of Phase III) with plant materials that will prevent erosion of exposed soils. Prior to site plan approval, the project applicant shall provide the City with an updated landscape plan showing these plantings. (Planning)
20. Building and parking lot lighting along the north-facing elevation of the building shall be sufficiently shielded, consistent with the CMC, to minimize adverse impacts to existing residential uses to the immediate north. All proposed lighting shall meet the standards described in Chapter 16.43 and must have cut-off shielding and be installed as shown in the submitted design drawings. (Planning)
21. The developer/builder of the proposed buildings shall consult with Canby Disposal regarding final architectural plans and design considerations for solid waste pickup. (Canby Disposal)
22. The applicant shall work with Canby Utility and the Canby Public Works Department in order to provide the appropriate connections to all required utilities prior to site plan approval. (Public Works)

Building Permits:

23. Pursuant to Subsection 16.49.060 of the Canby Municipal Code, Site and Design Review Board approvals shall be void after twelve (12) months unless: A building permit has been issued and substantial construction pursuant thereto has taken place, as defined by the state Uniform Building Code; or the Planning Department finds that there have been no changes in any Ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. (Ord. 848, Part III, Section 4, 1091). (Planning)
24. An erosion control and a grading permit will be required from the City of Canby prior to any on-site disturbance. (Planning)
25. The project applicant shall apply for a City of Canby Site Plan Permit, Clackamas County Building permits (including grading permits), and a City of Canby Erosion Control Permit prior to project construction. (Planning/Public Works)
26. Clackamas County Building Services will provide structural, electrical, plumbing, and mechanical plan review and inspection services. (Clackamas County Building Services)

27. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. (City Engineer)
28. Prior to occupancy, sight distance at all access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon. (Public Works)
29. The applicant shall submit signage applications to the City for any future signs. Proposed signs shall conform to provisions of Chapter 16.42 of the CMC and shall secure a building permit from Clackamas County Building Services prior to their installation if applicable. (Planning)
30. The design engineer shall submit to the City of Canby for review and approval at the time of final construction plan approval a storm drainage analysis and report applicable to the defined development area detailing how storm water disposal from both the building and the parking areas is being handled. Any drainage plan shall conform to an acceptable methodology for meeting adopted storm drainage design standards as indicated in the Public Works design standards. (Public Works/City Engineer)

Prior to Occupancy:

31. A narrative with accompanying materials shall be provided during the final certificate of occupancy process that demonstrates how the project is consistent with the conditions of approval stated in this Staff Report. (Planning)
32. Prior to occupancy, all landscaping plant material indicated on the submitted landscape plan shall either be installed as proposed, or sufficient security (bonding, escrow, etc.) shall be provided pursuant to the provisions of CMC 16.49.100 (B). (Planning)
33. Prior to occupancy, all parking striping, wheel stops, ADA space requirements and signage shall be installed. (Planning)
34. Prior to occupancy, all pedestrian infrastructure including sidewalks, pathways and striping shall be installed. (Planning)