

ORDINANCE NO. 1107

AN ORDINANCE AMENDING TITLE 16 OF THE CANBY MUNICIPAL CODE.

WHEREAS, during the City's periodic review of its Comprehensive Plan, the Citizen's of Canby have expressed a desire for standards that ensure good residential development design; and

WHEREAS, an extensive public involvement process including a round of neighborhood meetings, many meetings of the Residential Design Standards Focus Group, and Planning Commission meetings has resulted in a set of recommendations on additions and amendments to the Land Development and Planning Ordinance of the City of Canby; and

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

WHEREAS, the Planning Commission found that the standards and criteria of Section 16.88.160 of the Land Development and Planning Ordinance, concerning Text Amendments, were met, and unanimously recommended approval to the City Council after making certain modifications; and

WHEREAS, the City Council, after reviewing the record of the Canby Planning Commission regarding the subject amendments, concluded that the Planning Commission's findings of fact and the amendment itself are appropriate.

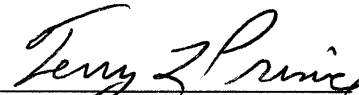
NOW, THEREFORE, THE CANBY CITY COUNCIL ORDAINS AS FOLLOWS:

TA 02-01 is hereby approved and Title 16, the Land Development and Planning Ordinance of the City of Canby, is modified as detailed in Exhibit 1.

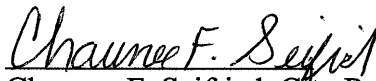
SUBMITTED to the Council and read the first time at a regular meeting thereof on December 4, 2002, ordered posted in three (3) public and conspicuous places in the City for a period of five (5) days, as authorized by the Canby City Charter; and to come up for final reading and action by the Canby City Council at a regular meeting thereof on December 18, 2002, commencing after the hour of 7:30 p.m., at the Council's regular meeting chambers at the Canby City Hall in Canby, Oregon.

ENACTED on the second and final reading by the Canby City Council at a regular meeting thereof on December 18, 2002 by the following vote:

YEAS 6 NAYS 0

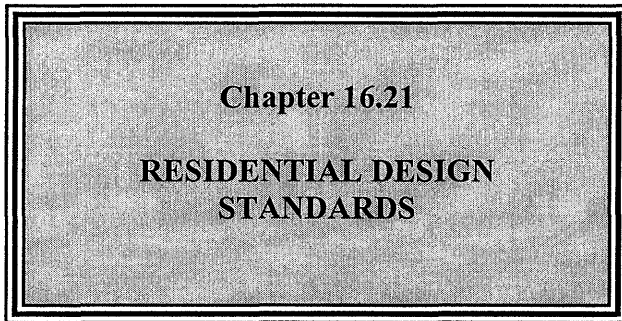

Terry L Prince, Mayor

ATTEST:


Chauncey F. Seifried, City Recorder Pro Tem

ORDINANCE 1107 - Exhibit 1

Section A: New Design Standards Chapter and Definitions



Sections:

- 16.21.010 Purpose.**
- 16.21.020 Applicability and review procedure for single and two-family dwellings.**
- 16.21.030 Single and two-family dwelling design menus.**
- 16.21.040 Main entrances**
- 16.21.050 Infill dwellings and lots.**
- 16.21.060 Applicability and review procedure for multi-family dwellings.**
- 16.21.070 Multi-family 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.

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.

16.21.030 Single family and two-family dwelling design menu.

A. Purpose: These standards are intended to ensure design of housing that will reinforce and enhance Canby's overall livability; and, provide options to promote design variety and ease of administration of the standards.

B. All new single family dwellings, manufactured homes, and two-family dwellings (duplexes) shall comply with the design features in this section along street facing facades. Additions and alterations that add less than 50% to the existing floor area of the house (not including garage floor area) are exempt from this subsection.

Additions or alterations that are not visible from the street side of the home are exempt. There are two options for complying with these standards. Option 1 is to meet the Garage standards in 16.21.030(C) and four of the design standards in 16.21.030 (D). For homes that do not comply with the Garage standards in 16.21.030(C), Option 2 is to meet six of the design standards in 16.21.030 (D).

Homes on corner lots and through lots shall comply with either option 1 or 2 above for the front of the lot (as defined by 16.04.320). The "non-front" side of the lot shall comply with 3 of the design menu standards in 16.21.030 (D).

C. Garage Standards: These standards are intended to: provide a visual connection between the living area of the residence and the street; prevent garages from obscuring or dominating the main entrance of the house; and, provide for a pleasant pedestrian environment in residential areas. The standards are:

1. The garage may be up to 50% of the length of the street-facing facade (see figure 16.21-1), or,
2. The garage may be up to 60% of the length of the facade, if the garage is recessed a minimum of 2 feet from the longest street facing facade, and,
3. On corner lots, only one street-facing wall must meet the standards in (1) or (2) above (see figure 16.21-2), and,
4. A garage wall that faces the street may be no closer to the street than the longest street-facing wall of the house, except as provided in subsections (5) and (6) below.
5. A garage may extend up to 6 feet in front of the longest front facade if:
 - a. There is a covered front porch and the garage does not extend beyond the front line of the porch (see figure 16.21-3); or,
 - b. The garage is part of a two level facade that has a window (minimum 6 square feet, with 4" trim or shutters) on the second level that faces the street (see figure 16.21-4).
6. Garages may be side-oriented to the front lot line if windows occupy a minimum of 15% of the street-facing wall of the garage (see figure 16.21-5).

D. Design Menu Standards

1. Dormers
2. Gables, hip roof, or gambrel roof form.
3. Recessed entries (minimum 2 foot recess)
4. Covered porch entries (minimum 48 square feet, minimum 4 feet deep)
5. Bay windows
6. Any eaves of 12 inches or greater
7. Off-set of 16 inches or greater on building face or roof
8. Windows and main entrance doors occupy a minimum of 15% of the facade, not including the roof.
9. Window trim (minimum 4-inch) or shutters (minimum 8-inch)
10. Balconies or porch rail
11. Shakes, shingles, brick or other similar decorative materials occupy at least 60 square feet of the street facade.

16.21.040 Main entrances for single family and two family dwellings.

- A. Purpose. These standards are intended to ensure there is a visual connection between the entry of the home and the street, and, provide for a pleasant pedestrian environment in residential areas.
- B. At least one main entrance for each structure must:
 1. Face the street, or
 2. Be at an angle up to 45 degrees from the street, or
 3. Open onto a covered porch on the front or side of the residence that is at least 48 square feet in area and at least 4 feet in depth.

16.21.050 Infill Homes

- A. Purpose. The purposes of these standards are to promote compatibility between new development and existing homes, and, to provide for the efficient use of residential land.
- B. Applicability. These standards apply to all new infill homes as defined by 16.04.255. The standards also apply to remodels of existing infill homes where the remodel increases the home's floor area by more than 50%, not including garage area.
- C. Standards for Infill Homes (see figure 16.21-6)
 1. Lot Coverage - Infill homes exceeding one story shall not exceed a lot coverage of 35%. In this standard, lot coverage applies to portion of the lot covered by structures, not including garage area.
 2. Garage Standards - Infill homes must meet the Option 1 garage standards in 16.21.030. The infill home is exempt from garage standards if located on a flag lot, or, if an adjacent home fronting the same street does not comply with the garage standards in 16.21.030(C).
 3. Similar Front Setback - Infill homes shall establish a front yard setback that is within 5 feet of the front yard setback for the closest adjacent home on the same side of the street. This standard does not apply if the closest adjacent home has a front yard setback greater than 30 feet.
 4. Maximum Height. Infill homes shall have a maximum height of 28 feet.

5. Step-up Standard. At the interior and rear setback line, the infill home shall not exceed a single story exterior wall height (not to exceed 10 feet from finished floor to top plate). The area within a gable is not included in the wall height. Finished vaulted ceilings or unfinished attic spaces without exterior windows are allowed in the gable area. The building may increase in height by one foot vertically for every foot horizontally away from the setback line, up to the maximum height allowed.

Building height is measured as defined by the Oregon Structural Specialty Code. The Planning Director or Planning Commission may exempt infill homes from this standard for any yard that abuts a property on which the existing home is greater than one story.

D. Standards for Infill Lots. Newly partitioned and subdivided lots are subject to review under 16.60.040(C) for partitions and 16.62.020(C) for subdivisions. These criteria require applications to demonstrate that “the overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.” Infill lots, due to their proximity to existing development, need additional standards to ensure compatibility with adjacent development, while still allowing for the efficient use of residential land. Accordingly, applications for infill lots shall comply with the following, in addition to the requirements of 16.60 and 16.62.

1. Maximum Height. Homes on infill lots shall have a maximum height of 28 feet.
2. Step-up Standard. At the interior and rear setback line, the infill home shall not exceed a single story height at the sill of the facade. The building may increase in height by one foot vertically for every foot horizontally away from the setback line, up to the maximum height allowed.

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.

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 following matrix shall apply. This matrix replaces the general matrix contained in Chapter 16.49 for such applications.
- B. A design review application for multi-family dwellings shall be considered to be compatible if (1) the Design Menu standard is met (it is a pass/fail standard, meaning it must be met regardless of compliance with other standards); (2) a minimum of 65 percent of the total possible points (not including bonuses) are accumulated for the whole development; and, (3) if the applicant has received a minimum of one point in each applicable category.

Design Menu for Street Facing Facades		
	Yes	No
1. Dormers		
2. Gables, hip, or gambrel roof form		
3. Recessed entries (minimum 2-foot recess)		
4. Covered porch entries (minimum 48 square feet; minimum 4 feet deep)		
5. Bay windows		
6. Eaves of 20 inches or greater		
7. Off-set of 16 inches or greater on building face or roof		
8. Minimum 15% is the area of the windows and main entrance doors as a percentage of the facade, not including the roof		
9. Window trim (minimum 4 inch) or shutters (minimum 8")		
10. Balconies or porch rail		
11. Shakes, shingles, brick, porch detailing or other decorative materials on at least 100 square feet of the street facade.		
<i>Pass – At least five of the above elements (or similar elements) provided along all street facing facades.</i>		

Parking			
Screening of loading facilities from public ROW [not screened /partially screened / full screening]	0	1	2
Landscaping (breaking up of expanse of asphalt) [no / yes]	0	1	
Parking lot lighting [no / yes]	0	1	
Location (behind the building is best)[front / side / behind]	0	1	2

Tree Retention				
For trees outside of the building foot- print and parking/access areas (3 or more trees) [No arborist report / follows <50% of arborist recommendation / follows 50%-75% of arborist rec. / follows 75% or more of arborist rec.]	0	1	2	3
Replacement of trees removed that were recommended for retention [x<50% / x>50%]	0	1		

Orient Multi-Family Buildings to Public or Private Streets			
Primary entrances face the street [0 - no entries face the street 1 - entrance breezeway faces the street 2 - entries face the street]	0	1	2
The site's frontage has buildings within 25 feet of the front lot line. Full points may be given when courtyards are adjacent to the frontage. [0 - 0-25% of the site street frontage complies with standard. 1 - 25-50% of the site street frontage complies with standard 2 - 51+% of the site street frontage complies with standard]	0	1	

Prevention of Monotonous and Incompatible Design			
Horizontal length of all buildings is a maximum of 120 feet [0 - 101 - 120 feet 1 - 81 - 100 feet 2 - 0 - 80 feet]	0	1	2
Roofs have a gable, hip or gambrel form, minimum pitch of 3 to 12 with at least a 6 inch overhang [No/Yes]	0	1	
A minimum of 15% of the street facade area contains windows or doors. All windows provide trim, recess, or other method of providing shadowing [No/Yes]	0	1	
Garages are located to minimize their visual impact [front/side/back]	0	1	2
Exterior design features incorporate offsets, balconies, projections, window reveals, or similar elements to break up large expanses or uninterrupted building expanse [0 - No design features within every 30 feet of longest facade 1 - 1 design features within every 30 feet of longest facade 2 - 2 or more design features within every 30 feet of longest facade]	0	1	2

Screening of Storage Areas and Utility Boxes			
Trash receptacles are screened from view by a solid wood fence, masonry wall, or by sight-obscuring landscape [No/Yes]	0	1	
Trash receptacles are located away from adjacent property lines [0'-10'/10'-25'/>25']	0	1	2
Exterior transformers, utility pads, cable and telephone boxes are located to minimize visual impact and/or screened [not screened/ partially screened /completely screened]	0	1	2

Private Open Space and Landscaping			
Private open space in addition to the base percentage requirement of common open space for the zone. [0 - No additional open space. 1 - Patios or balconies (min. 48 square feet) provided for at least 50% of units 2 - Patios or balconies (min. 48 square feet) provided for more than 50% of units, or, a sport court, tot lot, pool, or community room is provided, or, common open space is increased at least 48 square feet per unit.]	0	1	2
Automatic Irrigation Provided for all landscaping [no/yes]	0		3
# of non-required trees [$x < 1$ per 500 sf of landscaping/1 or more per 500 sf of landscaping]	0	1	

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 [0 - No blocks or network of streets proposed 1 - up to 50% of units are along public or private streets that have sidewalks, street trees and parallel or angled parking on-street parking. 2 - 50+% of the units are along public or private streets that have sidewalks, street trees and parallel or angled parking on-street parking.]	0	1	2

Bonus Points			
2 or more trees at least 3" in caliper [yes/no]	0	1	
Park/open space retention for public use	0		3

Definitions to Be Added to Chapter 16.04 Definitions

16.04.255 Infill Homes

Infill homes mean existing and new single family dwellings, manufactured homes, two-family dwellings, and duplexes on lots that:

- A. Have existing homes on at least two adjacent sides. Each adjacent home must be within 25 feet of the common lot line with the infill home, and, have pre-existed for at least 5 years from final building permit approval.

16.04.512 Porches, Covered.

Covered Porches must not be enclosed by walls that are more than 42 inches in height, for 50 percent or more of their perimeter.

Section B: Modifications to Existing Chapters

The development standards shall be amended to read as follows (~~strikeouts~~ indicate existing code to be removed or replaced, underlined text indicate new code being proposed.):

Chapter 16.20 R-2 High Density Residential 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. Density is calculated by dividing the number of dwelling units by the property area in acres (minus area required for street right-of-way and public park/open space areas). Decimals are rounded to the nearest whole number. The Planning Commission may modify the density standard if it cannot be met due to existing lot dimensions, road patterns, or other site characteristics.
- B. Minimum width and frontage: Twenty feet except that the Planning Commission may require additional width to ensure that all applicable access standards are met.
- C. 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.

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;
3. Interior yard: seven feet, except as otherwise provided for zero-lot line housing. Interior yards may be reduced to three feet for detached accessory structures erected sixty feet or more from any street other than an alley.

4. 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 high site-obscuring fence with shade trees planted a maximum of 30 feet on center; and/or other landscaping to provide visual buffering.

- 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);

D. Maximum building height and length:

1. Principal building: thirty-five feet.
2. Accessory buildings: twenty-two feet or one story, whichever is less.
3. Maximum building height for multifamily developments abutting an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) 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.
4. Maximum building length shall be 120 feet.

E. Maximum lot coverage: forty percent of the lot for multiple-family developments; sixty percent of the lot for duplex and triplex developments; seventy percent of the lot for single-family residences.

F. 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.
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.
3. Required setbacks on southern and western exposures may be reduced by not more than five feet for eaves or canopies to provide shade.
 4. Multi-family developments exceeding ~~fifteen~~ ten units shall provide ~~100~~ 150 square feet of recreation space per dwelling unit. Recreation spaces shall be no less than 1,500 square feet in size.

Chapter 16.60 Major and Minor Partitions

16.60.050 Planning Commission Action

- A Tentative maps shall be submitted to the commission for review and determination that the proposal will be compatible with the Comprehensive Plan and the requirements of the Land Development and Planning Ordinance. The commission may require such dedication of land easements and may specify such conditions or modification to the tentative map as are deemed necessary to carry out the Comprehensive Plan. In no event, however, shall the commission required greater dedications or conditions than would be required if the parcel were subdivided. For residentially zoned land, the Planning Commission shall require, for newly created lots adjacent to existing residential development, that homes built on such lots be designated on the plat or included in the deed restrictions as "Infill Homes" as defined by 16.04.255 and therefore subject to any or all of the requirements of 16.21.050 – Infill Homes. The Planning Commission may modify the minimum lot coverage and/or maximum height standard if the applicant can demonstrate that 50% or more of adjacent lots exceed these standards.

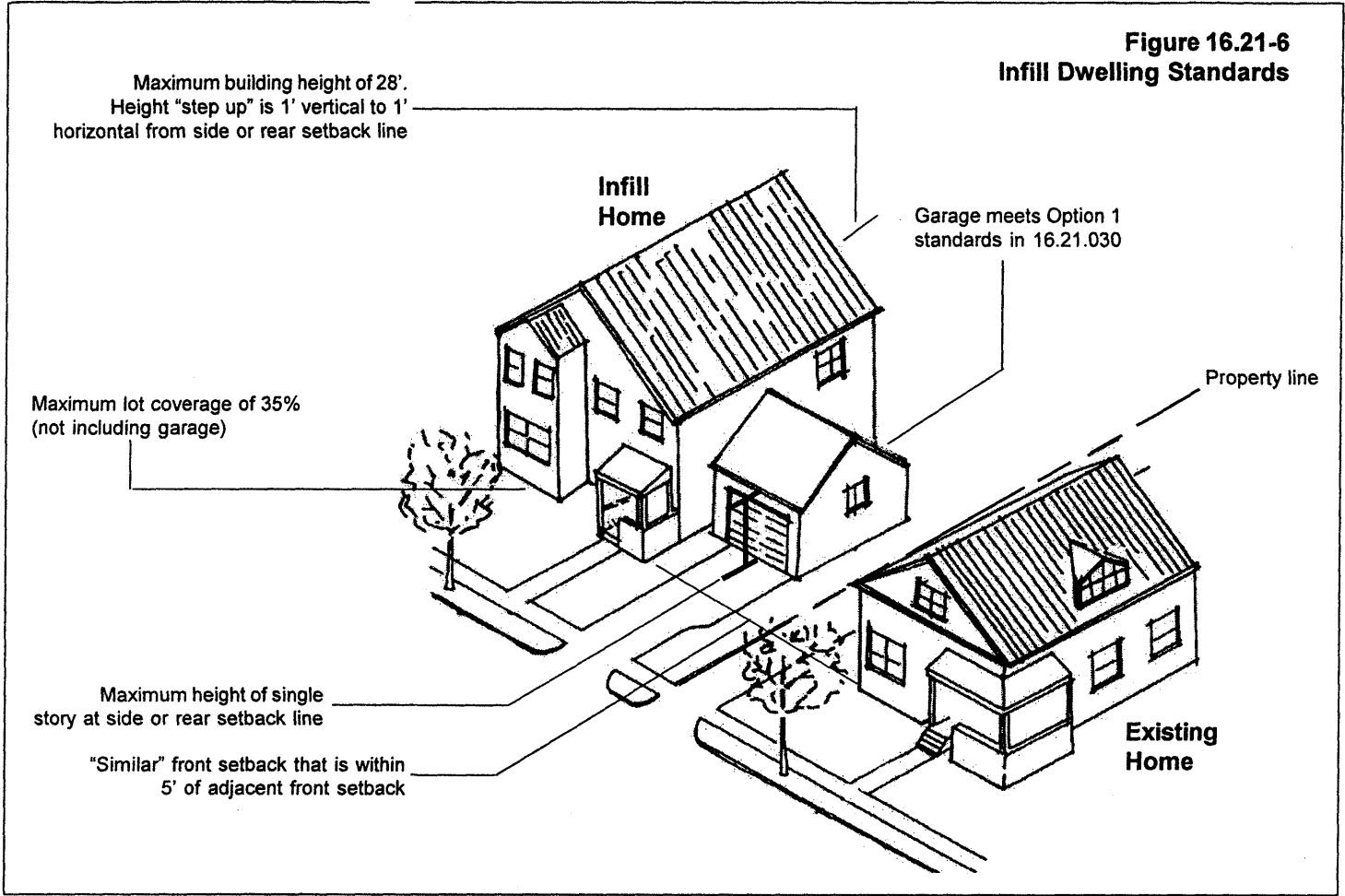
Chapter 16.64 Subdivisions - Design Standards

16.64.040 Lots.

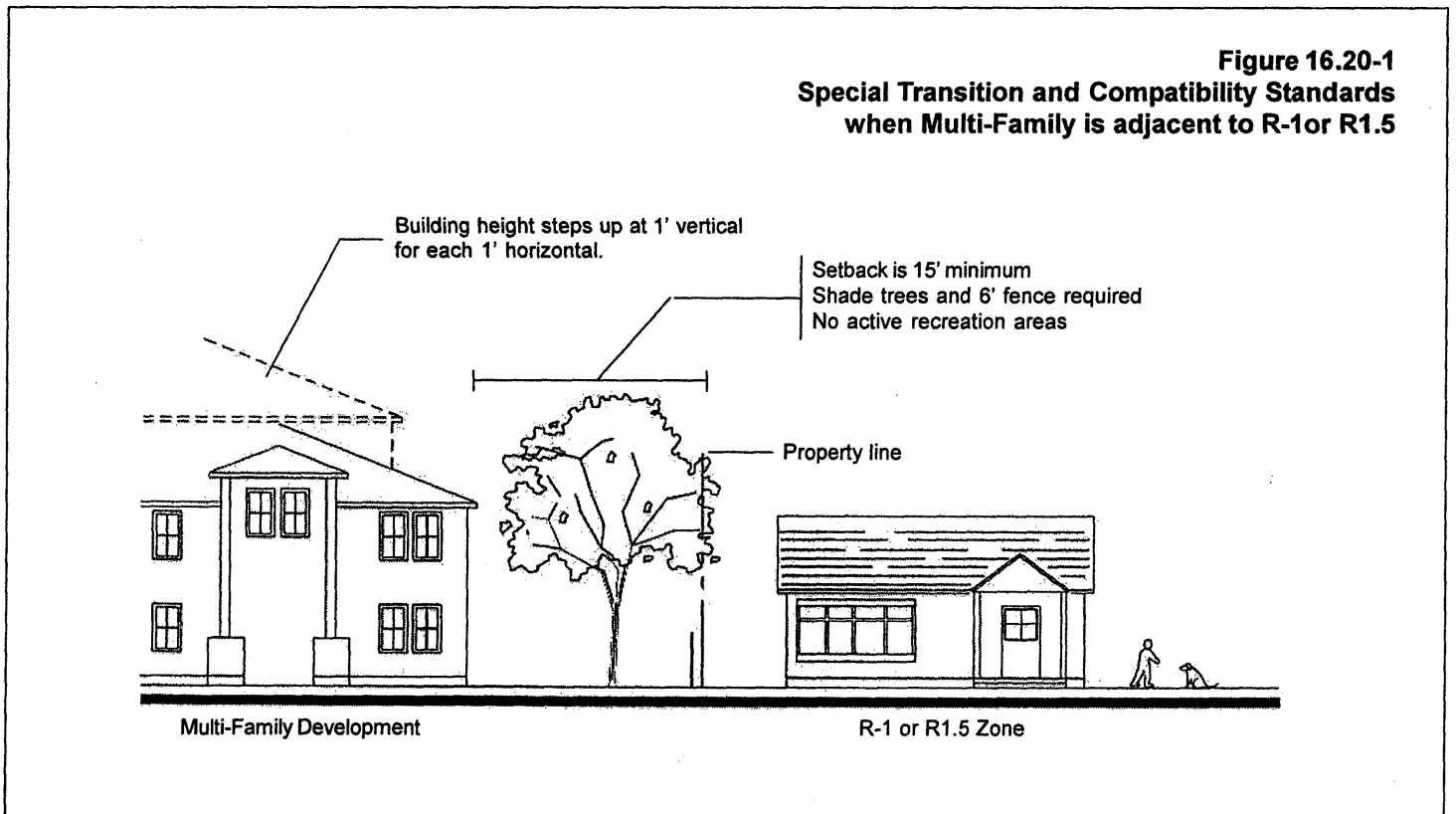
- J. Designation of Lots as 'Infill Home' Sites - The Planning Commission may require that homes built on one or more lots adjacent to existing development be subject to any or all of the requirements of 16.21.050 - Infill Homes. Furthermore, for subdivisions where the parent parcel(s) is less than two acres in size, the Planning Commission may require that all home built on lots in the subdivision be subject to any or all of the requirements of 16.21.050. These requirements are to be shown on the subdivision plat or included in the deed restrictions.

Section C: Graphics to be incorporated into code manual (next four pages)

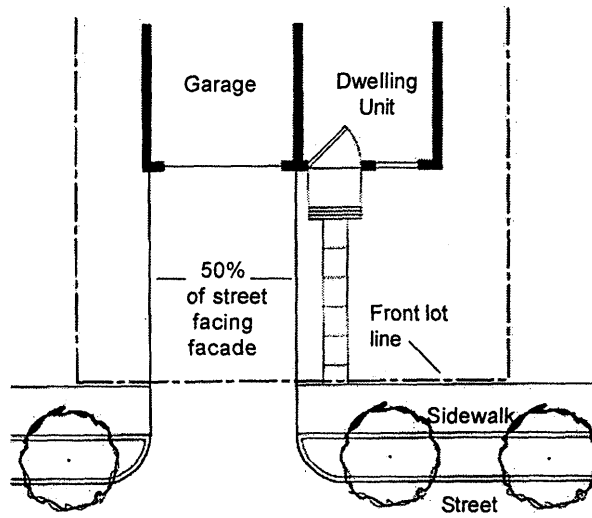
**Figure 16.21-6
Infill Dwelling Standards**



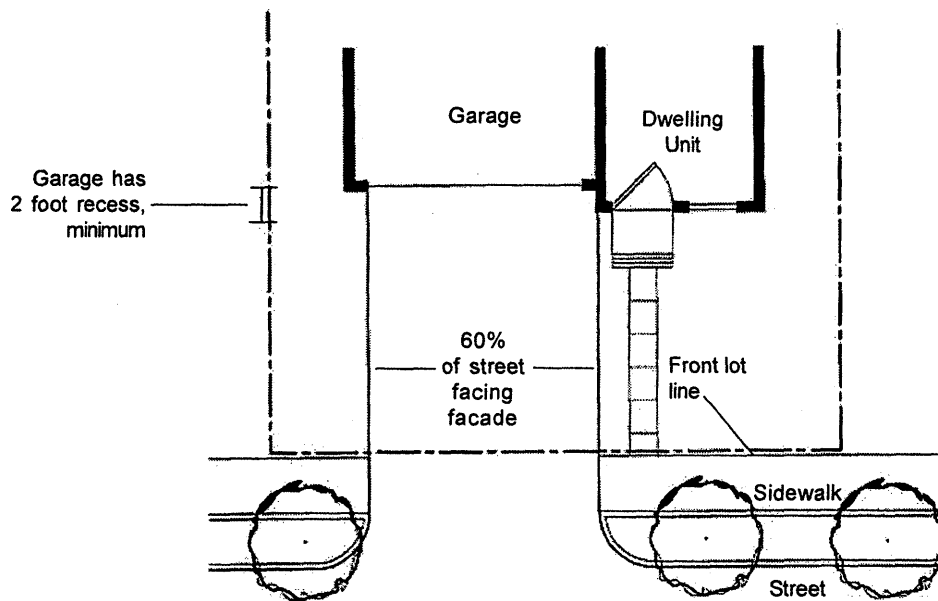
**Figure 16.20-1
Special Transition and Compatibility Standards
when Multi-Family is adjacent to R-1 or R1.5**



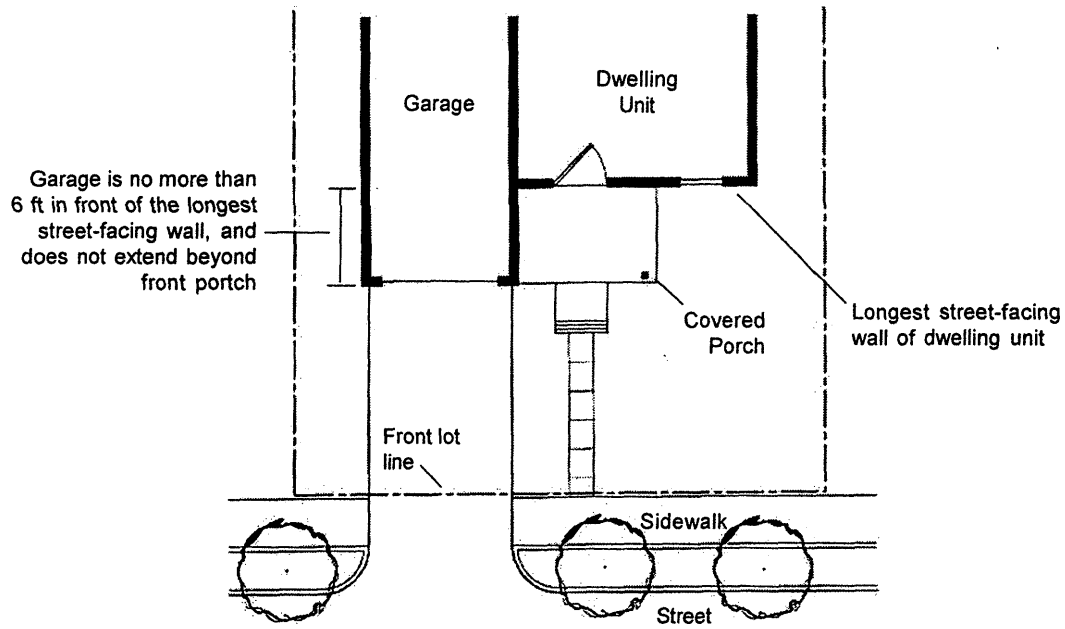
**Figure 16.21-1
Garage Standard 1**



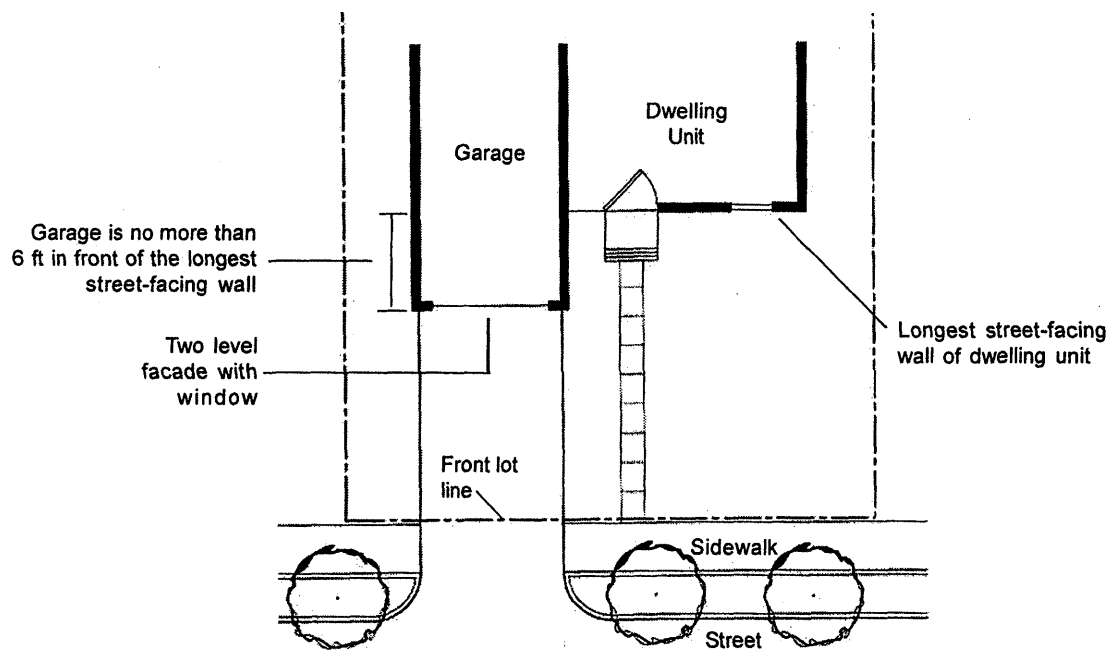
**Figure 16.21-2
Garage Standard 2**



**Figure 16.21-3
Garage Standard 5a**



**Figure 16.21-4
Garage Standard 5b**



**Figure 16.21-5
Garage Standard 6**

