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ORDINANCE NO. 516

AN ORDINANCE AMENDING ORDINANCE NO. 443 TO PROVIDE FOR PLANNED UNIT SUBDIVISIONS; AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: Ordinance No. 443, commonly referred to as the "Subdivision Ordinance" enacted August 6, 1962, is hereby amended by adding thereto a new Section which is to immediately follow Section 29 of said Ordinance and is to be numbered Section 29-1, which shall provide as follows:

Section 29-1: PLANNED UNIT SUBDIVISIONS:

WHEREAS, the zoning map of the City of Canby establishes only zone boundaries, and the City Zoning Ordinance No. 452 as amended establishes the permitted use of land in the various zones and the conditions applicable to such use, and all of the provisions, conditions and requirements set forth in said Zoning Ordinance are in general designed to apply to individual lots and minimum area parcels, it is therefore the purpose of a planned unit development as the term is employed in this Ordinance of permitting the development of land in a manner which would be as good or better than that resulting from the traditional lot by lot development while substantially maintaining the same population density and area coverage permitted in the zone in which the project is located. A planned unit development will also permit flexibility in design, placement of buildings, use of open spaces, circulation facilities, off-street parking areas and the best utilization of site potentials characterized by special features of geography, topography, size or shape. The use of this method of dividing land superimposes the regulations of this Section of the Ordinance on the other portions of the Ordinance without changing the fundamental intent of the Ordinance. The use of this Section of the Ordinance provides for modifying the minimum requirements and the literal interpretation of those requirements as stated in Sections 25, 26, 27, 28, 29 and 30 of Ordinance No. 443.

A. Minimum Requirements: The minimum requirements for a Planned Unit Development Subdivision shall include the following two (2) items. Unless these two (2) items can be met, this Section of the Subdivision Ordinance shall not apply and the project shall develop under other Sections of the Ordinance.

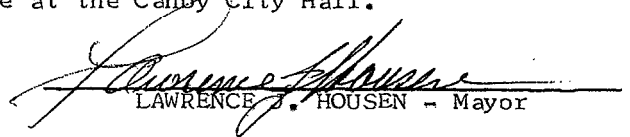
1. A minimum of one (1) acre or ten (10) percent, whichever is greater, of the gross area of the subdivision shall be devoted to park and recreational purposes.
2. The average area per dwelling unit shall not be less than that allowed within the Zoning District in which the subdivision is located. The average area shall be calculated by dividing the number of dwelling units into the gross area of the total land of the development, minus that area occupied by streets.

- B. Types of Projects: The Planned Unit Development of a site allows for the unified development of a site whether it is in a single ownership or in a multiple ownership for the construction of residential, commercial, or industrial projects, or the combination thereof.
- C. Initial Requirements: Subsequent to approval, application shall be made to the Commission for site approval for all or any portion of the proposed development. Where only a portion of the development is submitted for approval, a Master Plan shall also be submitted indicating the intended layout for the total development. An application for approval shall follow requirements included within Sections 4 through 12 of Ordinance 443, and in addition, shall include the following items:
1. Any areas proposed to be dedicated or served for public parks, schools, playgrounds, or otherwise dedicated or served for public purposes.
  2. Other undedicated open-space set aside for the use of the residents of the development in common.
  3. A general land-use plan for the proposed subdivision indicating the areas to be used for various purposes.
  4. Types of dwellings and site locations thereof.
  5. Proposed location of off-street parking areas with dimensions.
  6. Pedestrian walks, malls and other trails, both public and private.
  7. A circulation plan indicating the proposed movement of vehicles, goods and pedestrians within the development to and from adjacent public thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation shall be shown. Supporting data shall be supplied when requested by the Commission.
  8. The stages to be build in progression, if any.
  9. The location of adjacent utilities intended to serve the development and a layout of the utilities within the development.
  10. Table showing the density and lot coverage of the overall development.
  11. Such other pertinent information as the Commission may require in order to make necessary findings on the site approval.
- D. General Requirements: The following general requirements shall be met in submittance and development of a Planned Unit Development Subdivision:

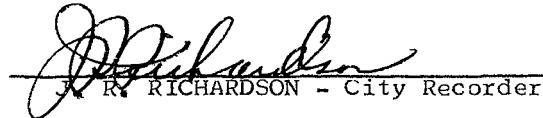
1. The site approval as acted upon by the Commission shall be binding upon the development and variations from the plan shall be subject to approval by the Commission.
  2. All land within the Planned Unit Development may be subject to contractual agreements with the City of Canby and to recorded covenants providing for compliance with the City's requirements.
  3. The development of the property in the manner proposed will not be detrimental to the public welfare and will be in keeping with the general intent of the remainder of the City's Subdivision Ordinance.
  4. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities.
  5. The development must be designed so that the land areas and buildings around the perimeter of the project are in keeping with the adjoining properties.
  6. Each Planned Unit Development Subdivision shall be a complete development considering all previous requirements. The Commission may in addition require the inclusion of facilities such as curbs, sidewalks, street lights, storm drainage, sanitary sewers, underground power and telephone lines, landscaping and adequate off-street parking.
  7. Access and type of access for the open-space area or areas shall be shown.
  8. Land which is not used for structural development, such as residential or street uses, shall be dedicated for open-space purposes en-perpetuity and shall state such in the restrictive covenants of the subdivision.
  9. The manner in which the open-space or park and recreational areas are to be maintained shall be presented along with the proposed preliminary submission of the subdivision. Furthermore, a copy of the proposed Home Owners Association Bylaws and Contractual Agreements shall be submitted with the preliminary subdivision.
  10. All other requirements stated in Ordinance No. 443 regarding the Preliminary Plat and not covered by this Section of the Ordinance shall be met.
- E. Modification: The provisions of Section A.2 may be modified by the Planning Commission if such modification would not be contrary to the purpose and intent of the Ordinance.
- F. Approval: After all pertinent requirements for the Planned Unit Development Subdivision have been fulfilled, the proposed development shall be considered in line with the procedures set forth in the Ordinance regarding the Final Plat.

Section 2: It being deemed by the Canby City Council that an emergency exists, this Ordinance shall take effect immediately upon its final passage by the Council.

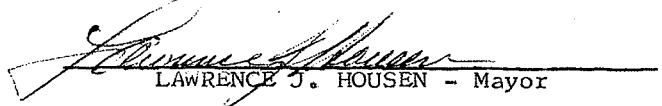
Passed on first reading at a special meeting of the Canby City Council held on the 23rd day of August, 1968; ordered posted in three public and conspicuous places in the City of Canby for a period of two full calendar weeks as provided by the Canby City Charter, and to come up for final reading and action of the Canby City Council at a special meeting thereof to be held on Monday, September 9, 1968, at the hour of 7:30 o'clock p.m., Oregon Daylight Saving Time at the Canby City Hall.

  
LAWRENCE J. HOUSEN - Mayor

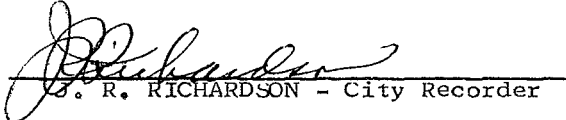
ATTEST:

  
J. R. RICHARDSON - City Recorder

Passed on second and final reading at a special meeting of the Canby City Council held on the 9th day of September, 1968, by the following vote: Yeas 6. Nays 0.

  
LAWRENCE J. HOUSEN - Mayor

ATTEST:

  
J. R. RICHARDSON - City Recorder