

Application for Site & Design Review

531 NE Territorial Rd.

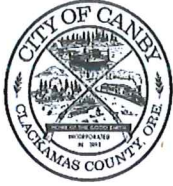
Canby, OR 97013

Applicant:	Darren Monen Monen Construction, Remodel & Design, Inc. 23633 Rondevic Drive Canby, OR 97013 Phone: (503) 970-4065
Owners:	Wild Hare Rentals, LLC Tom Thompsen, Member & Darren Monen, Member 25355 NE Glass Road Aurora, OR 97002
Location	531 NE Territorial Road On the south side of Territorial Road, between NE Laurelwood Circle & N Manzanita Street.
Legal Description	Tax Lot 1300, Sec. 28DC, T3S R1E WM (Assessor Map 3 1E 28DC)
Lot Area	22,678 sf
Zoning	R-2, High Density Residential
Proposal	Development of two fourplex structures, 8 total dwelling units
Date	November, 2021

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I. Application Form



City of Canby
 Planning Department
 222 NE 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001

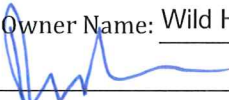
LAND USE APPLICATION

SITE AND DESIGN REVIEW General Type III

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

Applicant Name: Monen Construction, Darren Monen Phone: 503.970.4065
 Address: 23633 Rondevic Drive Email: monend@canby.k12.or.us
 City/State: Canby, OR Zip: 97013

Representative Name: Sisul Engineering, Pat Sisul Phone: 503.657.0188
 Address: 375 Portland Avenue Email: patsisul@sisulengineering.com
 City/State: Gladstone, OR Zip: 97027

Property Owner Name: Wild Hare Rentals, Darren Monen Phone: 503.970.4065
 Signature: 
 Address: 25355 NE Glass Road Email: monend@canby.k12.or.us
 City/State: Aurora, OR Zip: 97002

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:

<u>531 NE Territorial Road</u>	<u>22,678 sf</u>	<u>31E28DC01300</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>One home and an outbuilding</u>	<u>R-2</u>	<u>HDR - High Density Res.</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation

Multi-family development consisting of two buildings and a total of 8 dwelling units.
 Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

SITE AND DESIGN REVIEW APPLICATION – TYPE III–INSTRUCTIONS

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*.
- 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, 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:
16.10, 16.20, 16.21, 16.43, 16.46, 16.49, 16.88, & 16.89,

- Three (3) copies of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (payment must be received by the City before the traffic engineer will conduct or review a traffic impact study.
Ask staff to determine if a TIS is required.
- One (1) copy in written format of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and a list of attendees.
- One (1) copy in written format of the minutes of the pre-application meeting
- 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.

Applicant City
Check Check

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, with the following general information:
 - 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.
- One (1) copy of a completed landscaping calculation form (see page 5)
- One (1) copy of a completed Design Review Matrix (see page 6)

SITE AND DESIGN REVIEW APPLICATION: LANDSCAPING CALCULATION FORM

Site Areas

1. Building area	5,059 sf	- Square footage of building footprints
2. Parking/hardscape	8,344 sf	- Square footage of all sidewalks, parking, & maneuvering areas
3. Landscaped area	9,275 sf	- Square footage of all landscaped areas
4. Total developed area	22,678 sf	- Add lines 1, 2 and 3
5. Undeveloped area	0	- Square footage of any part of the site to be left undeveloped.
6. Total site area	22,678 sf	- Total square footage of site

Required Site Landscaping (Code 16.49.080)

7. Percent of landscaping required in Zoning District	30%	- Fill in the Appropriate Percentage: R-1, R-1.5, R-2 Zones: 30%; C-2, C-M, C-R, M-1, M-2 Zones: 15%; C-1 Zone: 7.5%
8. Required minimum square footage of landscaping	6,803 sf	- Multiply line 4 and line 7
9. Proposed square footage of landscaping	9,275 sf	- Fill in value from line 3

Required Landscaping within a Parking Lot (Code 16.49.120(4))

Note: This section and the next apply only to projects with more than 10 parking spaces or 3,500 square feet of parking area

10. Zone	R-2	- Fill in the Appropriate Zone and Percentage: C-1 Zone: 5%; Core Commercial sub-area of the Downtown Canby Overlay: 10%, except for parking lots with 10 or more spaces and two or more drive aisles: 50 square feet per parking space; All other zones: 15%.
11. Percent of required landscaping	15%	
12. Area of parking lot & hardscape	8,191 sf	- Fill in area of parking and maneuvering areas plus all paved surface within ten (10) feet of those areas.
13. Number of vehicle parking spaces	16	- For Core Commercial sub-area in the Downtown Canby Overlay only, fill in the total # of parking spaces on-site.
14. Required square footage of landscaping within 10 feet of parking lot	1229	- Multiply area of parking lot (line 12) by percent of required landscaping (line 11) -OR- for the CC sub-area in the Downtown Canby Overlay multiply line 13 by 50 square feet.
15. Proposed square footage of Landscaping within 10 feet of parking lot	2708	- Calculate the amount of landscaping proposed within 10 feet of all parking and maneuvering areas.

Parking Lot Tree Calculation

16. Number of parking spaces	16	- Total number of vehicle parking spaces
17. Area of parking lot & hardscape	8191	- Area from line 12
18. Number of parking spaces (line 16) divided by 8	2	- Round up to the nearest whole number
19. Area of parking lot area (line 17) divided by 2,800	3	- Round up to the nearest whole number
20. Number of required trees in parking lot	3	- Fill in the larger of row 18 and row 19
21. Number of trees provided within 10 feet of parking lot	7	- Fill in the number of proposed trees within 10 feet of parking and maneuvering areas.

SITE AND DESIGN REVIEW APPLICATION: DESIGN REVIEW MATRIX

Applicants: Please circle the applicable point column to your project and compute the total and percentages at the end of the table.

Table 16.49.040 is not the appropriate table for multi-family dwellings, see narrative for response to Table 16.21.070.

Table 16.49.040 Site Design Review Menu

As part of Site and Design Review, the following menu shall be used as part of the review. In order to “pass” this table 60% of total possible points shall be earned, 10% of the total possible points must be from LID elements

Design Criteria	Possible Points				
Parking	0	1	2	3	4
Screening of parking and/or loading facilities from public right-of-way	Not screened	Partially screened	Fully screened	-	-
Parking lot lighting provided	No	Yes	-	-	-
Parking location (behind building is best)	Front	Side	Behind	-	-
Number of parking spaces provided (% of minimum required)	>120%	101-120%	100%	-	-
Screening of Storage Areas and Utility Boxes	0	1	2	3	4
Trash storage is screened from view by solid wood fence, masonry wall or landscaping.	No	Yes	-	-	-
Trash storage is located away from adjacent property lines.	0 - 10 feet from adjacent property	11 - 25 feet from adjacent property	>25 feet from adjacent property	-	-
Utility equipment, including rooftop equipment, is screened from view.	Not screened	Partially screened	Fully screened	-	-
Access	0	1	2	3	4
Distance of access to nearest intersection.	≤70 feet	71 - 100 feet	>100 feet	-	-
Pedestrian walkways from public street/sidewalks to building entrances.	One entrance connected.	-	Walkways connecting all public streets/sidewalks to building entrances.	-	-
Pedestrian walkways from parking lot to building entrance.	No walkways	Walkway next to building only	Walkways connecting all parking areas to building entrances	-	-

Tree Retention	0	1	2	3	4
Design Criteria	Possible Points				
Percentage of trees retained	<10%	10-50%	51-75%	>75%	-
Replacement of trees removed	<50%	≥50%	-	-	-
Signs	0	1	2	3	4
Dimensional size of sign (% of maximum permitted)	>75%	50-75%	<50%	-	-
Similarity of sign color to building color	Not similar	Somewhat similar	Similar	-	-
Pole sign used	Yes	No	-	-	-
Building Appearance	0	1	2	3	4
Style (similar to surroundings)	Not similar	Somewhat similar (1 or 2 points possible depending on level of similarity)		-	-
Color (subdued and similar to surroundings is better)	Neither	Similar or subdued	Both	-	-
Material (concrete, wood and brick are best)	Either 1 or 2 points may assigned at the discretion of the Site and Design Review Board				
Size of building (smaller is better)	>20,000 square feet	≤20,000 square feet	-	-	-
Provision of public art (i.e. murals, statues, fountains, decorative bike racks, etc.)	No	-	-	-	Yes
Landscaping	0	1	2	3	4
Number of non-required trees provided	-	At least one tree per 500 square feet of landscaping.	-	-	-
Amount of grass (less grass is better) (% of total landscaped area)	>50%	25-50%	<25%	-	-
Low Impact Development (LID)	0	1	2	3	4
Use of pervious paving materials (% of total paved area)	<10%	-	10-50%	51-75%	>75%
Provision of park or open space area	None	-	Open space (Generally not for public use)	-	Park (public or privately owned for public use)

Table 16.49.040 is not the appropriate table for multi-family dwellings, see narrative for response to Table 16.21.070.

Design Criteria	Possible Points				
Use of drought tolerant species in landscaping (% of total plants)	<25% drought tolerant	-	25-50% drought tolerant	51-75% drought tolerant	>75% drought tolerant
Provision of additional interior parking lot landscaping (% of minimum required)	100%	101-110%	111-120%	>120%	-
Provision of an eco-roof or rooftop garden (% of total roof area)	<10%	-	-	10-50%	>50%
Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)	<10%	-	-	10-50%	>50%
Disconnecting downspouts from city stormwater facilities	None	Some downspouts disconnected	All downspouts disconnected	-	-
Shared parking with adjacent uses or public parking structure (% of total required parking spaces)	None	<50%	≥50%	-	-
Provision of rain gardens/bioretention areas for stormwater runoff (% of total landscaped area)	None	-	10-50%	51-75%	>75%
Total Possible Points = 71, 60%=42.6 points, 10%=7.1 points					

Total Points Earned: _____ (42.6 points required for 60%)

Total LID Points Earned: _____ (7.1 required for 10%)

Table 16.49.040 is not the appropriate table for multi-family dwellings, see narrative for response to Table 16.21.070.

SITE AND DESIGN REVIEW – 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 Planning Director may determine that a pre-application meeting is required prior to submitting an application. To schedule a pre-application meeting, an applicant must submit a completed pre-application form and set of preliminary plans to the City Planner, and after receiving the Planner's initials, must then make and take (3) copies of the pre-application materials to the Canby Public Works Department to schedule the pre-application meeting. The amount of the fee for a pre-application meeting is based on whether the application involves a public hearing or not.
2. Prior to submitting an application, applicants may be required to hold a neighborhood meeting with surrounding property owners and any recognized neighborhood association representative, pursuant to the procedures described in Canby Municipal Code Section 16.89.070. In certain situations, the Planning Director may waive the neighborhood meeting requirement.
3. 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.
4. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. The application is reviewed for completeness; the City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
5. 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.
6. 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.
7. The staff report will be available to all interested parties seven (7) days prior to the hearing.
8. 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.
9. The Commission then issues findings of fact which support approval, modification, or denial of the application. A decision may be appealed to the City Council.
10. If an approval or a denial 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 action of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body for further consideration.
11. Prior to construction of the project, a preconstruction meeting is held with the City and all applicable utility and service providers. If required, this meeting must be held and approval of Plan set by all agencies, and payment of Canby System Development Charge (SDC) and construction excise tax to the City before issuance of any building permits for the project(s) by Clackamas County.

SITE AND DESIGN REVIEW – TYPE III: REVIEW CRITERIA (*Code 16.49.040*)

1. The Planning Commission shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following A through D, and with Criteria 4, 5, and 6 below:
 - A. 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
 - B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - C. 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; and
 - D. The Planning Commission shall, in making its determination of compliance with subsections B and C above, use the applicable matrix [*pages 8-12*] to determine “compatibility”.
2. The Planning Commission shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this section. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.
3. The Planning Commission shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Planning Commission shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Planning Commission from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.
4. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Chapter 12.32, the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.32. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

II. Written Narrative

Narrative for

**Site & Design Review for 2 Fourplex Structures
Wild Hare Rentals, 531 NE Territorial Rd**

Applicant:

Darren Monen
Monen Construction, Remodel & Design, Inc.
23633 Rondevic Dr.
Canby, OR 97013

Owner:

Wild Hare Rentals, LLC
25355 NE Glass Road
Aurora, OR 97002
Tom Thomsen, Member
Darren Monen, Member

Property Address & Location:

531 NE Territorial Road, Canby Oregon 97013
On the south side of Territorial Road, between NE Laurelwood Cir. & N Maple St.

Legal & Assessor's Map:

Located in the SE ¼ of Section 28, T3S, R1E, Willamette Meridian
City of Canby, Clackamas County, Oregon
Assessor Map: 3 1E 28DC, Tax Lot 1300
County Tax lot Number: 31E28DC01300
Parcel 2 of Partition Plat 1993-32, Clackamas County Plat Records

Lot Area:

22,678 sf

Zoning:

R-2, High Density Residential

Civil Engineering Consultant:

Sisul Engineering, Pat Sisul P.E.
375 Portland Avenue
Gladstone, OR 97027
(503) 657-0188

Architect:

Iselin Architects P.C., Todd Iselin
1307 Seventh Street
Oregon City, OR 97045
(503) 656-1942

Landscape Consultant:

Grover's Landscape Services, David Grover
26485 S. Meridian Rd.
Aurora, OR 97002
(503) 678-1796

Property Description:

The site is located south of and adjacent to NE Territorial Road roughly midway between N Locust and N Maple Streets. One house, constructed in 1962, is located centrally within the site and one outbuilding is located along the western boundary of the property. A generous yard surrounds the home, with approximately 80 feet separating the rear of the home from the southern property line. The site is nearly flat and has a gentle slope from the rear toward Territorial Road with roughly 2 feet of fall over a little more than 200 feet of distance. Much of the yard is lawn and a few larger shrubs are scattered about the site. Large arborvitae hedges are located along the western and eastern property lines.

The property is somewhat irregular in shape, a rectangular with the eastern side pushed out to an angle point and the northern property line on a skew to the southern and western property lines. The west and south lines are at right angles. The west line measures 185 feet and the south line measures 102 feet. The north line, along Territorial Road, measures 115 feet. This street frontage is fully improved with curb, a generous planter strip, and sidewalk. The east property line has an angle point and has line lengths of 79 feet and 132 feet each side of the angle point. The zoning of the property is R-2, High Density Residential.



Surrounding uses are as follows:

North: NE Territorial Rd. is located adjacent to the site to the north. NE Territorial Road is a designated collector street and is improved on the south side of the street with curb, a generous planter strip, and sidewalk. Across Territorial Road are a mix of subdivision lots and larger

single family lots not included within modern subdivisions. The properties north of Territorial Rd. are zoned R-1, Low Density Residential.

West: Properties west of the site are R-1.5 zoned properties within the “Morse Addition” and “Morse Addition No. 2” subdivisions, platted in 1989 & 1991, respectively. The properties contain single family detached homes on lot ranging in size from less than 8,000 sf to more than 12,000 sf.

East: Like the subject property, parcels east of the site are zoned R-2 High Density Residential all the way east to N Maple Street. The parcel immediately east of the site contains one large home constructed in 1993 on a parcel measuring nearly 0.6 acre. Properties farther east include townhomes within Brown Bark Estates and a multi-family complex located on the SE corner of the Territorial Rd./Maple Street intersection.

South: All properties south of the site are zoned R-2, High Density Residential and most properties in this area are multi-family dwellings, including the properties adjacent to this site.

Proposed Development:

The applicant proposes to develop the site with two buildings, each consisting of a four-plex, for a total of 8 units. Buildings are two story, with most units sharing a common breezeway entrance. One entrance on the front building, Building A, will face Territorial Road. A single driveway into the site will be along the western side of the site, in the same location as the current driveway to the property. All units will share common parking / maneuvering area and a common trash and recycling enclosure. The property will be professionally landscaped and maintained, as are other developments owned by the owner.

Each of the new buildings will contain four dwelling units. Exterior dimensions of the new buildings will be 65'-3" wide by 40'-3" deep. Two units will be located on the lower level and two will be on the upper level. A covered entry will extend out from the front wall of the front building over the entry to the first-floor street side unit. Each unit will have two-bedrooms.

Building front and street side facing elevations will have door and window trim. Front porches will have covered entries. The street facing side elevation will have horizontal lap siding, while the front elevation will have a combination of horizontal elements, vertical elements, and decorative Hardie shingle siding panels. Roofs will have fiberglass composition shingles.

Utility and Service Requirements:

Water service: One water meter will be needed, upsized from the existing water meter on the site. A common irrigation meter will be used for landscaping.

Fire Suppression: A fire hydrant is positioned in front of the site on the south side of Territorial Rd. The units will be outfit with residential fire sprinkler systems as required by Building Code.

Sanitary sewer: An existing sanitary sewer lateral serves the property and will be adequate to serve the development.

Electrical: Individual electrical meters will be used. A 4-gang of meters will be placed along a side wall of each building and will be screened from view from Territorial Rd.

Natural Gas: Natural gas is not planned to be used for this development.

Communications / cable: Communication & cable TV will be needed for each unit.

Storm drainage: A stormwater LID facility is provided along the west side of the common driveway that will be used to treat stormwater runoff from the driveway, parking and sidewalks. The stormwater facility will be a shallow planter, with maximum water depths of 4 inches that will provide stormwater treatment and infiltration possibilities. Overflow drains within the planter will drain to an onsite drywell, as will roof drain runoff. The onsite drywell will be a private UIC.

Garbage: A shared garbage and recycling facility will be constructed along the main driveway for ease of access for the garbage company.

US Mail: A shared mailbox unit will be placed inside the site or outside the site along Territorial Road, as determined by the U.S. Postal Service.

Municipal Code Conformity Title 16

The following text includes all applicable sections of the current City of Canby Title 16 Planning and Zoning Code, followed by a written statement in *highlighted italic text* explaining how the proposed project conforms to the given requirement.

16.10 OFF-STREET PARKING AND LOADING

16.10.050 Parking standards designated

Off-street Parking Provisions – The parking standards identified in Table 16.10.050 are the minimum standards for off-street vehicle parking in the City of Canby. The standards below apply to this development.

<i>Residential Uses:</i>	
c. Multi-family dwellings in complexes with private internal driveways	One space per studio or 1-bedroom unit. 2.00 spaces per 2-bedroom or larger unit. One additional guest parking space shall be provided for every five units for each development of ten or more units.

The proposed dwelling units will be two-bedroom units, therefore each unit is required to have 2.00 parking spaces. No additional guest spaces are required, as there are only 8 units, below the threshold of ten. Sixteen parking spaces are provided, including one ADA van parking stall.

The requirements of this section are met.

16.10.060 Off-Street loading facilities

The proposed development will be residential construction and therefore the off-street loading facilities are not required. The provisions of this section are not applicable to this development.

16.10.070 Parking lots and access.

A. Parking Lots. A parking lot, whether as accessory or principal use, intended for the parking of automobiles or trucks, shall comply with the following:

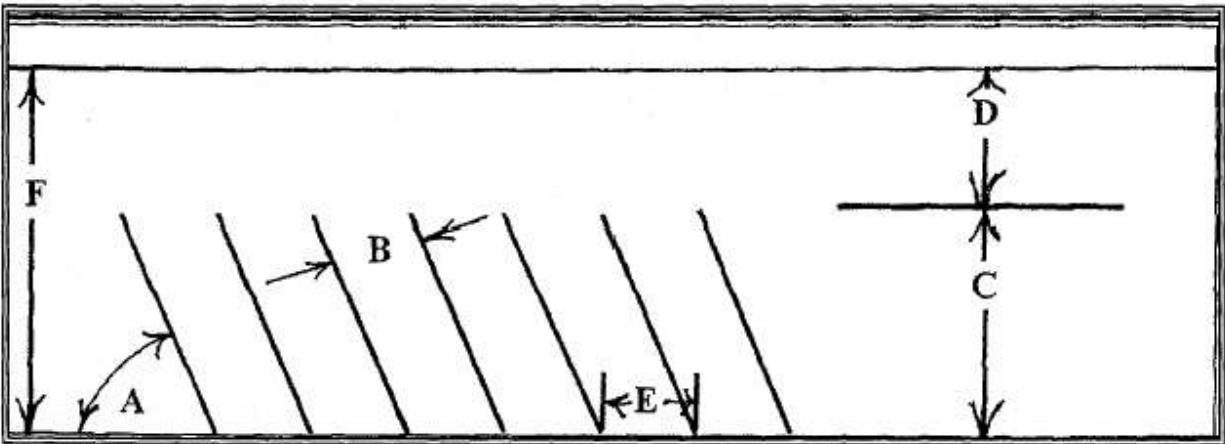
1. Parking lot design shall comply with the dimensional standards set forth in Figure 1 of this section.

13 of the 16 parking stalls will be equal to or will exceed the minimum parking stall dimensions of 8.5' x 18 feet. Three other parking stalls will be compact stalls meeting the provisions of Section 16.10.070.A.2. The requirements of this section are met.

TABLE 16.10.070
Minimum dimensional Standard for Parking

This table and Figure 16.10.070 provide the minimum dimensional standards for parking areas and spaces.
 A = Parking angle in degrees D = Minimum clear aisle width
 B = Minimum stall width E = Minimum clear stall distance at bay side
 C = Minimum stall depth F = Minimum clear bay width

A	B	C	D	E	F
0 (parallel)	8'0"	-	12'0"	22'0"	20'0"
30	8'6"	16'4"	12'0"	17'0"	28'4"
45	8'6"	18'9"	12'6"	12'0"	31'3"
60	8'6"	19'10"	18'0"	9'10"	37'10"
90	8'6"	18'0"	24'0"	8'6"	42'0"



2. Parking stalls of eight (8) feet in width and sixteen (16) feet in length for compact vehicles may comprise up to a maximum of thirty (30) percent of the total number of parking stalls. Such parking stalls shall be marked "Compact Parking only" either on the parking surface or on a sign in front of the parking stalls.

Three compact parking stalls are proposed and will be marked as compact. These three stalls will make up 18.8 percent of the total parking stalls, less than the 30 percent permitted.

3. Areas used for standing or maneuvering of vehicles shall have paved asphalt, concrete, solid concrete paver surfaces, or paved "tire track" strips maintained adequately for all weather use and so drained as to avoid the flow of water across sidewalks or into public streets, with the following exception:
 - a. The Planning Commission may approve the use of an engineered aggregate system for outdoor storage and/or non-required parking areas provided that the applicant can demonstrate that City Standards related to:
 - i. minimizing dust generation,
 - ii. minimizing transportation of aggregate to city streets, and

- iii. minimizing infiltration of environmental contaminants including, but not limited to, motor oils, fuels, volatile organic compounds (e.g. benzene, toluene, ethylbenzene, xylene), and ethylene glycol are met.

The decision maker may impose conditions as necessary to meet City Standards.

- b. Use of permeable surfacing materials for parking lots and driveways is encouraged whenever site and soil conditions make permeable surfacing feasible. Permeable surfacing includes, but is not limited to: paving blocks, turf block, pervious concrete, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards and the manufacturer's recommendations. Maintenance of permeable surfacing materials located on private property are the responsibility of the property owner.

Parking and maneuvering areas are proposed to be asphaltic concrete paving and driveway and sidewalks are proposed to be constructed using standard concrete. The common driveway and sidewalks will drain into the LID stormwater planter on the west side of the driveway for treatment and infiltration opportunities. Although permeable materials will not be used, the net result is that the storm water from driveways, parking stalls and sidewalks will be treated and injected into the ground, similar as to what would occur with the use of permeable surfacing. The requirements of this section are addressed.

- 4. The full width of driveways must be paved in accordance with (3) above:
 - a. For a minimum of 20 feet from the right-of-way line back into the private property to prevent debris from entering public streets, and
 - b. To within 150 feet of all portions of the exterior wall of the first story of any structure(s) served by the driveway to ensure fire and emergency service provision.

The driveway will be fully and completely paved, therefore meeting this requirement.

- 5. Except for parking to serve residential uses, parking areas adjacent to or within residential planning districts or adjacent to residential uses shall be designed to minimize disturbance of residents. Artificial lighting, which may be provided, shall be so deflected as not to shine or create glare in any residential planning district or on any adjacent dwelling, or any street right-of-way in such a manner as to impair the use of such way.

This site is a residential use site, therefore, the provisions of this section do not apply.

- 6. Groups of more than four (4) parking spaces shall be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.

The project does not require backing from any parking spaces into a street right of way. Therefore, this requirement is met.

- 7. Off-street parking areas, and the accesses to them, shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access

and egress and the maximum safety of pedestrian and vehicular traffic on the site and in adjacent roadways. The Planning Director or Planning Commission may require engineering analysis and/or truck turning diagrams to ensure safe and efficient traffic flow based on the number and type of vehicles using the site, the classification of the public roadway, and the design of the parking lot and access drives.

The proposed parking and maneuvering layout of the site meet this requirement by providing a wide site access and maneuvering area for vehicular traffic and a dedicate pedestrian lane through the southern portion of the parking lot that will be painted on the driveway surface. Traffic flow from this site will be similar to other small multi-family sites with a single access.

8. Parking bumpers or wheel stops shall be provided to prevent cars from encroaching on the street right-of-way, adjacent landscaped areas, or adjacent pedestrian walkways.

Parking bumpers and curbs are proposed where parking stalls would encroach into adjacent sidewalks. The provisions of this section are met.

9. Accessible parking shall be provided, constructed, striped, signed and maintained as required by ORS 447.233 and all Oregon Structural Specialty Code requirements.

One accessible parking stall is proposed and it will be striped and signed as required.

B. Access.

1. The provision and maintenance of vehicular and pedestrian ingress and egress from private property to the public streets as stipulated in this ordinance are continuing requirements for the use of any structure or parcel of real property in the City of Canby. No building permit or other permits shall be issued until scale plans are presented that show how the ingress and egress requirement is to be fulfilled. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing ingress and egress requirements, it shall be unlawful and a violation of this ordinance to begin or maintain such altered use until the required increase in ingress and egress is provided.

Plans have been submitted with this application that identify how ingress and egress requirements will be fulfilled. Vehicular and pedestrian ingress and egress will be via a driveway to NE Territorial Rd, in essentially the same location as the existing driveway. Site alterations that would change the requirements of the number of access points or the location of the access point are not anticipated and unlikely to occur for a site of this size. The criteria of this section are met.

2. The City of Canby encourages joint/shared access. Owners of two (2) or more uses, structures, or parcels of land may agree to, or may be required by the City to, utilized jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designed in this ordinance, provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts shall be placed on permanent files with the city recorder.

Adjacent properties are developed with driveways in other locations. There is no ability for this site to share an access with neighboring properties. The location for the access will essentially remain in the same location as the existing access.

3. All ingress and egress shall connect directly with public streets.

The proposed ingress and egress to the site will connect directly to Territorial Road. The requirement of this section is met.

4. Vehicular access for residential uses shall be brought to within fifty (50) feet of the ground floor entrances or the ground floor landing of a stairway, ramp or elevator leading to dwelling units.

The proposed vehicular access will be directly in front of each unit, where parking stalls will be provided. The requirement of this section is met.

5. Required sidewalks shall extend from the ground floor entrances or the ground floor landing of a stairs, ramps or elevators to the sidewalk or curb of the public street or streets that provide the required access and egress.

Sidewalks are proposed to extend from the ground floor entrances and the ground floor landing of stairs to the public sidewalk on Territorial Rd. Where the accessible route crosses through the parking lot, it will be constructed using concrete, to distinguish it more easily as a pedestrian zone. The proposed sidewalks satisfy the requirement of this section.

6. To afford safe pedestrian access and egress for properties within the city, a sidewalk shall be constructed along all street frontages, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to city standards except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design, and in a manner approved by the Site and Design Review Board. Sidewalks approved by Board may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grade and alignment established by the Site & Design Review Board.

The site's Territorial Rd. frontage is already fully built out with curb, planter strip and a sidewalk in good repair. The requirements of this section are already met.

7. The standards set forth in this ordinance are minimum standards for access and egress, and may be increased through the site and design review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety and general welfare.

16.10.070(B)(8): Minimum access requirements for residential uses - ingress and egress for residential uses shall not be less than the following (except that in the case of flag lots, section 16.64.0400) shall apply):			
<i>Parking spaces required</i>	<i>Minimum number of accesses required</i>	<i>Minimum access width</i>	<i>Sidewalks & curbs (in addition to driveways)</i>
3-19	1	20 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.

One accessway, consistent with the requirements of this section and Section 16.64.0400 is proposed. The proposed driveway will be 26 feet wide, with curbs on both sides, and a sidewalk on one side. The requirements of this section are met.

8. One-Way Ingress or Egress – Way Ingress or Egress – When approved through the site and design review process, one-way ingress or egress may be used to satisfy the requirements of subsection (H), (I) and (J). However, the hard surfaced pavement of one-way drives shall not be less than twelve (12) feet for multi-family residential, commercial or industrial uses.

One-way ingress and egresses are not proposed. This section does not apply.

9. Driveways:

- a. Access to private property shall be permitted with the use of driveway curb cuts. The access points with the street shall be the minimum necessary to provide access while not inhibiting the safe circulation and carrying capacity of the street. Driveways shall meet all applicable guidelines of the Americans with Disabilities Act (ADA). Driveway distance shall be measured from the curb intersection point [as measured for vision clearance area (16.04.670)]. Distances to an intersection shall be measured from the stop bar at the intersection
- b. Driveways shall be limited to one per property except for certain uses which include large commercial uses such as large box stores, large public uses such as schools and parks, drive through facilities, property with a frontage of over 250-feet and similar uses.
- c. Double frontage lots and corner lots may be limited to access from a single street, usually the lower classification street. Single family residential shall not have access onto arterials, and shall have access onto collectors only if there is no other option.
- d. If additional driveways are approved by the City Administrator or designee, a finding shall be made that no eminent traffic hazard would result and impacts on through traffic would be minimal. Restrictions may be imposed on additional driveways, such as limited turn movements, shared access between uses, closure of existing driveways, or other access management actions.

e. Within commercial, industrial, and multi-family areas, shared driveways and internal access between similar uses are encouraged to reduce the access points to the higher classified roadways, to improve internal site circulation, and to reduce local trips or movements on the street system. Shared driveways or internal access between uses will be established by means of common access easements at the time of development.

The site proposes to use a single driveway to NE Territorial Rd. along the northern frontage of the site where the existing access to the existing home is currently located. The property will be multi-family residential, however, with all adjacent properties already developed with their own driveway accesses, there is no ability to share driveways nor internal access easements. The requirements of the sections above are met.

f. Driveway widths shall be as shown on the following table.

Driveway Widths (Minimum/Maximum, Ft.)			
Street Classification	Res.	Comm.	Ind.
Arterial:	NA (1)	12/36	12/36
Industrial:	NA (1)	12/36	12/36
Collector:	12/24 (2)	12/36	12/36
Neighborhood Route:	12/24 (2)	12/36	12/36
Local:	12/24 (2)	12/36	12/36
Cul-de-sac:	12/24 (2)	12/36	12/36
Public Alley	12/24 (2)	NA	NA
Res. = Residential Zone			
Comm. = Commercial Zone			
Ind. = Industrial Zone			
Notes: (1) Special conditions may warrant access.			
(2) 28' maximum width for 3-car garage.			

One driveway is proposed, a 26-foot wide driveway to Territorial Rd. Although the table above specifies a maximum permitted width of 24 feet (28' for 3 car garages), the Fire Department requires a 26 wide access. The driveway complies with Fire Department requirements.

g. Driveway spacing shall be as shown in the following table.

Minimum Driveway Spacing		
Street Classification	Intersection	Driveway
Arterial (2)	330' (1)	330' (1)
Industrial Streets (2)	100' (1)	100' (1)
Collector (2)	100' (1)	100' (1)
Neighborhood Route	50' (1)(3)	10'
Local (all)	50' (1)(3)	10'
Cul-de-sac	50' (1)(3)	10'
Public Alley	50' (1)(3)	

Notes: (1) Minimum distance or no closer than 60% of parcel frontage unless this prohibits access to the site, in which case City Administrator or designee may approve a deviation.
(2) Direct access to this street will not be allowed if an alternative exists or is planned.
(3) For single-family residential houses, the minimum distance between driveways and an intersection shall be thirty (30) feet.

The site proposes to use a single driveway to NE Territorial Rd., a designated collector street. As shown on Sheet C1, the separation between the driveway and the nearest driveway on the south side of Territorial Rd. is 153 feet, which exceeds the 100' requirement. The distance from the driveway to the intersection of NE Laurelwood Circle is 131.6 feet, which also exceeds the 100' requirement. The requirements of this section are met.

h. Curb cuts shall be a minimum of five feet from the property line, unless a shared driveway is installed. Single driveways may be paved up to an adjacent property line but shall maintain a five (5) foot separation from the side property line where the driveway enters the property. Driveways shall not be constructed within the curb return of a street intersection. Deviations may be approved by the City Administrator or designee.

The proposed driveway is located in virtually the same location as the existing driveway. The driveway drop is more than 5 feet away from a perpendicular line from the property corner to the centerline of Territorial Road. The driveway complies with this requirement.

i. For roads with a classification of Collector and above, driveways adjacent to street intersections shall be located beyond the required queue length for traffic movements at the intersection. If this requirement prohibits access to the site, a driveway with restricted turn movements may be permitted.

Territorial Road has no stop signs in the vicinity of this site, therefore there are no queue lengths for traffic movements at nearby intersections. The provisions of this section do not apply.

j. Multi-family access driveways will be required to meet the same access requirements as commercial driveways if the multi-family site generated 100 or more trips per day.

The site is a multi-family access driveway, however, the number of trips is not anticipated to equal or exceed 100 trips per day. The provisions of this section do not apply.

k. For circular type driveways, the minimum distance between the two driveway curb cuts on one single-family residential lot shall be thirty (30) feet. (Ord. 1514, 2019)

There will be a single driveway serving the property, the requirements of this section do not apply.

- 10.** When considering a public facilities plan that has been submitted as part of site and design review plan in accordance with this ordinance, the city Public Works Supervisor may approve the location of a driveway closer than fifty (50) feet from the intersection of collector or arterial streets, based on written findings of fact in

support of the decision. Said written approval shall be incorporated into the recommended decision of the City Planner for the site and design review plan under the process set forth.

The proposed driveway will not serve a public facility. The provisions of this section do not apply to the proposed application.

11. Where an existing alley is 20 feet or less in width, the property line setback abutting the alley shall increase to provide a minimum of 24 feet for maneuvering and backing movements from, garages, carports, or parking areas.

No alleys are located near the site, the provisions of this section are not applicable to the proposal.

16.10.080 Street Tree Plan

A Street Tree Plan can be provided in lieu of meeting the requirement of planting a tree every 30 lineal feet of street frontage as stated in Ordinance 1385 Exhibit B. The Street Tree Plan can compensate for driveways, utilities, or other obstructions that inhibit the 30 foot spacing requirement. The requirement for the planting of street trees is required under Chapter 12.32 CMC.

Although the site frontage is already improved, no street trees are located on the Territorial Rd. frontage. New street tree locations are noted on Sheet C1. Due to the location of existing and new utility poles, fire hydrants, water services and sewer laterals, the desired 30-foot spacing cannot be met. Two new street trees are proposed along the Territorial Rd. frontage.

16.10.090 Drive-up uses.

- A. Drive-up uses shall provide a minimum stacking area clear of the public right-of-way or parking lot aisle from the window service to the vehicles as follows:
 1. All drive-up uses. – Each lane shall provide a minimum capacity for two (2) to eight (8) automobiles, as determined by the Site and Design Review Board.
 2. For purposes of this section, an automobile shall be considered no less than twenty (20) feet in length. The width and turning radius of drive-up aisles shall be approved by the City Public Works Director.
- B. The stacking area shall not interfere with safe and efficient access to other parking areas on the property. Traffic aisles shall be wide enough to accommodate backing movements where adjacent to parking stalls. Parking maneuvers shall not occur in the stacking area.

No drive-up uses are proposed. The provisions of Section 16.10.090 do not apply.

16.10.100 Bicycle Parking.

Bicycle parking shall be provided for all multi-family residential, institutional, commercial, and industrial uses.

A. Dimensions and characteristics: Bicycle parking spaces shall be a minimum of six (6) feet long and two (2) feet wide, and overhead clearance in covered spaces shall be a minimum of seven (7) feet. A minimum five (5) foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking. Bicycle racks located on a sidewalk shall provide a minimum of two (2) feet between the rack and a wall or other obstacle, and between the rack and curb face. Bicycle racks or lockers shall be securely anchored to the surface or a structure. Bicycle racks located in the Downtown Commercial Zone shall be of the inverted U style (a.k.a. staple racks). See Figure 20 of the Canby Downtown Plan for correct rack placement.

B. Location: Bicycle parking shall be located in well-lit, secure locations within fifty (50) feet of the main entrance to a building, but not further from the entrance than the closest automobile parking space, and in no case further than 50 feet from an entrance when several entrances are involved.

C. Number of spaces: The bicycle parking standards set out in Table 16.10.100 shall be observed.

TABLE 16.10.100 BICYCLE PARKING STANDARD	
LAND USE CATEGORY	MINIMUM REQUIRED BICYCLE PARKING SPACES
Residential	
Multi-family residential, general	1 space per unit

Per the uses listed in Table 16.10.100, one space per unit is required. The space will be provided within the main breezeway of each building. See the Architectural plans.

16.20 R-2 HIGH DENSITY RESIDENTIAL ZONE

16.20.010 Uses permitted outright.

Uses permitted outright in the R-2.0 zone shall be as follows:

- A.** Uses permitted outright in the R-1.5 zone, subject to the density standards in Section 16.20.030(A);
- B.** Single family townhouse dwellings having common wall construction;
- C.** Boarding, lodging or rooming house;
- D.** Multi-family dwelling;
- E.** Manufactured and mobile home or trailer parks, subject to the criteria of Chapter 16.44;
- F.** Bed and Breakfast.
- G.** Residential Facility - for six or more individuals. (Uses permitted outright in the R-1 zone;)

Multi-family dwellings are proposed and are permitted per bullet D. in the R-2 zone.

16.20.030 Development standards.

The following subsections indicate the required development standards of the R-2 zone:

A. Minimum residential density: New development shall achieve a minimum density of 14 units per acre. Minimum density for a property is calculated by multiplying its area in acres (minus area required for street right-of-way and public park/open space areas) by the density standard. For example, 0.18 acres x 14 units/acre = minimum of 2.52 units. Decimals are rounded to the nearest whole number (e.g., a minimum of 2.52 units becomes a minimum of 3 units). The Planning Commission may modify the density standard if it cannot be met due to existing lot dimensions, road patterns, or other site characteristics.

The site area is 22,678 sf, 0.52 acre. 0.52 acre x 14 units/ac = 7.3 units. 7 units is the minimum required. 8 units are proposed, one more than minimum.

B. Townhouses with common wall construction must be placed on a maximum 3000 square foot lot in order to meet the density required in this section.

No townhouse units are proposed. This section is not applicable to the proposal.

C. Minimum width and frontage: Twenty feet except that the Planning Commission may require additional width to ensure that all applicable access standards are met.

The existing parcel meets this requirement, and no land division is proposed. The provision of this section is met.

D. Minimum yard requirements:

1. Street yard: twenty feet on side with driveway; fifteen feet for all other street sides; except that street yards may be reduced to ten feet for covered porches only. Street yards for multifamily development (3 or more units located on the same property) located adjacent and on the same side of the street to an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone shall establish a front yard setback that is within 5 feet of the front yard setback of the adjacent home in the R-1 or R-1.5 zone but shall not be less than 10 feet from the property line. This standard does not apply if the closest adjacent home has a front yard setback greater than 30 feet.

This site is a multi-family site located on the same side of the street as an existing home in an R-1.5 and an existing home in an R-2 zone. Per the second half of the code provision above, the street yard setback shall be within 5 feet of the setback of the adjacent home in the R-1.5 zone to the west, but not less than 10 feet from the property line. The existing home to the west of the site was measured to have a setback of 15.9 feet from Territorial Rd. while the proposed building closest to Territorial Rd. on this site will have a setback of 17 feet, within the standard permitted by this section. The roof projecting from the front of the building to provide coverage over the street facing entry will project to the back of the existing 12-foot PUE. The provisions of this section are met.

2. Rear yard: all corner lots, ten feet single story or fifteen feet two-story; all other lots: fifteen feet single story or twenty feet two-story. One story building components must meet the single story setback requirements; two story building components must meet the two-story setback requirements;

The buildings will be 2-story units; therefore, the required rear yard is twenty feet. The proposed rear yard behind Building B is 20 feet, in conformance with the requirement.

3. Interior yard: seven feet, except as otherwise provided for zero-lot line housing.

Interior yards will exceed seven feet. The requirement of this section is met.

4. Interior and rear yards may be reduced to three feet, or the width of any existing utility easement, whichever is greater, for detached accessory structures erected sixty feet or more from any street other than an alley. The height limitations noted in subsection D.2 below apply to such structures. Utility easements may only be reduced with the approval of all utility providers.

Interior yards are not planned to be reduced as permitted by this section.

5. Multifamily development (3 or more units on the same property) that is adjacent to an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone must provide a minimum 15-foot buffer area between the multifamily development and the R-1 or R-1.5 zoned property. Within this buffer the following applies (see figure 16.20-1):

- a. Site obscuring landscaping shall be required. The Planning Commission may require retention of existing vegetation; installation of a 6-foot minimum height site-obscuring fence with shade trees planted a maximum of 30 feet on center; and/or other landscaping to provide visual buffering.

A buffer of fifteen feet or greater is proposed to be maintained between the proposed R-2 dwellings and the R-1.5 developed lots west of the site. Much of the existing western property line has a large arborvitae hedge that will act as a visual buffer. Where there isn't an existing vegetative buffer or a 6-foot site obscuring fence, the applicant will construct a solid wooden fence and provide additional landscaping that will comply with the Code. The arborvitae hedges are not proposed to be impacted by this project. Near the western side of the site, additional trees and shrubs will be planted within the LID stormwater facility and setback area that will provide additional visual buffering. The requirement of this section is met.

- b. No active recreation areas (tot lots, swimming pools, etc.) shall be allowed within the 15-foot buffer (garden spaces shall not be considered active recreation areas);

No active recreation is proposed within the 15-foot buffer. The requirement of this section is met.

6. Infill standards may also apply. See CMC 16.20.030(D)(3) and CMC 16.21.050.

Infill standards apply in the R-1 and R-1.5 zones, but not within the R-2 zone. Infill standards will not apply.

E. Maximum building height and length:

1. Principal building: thirty-five feet.

The proposed building height is 26'-9" from the top of the slab to the peak, less than the permitted height of 35 feet. The provisions of this section are met.

2. Detached accessory structure:

No detached accessory structures are proposed. The provisions of this section are not applicable.

3. Maximum building height for multifamily developments abutting an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone shall not exceed a building height greater than one foot for each foot of distance from the R-1 and/or R-1.5 property line.

The proposed building heights are 26'-9" from top of the slab to peak, while the closest building to the R-1.5 zone, Building B, is set 28 feet away from the property line. The distance from the R-1.5 property line to the building exceeds the building height. A 1:1 setback and the provisions of this section will be met.

4. Maximum building length shall be 120 feet

The building length is 65 feet 3 inches, below the permitted maximum of 120 feet. The provisions of this section are met.

F. The maximum amount of impervious surface allowed in the R-2 zone shall be 70 percent of the lot area.

1. Impervious surface includes all surface areas that create a barrier to or hinder the entry of water into the soil in comparison with natural conditions prior to development. Impervious surfaces includes, but are not limited to, buildings, parking areas, driveways, roads, sidewalks, patios, packed earth, and oiled surfaces. Open, uncovered retention/detention facilities, green roofs, and permeable surfacing materials shall not be considered impervious surfaces. Roof surfaces are also considered 'pervious' when 100% of the annual average roof runoff is captured and reused on-site for irrigation or approved interior uses.

2. To limit impervious surface, alternative surfacing materials may be used. Alternative surfacing includes, but is not limited to paving blocks, turf block, pervious concrete, and porous asphalt. Other similar approved materials are encouraged. Utilization of alternative surfacing methods shall be subject to review and approval by the City Public Works Department for compliance with other applicable regulations and development standards. Maintenance of alternative surfacing materials located on private property are the responsibility of the property owner.

The proposed impervious area measures 13,403 square feet, approximately 59% percent of the overall lot area. The provisions of this section are met.

G. Other regulations:

1. Vision clearance distance shall be ten feet from a street to an alley or a street to a driveway, and thirty feet from a street to any other street.

Vision clearance from a street to a driveway is ten feet, which the proposed plan will meet.

2. All setbacks to be measured from the foundation line of the building. Overhangs shall not exceed two feet; mechanical units, used for the heating/cooling of residential units are exempt from interior and/or rear yard setback requirements. A chimney for a fireplace or stove shall not exceed a two foot projection.

The project will comply with the standards above.

3. To provide shade, required yards on southern and western exposures may be reduced by not more than five feet for eaves, canopies, or patio covers, if patio posts still comply with the required setbacks.

The project can comply with this standard.

4. Multi-family developments exceeding ten units shall provide 150 square feet of recreation space per dwelling unit. Recreation spaces shall be no less than 1,500 square feet in size.

Eight units are proposed, less than the ten units that trigger the need for recreation space. This standard does not apply.

5. Accessory buildings shall not have a larger footprint than the primary building.

No accessory buildings are proposed. This standard does not apply.

6. Townhouse (common wall) development shall not exceed six dwelling units as defined in Chapter 16.04.195. Where possible, the six unit development should include the placement of an alley or sidewalk along the rear boundary of the properties for fire and emergency access to the rear of the properties. If more than one group of six dwelling units is constructed, then the groups shall be separated by ten feet of open space.

Townhouse dwellings are not proposed. This standard does not apply.

16.21 RESIDENTIAL DESIGN STANDARDS

16.21.010 Purpose.

The purpose of the residential design objectives are to promote:

- A. Community livability through the creation of attractive design housing and streetscapes.
- B. Compatibility (in height, bulk, setback and overall design) between infill housing and adjacent established housing, to the extent practicable. Additionally, the standards are intended to promote compatibility and transitions between multi-family housing and adjacent uses.
- C. Community safety for neighborhood streets and front yards by providing “eyes on the street.”
- D. Community interaction by designing neighborhood streets, front yards and open spaces so that they are attractive and inviting places for neighbors to interact.
- E. Good design at reasonable cost through design standards that improve residential design within reasonable cost parameters, process, and with options for how to meet the standards. (Ord. 1107, 2002)
- F. Low impact developments that manage stormwater through the use of on-site features, preserve natural conditions and open space, minimize impervious surfaces, and use land efficiently.

The two proposed structures and the proposed site improvements intend to fulfill the residential design objectives of this section. The proposed multi-family dwelling units attempt to create a compatible transition from the adjacent low density housing to the west into the multi-family housing permitted in this area. The proposed buildings will be architecturally pleasing and an asset to the NE Territorial Rd. neighborhood.

16.21.020 Applicability and review procedure for single family and two family dwellings.

The standards in sections 16.21.030 through 16.21.050 apply to single family dwellings, manufactured homes, and two family dwellings (duplexes). Where a proposal is for an alteration or addition to a existing development, the standards of this section apply only to the portion being altered or added. If the applicant can demonstrate that implementation of the standards would be impractical due to lot size, shape, slope, or other natural feature of the property that does not generally apply to other properties in the city, the Planning Director may waive any of the standards which are demonstrated to be impractical.

The two structures on this site will be multi-family dwellings (fourplexes). The standards of sections 16.21.30 through 16.21.050 do not apply. The narrative will therefore skip forward to Section 16.21.060.

16.21.060 Applicability and review procedure for multi-family dwellings.

The standards in section 16.21.070 apply to multi-family dwellings. Where a proposal is for an alteration or addition to an existing development, the standards of this section apply only to the portion being altered or added. If the applicant can demonstrate that implementation of the standards would be impractical due to lot size, shape, slope, or other natural feature of the property that does not generally apply to other properties in the city, the Planning Director may waive any of the standards which are demonstrated to be impractical. (Ord. 1107, 2002)

The proposal is for two new multi family structures. The provisions of Section 16.21.070 will apply.

16.21.070 Multi-family design standards.

A. For design review applications for multi-family dwellings (three or more units) or for development that contain 3 or more units on a single lot located in any zone, the menu in Table 16.21.070 shall apply. This menu replaces the general menu contained in Chapter 16.49 for such applications.

The proposal is for two new multi family structures, each containing four dwelling units. The menu in Table 16.21.070 applies.

B. A design review application for multi-family dwellings shall be considered to be compatible if

1. At least five of the Design Elements for Street Facing Facades are achieved.
2. a minimum of 60 percent of the total possible points from the Design Menu are accumulated for the whole development;
3. 10 percent of the points used to meet (2) above are from the LID category; and,
4. the applicant has received a minimum of one point in each applicable category.

The number of points collected in each category and the total number of points obtained by the project are discussed below.

C. Those elements that are not applicable to a project shall not be counted toward the total possible points. (Ord. 1338; 2010)

Non applicable elements are identified below and are not counted toward the total possible points.

Table 16.21.070 Multi-Family Design Menu

As part of review of multi-family developments, the following menu shall be used as part of the review. In order to “pass” this table 60% of total possible points shall be earned, (10% of the total possible points must be from LID elements)

Parking

Screening of parking and/or loading facilities from public right-of-way

*Parking for the eight units will be partially screened from view by passing motorists by existing landscaping along the western property line and by new landscaping proposed to be installed by the development near the entrance. Some parking will be located to the side of Building A, while other parking will be located behind Building A, which will provide screening for the parking in the rear of the site. **Partially Screened, 1 point.***

Parking lot lighting provided

*Parking lot lighting will be provided. See lighting plan. **Yes, 1 point.***

Parking location (behind building is best)

*Parking is located to the side of the Building A. **Side, 1 point.***

Number of parking spaces provided (% of minimum required) >120% 101-120% 100% - -

*Eight units are proposed, requiring a minimum 16 parking spaces. 16 parking spaces are proposed. **100%, 2 points.***

5 Points out of 7 Possible

Tree Retention

Percentage of trees retained

The dominant landscaping onsite includes arborvitae hedges along the east and west property line and several overgrown shrubs, neither of which qualify as trees. The arborvitae hedges will remain, while most shrubbery will be removed and replaced with new plantings more in scale with the proposed development. According to the landscaping designer, one hazelnut/filbert “tree” made up of a bunch of suckers is currently onsite near the eastern property line. The “tree” has no dominant stem and no stem that exceeds a few inches in diameter. It is not a tree that should remain. One other tree is located along the southern property line, but it is more offsite than onsite and therefore is not included in the calculation. Because there are no trees of value that should remain onsite, the provisions of this section are determined to be not applicable.

Replacement of trees removed

As there are no trees of value onsite, and therefore no trees are being removed. This section is not applicable.

0 Points out of 0 Possible

Building Orientation to Street

Primary entrances face the street

Building A, facing Territorial Road, will have one entrance facing Territorial Rd., while the common breezeway for the other three units will face the driveway. All entrances on Building B in the rear of the site will come from the common breezeway, which will face Territorial

Road. The proposal lands somewhere in between having none of the entrances facing the street and all the entrances facing the street. Therefore, one of two points is reasonable.
1 point.

Site's frontage has buildings within 25 feet of front lot line. (Full points may be given when courtyards are adjacent to the frontage.)

The front lot line measures 115.1 feet and the front building will be located 15 feet from the front lot line for a length of 36.25 feet, or 31.5%. 26-50 percent of street frontage, 1 point.

2 Points out of 4 Possible

Screening of Storage Areas and Utility Boxes

Trash storage is screened from view by solid wood fence, masonry wall or landscaping.

The trash and recycling storage area will be located behind solid fencing. Yes, 1 point.

Trash storage is located away from adjacent property lines.

The trash and recycling storage area will be located on the eastern side of the main driveway nearly 50 feet away from the property line. The facility will be located
>25 feet from adjacent property, 2 points.

Utility equipment is screened from view

Heat pumps will be in the rear yards of the units and will be fully screened. Electric meters will be placed where they cannot be seen from the public street. Fully screened, 2 points.

5 Points out of 5 Possible

Prevention of Monotonous and Incompatible Design

Horizontal length of all buildings is a maximum of 120 feet

Each building will measure approximately 36 feet wide by 65 feet long. <80 feet, 2 points.

Roofs have a gable, hip or gambel form, minimum pitch of 3 to 12 with at least 6- inch overhang.

Roofs will be gable and hipped with a 5/12 pitch and overhangs exceeding 6 inches. Yes, 1 point.

A minimum of 15% of street façade areas contains windows or doors. All windows provide trim, recess, or other method of providing shadowing.

The street facing façade of Building A along NE Territorial Rd. will provide 106 sq. ft. of glazing in 697 sq. ft. of façade area, for 15.2% windows or doors. Yes, 1 point.

Garages are located to minimize their visual impact.

No garages are proposed, which will minimize the impact of garages. From the public street having no garages would be like having garages hidden on the back of the buildings, therefore, scoring will be similar to being on the back of the building. 2 points.

Exterior design features include offsets, balconies, projections, window reveals, or similar elements to break up large building expanses.

Design features will break up the building expanses. Side and rear elevations will include window reveals to break up the building wall.

One design feature within every 30 feet of longest façade, 1 point.

7 Points out of 8 Possible

Private Open Space and Landscaping

Private open space provided in addition to what is required for the base zone.

At grade patios exceeding 48 square feet will be provided on 100% of the units. In addition, all site areas will be “common” areas for use by complex residents. A paver patio area will be provided between Buildings A and B that will provide a “third space” community area for residents of the complex. The proposed patio area is anticipated to feature a table and/or a fire pit, would be similar in nature to a community room in that it is a space for residents from multiple units to congregate.

3 points.

Number of non-required trees provided.

Required trees include 4 for the ends of the parking areas, and 6 others to meet the 40-foot maximum spacing for trees along a vehicular use area. 10 total trees are required. A total of 34 trees are proposed, 24 more than required. Total landscaping area will be approximately 9,275 square feet. Therefore, 1 non-required tree per 386 square feet is proposed.

At least one tree per 500 square feet of landscaping, 1 point.

Amount of grass (less grass is better) (% of total landscaped area)

The amount of grass to be used on site will be limited to less than 25%, as indicated on the Landscaping Plan.

<25%, 2 points.

6 Points out of 6 Possible

Street and Block Framework

Multi-family developments 8 acres or larger are developed as a series of complete blocks bounded by a network of public or private streets with sidewalks and street trees.

This section does not apply to this small site.

0 Points out of 0 Possible

Low Impact Development (LID)

Use of pervious paving materials (% of total paved area)

Paving stones are planned for the common area, however, that pavement area makes up less than 10% of the total site pavement.

<10%, 0 points.

Provision of park or open space area for public use.

*A common paver patio area with a larger open space area around the patio is planned within the complex for use by complex residents. The space will include a table and/or a fire pit and will be intended for the use of complex residents, not the general public. A bench, for the public's use, will be provided along the back of sidewalk on Territorial Road for use by the community when walking in front of the site. The project will score two points for **Open***

space (generally not for public use), plus an additional point for the public use bench along Territorial Road. 3 points.

Use of drought tolerant species in landscaping (% of total plants)

Drought tolerant species are planned to make up between more than 75% of the total plants. >75% drought tolerant, 4 points.

Provision of additional interior parking lot landscaping (% of minimum required)

11,137 square feet of non-building area is located within 10 feet of the exterior of the common parking and maneuvering area. 2,858 square feet of this area is landscaping, 25.7% of the parking lot area. Fifteen (15%) is the minimum required, 25.7% exceeds the required by 10.7%, which rounds up to 11%. 111-120%, 2 points.

Provision of an eco-roof or rooftop garden (% of total roof area)

No eco-roofs or rooftop gardens will be provided. <10%, 0 points.

Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)

Of the 16 total parking spaces, none will be located within garages. <10%, 0 points.

Disconnecting downspouts from city stormwater facilities

All downspouts are disconnected from City stormwater facilities. All downspouts disconnected, 2 points.

Shared parking with adjacent uses or public parking structure (% of total required parking spaces)

Shared parking and or a parking structure are generally not applicable to residential uses outside the downtown core.

This section does not apply to this residential use. Not applicable.

Provision of rain gardens/bioretenion areas for stormwater runoff (% of total landscaped area)

The total landscaped area will be 9,275 square feet, of which, 1,020 square feet will be rain garden / bioretention planter, 11.0% of the total. 10 – 50%, 2 points.

13 out of 29 Possible Points

A total of 59 points are applicable to this particular project.

The project can earn a total of 38 points out of 59 Possible = 64.4%

Including at least 1 point from each applicable category

✓

Including 13 points (out of 38 total) (34%) from the LID category.✓

16.35 CANBY INDUSTRIAL AREA OVERLAY (I-O) ZONE

The site is not within the Canby Industrial Area Overlay Zone, this Chapter does not apply.

16.36 PLANNED UNIT DEVELOPMENT OVERLAY ZONE

The project is not proposed as a Planned Unit Development, therefore the provisions of this Chapter do not apply to the proposal.

16.37 RIPARIAN OVERLAY ZONE

The site is not within a riparian area, the provisions of this Chapter do not apply.

16.38 HISTORIC PROTECTION OVERLAY ZONE (A)

No historic features are located on or adjacent to this site. The Historic Protection Overlay does not apply.

16.39 WETLAND OVERLAY ZONE

The site is free from wetlands and riparian areas. The provisions of this Chapter do not apply.

16.40 HAZARD OVERLAY ZONE (H)

The site is free from steep slopes and potential from flooding. The Hazard Overlay Zone and the provisions of this Chapter do not apply.

16.41 DOWNTOWN CANBY OVERLAY (DCO) ZONE

The site is not located within the Downtown Canby Overlay Zone. This Chapter does not apply.

16.42 SIGNS

No signs are proposed, this Chapter does not apply.

16.43 OUTDOOR LIGHTING STANDARDS

16.43.030 Applicability.

The outdoor lighting standards in this section apply to the following:

A. New uses, buildings, and major additions or modifications:

- 1. For all proposed new land uses, developments, buildings, and structures that require a building permit, all outdoor lighting fixtures shall meet the requirements of this Code.
- 2. All building additions or modifications of fifty (50) percent or greater in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or cumulative additions, shall meet the requirements of this Code for the entire property, including previously installed and any new outdoor lighting.

The project is a new land use, development, and building. The provisions of Section 16.43.030 are applicable to the proposal.

16.43.040 Lighting Zones.

A. Zoning districts designated for residential uses (R-1, R-1.5 and R-2) are designated Lighting Zone One (LZ 1). All other zoning districts are designated Lighting Zone Two (LZ 2).

B. The designated Lighting Zone of a parcel or project shall determine the limitations for lighting as specified in this ordinance.

Table 16.43.040 Lighting Zone descriptions

Zone	Ambient Illumination	Representative Locations
LZ 1	Low	Rural areas, low-density urban neighborhoods and districts, residential historic districts. This zone is intended to be the default for residential areas.
LZ 2	Medium	High-density urban neighborhoods, shopping and commercial districts, industrial parks and districts. This zone is intended to be the default condition for commercial and industrial districts in urban areas.

This residential use will be in LZ (Lighting Zone) 1.

16.43.060 Prohibited Light and Lighting.

A. All outdoor light sources, except street lights, shall be shielded or installed so that there is no direct line of sight between the light source or its reflection at a point 3 feet or higher above the ground at the property line of the source. Light that does not meet this requirement constitutes light trespass. Streetlights shall be fully shielded. However, the applicant is permitted to have some unshielded lighting if lumens are within the limits of Table 16.43.070 below.

B. The following lighting systems are prohibited from being installed or used except by special use permit.

1. Aerial Lasers.
2. "Searchlight" style lights.
3. Other very intense lighting, defined as having a light source exceeding 5200 lumens.

Lighting will be installed to meet the requirements of this section. Cut sheets for the proposed fixtures are submitted for approval.

16.43.070 Luminaire Lamp Wattage, Shielding, and Installation Requirements.

A. All outdoor lighting shall comply with the limits to lamp wattage and the shielding requirements in Table 16.43.070 per the applicable Lighting Zone. These limits are the upper limits. Good lighting design will usually result in lower limits.

B. The city may accept a photometric test report, demonstration or sample, or other satisfactory confirmation that the luminaire meets the requirements of the shielding classification.

C. Such shielded fixtures must be constructed and installed in such a manner that all light emitted by the fixture complies with the specification given. This includes all the light emitted by the fixture, either directly from the lamp or by a diffusing element, or indirectly by reflection or refraction from any part of the fixture. Any structural part of the fixture providing this shielding must be permanently affixed.

D. All canopy lighting must be fully shielded. However, indirect upward light is permitted under an opaque canopy provided that no lamp or vertical element of a lens or diffuser is visible from beyond the canopy and such that no direct upward light is emitted beyond the opaque canopy. Landscape features shall be used to block vehicle headlight trespass while vehicles are at an external point of service (i.e. drive-thru aisle).

E. All facade lighting must be restricted to the facade surface. The margins of the facade shall not be illuminated. Light trespass is prohibited. The sides of commercial buildings without a customer entrance shall not be lit.

Table 16.43.070 - Luminaire Maximum Wattage and Required Shielding

Lighting Zone	Fully Shielded	Shielded	Partly Shielded	Unshielded (Shielding is highly encouraged. Light trespass is prohibited.)
LZ 1	2600 lumens or less	800 lumens or less	None Permitted	Low voltage landscape lighting and temporary holiday lighting.

Lighting design is submitted to the City of Canby for approval. The applicant will install lighting to meet the requirements of this Code.

16.43.080 Height Limits.

Pole and surface-mounted luminaires under this section must conform with Section 16.43.070.

A. Lighting mounted onto poles or any structures intended primarily for mounting of lighting shall not exceed a mounting height of 40% of the horizontal distance of the light pole from the property line, nor a maximum height according to Table 16.43.080, whichever is lower. The following exceptions apply:

1. Lighting for residential sports courts and pools shall not exceed 15 feet above court or pool deck surface.
2. Lights specifically for driveways, and then only at the intersection of the road providing access to the site, may be mounted at any distance relative to the property line, but may not exceed the mounting height listed in Table 16.43.080.
3. Mounting heights greater than 40% of the horizontal distance to the property line but no greater than permitted by Table 16.43.080 may be used provided that the luminaire is side-shielded toward the property line.
4. Landscape lighting installed in a tree. See the Definitions section.
5. Street and bicycle path lights.

B. Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than 4 feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 40% of the horizontal distance of the light from the property line, whichever is less. The following exceptions apply:

1. Lighting attached to single family residences shall not exceed the height of the eave. Lighting for driveways shall conform to Table 16.43.080.
2. Lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated regardless of horizontal distance to property line.
3. For buildings less than 40 feet to the property line, including canopies or overhangs onto the sidewalk or public right of way, luminaires may be mounted to the vertical facade or the underside of canopies at 16 feet or less.

Table 16.43.080 - Maximum Lighting Mounting Height in Feet

Lighting Zone	Lighting for Driveways, Parking and Transit	Lighting for Walkways, Plazas and other Pedestrian Areas	All Other Lighting
LZ 1	35.0	18.0	8.0

Exterior lighting for the parking and driveway area is to include a combination of wall mounted and pole mounted fixtures. Exterior wall mounted light fixtures (4 total) will be mounted at elevation approximately 36 inches above the elevation of the second floor, approximately 13 feet above first floor elevation. Exterior pole mounted fixtures (3 total) will be mounted 16 feet above ground. Lighting within the stairwells will be mounted 8 feet or less above the floor level. The provisions of this section are met.

16.43.110 Lighting Plan Required

A lighting plan shall be submitted with the development or building permit application and shall include:

- A. A site plan showing the location of all buildings and building heights, parking, and pedestrian areas.
- B. The location and height (above grade) of all proposed and existing luminaires on the subject property.
- C. Luminaire details including type and wattage of each lamp, shielding and cutoff information, and a copy of the manufacturer's specification sheet for each luminaire.
- D. Control descriptions including type of control (time, motion sensor, etc.), the luminaire to be controlled by each control type, and the control schedule when applicable.
- E. Any additional information necessary to demonstrate compliance with the standards in this section.

A Site Lighting Plan prepared by Columbia Pacific Sales is submitted with this development application.

16.46 ACCESS LIMITATIONS ON PROJECT DENSITY

16.46.010 Number of units in residential development.

A major factor in determining the appropriate density of residential development, particularly in higher density areas, is vehicular access. In order to assure that sufficient access is provided for emergency response as well as the convenience of residents, the following special limitations shall be placed on the allowable number of units in a residential development:

- A. Single-family residential access, public and private roads:

The proposal is to construct multi-family housing, the provisions of this section do not apply.

- B. Single ownership developments (condominiums, townhouses, manufactured homes, multi-family developments, etc.).

1. Two lane access roads/drives shall be a minimum width of 20 feet with no parking permitted, or 28 feet with parking restricted to one side only, or 36 feet with no parking restrictions. Three lane access roads/drives shall be a minimum width of 32 feet with no parking permitted, or 40 feet with parking restricted to one side.
2. The number of units permitted are as follows:

<u>Two lane access road/drive</u>
One access: 30 units
Two accesses: 165 units
Three accesses: 258 units

<u>Three lane access road/drive</u>
One access: 30 units
Two accesses: 220 units
Three accesses: 345 units

One two lane access road/drive is adequate to serve the 8 units being proposed. The driveway will be of adequate width to provide two lanes of access with parking in perpendicular parking stalls.

16.46.020 Ingress and egress.

Ingress and egress to any lot or parcel, the creation of which has been approved by the Planning Commission, shall be taken along that portion fronting on a public street unless otherwise approved by the Planning Commission. (Ord. 740 section 10.3.62, 1984)

A. Vision Clearance: Vision clearance distance shall be ten feet from a street to an alley or a street to a driveway and thirty feet from a street to any other street.

B. Where an existing alley is 20 feet or less in width, the setback abutting the alley shall increase to provide a minimum of 24 feet for maneuvering and backing movements from, garages, carports, or parking areas.

Ingress and egress to the site will be from Territorial Road via a new driveway approach constructed essentially where the existing driveway is located. Vision clearance of 10 feet from a street to a driveway can be met along Territorial Rd. Alley requirements of Section B are not applicable to this site.

16.46.030 Access connection.

A. Spacing of accesses on City streets. The number and spacing of accesses on City streets shall be as specified in Table 16.46.030. Proposed developments or land use actions that do not comply with these standards will be required to obtain an access spacing exception and address the joint and cross access requirements of this Chapter. (Ord. 1043 section 3, 2000; Ord. 1076, 2001; Ord. 1237, 2007)

**TABLE 16.46.30
Access Management Guidelines for City Streets***

Street Facility	Maximum spacing** of roadways	Minimum spacing** of roadways	Minimum spacing** of roadway to driveway***	Minimum Spacing** driveway to driveway****
Arterial	1,000 feet	660 feet	330 feet	330 feet or combine
Collector	600 feet	250 feet	100 feet	100 feet or combine
Neighborhood/Local	600 feet	150 feet	50 feet****	10 feet

*Exceptions may be made in the downtown commercial district, if approved by the City Engineering or Public Works Department, where alleys and historic street grids do not conform to access spacing standards.

** Measured centerline on both sides of the street

*** Private access to arterial roadways shall only be granted through a requested variance of access spacing policies when access to a lower classification facility is not feasible (which shall include an access management plan evaluation).

**** Not applicable for single-family residential driveways; refer to section 16.10.070(B)(10) for single-family residential access standards Note: Spacing shall be measured between access points on both sides of the street.

NE Territorial Road is classified as a collector roadway by Figure 7-1, Functional Classification, in the December 2010 Canby Transportation System Plan. Per Table 16.46.30 shown above, the minimum driveway to driveway spacing on collectors is required

to be 100 feet and minimum driveway to roadway spacing is also 100 feet. These guidelines are met on the south side of Territorial Road as noted on Sheet C1.

The proposal is to keep the existing driveway essentially where it is currently located on Territorial Road, just rebuild it to commercial driveway standards and to a 26-foot width as required for fire department access. The existing driveway aligns with an existing driveway to a flag lot on the opposite side of NE Territorial Road serving Tax Lot 31E28DC00500. With the location of the existing driveways on the north side of Territorial Road, keeping the existing driveway in its current location and in alignment with an existing driveway on the opposite side of the Territorial Road seems to be the best location for the driveway, being as though all spacing criteria are met on the southern side of Territorial Road.

Driveways on the north side of Territorial Road fail to conform with the driveway to driveway spacing requirements. There is no change that can be made to the driveways on the south side of Territorial Road that will bring the driveways on the north side of the road into compliance with the access management guidelines.

The City Traffic Engineer will have the final decision regarding driveway positioning with the Traffic Analysis Letter.

16.46.035 Restricted access.

The City may allow an access to a City street that does not meet the spacing requirements of Table 16.46.030 if the proposed access is restricted (prevents certain turning movements). The City may require an applicant to provide an engineered traffic study, access management plan, or other information as needed to demonstrate that the roadway will operate within the acceptable standards with the restricted access in place. (Ord. 1237, 2007). Access to OR 99E shall be regulated by ODOT through OAR 734.51.

The access for this site is an existing access that has been used at least as far back as 1993 when the site was partitioned, but was likely used prior to that as the existing home onsite was constructed originally in 1962. Access restrictions that would prevent certain turning movements would be difficult to construct that wouldn't also have an impact on turning movements for the existing driveways located on the north side of the street. Restricted access improvements are warranted when traffic on the roadway is so heavy that vehicles making left turns will cause serious safety problems, however, on streets without heavy traffic, access restrictions can be more of a detriment to vehicular safety than a benefit. It is anticipated that restricted access for the development will not be a recommendation of the TAL.

16.46.040 Joint and cross access.

Any developments requiring site plan review that do not meet access spacing requirements are subject to these requirements. In these cases, the following information shall be shown on the site plan.

- A. Adjacent commercial or office properties classified as major traffic generators (e.g. shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.
- B. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:
 1. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;

2. A design speed of 10 mph and a minimum width of 20 feet to accommodate two way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;
4. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.

C. Shared parking areas may be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.

D. Pursuant to this section, property owners shall:

1. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
2. Record an easement with the deed that remaining access rights along the roadway will be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

E. The City may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:

1. Joint access driveways and cross access easements are provided in accordance with this section.
2. The site plan incorporates a unified access and circulation system in accordance with this section.
3. The property owner enters into a written agreement with the city, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.

F. The Planning Department may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.

Driveways on the south side of NE Territorial Rd. conform to the access spacing guidelines while some of the existing driveways on the north side of Territorial Rd. do not. Joint or cross access agreements for parcels on the south side of Territorial Road cannot solve the access spacing problem on the north side of Territorial Rd.

16.46.050 Nonconforming access features.

Legal access connections in place as of April 19, 2000 that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

- A. When new access connection permits are requested; or
- B. Change in use or enlargements or improvements that will significantly increase trip generation. (Ord. 1043 section 3, 2000)

The existing driveway approach into this parcel existed prior to April 19, 2000. The proposal includes modification of the existing driveway approach to a commercial standard and a slight enlargement to 26 feet in width as required for the fire department.

16.46.060 Amount of access points.

In the interest of promoting unified access and circulation systems, the number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans. The owner and all lessees within the affected area are responsible for compliance with the requirements of this ordinance and both shall be cited for any violation. (Ord 1043 section 3, 2000)

A single point of access is requested for this property, which is the minimum number possible.

16.46.070 Exception standards.

A. An exception may be allowed from the access spacing standards if the applicant can provide proof of unique or special conditions that make strict application of the provisions impractical. Applicants shall include proof that:

1. Indirect or restricted access cannot be obtained;
2. No engineering or construction solutions can be reasonably applied to mitigate the condition; and
3. No alternative access is available from a street with a lower functional classification than the primary roadway.

The site has street frontage on the north side of the site only, with other properties located to the south and west already developed to their full development potential and a newer home located on the property to the east.

Driveways on the south side of Territorial Road comply with the Access Management Guidelines, while not all driveways on the north side of street fully comply. There are no engineering solutions for the south side of the street that can bring the driveways on the north side of the street more into compliance. Even if an alternative access location were available, which one is not, it would not solve the driveway to driveway spacing issue on the north side of Territorial Road.

Access restrictions were discussed in response to Section 16.46.035.

B. Access Management Plan Required. An applicant requesting an access exception may be required to submit an access management plan. The access management plan shall explain the need for the modification and demonstrate that the modification maintains the classified function and integrity of the facility. An access management plan shall be prepared and certified by a traffic or civil engineer registered in the State of Oregon. An access management plan shall at minimum contain the following:

1. The minimum study area shall include the length of the site's frontage plus the distance of the applicable access spacing standard, measured from each property line or

access point(s), whichever is greater. For example, a property with 500 feet of frontage on an arterial (required 660 foot access spacing standard) shall have a minimum study area which is 1,820 feet in length.

2. The potential safety and operational problems associated with the proposed access point. The access management plan shall review both existing and future access for all properties within the study area as defined above.

3. A comparison of all alternatives examined. At a minimum, the access management plan shall evaluate the proposed modification to the access spacing standard and the impacts of a plan utilizing the City standard for access spacing. Specifically, the access management plan shall identify any impacts on the operations and/or safety of the various alternatives.

4. A list of improvements and recommendations necessary to implement the proposed access modification, specifically addressing all safety and operational concerns identified.

5. References to standards or publications used to prepare the access management plan.

No access management plan is warranted for the proposal.

C. The granting of the exception shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

The applicant has shown with this narrative that the driveways on the south side of Territorial Road in this area comply with the Access Management Criteria, while not all driveways on the north side of Territorial Road fully comply. There is no change that can be made to driveways on the south side of Territorial Road that will bring the driveways on the north side of the road into compliance. The best solution appears to leave the existing driveway where it is currently located, aligned with an existing driveway on the north side of Territorial Road, and to rebuild the approach to a commercial driveway standard.

D. No exception shall be granted where such hardship is self-created.

The existing driveway for this site dates back to at least 1993 when the site was partitioned and likely existed prior to that as the existing home onsite dates back to 1962. The driveway for this site pre-dated nearby modern subdivisions and the construction of NE Laurelwood Circle. Most of the driveways located in this area of Territorial Road have existed for decades, prior to the City's adoption of access spacing standards. No hardship has been self-created.

E. Reasons for denying access spacing exception applications include, but are not limited to, traffic safety concerns, expected or planned traffic increases due to development or road construction, and emergency service provision issues. (Ord. 1043 section 3, 2000; Ord 1237, 2007; Ord. 1340, 2011)

The access to this site is an existing access that has been used for many years. Driveways and streets on the south side of Territorial Road comply with the access management guidelines, while driveways on the north side of Territorial Road do not fully comply due to the spacing

between some of the driveways. Because the driveway for this site has existed for many years, because it aligns with an existing driveway on the north side of Territorial Road, and because the number of trips created by 7 additional units being proposed on the site will not create a significant amount of traffic. The TAL recommended that the existing access location be approved to serve the new development.

16.49 SITE AND DESIGN REVIEW

16.49.030 Site and design review plan approval required.

A. The following projects require site and design review approval, except as exempted in B below:

1. All new buildings.
2. All new mobile home parks.
3. Major building remodeling above 60% of value.
4. Addition of more than 5,000 square feet of additional gross floor area in a one year period.
5. Construction activity which causes a decrease in pervious area in excess of 2,500 square feet in a one year period.

None of the above shall occur, and no building permit for such activity shall be issued, and no sign permit shall be issued until the site and design review plan, as required by this Ordinance, has been reviewed and approved by the Board and their designees for conformity with applicable criteria.

Two new buildings are proposed, per bullet #1, Site and Design approval is required.

C. Construction, site development and landscaping shall be carried out in substantial accord with the approved site and design review plan. Review of the proposed site and design review plan and any changes thereto shall be conducted in accordance with site and design review procedures.

Proposed site development and landscaping plans have been submitted with the application for review and approval by the hearing body.

D. No fence/wall shall be constructed throughout a project that is/was subject to site and design review approval where the effect or purpose is to wall said project off from the rest of the community unless reviewed and approved by the Planning Commission.

The site has existing fences and tall arborvitae hedges on the western and eastern property lines and the southern property line is partially fenced. Existing fences and vegetation along the property lines will remain in place and a fence is proposed to be completed across the southern property line for rear yard private for both parcels. Access for guests will always be available via the common driveway and the sidewalk connection to the public sidewalk.

16.49.035 Application for Site and Design Review

A. For projects in the Downtown Canby Overlay Zone, applicants may choose one of the following two processes:

1. Type II - If the applicant meets all applicable site and design review standards set forth in Chapters 16.41 and 16.49, applicant shall submit a Type II application for approval pursuant to the approval criteria set forth in 16.49.040.5; or
2. Type III - If the applicant proposes the use of alternative methods or materials to meet the intent of the site and design review standards set forth in Section 16.41.070, the applicant shall submit a Type III application for approval pursuant to the approval criteria set forth in 16.49.040.6. The applicant must still meet all applicable requirements of Chapter 16.49.

B. All other projects subject to site and design review approval pursuant to Section 16.49.030 are subject to the Type III procedural requirements set forth in Chapter 16.89. The applicant shall submit a Type III application for approval pursuant to the approval criteria set forth in 16.49.040. (Ord.1296, 2008)

The project is not located in the Downtown Canby Overlay Zone. The project will be processed as a Type III application per Section B above.

16.49.040 Criteria and standards.

B. 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 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. (Ord. 1338, 2010).

The project demonstrated compliance with the Multi-Family Design Menu, Table 16.21.070, which supersedes the Site and Design Review Matrix of this section. The requirements of this section have been addressed.

D. 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 INTENT of the design review standards set forth in this ordinance.

E. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this ordinance. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.

F. The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.

G. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Chapter 12.32, the city Tree ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.32. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

The proposal will provide 7 additional residences in an area zoned for high density residential development. City utility service providers have indicated that utility service is available to the site to serve the additional dwellings. Existing shrubbery and other vegetation central within the site is to be removed to accommodate the development. The site will be landscaped more appropriately with vegetation properly sized for the proposed site plan. The existing arborvitae hedges located along the western and eastern property lines are proposed to remain. No trees are located within the public right-of-way in front of this site, and no trees within the right-of-way will be removed. The provisions of these sections above have been satisfied.

16.49.065 Bicycle and pedestrian facilities.

Developments coming under design review shall meet the following standards:

A. The internal walkway system shall be extended to the boundaries of the property to adjoining properties developed or zoned for commercial, public, or multi-family uses. The walkway shall connect to an existing walkway system on adjoining property or be located so as to provide for development of a logical connection in the future when the adjoining property is developed or redeveloped.

The internal walkway system will connect to the public walkway on NE Territorial Road.

B. On-site facilities shall be provided to accommodate safe and convenient pedestrian and bicycle access within new subdivisions, multi-family developments, planned development, shopping centers, and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers. Residential developments shall include streets with sidewalks and accessways.

The provisions of this section are difficult to apply to a site that has already been developed around on all sides without provisions for pedestrian and bicycle access. To the extent practicable new walkways have been provided within the development proposal.

C. For new office parks and commercial development:

1. At least one sidewalk connection between the proposed development and each abutting commercial or office property shall be provided. One connection shall also be provided to each neighborhood.

2. Walkways shall be provided to the street for every 300 feet of developed frontage.

3. Walkways shall be direct with minimal driveway crossings.

4. Walkways shall be linked to the internal circulation of the building.

5. Walkways shall be at least five feet wide and shall be raised, or have different paving materials when crossing driveways or other vehicle maneuvering areas.

The project is a residential development, therefore the provisions of this section do not apply.

D. Use of permeable surfacing materials for walkways is encouraged whenever site and soil conditions make it feasible. Permeable surfacing includes, but is not limited to, paving blocks, turf blocks, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards.

All walkways are proposed to be regular concrete as a stormwater planter is proposed along the western side of the driveway where runoff from sidewalks and the driveway will be able to percolate into the soil.

E. Developments that abut the Molalla Forest Road multi-use path shall provide a pedestrian/bicycle access to the path. The city may determine the development to be exempt from this standard if there is an existing or planned access to the path within 300 feet of the development. (Ord.1340, 2011)

The site is not adjacent to the Molalla Forest Road pathway. The provisions of this section do not apply.

16.49.080 General provisions for landscaping.

A. The standards set forth in this section are minimum standards for landscaping.

B. The purpose of these landscaping standards is to provide uniform standards for the development and maintenance of the landscaping of private property and public rights-of-way.

The purpose of landscaping is to improve the livability of residential neighborhoods, enhance the customer attraction of commercial areas, increase property values, improve the compatibility of adjacent uses, provide visual separation and physical buffers between incompatible adjacent land uses, provide visual relief from the expanse of parking lots, screen undesirable views, contribute to the image and appeal of the overall community, and mitigate air and noise pollution.

These standards are also intended to facilitate Low Impact Development (LID) techniques through the retention of existing native vegetation and mature, healthy trees, to the extent feasible. Additional LID related goals of this chapter are to: reduce erosion and storm water runoff; preserve and promote urban wildlife habitats; reduce the amount of carbon dioxide in the air; shade and reduce the temperature of adjacent waterways; and enhance the streetscapes along the city's public rights-of-way with an emphasis on trees and LID stormwater facilities.

C. The minimum area requirement for landscaping for developments coming under design review shall be the percentage of the total land area to be developed as follows. Parking lot landscaping area is included in calculating the following landscape areas:

1. Fifteen (15) percent for all industrial and commercial zones (except the Downtown-Commercial zone, but including the Commercial-Residential zone).
2. Seven and one-half (7.5) percent for the Downtown-Commercial zone.
3. Thirty (30) percent for all residential zones.

Approximately 41 percent of the site will be landscaped, exceeding the thirty (30) percent minimum requirement.

D. LID stormwater management facilities, such as rain gardens and bioretention areas, may be counted toward the minimum landscaping requirement when they are located on private property. LID facilities in the public right-of-way cannot be counted toward the minimum landscaping requirement. The integration of LID stormwater management facilities within required landscaping must be approved by the city and shall comply with the design and construction standards set forth in the Canby Public Works Design Standards.

A stormwater planter is located along the western side of the driveway to provide landscaping and biofiltration/infiltration opportunities. This area is included in the landscaping calculation.

E. Trees and other plant materials to be retained shall be identified on the landscape plan. The Site and Design Review Board encourages the retention, to the extent practicable, of existing healthy trees and vegetation.

Existing hedges along the western and eastern property lines will be retained as shown on the Landscape Plan. The other onsite shrubbery and volunteer tree species will be removed from the site. Much of the current site is covered with lawn, some of which will remain by Territorial Road. However, most lawn will be removed in favor of less irrigation dependent vegetation.

F. During the construction process:

1. The owner or the owner's agent shall provide above and below ground protection for existing trees and plant materials identified to remain.

2. Trees and plant materials identified for preservation shall be protected by chain link fencing placed around the tree, at the drip line.

3. If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist, nurseryman or landscape architect.

4. Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.

5. Where site conditions make necessary grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip line area, such grading, paving, trenching, boring, digging or similar encroachment shall only be permitted under the direction of a qualified arborist, nurseryman or landscape architect. Such direction must assure that the health needs of trees within the preserved area can be met.

6. Tree root ends shall not remain exposed.

No onsite trees will remain onsite, however, existing arborvitae hedges will remain and will be protected during construction as required by this section.

G. Landscaping under preserved trees shall be compatible with the retention and health of said trees.

Landscaping near the existing arborvitae hedges will be compatible with the existing hedges.

H. When it is necessary for a preserved tree to be moved in accordance with the Tree Ordinance, the landscaped area surrounding said tree or trees shall be maintained and replanted with trees which relate to the present landscape plan, or if there is no landscaping plan, then trees which are complimentary with existing, nearby landscape materials.

No existing trees are proposed to be moved. The provisions of this section do not apply.

I. Any required landscaped area shall be designed, constructed, installed and maintained so that within three (3) years, the ground shall be covered by living grass or other plant material. (The foliage crown of trees shall not be used to meet this requirement.) A maximum of five percent of the landscaped area may be covered with bark chips, mulch, or other similar materials. A maximum of five percent of the landscaped area may be covered with rock, stones, walkways, or other similar material acceptable to the Board. Required sidewalks shall not be used to meet the landscaping requirements.

A Landscaping Plan, meeting the requirements of this section, has been submitted with the application.

J. All trees and plant materials shall be healthy, disease-free, damage-free, well branched stock, characteristic of the species. The use of tree and plant species native to the Pacific Northwest is encouraged. Any new street tree planted must be included on the city's list of approved tree species.

A Landscaping Plan, meeting the requirements of this section, has been prepared by Grover's Landscape Services and submitted with the application.

K. Landscaping methods should be guided by the provisions of the most recent edition of the Sunset Western Garden Book or similar publication.

A Landscaping Plan, meeting the requirements of this section, has been prepared by Grover's Landscape Services and submitted with the application.

L. The following guidelines are suggested to insure the longevity and continued vigor of plant materials:

1. Select and site permanent landscape materials in such a manner as to produce a hardy and drought-resistant landscaped area.

2. Consider soil type and depth, spacing, exposure to sun and wind, slope and contours of the site, building walls and overhangs, and compatibility with existing native vegetation preserved on the site or in the vicinity.

A Landscaping Plan, meeting the requirements of this section, has been prepared by Grover's Landscape Services and submitted with the application.

M. All plant growth in landscaped areas of developments shall be controlled by pruning, trimming or otherwise, so that:

1. It will not interfere with designated pedestrian or vehicular access; and

2. It will not constitute a traffic hazard because of reduced visibility.

3. It will not hinder solar access considerations.

Site landscaping will be professionally maintained.

N. After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.

Grading will be minimal, but a sufficient amount of topsoil will be placed on landscaping areas to provide for a suitable base for landscaping.

O. All planting areas shall be graded to provide positive drainage.

Planting areas will be graded away from the building to provide suitable drainage.

P. Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways.

Landscape areas adjacent to walkways and driveways are generally curbed to prevent the material from washing.

16.49.120 Parking lot landscaping standards.

C. Landscaping Within a Parking Lot.

1. Area within a parking lot shall include the paved parking and maneuvering area, as well as any paved area within ten (10) feet of any exterior face of curb surrounding the paved parking and maneuvering area.

2. Each interior landscaped area shall be a minimum of six (6) feet wide, unless the area is added to the required perimeter landscaping.

3. The use of LID best management practices in parking lots is encouraged whenever site and soil conditions make it feasible. Such practices include, but are not limited to, permeable surfacing materials, and integrating LID stormwater management facilities into the required landscaping areas.

LID stormwater management facilities are integrated into the landscaping along the western side of the common driveway. Other landscape islands are also provided at the ends of parking stalls and maneuvering areas to buffer those areas with landscaping.

D. Computing Minimum Area Required to be Landscaped Within a Parking Lot. Minimum area required to be landscaped within a parking lot shall be as follows:

1. Fifteen (15) percent for all residential, industrial, and commercial zones.

24.85 percent of the area within the parking lot is landscaped, exceeding the 15 percent required. The provisions of this section have been met.

E. All parking areas with more than 16 spaces shall include landscape islands to break up the parking area into rows of not more than 8 contiguous parking spaces.

1. Landscape islands shall have a minimum area of 48 square feet and a minimum width of six (6) feet.

2. Landscape islands shall contain at least one tree that meets the standards in subsection (6) below.

3. Landscape islands may be counted toward the minimum parking lot landscaping requirements.

The parking area contains 16 parking spaces, not "more than 16 parking spaces", therefore the provisions of this section do not apply to the proposal.

F. Criteria for Trees in Parking Lots. Deciduous, evergreen and/or shade trees shall meet the following criteria:

1. Reach a mature height of forty (40) feet. Trees must be at least three-inch (3") caliper at the time of planting.

2. Cast moderate to dense shade in summer.

3. Be long lived, i.e., over sixty (60) years.

4. Do well in an urban environment:

- a. Be pollution tolerant; and
 - b. Be tolerant of direct and reflected heat.
5. Require little maintenance:
- a. Be mechanically strong;
 - b. Be insect and disease resistant; and
 - c. Require little pruning.
6. Be resistant to drought conditions.
7. Be barren of fruit production.

The trees proposed on the Landscaping Plan meet the requirements of this section.

G. Perimeter of Parking and Loading Areas:

1. Screening of parking and loading areas is required. Within three (3) years of planting, screening shall be of such height and density as to shield vehicle headlights from head-on visibility.
2. In addition, one (1) deciduous, evergreen and/or shade tree shall be planted every forty (40) feet, minimum, along the required setback of the vehicular use area.

Screening of the parking and loading areas is proposed, including the use of shade trees located within the setbacks surrounding the vehicular use area. The requirements of this section have been met.

H. Irrigation System or Available Water Supply Required. Landscaped areas shall be provided with automatic irrigation systems or a readily available water supply with at least one (1) outlet located within 150 feet of all plant materials to be maintained.

Irrigation will be provided meeting the requirements of this section.

DIVISION IV LAND DIVISION REGULATIONS

No land division is proposed. The criteria and standards of this section do not apply.

Chapter 16.88 General Standards and Procedures

The general standards and procedures set out in this chapter apply to the regulations of all sections of this title, except as may be specifically noted. The application has been submitted to the City by applicant, with the land use application signed by the property owner, and the appropriate fees paid (Sec. 16.88.030).

16.89.020 Description and Summary of Processes.

All land use and development applications shall be decided by using the procedures contained in this Chapter. Specific procedures for each type of permit are contained in Sections 16.89.030 through 16.89.060. The procedure type assigned to each permit governs the decision-making process for that permit. Additional requirements may be found in the individual chapters governing each permit type. The four types of procedure are described below. Table 16.89.020 lists the City's land use and development applications and their required procedures.

C. Type III Procedure (Quasi-Judicial/Legislative). Type III decisions are made by the Planning Commission after a public hearing, with appeals reviewed by the City Council. Type III procedures generally use discretionary approval criteria.

The applicant intends to have the application processed as a Type III Procedure.

TABLE 16.89.020
Land Use and Development Application Procedures

Application Type	Process Type	Notice Radius (Feet)	Neighborhood Meeting Required
Site and Design Review – Type III	III	500	Yes

Site and Design Review – Type III Site and Design Review applications generally require a Neighborhood Meeting. An online virtual neighborhood meeting was held on Monday, November 15, 2021. Notes from the meeting are submitted with the application.

16.89.050 Type III Decision.

- A.** Pre-application conference. A pre-application conference may be required by the Planning Director for Type III applications.

A pre-application conference for this project was held on Tuesday, June 29, 2021, via Zoom. Meeting notes are submitted with this application. The requirements of this section have been met.

- B.** Neighborhood meetings. As directed in Table 16.89.020, the applicant may be required to present their development proposal at a neighborhood meeting before the City accepts the application as complete. See Section 16.89.070.

The applicant held a virtual neighborhood meeting on Monday, November 15, 2021. Meeting notes are submitted with this application. The requirements of this section have been met.

- C.** Application requirements. Type III applications shall be made on forms provided by the Planning Director. The application shall be accompanied by all required information and fees.

An application form has been provided for this project. The application form, the required fees and accompanying information were submitted to City of Canby Planning and Building. The requirements of this section have been met.

16.89.070 Neighborhood Meetings.

- A.** Applicants are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting their application in order to solicit input, identify issues, and exchange information about the proposed meeting.

- B.** The Planning Commission or Planning Director may require an applicant to hold a meeting in the neighborhood prior to accepting an application as complete. A neighborhood meeting is required for some application types, as shown in Table 16.89.020, unless this requirement is waived by the Planning Director.

The applicant held a virtual neighborhood informational meeting with surrounding neighbors and property owners via Zoom on Monday, November 15, 2021. Notice of the meeting was mailed more than two weeks prior to the meeting. Meeting notes are submitted with this application. The requirements of this section have been met.

CONCLUSION

Through the preparation of this narrative and the other documents included with the Site and Design Review Application, the applicant has demonstrated compliance with the intent and requirements of the applicable Chapters of the City of Canby Land Development and Planning Ordinance. Therefore, the project should be approved.

Feel free to contact the following members of the Design Team if you have questions regarding the submittal:

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