

ORDINANCE NO. 872

AN ORDINANCE FOR THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON, AMENDING CHAPTER 16.10 OF THE CANBY MUNICIPAL CODE TO PROVIDE FOR REDUCED STANDARDS FOR PARKING LOTS AND ACCESS.

WHEREAS, it has been determined that changes are needed to amend or improve upon the wording and standards of certain sections of Chapter 16 (Planning and Zoning) of the Canby Municipal Code; and

WHEREAS, the Canby Planning Commission, after providing appropriate public notice, conducted a public hearing, during which both opponents and proponents were given the opportunity to come forward to present testimony on these proposed changes; and

WHEREAS, after concluding the public hearing, the Planning Commission made any appropriate changes to the wording of the proposal to assure that the public interest would be best served by this Resolution, recommended adoption of the amendment, and;

WHEREAS, City Council, after review of the record of the Canby Planning Commission regarding the subject amendment, concluded that the amendments were appropriate.

NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Amend Chapter 16.10.070, Parking Lots and Access, to read as follows:

Section 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.
2. Parking stalls of eight (8) feet in width for compact vehicles may comprise up to a maximum of thirty (30%) percent of the total number of parking stalls.
3. Areas used for standing or maneuvering of vehicles shall have paved asphalt or concrete surfaces maintained adequately for all weather use and so drained as to avoid the flow of water across sidewalks.
4. 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.
5. 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.
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.
7. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrian and vehicular traffic on the site.
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.
9. Handicap parking is required per ORS 455.101 and shall be at least nine (9) feet wide and shall have adjacent aisle that is at least six (6) feet wide. The aisle shall be located on the passenger side of the parking space.

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.

2. Owners of two (2) or more uses, structures, or parcels of land may agree to utilize 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 to establish joint use. Copies of said deeds, easements, leases or contracts shall be placed on permanent file with the City Recorder.
3. All ingress and egress shall connect directly with public streets.
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.
5. Required sidewalks shall extend from the ground floor entrances or the ground floor landing of stairs, ramps or elevators to the sidewalk or curb of the public street or streets that provide the required access and egress.
6. To afford safe pedestrian access and egress for properties within the City, a sidewalk shall be constructed along all street frontage, 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 the 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 and Design Review Board.

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.

8. Minimum access requirements for residential uses - Ingress and egress for multi-family residential uses shall not be less than the following: **(except that in the case of flag lots, Section 16.64.040I shall apply)**

DWELLING UNITS	MINIMUM NUMBER REQUIRED	MINIMUM WIDTH	SIDEWALK, ETC. (in addition to driveways)
2	1	12 46 feet	5 foot sidewalk
3 - 19	1	20 24 feet	5 foot sidewalk 1 side only; curb required
20 - 49 or	1 2	20 24 feet 12 46 feet	5 foot sidewalk; 1 side only
50 - 499 or	1 2	30 32 feet 20 24 feet	5 foot sidewalk, 1 side only; curbs required
Over 500	As required by Site and Design Review Board	As required by Public Works Director	As required by Public Works Director

9. Minimum Access Requirements for Commercial or Institutional Uses - Ingress and egress for commercial uses shall not be less than the following:

PARKING SPACES	MINIMUM NUMBER REQUIRED	MINIMUM PAVEMENT WIDTH	MINIMUM PAVEMENT SIDEWALKS, ETC.
1 - 4	1	12'	
5 - 99	1	20'	32' for first 50' from R-O-W, 24' thereafter Curbs required; sidewalks one side only
100-249	2	20'	32' for first 50' from R-O-W, sidewalk one side only Curbs required;
Over 250	As required by Site and Design Review Board	As required by Public Works Director	As required by Public Works Director

10. Minimum Access Requirements for Industrial Uses - Ingress and egress for industrial uses shall not be less than the following:

REQUIRED PARKING SPACES	MINIMUM NUMBER REQUIRED	MINIMUM PAVEMENT WIDTH	MINIMUM PAVEMENT SIDEWALKS, ETC.
1 - 250	1	24'	36' for first 50' from R-O-W, 24' thereafter Curbs required with sidewalk one side only
Over 250	As required by Public Works Director	As required by Public Works Director	As required by Public Works Director

11. One-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 subsections (H), (I) and (J). However, the hard surfaced pavement of one-way drives shall not be less than sixteen (16) ~~twelve~~ (12') feet for multi-family residential, commercial, or industrial uses.

12. Maximum Driveway Widths and Other Requirements

- a. Unless otherwise herein provided, maximum driveway widths shall not exceed forty (40) feet.

- b. No driveways shall be constructed within five (5) feet of an adjacent property line, except when two (2) adjacent property owners elect to provide joint access to their respective properties, as provided by subsection 2.
- c. There shall be a minimum distance of forty (40) feet between any two (2) adjacent driveways on a single property.

13. Distance Between Driveways and Intersections - Except for single-family dwellings, the minimum distance between driveways and intersections shall be as provided below. Distances listed shall be measured from the stop bar at the intersection:


- a. At the intersection of any collector or arterial streets, driveways shall be located a minimum of 50 feet from the intersection.
- b. At the intersection of two (2) local streets, driveways shall be located a minimum of thirty (30) feet from the intersection.
- c. If the subject property is not of sufficient width to allow for the separation between driveway and intersection as provided, the driveway shall be constructed as far from the intersection as possible, while still maintaining the five (5) foot setback between the driveway and property line.
- d. In the case of existing flag lots, it shall be at the discretion of the Site and Design Review Board to determine the best location for driveways.
- e. When considering a public facilities plan that has been submitted as part of a Site and Design Review plan in accordance with this ordinance, the City Public Works Director may approve the location of a driveway closer than 150 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.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefor on Wednesday, December 18, 1991; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, January 15, 1992; commencing after the hour of 7:30 P.M., at the Council Chambers at the Canby City Hall, 182 N. Holly, Canby, Oregon.


Marilyn K. Perkett, City Recorder

ENACTED by the Canby City Council at a regular meeting thereof on January 15, 1992, by the following vote:

YEAS 5 NAYS 0


Marilyn K. Perkett
City Recorder


Shawn Carroll, Mayor