

ORDINANCE NO. 663

AN ORDINANCE AMENDING ORDINANCE NO. 659 (THE 1979 ZONING ORDINANCE FOR THE CITY OF CANBY) CREATING A PLANNED UNIT DEVELOPMENT OVERLAY ZONE TO BE USED IN CONJUNCTION WITH THE CITY'S UNDERLYING BASE ZONES AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: Ordinance No. 659, commonly referred to as the "1979 Zoning Ordinance of the City of Canby", enacted September 1, 1979, is hereby amended as follows:

Section 7: Classification of Zones:

<u>Base Zone</u>	<u>Abbreviated Designation</u>
Low Density Residential	R-1
Medium Density Residential	R-2
General Commercial	C-1
Highway Commercial	C-2
Light Industrial	M-1
Heavy Industrial	M-2

<u>Overlay Zone</u>	<u>Abbreviated Designation</u>
Planned Unit Development	P.U.D.

Section 8: Uses Permitted. In each zone, outright and conditional uses and their accessory uses are permitted as follows:

Low Density Residential Zone R-1

Uses Permitted Outright¹

1. Single-family dwelling. One single family dwelling per lot.
2. Agriculture, including all accessory structures necessary to the conduct of agricultural activity but excluding commercial processing, sales, manufacturing, or packaging plants except when used primarily for items grown on the premises.
3. Accessory uses and/or accessory structures are allowed.

Lot Frontage

All lots shall abut a street other than an alley with a minimum front footage of seventy (70) feet, or shall be

the reduced frontage requirement, and that the resulting development will be as beneficial to the City, overall, as a development which meets the seventy (70) foot requirement.

Prohibited Parking. In addition to provisions of the motor vehicle laws of Oregon prohibiting parking:

(1) No person shall park any vehicle, except an automobile or a pickup truck, on any public street or alley within any residential zone, except for an emergency or for the purpose of loading or unloading.

(2) Off-street parking shall be required for two cars per dwelling unit (not allowed within the front yard setback). On corner lots, parking not allowed within setbacks abutting streets. Refer to section 10 and 12.

Conditional Uses²

1. A use listed as conditional in Zone R-1.
2. Mobile home parks and motels.

General Commercial Zone C-1

Uses Permitted Outright¹

1. Dwelling units incidental and attached to any use listed in a C-1 zone (residences are subject to the regulations of the R-2 zone).
2. Retail store or shop, except those listed as permitted uses in a C-2 zone.
3. Amusement enterprise, including pool hall, bowling alley, dance hall, skating rink, theater, when enclosed in a building.
4. Baker, for retail sale on premises only.
5. Barber or beauty shop.
6. Bank or other financial institution.
7. Bicycle sales, service or repair.
8. Blueprinting, photostating, printing or other reproduction process.
9. Building materials supply sales when enclosed in a building.
10. Bus depot.
11. Business college
12. Business machine sales, service or repair.
13. Catering establishment.
14. Club or lodge hall.
15. Laundry or cleaning establishment.
16. Frozen food lockers.

approved by the Planning Commission. A decision of the Planning Commission to allow the creation of a lot or lots which do not abut a street for a distance of seventy (70) feet shall be based upon a finding that a unique characteristic of the site or the proposed development necessitates the reduced frontage requirement, and that the resulting development will be as beneficial to the city, overall, as a development which meets the seventy (70) foot requirement.

Prohibited Parking: In addition to the provisions of the motor vehicle laws of Oregon prohibiting parking, no person shall park:

(1) Any vehicle, except an automobile or a pickup truck, on any public street or alley within any residential zone, except for an emergency or for the purpose of loading or unloading.

Conditional Uses²

1. Cemetery
2. Church
3. Day nursery
4. Hospital
5. Nursing home, convalescent home, or home for the aged.
6. Public building or land use as fire station, city hall, park and playgrounds, library, or museum.
7. School.
8. One, two family dwelling per lot.
9. Utility, pumping station, or substation with no equipment storage.
10. Golf courses, public or private, with facilities and structures that are associated with the use.
11. Home occupation.

Medium Density Residential Zone R-2

Uses Permitted Outright¹

1. Use permitted in R-1 Zone
2. Boarding, lodging or rooming house
3. Multifamily dwelling

Lot Frontage

All lots shall abut a street other than an alley with a minimum front footage of seventy (70) feet, or shall be approved by the Planning Commission. A decision of the Planning Commission to allow the creation of a lot or lots which do not abut a street for a distance of seventy (70) feet shall be based upon a finding that a unique characteristic of the site or the proposed development necessitates

17. Hotel or apartment hotel.
18. Laboratory for experimental, photo or electronic testing or research.
19. Locksmith or gunsmith.
20. Magazine or newspaper distribution agency.
21. Mortuary.
22. Office, business or professional.
23. Parking lot or garage.
24. Pawn shop.
25. Restaurant, without drive-in service.
26. Scientific or professional instrument sales or repair.
27. Sales, rental or repair of small household, recreational, radio, television or business equipment.
28. Studio, including music, art, dancing, photograph or health.
29. Taxidermy shop.
30. Telephone or telegraph exchange.
31. Theater, except drive-in.
32. Upholstery shop.
33. Watch and clock repair.
34. Similar commercial uses as determined by the Planning Commission.

Conditional Uses²

1. A use permitted as conditional in Zone R-1.
2. Miniature golf courses.

Highway Commercial Zone C-2

Uses Permitted Outright¹

1. A use permitted in a C-1 zone.
2. A use permitted as conditional in a C-1 zone.
3. Automobile, motorcycle, boat or truck sales, service, repair, rental or storage.
4. Billboard.
5. Theaters or other drive-in commercial recreational enterprises.
6. Drive-in restaurant.
7. Kennel.
8. Lumber yard.
9. Machinery, farm equipment, or implement sales, service or rental.
10. Motel or tourist court.
11. Service station.
12. Tire shop, including incidental tire recapping.
13. Veterinarian's office or animal hospital.
14. Fuel oil distribution, retail, provided all fuel oil storage is underground.
15. Nursery and greenhouse.

16. Feed and seed store.
17. Similar commercial uses as determined by the Planning Commission.

Conditional Uses²

1. Mobile home parks.
2. A use permitted outright in an M-1 Light Industrial zone.

Light Industrial Zone M-1

Uses Permitted Outright¹

1. Manufacturing, fabricating, processing, compounding, assembling, or packaging of products made from previously prepared materials such as cloth, plastic, paper, metal, wood (but not including sawmills or lumber mills), the operation of which will not result in:
 - (a) The dissemination of dusts, gas, smoke, fumes, odors, atmospheric pollutant or noise which exceed Department of Environmental Quality standards unless the Planning Commission feels that the demonstrated minimum requirements of the Department of Environmental Quality are not adequate for the City of Canby.
 - (b) Danger by reason of fire, explosion or other physical hazard.
 - (c) Unusual traffic hazards.
2. Automobile body shop.
3. Contractor's equipment or storage yard.
4. Dwelling for watchman or caretaker working on the property.
5. Food processing plant.
6. Fuel distribution, wholesale or retail.
7. Ice or cold storage plant.
8. Lumber yard.
9. Laundry or dry-cleaning plant.
10. Machinery, farm equipment, or implement sales, service or rental.
11. Motor or rail freight terminal.
12. Railroad trackage and related facilities.
13. Restaurant.
14. Service station.
15. Stone, marble or granite cutting.
16. Tire retreading or recapping.
17. Transfer and storage company.

18. Utility service yard.
19. Veterinarian's office or animal hospital.
20. Warehouse.
21. Wholesale distribution, including warehousing and storage.
22. Similar industrial uses as determined by the Planning Commission.

Conditional Uses 2

1. Motels, hotels and similar transient accommodations.
2. Other uses as determined by the Planning Commission.

Heavy Industrial Zone M-2

Uses Permitted Outright¹

1. A use permitted in an M-1 zone.
2. Other uses involving manufacturing or storage except any use which has been declared a nuisance by statute, by ordinance, or by any court of competent jurisdiction.

Conditional Uses²

NONE

Planned Unit Development Overlay P.U.D.

Purpose

The Planned Unit Development overlay zone is intended to be used in conjunction with any of the City's underlying base zones (example: R-1-PUD; M-1-PUD; etc.) to assure that the ultimate development of the site will meet the requirements of a Planned Unit Development. The Planned Unit Development overlay zone is intended to be applied only to those specific properties which, because of unique characteristics, such as size, shape and location of the parcel are most suitable for development as Planned Unit Developments.

Uses Permitted Outright¹

The uses permitted outright in the underlying base zone, provided they are developed in conformance with the City's regulations, and procedures for Planned Unit Developments.

Conditional Uses²

The uses listed as "conditional" in the underlying base zone.

Footnotes:

- ¹ In addition to the listed permitted uses, accessory uses and structures are allowed.
- ² For regulations governing conditional uses, see Section 14 to 20.

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 Canby City Council.

Submitted to the Council and read the first time at a regular meeting thereof on the 7th day of November, 1979; ordered posted for a period of two (2) full calendar weeks as provided by the City Charter, and scheduled for second reading at a regular meeting of the City Council on the 5th day of December, 1979, commencing at the hour of 7:30 o'clock p.m. at the Council's meeting chambers next to the Canby City Hall.

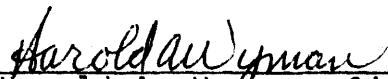

Marilyn K. Perkett, City Recorder Pro Tem

Enacted by the Canby City Council at a regular meeting thereof on the 5th day of December, 1979, by the following vote:

YEAS 5. NAYS 0.


Robt. E. Rapp - Mayor

ATTEST:


Harold A. Wyman - City Recorder