



City of Canby

SITE AND DESIGN REVIEW STAFF REPORT
FILE #: DR 17-06/CUP 17-04/VAR 17-03
Prepared for the August 28, 2017 Planning Commission Hearing

LOCATION: 1980 SE 4th Avenue

TAXLOT: 31E34 01712 AND 31E34 01713 (Bordered in map below)

LOT SIZE: 2.15 acres and 2.22 acres (4.37 acres)

ZONING: M-1 Light Industrial Zone/M-2 Heavy Industrial/IO Canby Industrial Area Overlay Zone

OWNER: BE NN (NW USA), LP



APPLICANT: VLMK Engineering and Design

APPLICATION TYPE: Site & Design Review/Conditional Use Permit/Variance (Type III)

CITY FILE NUMBER: DR 17- 06/CUP 17-04/VAR 17-03

APPLICANT'S REQUEST:

The subject parcel is located on the north side of SE 4th Avenue approximately 525 feet west of Sequoia Parkway. The applicant is seeking site and design approval to construct a 72,800 square foot building intended for warehouse and various other industrial uses. The building will be constructed with concrete tilt-up walls, as required within the Pioneer Industrial Park, and measure 200' x 364' and reach 40' in height. A portion of the building will be used as rental/lease space to house various industrial uses permitted in the M-1 and M-2 zones. The proposal does not meet the required 12 employees per acre provision stated in the I-O zone, and the applicant filed a Conditional Use

Application to request approval of the reduction in the number of employees. The applicant proposes to construct two driveway accesses for the public onto SE 4th Avenue to be located at the southeast and southwest corners of the property. The driveways will not meet the 200' driveway separation standard for designated parkway and collector streets in the Pioneer Industrial Park. Subsequently, the applicant is asking for approval to reduce the standard under a Major Variance Application. The subject parcel is zoned M-1 and M-2, and is correspondingly designated Light Industrial and Heavy Industrial in the Canby Comprehensive Plan. The property is bordered on the east, north, and south by the M-1 zone and on the north, west and south by the M-2 zone, and surrounding land is developed in a mixture of industrial uses with some vacant parcels. The parcel identified as tax lot 31E3401713 is "split-zoned" and is designated as both the M-1 and M-2 zone.

SECTION I APPLICABLE REVIEW CRITERIA:

City of Canby Land Development and Planning Ordinance Chapters:

- 16.08 General Provisions**
- 16.10 Off-Street Parking and Loading**
- 16.32 M-1 Light Industrial Zone**
- 16.34 M-2 Heavy Industrial Zone**
- 16.35 I-O Canby Industrial Overlay Zone**
- 16.42 Signs**
- 16.43 Outdoor Lighting Standards**
- 16.46 Access Limitations**
- 16.49 Site and Design Review**
- 16.50 Conditional Uses**
- 16.53 Variance**
- 16.89 Application and Review Procedures**
- 16.120 Parks, Open Space, and Recreational Land**

SECTION II REVIEW FOR CONFORMANCE WITH APPLICABLE APPROVAL CRITERIA:

- 16.08 General Provisions:**
 - 16.08.070 Illegally Created Lots**

In no case shall a lot which has been created in violation of state statute or city ordinance be considered as a lot of record for development purposes, until such violation has been legally remedied. (Ord. 740 section 10.3.05(G), 1984)

Findings: The properties were created in their current configuration as Lot 2 and Lot 3, Trend Business Center, which was a replat of the Burden Subdivision. The subject properties can be considered separate legal lots for land use purposes.

The properties are two separate legal lots with a 20 foot Public Utility Easement (PUE) extending the length of the common property line between the two parcels. The applicant intends to construct the proposed building across the property line and PUE. As a condition of approval the applicant shall file a replat of the Trend Business Center Subdivision to remove the common property line and consolidate the parcels into a single lot. Canby Planning will review the replat under a Final Plat Application procedure. Additionally, the applicant must have the PUE vacated by consent of all local service utility providers. The approved replat must show the PUE vacation and must be filed with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk prior to the issuance of any building permits.

16.08.090 Sidewalks Requirements

A. In all commercially zoned areas, the construction of sidewalks and curbs (with appropriate ramps for the handicapped on each corner lot) shall be required as a condition of the issuance of a building permit for new construction or substantial remodeling, where such work is estimated to exceed a valuation of twenty thousand dollars, as determined by the building code. Where multiple permits are issued for construction on the same site, this requirement shall be imposed when the total valuation exceeds twenty thousand dollars in any calendar year.

B. The Planning Commission may impose appropriate sidewalk and curbing requirements as a condition of approving any discretionary application it reviews. (Ord. 740 section 10.3.05(I), 1984)

Findings: The project is a development of vacant lots. Sidewalks and curbs on the street frontage along SE 4th Avenue shall be improved to Canby Public Works standards. The sidewalks must be curb-tight to match existing. All sidewalks within the development area must meet required standards.

16.08.150 Traffic Impact Study (TIS)

A. Purpose. The purpose of this section of the code is to implement Section 660-012-0045(2)(b) of the State Transportation Planning Rule, which requires the city to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards to determine when a proposal must be reviewed for potential traffic impacts; when a Traffic

Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities: what information must be included in a Traffic Impact Study; and who is qualified to prepare the Study.

B. Initial Scoping. During the pre-application conference, the city will review existing transportation data to determine whether a proposed development will have impacts on the transportation system. It is the responsibility of the applicant to provide enough detailed information for the city to make a determination. If the city cannot properly evaluate a proposed development's impacts without a more detailed study, a transportation impact study (TIS) will be required to evaluate the adequacy of the transportation system to serve the proposed development and determine proportionate mitigation of impacts. If a TIS is required, the city will provide the applicant with a "scoping checklist" to be used when preparing the TIS.

C. Determination. Based on information provided by the applicant about the proposed development, the city will determine when a TIS is required and will consider the following when making that determination.

1. Changes in land use designation, zoning designation, or development standard.
2. Changes in use or intensity of use.
3. Projected increase in trip generation.
4. Potential impacts to residential areas and local streets.
5. Potential impacts to priority pedestrian and bicycle routes, including, but not limited to school routes and multimodal street improvements identified in the TSP.
6. Potential impacts to intersection level of service (LOS).

Findings: Based on criteria listed in *16.08.150 (C)* above, staff determined that a TIS is required for this particular proposal. Subsequently, a TIS was completed by DKS. The study was to evaluate possible transportation impacts with the proposed development – including operational analysis related to the driveway spacing variance request. The report determined that, although the data supports the importance of correct driveway spacing, the Planning Commission could approve the variance to reduce the 200 foot spacing requirement based on the low volumes of traffic on SE 4th Avenue or work with the developer to explore other options that are listed in the report. As a condition of approval, the applicant shall address the driveway spacing as determine by the Planning Commission.

16.10 Off Street Parking

16.10.030 General requirements

A. Should the owner or occupant of a structure change the use to which the building is put, thereby increasing parking or loading requirements, the increased parking/loading area shall be provided prior to commencement of the new use.

C. In the event several uses occupy a single structure, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately. If the applicant can demonstrate that the uses do not have overlapping parking needs (based on days and hours of operation) and can share parking, the total requirement for combined uses may be reduced by up to 60 percent.

16.10.050 Parking standards designated

Parking for the proposed building can be calculated with the standard for industrial buildings listed in *Table 16.10.050*. This standard states the following:

Warehousing and Manufacturing: 2.00 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office warehousing space. Minimum of 5 parking spaces overall.

Findings: In this particular case, the applicant is not changing the existing use on the property but building on a vacant parcel. All uses that will occupy the structures in the future must be consistent with uses permitted in the M-1 zone and M-2 zone and meet appropriate standards in the M-1, M-2, and I-O zones. The applicant prepared parking calculations using the table listed Section 16.10.050, and it appears that the proposal can meet these standards. The applicant proposes a 73,215 square foot building and calculated 4000 square foot for office space and 69,215 square feet for warehousing for a total of 78 spaces. The intent is to construct 32 spaces at construction and add an additional 46 spaces at a later date. The parking requirements for warehousing that the applicant used, are identical to manufacturing uses that could occur at a later date. Staff will vest the decision whether it is suitable to delay 46 spaces to an indefinite future time once the are shown to satisfactorily fit on the site.

16.10.060 Off-street loading facilities

A. The minimum number of off-street loading berths for commercial and industrial uses is calculated using the table listed in 16.10.060(A).

Findings: Based on the table and total square footage of the proposed buildings, three loading berths are required, and as shown on the submitted site plan, the proposal includes eight loading areas for the building. It appears that the proposal meets this standard as well as size and screening requirements.

16.10.070 Parking lots and access

16.10.100 Bicycle Parking

Findings: Staff finds that applicant's detailed response adequately addresses this criterion. The submitted plans and narrative indicate that the provisions for bicycle parking listed in 16.10.100 can be met. Using the in 16.10.100, the applicant correctly calculated the placement of 7 spaces based on the square footage of the building, and 7 spaces are provided with 4 on the outside and 3 on the inside of the building. The information provided addressed provisions for parking space size, number, and type listed in

16.10.070 and other requirements for parking lot and access standards. Site accesses will be developed during the construction process. The proposal does not meet the driveway spacing distance of 200 feet as listed in the CMC for a collector street within the IO zone. The applicant filed a variance request to address the provision, and the Traffic Study includes an operational analysis of the impact of allowing a variance of the normal spacing.

16.32 M-1 (Light Industrial Zone)

16.34 M-2 (Heavy Industrial Zone)

Findings: The underlying zoning of the property is M-1 and M-2. The property is not located within the DCO (Downtown Canby Overlay Zone) or the (OHC) Outer Highway Commercial sub-area, but is situated in the I-O Canby Industrial Area Overlay zone (Pioneer Industrial Park) which permits uses in the underlying M-1 zone. The M-1 Zone states in 16.32.010 that uses permitted outright in the M-1 Zone includes (A) "Manufacturing," (T) "Warehouse," and (X) "Business or Professional Office, When Related and Incidental to the Primary Industrial Uses of the Area." Uses permitted in the M-2 zone, refers to uses allowed outright in the M-1 zone. Staff concludes that the proposal meets the uses permitted outright in the zone. Additionally, because the site is within the Industrial Overlay (I-O) zone, the development standards of 16.35 supersede 16.32.030, 16.34.030, and the standards in 16.35 must be addressed.

A portion of the subject property is situated in the M-2 Zone. Section 16.34.010(A) states that uses permitted outright in the M-1 zone are also permitted outright in the M-2 zone. The proposed uses meet this criterion.

16.35 Canby Industrial Overlay Zone (I-0) - Applicable Criteria:

16.35.25 Pre-application review and conditions of approval

Findings: A pre-application meeting was held for this proposal, and the meeting notes are included with this application.

16.35.30 Uses Permitted Outright

Findings: The proposed uses are permitted outright in the M-1 and M-2 zones and subsequently in the I-0 zone as allowed under Section 16.35.30.

16.35.040 Conditional Uses

A. Any proposed site development, change in use, land division, or other action that results in any of the following requires conditional use approval in the I-O zone:

1. Less than 12 employees per developed acre. For the purposes of this section only, “developed” means all areas used for buildings, landscaping, vehicle maneuvering and parking areas, outdoor storage, and other areas occupied by the use. For the purposes of this section only, employees mean full-time equivalents unless the City specifically allows other interpretations;

Findings: The criterion listed in this section under “A” above is applicable to this case. The proposal does not meet the 12 employees per developed acre, as stated by the applicant. Subsequently, the proposed use requires conditional use review and approval under the I-O zone. The applicant filed a Conditional Use Application in conjunction with this application.

B. To approve a conditional use in the I-O zone, the Planning Commission shall find that each of the following additional criteria are either met, or can be met by observance of conditions, unless it is not applicable:

1. The proposed use is compatible with the industrial nature of the park and will have minimal negative impact on the development and use of surrounding properties;
2. The proposed use does not pose a threat to public health or safety; and
3. The proposed use is beneficial to the overall economic diversity and vitality of the City.

Findings: Based on the submitted information, staff is supportive of the applicant’s findings with regard to the above I-O zone conditional use permit criteria. The “tilt-up” concrete construction is consistent with other industrial buildings in the industrial park, and the proposal can provide opportunity for a number of industrial uses to establish successful businesses. Staff determines that the above criteria can be met.

16.35.50 Development Standards

Findings: The standards listed in this section focus mostly on the orientation of the building to the roadway and property lines and covers access, right-of-way plantings, lighting, and the type of buildings. The applicant submitted a detailed site plan, landscape plan and lighting plan and adequately addressed conformance with all criteria in this section.

16.35.60 Design Guidelines

16.35.70 I-O Design Review Matrix

Findings: Criteria for the building, such as building setbacks, placement of new parking spaces, building materials and architectural detail was discussed in the applicant’s narrative and design matrix, and staff concludes that the new development meets design criteria.

16.42.040 Signs

Findings: The applicant is not proposing a new sign at this time. Any future signs will be reviewed with submittal of a Sign Permit Application at the time of construction and must be placed outside any vision clearance area.

16.43 Outdoor Lighting Standards

Findings: The applicant states that all lighting for this project will be constructed to meet requirements listed in this section and submitted a detailed description and Site Lighting Plan with the application material that supports their conclusion.

16.46 Access Limitations on Project Density

Findings: As previously mentioned, ingress and egress for the project is from SE 4th Avenue. Based on available information, the proposed driveways will meet width standards listed in the section. However, driveway spacing standards are not met and will be addressed with variance criteria and potential analysis with the forthcoming traffic impact study.

16.49.040 Site and Design Review - 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 storm water 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).

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.

Findings: The applicant filed a Type III application, and provided a detailed response to Table 16.35.040 in the I-O zone to demonstrate compliance with the total point menu and meets criterion in "B" above. The table in 16.49.040 is superseded by the I-O zone. Information provided to the file established that the proposal meets the above criteria.

16.49.065 Bicycle and pedestrian facilities

Developments coming under design review shall meet standards listed in this section.

Findings: Staff concludes that the applicant adequately addressed this criterion.

16.49.070 Landscaping provisions, Authority and intent

The purpose of this section is to establish standards for landscaping within the City of Canby in order to enhance the environmental and aesthetic quality of the city

16.49.080 General provisions for landscaping

Findings: The applicant provided scaled landscape plans and detailed comments to address planting and landscape provisions listed in this section. The information contained specifics on LID storm water management, controls during construction, specification of tree and plant materials and other information required in this section and contained in the landscape calculation form provided with the application. After a review of all information provided, staff concluded that the project meets these standards.

CONDITIONAL USE

16.50 Conditional Uses:

16.50.010 Authorization to grant or deny conditional uses.

A conditional use listed in this title shall be permitted, altered, or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of the ordinance codified in this title as a conditional use, a change in the

use, or reduction in lot area, or an alteration of the structure, shall require the prior issuance of a conditional use permit. In judging whether or not a conditional use permit shall be approved or denied, the Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the location proposed and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable.

- A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the city;
- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features;
- C. All required public facilities and services exist to adequately meet the needs of the proposed development;
- D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone. (Ord. 740 section 10.3.75 (A), 1984)

Findings: The applicant filed a Conditional Use Application to reduce the required 12 employees per acre. In addition to the criteria listed in Section 16.35.040 for conditional uses in the I-O zone, the above criteria should also be addressed to assure consistency of the use within the zone based on the employment density factor. Staff has reviewed the proposed use and the criteria in 16.35.040 that resulted in the necessity for a Conditional Use Application against the above criteria. Staff determined that:

There are no policies in the Canby Comprehensive Plan or other policies that would be inconsistent with the applicant's proposed use or request for an exception to the outright permitted minimum employment density.

The site is suitable for the proposed use which will offer manufacturing wages to a limited number of employees. However, the applicant proposes lease options for a portion of the building. It appears there is the possibility of future growth and expansion of the smaller businesses which will further enhance the economic benefit to Canby and bring the investment and uses closer to the employment density desired in the Pioneer Industrial Park. There is no evidence that the use proposed conflicts with future or current industrial uses in the industrial park.

Based on comments from City agencies at the Pre-Application Conference, all public utilities are available and adequate to serve this proposed use on this site.

The applicant indicates that the building space will be divided into individual units to accommodate different enterprises. It is impossible to determine the actual number of

employees that could be employed at any one of the future businesses that may occupy the facility. The parcel is 4.37 acres in size and would require over 52 employees to meet the standard of 12 employees per acre. If the proposed project is considered for the overall square footage of the buildings and future businesses that will be located on the property, it is possible that the combined number of employees working for all the future small industrial uses could come closer to meeting the correct number of employees for the acreage at some time in the future. It does not appear that the initial employment density of the project will adversely impact surrounding uses or limit or preclude the surrounding properties from the uses listed as permitted outright in the zone.

16.89 Application and Review Procedures

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.

Finding: The proposed project is subject to a Type III Site and Design Review procedure along with a Conditional Use Permit to approve a reduction in the employment density per acre which is less than what is permitted outright within the Industrial Overlay zone, as well as a Variance Application to reduce the 200 foot driveway spacing. The required land use application process has been followed. A pre-application meeting was held prior to the formal hearing, but the neighborhood meeting was waived by the Planning Director because of the location of the properties and the industrial uses surrounding the parcels. Meeting notes for the meeting is included with the applicant submittal. The proposed project is subject to a Type III Site and Design Review procedure as set forth in Chapter 16.89 and subject to criteria and standards in the appropriate Sections of the CMC. Therefore, this proposal is subject to Planning Commission review and decision.

16.89.050 Type III Decision

Findings: Requirements under this section are included in the application materials. The Pre-application was held on April 6, 2017. The neighborhood meeting was waived by the Planning Director.

16.120 Parks, Open Space, and Recreation Land

Findings: The applicant accepts the application of a parks SDC fee prior to issuance of a building permit in lieu of park land dedication with this development project. This standard is met.

VARIANCE

16.53 Major Variance

The applicant requested a major variance to alter criteria listed in Section 16.35.050(F) of the Canby Municipal Code (CMC). The section states that street access spacing shall be a minimum of 200 feet for parkway and collector streets. The properties access onto SE 4th Avenue which is designated a collector street. Driveway entrances to the east and west were completed during previous street improvements, and the existing driveways are located at the southeast and southwest corners of the subject properties at the property lines. The applicant intends to construct two driveways at each corner of the subject properties adjacent to the existing entrances.

16.53.020 These provisions are intended to prescribe procedures which allow variations from the strict application of the regulations of this title, by reason of exceptional circumstances and other specified conditions:

A. Authorization. The commission may authorize variances from the requirements of this title, other than Division VII, where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, the literal interpretation of the regulations would cause an undue or unnecessary hardship, except that no variance shall be granted to allow the use of property for purposes not authorized within the district in which the proposed use would be located. In granting a variance, the commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and to otherwise achieve the purpose of this title.

B. Standards and Criteria. A variance may be granted only upon determination that all of the following conditions are present:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the city and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control. Actions of previous owners do not constitute other exceptional or extraordinary circumstances; and

Findings: The applicant stated in the submitted narrative that the properties have 450 feet of frontage on SE 4th Avenue. If a single driveway was centered on the frontage, the proposal would meet the spacing requirement. The applicant indicated that the

“exceptional or extraordinary” circumstances are that if a single driveway was constructed near the center of the parcels, it would not accommodate safe and efficient maneuvering of semi-truck traffic on the site. Additionally, shared driveways with adjacent properties would cause the relocation of utilities located at the corners of the parcels. Staff would like to see the applicant demonstrate at the hearing why trucks cannot circulate on the property with a single driveway and provide additional information as to why a single driveway will not work on the lots. The intent of the provision is to provide a safe access onto the roadway. The Planning Commissioners will have to decide if the applicant has presented enough information to establish exceptional or extraordinary circumstances and if the property can still be developed with a single driveway.

2. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone; and

Findings: The property rights established for these particular zone is to allow an industrial development within the zones. Establishing a single driveway would not prevent the applicant from developing the property as other property owners in the area have developed their properties. The applicant noted that, because surrounding properties developed first, the subject parcels are restricted for access location and therefore does not have the same property rights as the bordering properties.

3. Granting of this variance will not be materially detrimental to the intent or purposes of the city's Comprehensive Plan or the Land Development and Planning Ordinance; and

Findings: The proposal does not conflict with the Comprehensive Plan or land development that allows for industrial development. The issue is to reduce the 200 foot driveway separation requirement to within a few feet of the driveways on adjacent parcels. The intent of the Comprehensive Plan and the regulations listed above is to provide for better quality of life, reduce congestion and provide for increased safety.

4. Granting of this variance will not be materially detrimental to other property within the same vicinity; and

Findings: According to the submitted site plan, the driveway entrance at the southeast corner of the property will be 65.33 feet from the property line with another approximately 18 feet to the existing driveway on the neighboring parcel, It appears that the entrance of the existing driveway at the southwest corner is right on the property line, and the applicant wishes a new driveway 10.5 feet from the existing. Staff cannot say that placing driveways this close to existing driveways will not be “materially detrimental” to other adjacent properties. The applicant should provide additional information and narrative at the hearing to convince the Planning Commission that this criterion is met.

5. The variance requested is the minimum variance which will alleviate the hardship; and

Findings: It appears that the applicant's hardship is that the size of the proposed building and the location of existing driveways create a situation that limits circulation of truck traffic on the site. At the hearing, the applicant should demonstrate how alternative development plans could not bring the proposal closer to meeting the above criteria. The minimum variance is relative to the applicant's business aspirations. The Planning Commission will have to decide if the proposal meets this criterion.

6. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives.

Findings: The applicant stated that the existing driveway locations were not caused by the applicant.

Parking Spaces:

The applicant also requested a variance to construct 32 of the required 78 parking spaces at this time and construct the remaining 46 spaces at a later date. The applicant proposes a 73,215 square foot building to be used as warehouse space and rental space for various industrial uses. In calculating the parking required for the use of the building, the applicant set aside 4000 square feet for office space at 2 spaces for every 1000 square feet and the remaining 69,215 area for warehouse use at 1 space for every 1000 square feet. The square footage that will be set aside for industrial space is calculated at the same ratio as warehouse space. Staff concluded that the variance request does not meet criteria, and it is not necessary to review the request as a variance. The applicant is not asking for a permanent reduction in the number of spaces, but to postpone the construction of the total number required by the Canby Municipal Code. As the applicant stated in the response under item 6 of the submitted narrative for a parking variance, "There are no conditions on the property requiring this variance...." The Planning Commission should require that the applicant construct the total number of parking spaces as shown on the site plan submitted at the Pre-Application Conference, because the applicant has the space to do so, and there is no legitimate reason for a variance. The question of delaying the installation of a substantial portion of the required parking would potentially pose a problem in marketing and filling the proposed lease space and could be difficult for the City to administer as to when and if the additional required parking is ever added to the site.

Public Comments:

No public comments were received at the time this staff report was written.

Agency Comments:

Comments concerning the proposal were received from Curran-McLeod, Inc., the City Engineer, dated 7/27/17 and were included as an attachment. The comments will be listed as a condition of approval as follows:

1. The driveway location shall be spaced at a minimum of 200 feet from any existing driveway on the same side of the roadway (SE 4th Ave).

2. Curb tight sidewalk shall be constructed along the entire site frontage with SE 4th Ave. The width shall match the existing (4.5 feet).
3. The concrete driveway thickness shall be 8" with reinforcements.
4. Monitoring sewer manhole will be required at the property line.
5. An existing 8" sanitary sewer and an 8" water main is stubbed to serve those lots.
6. The storm drainage shall be disposed on-site. Any proposed UIC structure/s shall be rule authorized by DEQ.

Note: Findings of the Traffic Study is relevant to the granting of the driveway spacing variance.

SECTION III STAFF CONCLUSION/RECOMMENDATION:

Staff concludes that the use is in conformance with the City's Comprehensive Plan and the Zoning Ordinance. Additionally, the relevant site and design standards and minimum acceptable compatibility scores are met, and the site can accommodate the proposed use. The public service and utility provision to the site is available or can be made available through future improvements. Staff recommends **approval** of DR 17-06/CUP 17-04/VAR 17-03 subject to meeting the conditions of approval listed below. However, the request for the reduction in the number of parking spaces should not be considered as part of the Variance Application. Staff does not support the proposed delay in the installation of the full required parking unless a firm date is set and made a part of the record.

Approval of this application is based on submitted application materials. Approval is strictly limited to the submitted proposal and is not extended to any other development of the property. Any modification of development plans not in conformance with the approval of application DR 17-06/CUP 17-04/VAR 17-03, including all conditions of approval, shall first require an approved modification in conformance with the relevant sections of the Canby Municipal Code.

SECTION IV CONDITIONS OF APPROVAL:

Conditions Unique to this Proposal

1. **The applicant shall file a replat of the Trend Busy Center Subdivision to remove the common property line and consolidate the parcels into a single legal lot and also have the PUE vacated by consent of all concerned parties. The approved replat and vacation must be filed with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk prior to the issuance of any building permits.**
2. The project must be in conformance with the applicable findings and suggestions outlined by the City Engineer in his memorandum dated July 27, 2017 unless otherwise specified by

the Planning Commission, i.e. driveway spacing variance approval.

3. Based on the results of the TIS, the applicant shall address the variance to reduce the driveway spacing distance as determine by the Planning Commission.

Procedural Conditions

Prior to Issuance of a Building Permit the following must be completed:

3. The design engineer shall submit to the City of Canby for review and approval at the time of final construction plan approval a storm drainage analysis and report applicable to the defined development area detailing how storm water disposal from both the building and the parking areas is being handled. Any drainage plan shall conform to an acceptable methodology for meeting adopted storm drainage design standards as indicated in the Public Works design standards.
4. A Sediment and Erosion Control Permit will be required from the City prior to commencing site work.
5. Prior to the issuance of a building permit, the installation of public or private utilities, or any other site work other than rough site grading, construction plans must be approved and signed by the City and all other utility/service providers. A Pre-Construction Conference with sign-off on all final construction plans is required. The design, location, and planned installation of all roadway improvements and utilities including but not limited to water, electric, sanitary sewer, natural gas, telephone, storm water, cable television, and emergency service provisions is subject to approval by the appropriate utility/service provider. The City of Canby's preconstruction process procedures shall be followed.
6. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon.
7. Clackamas County will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical permits for this project.

Prior to Occupancy of the Facility:

8. Prior to occupancy of the facility, all landscaping plant material indicated on the submitted landscape plan shall either be installed and irrigated with a fully automatic design/build irrigation system as proposed, or with sufficient security (bonding, escrow, etc.) pursuant to the provisions of CMC 16.49.100 (B).

Section V Attachments/Exhibits:

1. Application
2. Applicant narrative
3. Proposed Site Plan
4. Combined Plan Set
5. Pre-application Conference Summary
6. Traffic Impact Analysis
7. Agency Comments



City of Canby
 Planning Department
 222 NE 2nd Avenue
 P.O. Box 930
 Canby, OR 97013
 Ph: 503-266-7001
 Fax: 503-266-1574

LAND USE APPLICATION

Conditional Use Process Type III

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

Applicant Name: VLMK Engineering + Design Phone: 503.222.4453
 Address: 3933 SW Kelly Ave Email: jenniferk@vlmk.com
 City/State: Portland, Oregon Zip: 97239

Representative Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Property Owner Name: BE NN (NW USA), LP Phone: 604 226-5596
 Signature: [Handwritten Signature]
 Address: PO Box 721 Email: LiseJ@begroup.ca
 City/State: Sumas, WA Zip: 98295

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

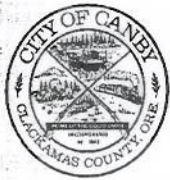
- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) 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:

1980 SE 4th Ave Canby, Oregon 4.4 acres 31E3401713-31E3401712
 Street Address or Location of Subject Property Total Size of Property Assessor Tax Lot Numbers
None M-1/M-2
 Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation

Proposed construction of a 73,215 sf speculative building and associated site work.
 Describe the Proposed Development or Use of Subject Property

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



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: Jennifer Kimura - VLMK Phone: 503.222.4453
 Address: 3933 SW Kelly Ave Email: jenniferk@vlmk.com
 City/State: Portland, Oregon Zip: 97239

Representative Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Property Owner Name: BE NN (NW USA), LP Phone: 604-226-5596
 Signature: [Handwritten Signature] Email: LiseJ@begroup.ca
 Address: PO Box 721
 City/State: Sumas, WA Zip: 98295

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:

1980 SE 4th Ave Canby, Oregon 4.4 acres 31E3401713-31E3401712
 Street Address or Location of Subject Property Total Size of Assessor Tax Lot Numbers
 Property
None M-1/M-2
 Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation
Proposed construction of a 73,215 sf speculative building and associated site work.
 Describe the Proposed Development or Use of Subject Property

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

Visit our website at: www.canbyoregon.gov
 Email Application to: PlanningApps@canbyoregon.gov



City of Canby
 Planning Department
 222 NE 2nd Avenue
 P.O. Box 930
 Canby, OR 97013
 Ph: 503-266-7001
 Fax: 503-266-1574

LAND USE APPLICATION

MINOR VARIANCE – Process Type II

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

Applicant Name: Jennifer Kimura - VLMK Phone: 503.222.4453
 Address: 3933 SW Kelly Ave Email: jenniferk@vlmk.com
 City/State: Portland, Oregon Zip: 97239

Representative Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Property Owner Name: BE NN (NW USA). LP Phone: 604 226-5596
 Signature: [Signature]
 Address: PO Box 721 Email: LiseJ@begroup.ca
 City/State: Sumas, WA Zip: 98295

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

- 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.
- 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.
- 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:

1980 SE 4th Ave Canby, Oregon 4.4 acres 31E3401713-31E3401712
 Street Address or Location of Subject Property Total Size of Property Assessor Tax Lot Numbers

None M-1/M-2
 Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation

Proposed construction of a 73,215 sf speculative building and associated site work.
 Describe the Proposed Development or Use of Subject Property

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

BE GROUP NEW DISTRIBUTION FACILITY

1980 SE 4th Avenue
Canby, OR

TYPE III DESIGN REVIEW

Chapter

Type III Conditional Use - 16.35
Type III Major Variance - 16.10
Type III Major Variance - 16.35

Requirement

Employee / Acre
Parking Required
Driveway Separation

VLMK Project Number: 20160645

*BE Group
PO Box 721
Sumas, WA 98295*

<i>Project: BE Group / Trend Business Center Building C</i>	
<i>Site:</i>	1980 SE 4th Avenue – Tax Lots 2 &3 of 'Burden' (Plat 3973) 31E34 01713 - 031E3401712
<i>Address:</i>	1980 SE 4th Avenue, Canby, Clackamas County
<i>Applicant:</i>	VLMK Engineering + Design Contact: Jennifer Kimura, 503.222.4453
<i>Owner:</i>	Trend Business Center, LLC
<i>Proposal:</i>	New 73,125 Sq. ft. Warehouse / Spec Building
<i>Zoning:</i>	M-1 Light Industrial & M-2 Heavy Industrial Zone / IO Overlay Zone

Type Three Design Review submittal
Type Three Conditional Use
Type Three Variance - Parking
Type Three Variance - Driveways
City of Canby, Oregon - Pre-Application number (PRA 17-05)
Project: Trend Business Center - Building 'C'

OVERVIEW:

The applicant is proposing to construct a 73,215 square foot warehouse / speculative lease building on Lots 2 & 3 of the Trend Business Center.

SITE CONDITIONS:

The site is currently two separate tax lots. Tax Lot 2 is 2.2 acres and zoned M-2 (Heavy Industrial). Tax Lot 3 is also 2.2 acres and contains both zones M-1 (Light Industrial) and M-2 (Heavy Industrial). This narrative will address compliance with both zones. The site is currently vacant in a natural state with a gentle downward slope across the two lots from east to west of approximately 8 feet. It is located on the north side of SE 4th Avenue.

VEHICLE ACCESS:

Vehicle access is proposed from SE 4th Avenue into the site at two points. One from the southeast corner of Lot 3 and one from the southwest corner of Lot 2. Existing driveways on lots to the east and west will be less than the required 200-foot separation required by code. A Type III Major Variance to allow the two proposed driveways is being submitted as part of this application.

BUILDING USE:

The facility will be designed to accommodate both warehouse and manufacturing use with support offices for staff. The building can be demised into two (2) separate tenant spaces or all under one tenant.

CONSTRUCTION MATERIALS:

The proposed Building is to be approx. 40'-0" in height and constructed using concrete tilt-up wall construction with a built-up insulated roof over a structural steel frame. The floor is to be a concrete slab on grade. Storefront glazing is to be used to take advantage of natural light along the buildings

south side where office space is to be built. Recessed storefront entrances will be used to provide protection from the weather and metal sunscreens are proposed above storefront glazing to aid in cooling. The building has been designed with several jogs and stacked panels to provide articulation and interest. Walls will have different width reveals cast in them running both horizontally and vertically on the building at varying heights. A multi color paint scheme will finish the walls with painted metal copings along their top edges. All rooftop equipment will be screened from the public way.

SITE UTILITIES:

Storm:

- Runoff from roof areas will be discharged directly to the new drywell system.
- Stormwater will be collected from the asphalt paved parking areas in Stormwater Management catchbasins that contain filters to treat stormwater runoff. The treated stormwater will then be piped to drywells located below the parking areas

Sanitary:

- Sanitary sewer exists in 4th Avenue and is stubbed to the lot ready for connection to the new buildings sanitary line.
- Domestic Water:
- Domestic water exists in 4th Avenue and stubbed to the lot for connection to the new building.
- Fire Water:
- Fire water exists in the easement along the easterly boundary line and will be tapped at the existing 6" line at the southeast corner of the property for connection to the new fire riser to be located at the south end of the building.

Lighting:

- On-site lighting will be provided for security purposes and in compliance with design standards.
- Misc. Utilities:
- The site will also be served with gas, electric, cable, and phone.

PUBLIC WORKS:

This project will include the completion of sidewalk and driveways along 4th Avenue.

DIVISION III. – ZONING

Chapter 16.08

GENERAL PROVISIONS

After review of Chapter 16.08, the following section apply to this project and have responses as noted below:

16.8.90 **SIDEWALKS REQUIRED.**

A. In all commercially zoned areas, the construction of sidewalks and curbs (with appropriate ramps for the handicapped on each corner lot) shall be required as a condition of the issuance of a building permit for new construction or substantial remodeling, where such work is estimated to exceed a valuation of twenty thousand dollars, as determined by the building code. Where multiple permits are issued for construction on the same site, this requirement shall be imposed when the total valuation exceeds twenty thousand dollars in any calendar year.

B. The Planning Commission may impose appropriate sidewalk and curbing requirements as a condition of approving any discretionary application it reviews. (Ord. 740 section 10.3.05(l), 1984)

Response:

New sidewalks in front of parking areas with all associated ramps and required connection to the public way. Extruded concrete curbs are to be provided around all the remaining landscaping and parking areas as shown on the site plan.

16.8.110 **FENCES.**

A. Fences not more than three and one-half feet in height may be constructed within the street setbacks of any R-1, R-1.5, R-2 or C-1 zone. Fences not more than six feet in height may be constructed in any interior yard, rear yard, or street yard along an alley; provided, however, that in no case shall a fence be constructed in violation of the requirements of a vision clearance area.

B. On corner lots, the 3.5-foot height limit will apply within the required setback along both street-facing yards.

C. Arbors that are added to a fence that is constructed of proper design (height and setbacks) and in accordance with this section (16.08.110), are allowed with the following limitations:

1. The arbor shall not exceed eight (8) feet in height (including the fence and

vegetation);

- 2.** The arbor, or any part of the arbor, shall not obstruct the view of drivers or pedestrians navigating the streets and/or sidewalks in the area;
- 3.** Vegetation on the arbor shall not be allowed to grow solid at any time, creating a solid barrier that blocks visibility;
- 4.** If the vegetation becomes too full or too high, the owner is financially responsible to rectify the situation, and to maintain the vegetation, fence, and arbor;
- 5.** Color, construction, and design must be consistent with other like arbors/fences in the immediate area;
- 6.** The arbor shall not block, or in any way impede any present significant vistas enjoyed by neighboring homes and/or other points of interest existing at the time of the building of the fence or arbor;
- 7.** The primary purpose of the arbor is to support and sustain foliage/vegetation.

D. No more than one row of fencing is allowed within a required street yard setback.

E. The Planning Commission may require sight-blocking or noise mitigating fences for any development it reviews.

F. The Planning Commission may require fences of up to eight feet in height for any development in C-2, C-M, M-1 or M-2, or Planned Unit Development zones.

G. No fence/wall shall be constructed throughout a subdivision, planned unit development or be part of 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. (Ord. 890 section 8, 1993; Ord. 740 section 10.3.05(K), 1984; Ord. 955 section 2, 1996; Ord. 981 section 43, 1997)

H. In all zones, private fences along a public pedestrian/bicycle pathway shall comply with the following in order to provide security and visibility for pathway users while maintaining privacy for the residence.

1. Fencing installed as part of a new subdivision shall comply with either (a) or (b) below.

2. Fencing installed by a property owner on an individual lot shall comply with either (a), (b), or (c) below.

- a.** Solid fencing shall be no greater than four (4) feet in height; or
- b.** Fencing shall be constructed with black open wire material, wooden slats, or some other material that allows visual access between the pathway and adjacent uses; or

c. Solid fencing shall be set back at least three (3) feet from the property line that abuts the pathway. (Ord 1338, 2010)

Response:

A new 6 foot high security fence is proposed to enclose the site from the southern face of the building around the site. Gates will be provided at the east and west sides of the building to provide access to the north end of the building.

16.8.150 TRAFFIC IMPACT STUDY (TIS).

A. Purpose. The purpose of this section of the code is to implement Section 660-012-0045(2)(b) of the State Transportation Planning Rule, which requires the city to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards to determine when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities: what information must be included in a Traffic Impact Study; and who is qualified to prepare the Study.

B. Initial scoping. During the pre-application conference, the city will review existing transportation data to determine whether a proposed development will have impacts on the transportation system. It is the responsibility of the applicant to provide enough detailed information for the city to make a determination. If the city cannot properly evaluate a proposed development's impacts without a more detailed study, a transportation impact study (TIS) will be required to evaluate the adequacy of the transportation system to serve the proposed development and determine proportionate mitigation of impacts. If a TIS is required, the city will provide the applicant with a "scoping checklist" to be used when preparing the TIS.

C. Determination. Based on information provided by the applicant about the proposed development, the city will determine when a TIS is required and will consider the following when making that determination.

1. Changes in land use designation, zoning designation, or development standard.
2. Changes in use or intensity of use.
3. Projected increase in trip generation.
4. Potential impacts to residential areas and local streets.
5. Potential impacts to priority pedestrian and bicycle routes, including, but not limited to school routes and multimodal street improvements identified in the TSP.
6. Potential impacts to intersection level of service (LOS).

D. TIS General Provisions

1. All transportation impact studies, including neighborhood through-trip and access studies, shall be prepared and certified by a registered Traffic or Civil Engineer in the State of Oregon.
2. Prior to TIS scope preparation and review, the applicant shall pay to the city the fees and deposits associated with TIS scope preparation and review in accordance with the adopted fee schedule. The city's costs associated with TIS scope preparation and review will be charged against the respective deposits. Additional funds may be required if actual costs exceed deposit amounts. Any unused deposit funds will be refunded to the applicant upon final billing.
3. For preparation of the TIS, the applicant may choose one of the following:
 - a. The applicant may hire a registered Oregon Traffic or Civil Engineer to prepare the TIS for submittal to the city. The city Traffic Engineer will then review the TIS and the applicant will be required to pay to the city any fees associated with the TIS review; or
 - b. The applicant may request that the city Traffic Engineer prepare the TIS. The applicant will pay to the city any fees associated with preparation of the TIS by the city Traffic Engineer.
4. The TIS shall be submitted with a concurrent land use application and associated with application materials. The city will not accept a land use application for process if it does not include the required TIS.
5. The city may require a TIS review conference with the applicant to discuss the information provided in the TIS once it is complete. This conference would be in addition to any required pre-application conference. If such a conference is required, the city will not accept the land use application for processing until the conference has taken place. The applicant shall pay the TIS review conference fee at the time of conference scheduling, in accordance with the adopted fee schedule.
6. A TIS determination is not a land use action and may not be appealed.

E. TIS Scope. The city shall determine the study area, study intersections, trip rates, traffic distribution, and required content of the TIS based on information provided by the applicant about the proposed development.

1. The study area will generally comprise an area within a ½-mile radius of the development site. If the city determines that development impacts may extend more than ½ mile from the development site, a larger study area may be required. Required study intersections will generally include (in addition to the primary access points) collector/collector and above intersections with an anticipated peak hour traffic increase of five-percent from the proposed project.

2. If notice to ODOT or other agency is required pursuant to noticing requirements in Chapter 16.89, the city will coordinate with those agencies to provide a comprehensive TIS scope. ODOT may also require a TIS directly to support an OR 99E approach permit application.
- F. TIS Content.** A project-specific TIS checklist will be provided to the applicant by the city once the city has determined the TIS scope. A TIS shall include all of the following elements, unless waived by the city.
1. **Introduction and Summary.** This section shall include existing and projected trip generation including vehicular trips and mitigation of approved development not built to date; existing level and proposed level of service standard for city and county streets and volume to capacity for state roads; project build year and average growth in traffic between traffic count year and build year; summary of transportation operations; traffic queuing and delays at study area intersections; and proposed mitigation(s).
 2. **Existing Conditions.** This section shall include a study area description, including information about existing study intersection level of service.
 3. **Impacts.** This section should include the proposed site plan, evaluation of the proposed site plan, and a project-related trip analysis. A figure showing the assumed future year roadway network (number and type of lanes at each intersection) also shall be provided. For subdivision and other developments, the future analysis shall be for the year of proposed site build-out. For proposed comprehensive plan and/or zoning map amendments, the future analysis year shall be 20 years from the date of the City's adopted TSP, or 15 years, whichever is greater.
 4. **Mitigation.** This section shall include proposed site and area-wide specific mitigation measures. Mitigation measures shall be roughly proportional to potential impacts. See Subsection K below for rough proportionality determination.
 5. **Appendix.** This section shall include traffic counts, capacity calculations, warrant analysis, and any other information necessary to convey a complete understanding of the technical adequacy of the TIS.
- G. TIS Methodology.** The City will include the required TIS methodology with the TIS scope.
- H. Neighborhood Through-Trip Study.** Any development projected to add more than 30 through-vehicles in a peak hour or 300 through-vehicle per day to an adjacent residential local street or neighborhood route will be require assessment and mitigation of residential street impacts. Through-trips are defined as those to and from a proposed development that have neither an origin nor a destination in the neighborhood. The through-trip study may be required as a component of the T I S

or may be a stand-alone study, depending on the level of study required in the scoping checklist. The through-trip study shall include all of the following:

1. Existing number of through-trips per day on adjacent residential local streets or neighborhood routes.
2. Projected number of through-trips per day on adjacent residential local streets or neighborhood routes that will be added by the proposed development.
3. Traffic management strategies to mitigate for the impacts of projected through-trip consistent.

If a residential street is significantly impacted, mitigation shall be required. Thresholds used to determine if residential streets are significantly impacted are:

1. Local residential street volumes should not increase above 1,200 average daily trips
2. Local residential street speeds should not exceed 28 miles per hour (85th percentile speed).

I. Mitigation. Transportation impacts shall be mitigated at the time of development when the TIS identifies an increase in demand for vehicular, pedestrian, bicycle, or transit transportation facilities within the study area. Mitigation measures may be suggested by the applicant or recommended by ODOT or Clackamas County in circumstances where a state or county facility will be impacted by a proposed development. The city shall determine if the proposed mitigation measures are adequate and feasible. ODOT must be consulted to determine if improvements proposed for OR 99E comply with ODOT standards and are supported by ODOT. The following measures may be used to meet mitigation requirements:

1. On-and off-site improvements beyond required standard frontage improvements.
2. Development of a transportation demand management program.
3. Payment of a fee in lieu of construction, if construction is not feasible.
4. Correction of off-site transportation deficiencies within the study area that are substantially exacerbated by development impacts.
5. Construction of on-site facilities or facilities located within the right-of-way adjoining the development site that exceed minimum required standards and that have a transportation benefit to the public.

J. Conditions of Approval. The city may deny, approve, or approve with appropriate conditions a development proposal in order to minimize impacts and protect transportation facilities.

1. Where the existing transportation system will be impacted by the proposed development, dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways may be required to ensure that the transportation system is adequate to handle the additional burden caused by the proposed use.
2. Where the existing transportation system is shown to be burdened by the proposed use, improvements such as paving, curbing, installation or contribution to traffic signals, traffic channelization, construction of sidewalks, bikeways, accessways, paths, or street that serve the proposed use may be required.
3. The city may require the development to grant a cross-over access easement(s) to adjacent parcel(s) to address access spacing standards on arterials and collector roadways or site-specific safety concerns. Construction of shared access may be required at the time of development if feasible, given existing adjacent land use. The access easement must be established by deed.

K. Rough Proportionality Determination. Improvements to mitigate impacts identified in the TIS shall be provided in rough proportion to the transportation impacts of the proposed development.

1. The TIS shall include information regarding how the proportional share of improvements was calculated, using the ratio of development trips to growth trips and the anticipated cost of the full Canby Transportation System Plan. The calculation is provided below:

$$\text{Proportionate Share Contribution} = \frac{[\text{Net New Trips}/(\text{Planning Period Trips}-\text{Existing Trips})] \times \text{Estimated Construction Cost}}{\text{Estimated Construction Cost}}$$

- a. Net new trips means the estimated number of new trips that will be created by the proposed development within the study area.
- b. Planning period trips means the estimated number of total trips within the study area within the planning period identified in the TSP.
- c. Existing trips means the estimated number of existing trips within the study area at the time of TIS preparation.
- d. Estimated construction cost means the estimated total cost of construction of identified improvements in the TSP.
(Ord 1340, 2011)

Response:

A traffic study is attached with this submittal to comply with this criteria.

Chapter 16.10

OFF-STREET PARKING AND LOADING

SECTIONS

- 16.10.010 Off-street parking required – exceptions.
- 16.10.020 Definitions.
- 16.10.030 General requirements.
- 16.10.040 Prohibited near intersections.
- 16.10.050 Parking standards designated.
- 16.10.060 Off-street loading facilities.
- 16.10.070 Parking lots and access.
- 16.10.080 Streets.
- 16.10.090 Drive-up uses.
- 16.10.100 Bicycle parking.

16.10.10 Off-street parking required – exceptions.

A. At the time of establishment of a new structure or use, change in use, or change in use of an existing structure, within any planning district of the city, off-street parking spaces and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the conditional use permit or the site and design review process, based upon clear and objective findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare. A lesser number of spaces may be permitted by the Planning Commission based on clear and objective findings that a lesser number of parking spaces will be sufficient to carry out the objective of this section.

B. No off-street parking shall be required for any use permitted outright within the C-1 zone in the rectangular area bounded by N. Ivy Street on the east, NW First Avenue on the south, N. Elm Street on the west, and NW Third Avenue on the north.

C. At the time of enlargement of an existing structure or use, the provisions of this section shall apply to the enlarged structure or use only. (Ord. 1304, 2009; Ord. 1237, 2007; Ord. 890 section 9, 1993; Ord. 872, 1992; Ord. 854 section 2, 1991; Ord. 848, Part V, section 1, 16.10.010(A)(B), 1990)

16.10.20 DEFINITIONS.

A. Floor Area. Except where otherwise specified, the floor area measured shall be the gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading.

B. Employees. Where employees are specified, the term shall apply to all persons, including proprietors, working on the premises during the peak shift. (Ord. 854 section 2, 1991; Ord. 848, Part V, section 1, 16.10.020(A)(B), 1990)

16.10.30 GENERAL REQUIREMENTS.

A. Should the owner or occupant of a structure change the use to which the building is put, thereby increasing parking or loading requirements, the increased parking/loading area shall be provided prior to commencement of the new use.

B. Parking and loading requirements for structures not specifically listed herein shall be determined by the City Planner, based upon requirements of comparable uses listed.

C. In the event several uses occupy a single structure, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately. If the applicant can demonstrate that the uses do not have overlapping parking needs (based on days and hours of operation) and can share parking, the total requirement for combined uses may be reduced by up to 60 percent.

D. Off-street parking spaces for dwellings shall be located on the same lot, or adjacent lot, with the dwelling. Parking spaces located within an on-site garage shall count toward the minimum parking requirement for residential uses. Other required parking spaces may be located on a separate parcel, provided the parcel is not greater than five hundred (500) feet from the entrance to the building to be served, measured along the shortest pedestrian route to the building. The applicant must prove that the parking located on another parcel is functionally located and that there is safe vehicular and pedestrian access to and from the site.

E. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business.

F. Institution of on-street parking shall not be allowed for off-street parking, where none is previously provided, and shall not be done solely for the purpose of relieving crowded parking lots in commercial or industrial planning districts.

G. Parking facilities may be shared by users on adjacent parcels if all of the following standards are met, or the Planning Commission determines a lesser combination meets the intent of the ordinance:

1. One of the parcels has excess parking spaces, considering the present use of the property; and the other parcel lacks sufficient area for required parking spaces. Excess parking spaces can be determined by considering when the uses need the parking spaces, such as time of day or day of week.

2 The total number of parking spaces meets the standards for the sum of the number of spaces that would be separately required for each use. If the applicant can demonstrate that the uses do not have overlapping parking needs (based on days and hours of operation) and can share parking, the total requirement for combined uses may be reduced by up to 60 percent.

3. Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying present use of the excess parking area on one lot by patrons of the uses deficient in required parking areas.

4. Physical access between adjoining lots shall be such that functional and reasonable access is provided to uses on the parcel deficient in parking spaces.

5. Adequate directional signs shall be installed specifying the joint parking arrangement.

H. The number of vehicular spaces required in Table 16.10.050 may be reduced by up to 10% if one of the following is demonstrated to the satisfaction of the Planning Director or Planning Commission:

1. Residential densities greater than nine units per gross acre (limit parking to no less than one space per unit for multi-family structures); or

2. The proposed development is pedestrian-oriented by virtue of a location which is within convenient walking distance of existing or planned neighborhood activities (such as schools, parks, shopping, etc.) and the development provides additional pedestrian amenities not required by the code which, when taken together, significantly contribute to making walking convenient (e.g., wider sidewalks, pedestrian plazas, pedestrian scale lighting, benches, etc.). (Ord. 890 section 10, 1993; Ord. 854 section 2 [part], 1991; Ord. 848, Part V, section 16.10.030, 1990; Ord. 1043 section 3, 2000; Ord. 1338, 2010)

16.10.040 PROHIBITED NEAR INTERSECTIONS.

In no case will off-street parking be allowed within a vision clearance area of an intersection. (Ord. 740 section 10.3.10(D), 1984)

16.10.050 PARKING STANDARDS DESIGNATED.

The parking standards set out in Table 16.10.050 shall be observed. (Ord. 854 section 2, [part], 1991; Ord. 848 section 1, 16.10.050, 1990; Ord. 740 section 10.3.10(E), 1984; Ord. 981 section 20, 1997)

**TABLE
16.10.050**

Off-street Parking Provisions - The following are the minimum standards for off-street vehicle parking:

n. Club or lodge	1.00 space per 200 square feet of floor area
o. Day care , adult or child care; does not include Family Daycare (12 or fewer children) under ORS 657A.250	1.00 space per 500 square feet of floor area
p. All others	1.00 space per 550 square feet
q. Wireless telecommunication systems	1.00 space per site
Industrial:	
a. Manufacturing	2.00 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office manufacturing space. Minimum of 5 parking spaces overall.
b. Warehousing	2.00 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office warehousing space. Minimum of 5 parking spaces overall.
c. Wholesale establishments	2.00 spaces per 1,000 gross square feet of office space, plus 1.50 spaces per 1,000 gross square feet of non-office wholesale space. Minimum of 5 parking spaces overall.

(Ord 1296, 2008, Ord. 1338, 2010)

Response:

The project is designed as a Warehouse building with future speculative lease area. We have estimated parking per the above highlighted standards based on 4,000 sq. ft. of tenant offices (2/1000) and the remaining 69,215 sq. ft. based on warehouse (1/1000). With the above numbers, we are required to have a minimum of 78 spaces and we are providing 32 spaces at this time with a designated future area for 46 spaces. A Type III Major Variance is being submitted with this application for compliance with this criteria.

16.10.60 OFF-STREET LOADING FACILITIES

A The minimum number of off-street loading berths for commercial and industrial uses is as follows:

SQUARE FEET OF FLOOR AREA	NUMBER OF BERTHS
Less than 5,000	0
5000 – 25,000	1
25,000 – 60,000	2
60,000 and over	3

- B.** Loading berths shall conform to the following minimum size specifications:
1. Commercial uses – 13' x 35'
 2. Industrial uses – 12' x 60'
 3. Berths shall have an unobstructed minimum height of 14'.
- C.** Required loading areas shall be screened from public view, from public streets, and adjacent properties by means of sight-site obscuring landscaping, walls or other means, as approved through the site and design review process.
- D.** Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.
- E.** A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of a school or day care center having a capacity greater than twenty-five (25) students.
- F.** The off-street loading facilities shall, in all cases, be on the same lot or parcel as the structure they are intended to serve. In no case shall the required off-street loading spaces be part of the area used to satisfy the off-street parking requirement.
- G.** The Planning Commission may exempt a building from the loading berth requirement, or delay the requirement, based on findings that loading berths are not needed for a particular building or business. (Ord. 854 section 2[part], 1991; Ord. 848, Part V, section 1, 16.10.060, 1990; Ord. 1237, 2007)

Response:

Three berths are required for this project and we are providing eight (8) loading berths to comply with this criteria.

16.10.70 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 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.

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 Director or 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, turfblock, 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.

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.

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.

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

Response:

All parking areas are to be paved. The new parking spaces are designed to meet the city standards for size and maximum allowed spaces between landscape islands. The new parking lot landscaping will reduce dust and provide a neat clean appearance. A Type III Major Variance is being submitted with this application for compliance using a reduced amount of spaces.

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. 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.

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 a 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 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 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. (Ord. 890 section 12, 1993; Ord. 1237, 2007; Ord. 1338, 2010)

Minimum Access Requirements

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>Dwelling units</i>	<i>Minimum number of accesses required</i>	<i>Minimum access width</i>	<i>Sidewalks & Curbs (in addition to driveways)</i>
1 or 2	1	12 feet	none required
3-19	1	20 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.
20-49	Option A: 1 access OR Option B: 2 accesses	20 feet 12 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.
50-499	Option A: 1 access OR Option B: 2 accesses	30 feet 20 feet	Curbs required; Minimum of one sidewalk connection to residences and parking areas
Over 500	As required by Site and Design Review Board		As required by Public Works Director

16.10.070(B)(9): Minimum access requirements for commercial or institutional uses - ingress and egress for commercial uses shall not be less than the following:

<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>
1-4	1	12 feet	None required
5-99	1	20 feet	Curbs required; sidewalk on one side minimum
100-249	2	20 feet	Curbs required; sidewalk on one side minimum
Over 250	As required by Site and Design Review Board		As required by Public Works Director

16.10.070(B)(10): Minimum access requirements for **industrial uses - ingress and egress for industrial uses shall not be less than the following:**

<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>
1-250	1	24 feet	Curbs required; sidewalks on one side minimum
Over 250			As required by Public Works Director

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.

9. Maximum driveway widths and other requirements except for single-family dwellings [see subsection (d) below]:

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.

d. The minimum distance between two driveways on one single-family residential lot shall be thirty (30) feet. There is no minimum setback distance between a driveway and the property line for driveways on single-family residential lots.

10. Distance Between Driveways and Intersections- Except for single-family dwellings [see subsection (f) below] 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 fifty (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 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.

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 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.

f. The minimum distance between driveways for single-family residential houses and an intersection shall be thirty (30) feet. The distance shall be measured from the curb intersection point [as measured for vision clearance area (16.04.670)]. (Ord. 890 section 12, 1993; Ord. 872, 1991; Ord. 854 section 2 [part], 1991; Ord 848, Part V, section 16.10.070 (A)(B) 1990; Ord. 955 section 3 & 4 1996; Ord. 981 section 44, 1997; Ord. 1019 section 5, 1999; Ord 1237, 2007)

Response:

This project proposes two driveways into and out of the site. The driveway to the east is to be 40' in width and the driveway to the west is to be 30' which comply with the width requirements. A Type III Major Variance is being submitted to comply with separation distance between the existing driveways and the proposed. Two sidewalks provide access to and along the public way.

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. (Ord. 1019 section 1, 1999; Ord. 1076, 2001)

TABLE 16.10.100 BICYCLE PARKING STANDARD

LAND USE CATEGORY	MINIMUM REQUIRED BICYCLE PARKING SPACES
Residential Multi-family residential, general Multi-family residential, seniors or with physical disabilities	1 space per unit 4, or 1 space per 5 units, whichever is greater
Institutional Schools - Elementary Schools - Jr. High/Middle School Schools - St. High College Transit Centers/Park & Ride Lots Religious Institutions Hospitals Doctor, Dentist Offices Libraries, Museums, etc.	To be determined through design review To be determined through design review To be determined through design review To be determined through design review 5% of auto spaces (or 100% of demand, depending on accessibility to bicyclists) 1 space per 40 seat capacity 1 space per 5 beds 2, or 1 space per 1000 ft ² , whichever is greater 2, or 1 space per 1000 ft ² , whichever is greater
Commercial Retail Sales Auto-oriented Services Groceries/Supermarkets Offices Restaurants Drive-in Restaurants Shopping Centers Financial Institutions Theaters, Auditoriums, etc. Downtown Commercial Zone	0.33 space per 1000 ft ² , whichever is greater 2, or 0.33 space per 1000 ft ² , whichever is greater 0.33 space per 1000 ft ² 2, or 1 space per 1000 ft ² , whichever is greater 1 space per 1000 ft ² 1 space per 1000 ft ² 0.33 space per 1000 ft ² 2, or 0.33 space per 1000 ² , whichever is greater 1 space per 30 seats 4 spaces per block
Industrial Industrial Park Warehouse Manufacturing, etc.	2, or .1 space per 1000 ft ² , whichever is greater 2, or .1 space per 1000 ft², whichever is greater 2, or .15 space per 1000 ft ² , whichever is greater

NOTES:

Each individual use needs to be evaluated for bicycle parking – e.g., a commercial accessory use in an industrial district may have different requirements than the industrial uses around it. Similarly, in mixed-use developments, the amount of each use and required bicycle parking needs" evaluation. Finally, within each use category one needs to consider the different user categories - residents, employees, customers, etc. - and parking requirements for each.

(Ord. 1019 section I, 1999; Ord. 1043 section 3, 2000; Ord. 1076, 2001)

Response:

Per table 16.10.100, seven spaces are required. Four spaces are provided outside of the main entries and four spaces are provided in doors.

Chapter 16.12

CLASSIFICATION OF ZONES

SECTIONS:

16.12.010 Zones designated.

16.12.020 Uses permitted.

16.12.010 Zones designated.

In order to carry out the purposes and provisions of this title, the city is divided into zones designated as follows:

Base Zones	Abbreviation
Agricultural	AG
Low Density Residential	R-1
Medium Density Residential	R-1.5
High Density Residential	R-2
Downtown Commercial	C-1
Residential/Commercial	C-R
Convenience Commercial	C-C
Highway Commercial	C-2
Commercial/Manufacturing	C-M
Light Industrial	M-1
Heavy Industrial	M-2
Overlay Zones	
Planned Unit Development	PUD
Historical Protection	A
Hazard	H
Canby Industrial Area	I-O
Wetland	WO
Riparian	RO

(Ord .890 section 14, 1003; Ord. 740 section 10.3.15 [part], 1984; Ord. 1008 section 1, 1998; Ord 1237, 2007)

16.12.020 USES PERMITTED

In each zone, the uses permitted outright or permitted subject to the issuance of a conditional use permit are outlined in the following chapters. (Ord. 740 section 10.3.15 [part], 1984)

Chapter 16.32

M-1 LIGHT INDUSTRIAL ZONE

SECTIONS:

- 16.32.010 Uses permitted outright.
- 16.32.020 Conditional uses.
- 16.32.030 Development standards.

16.32.10 Uses permitted outright.

Uses permitted outright in the M-1 zone shall be as follows:

- A. **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
 1. The dissemination of dusts, gas, smoke, fumes, odors, atmospheric pollutants or noise which exceed Oregon Department of Environmental Quality standards
 2. Danger by reason of fire, explosion or other physical hazard;
 3. Unusual traffic hazards;
- B. Automobile body shop, or heavy repair shop;
- C. Contractor's equipment or storage yard;
- D. Dwelling for watchman or caretaker working on the property;
- E. Food processing plant;
- F. Fuel distribution, wholesale or retail;
- G. Ice or cold storage plant;
- H. Laundry or dry-cleaning plant;
- I. Lumber yard;
- J. Machinery, farm equipment or implement sales, service or rent;
- K. Motor or rail freight terminal;

- L.** Railroad trackage and related facilities;
- M.** Restaurant, when related and incidental to primary industrial uses of the area;
- N.** Service station, when related and incidental to primary industrial uses of the area;
- O.** Stone, marble, or granite cutting;
- P.** Tire retreading or recapping;
- Q.** Transfer and storage company;
- R.** Utility storage or service yard;
- S.** Veterinarian's office or animal hospital;
- T. Warehouse**
- U.** Wholesale distribution, including warehousing and storage;
- V.** Wireless or cellular communications facility/tower;
- W.** Other light industrial uses as determined by the Planning Commission;
- X.** Business or professional office, when related and incidental to primary industrial uses of the area;
- Y.** Public building or uses such as fire station, or park or playground.
- Z.** Attached WTS facilities (see 16.08.120).
- AA.** Detached WTS facilities (monopole or lattice tower), under 150 feet in height and at least 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- BB.** Detached WTS facilities (monopole), under 100 feet in height and less than 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- CC.** Detached WTS facilities (monopole), equal to or over 150 feet in height and at least 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- DD.** Minor public facility. (Ord. 890 section 31, 1993; Ored. 749 section 1(A), 1984, Ord. 740 section 10.3.31(A), 1984; Ord. 995 section 10 & 11, 1996; Ord. 981 section 30 & 31, 1997; Ord. 1019 section 10, 1999; Ord 1237, 2007)

16.32.20 CONDITIONAL USES.

Conditional uses in the M-1 zone shall be as follows:

- A. Commercial recreation uses;
- B. Motels, hotels and similar accommodations;
- C. Other heavy commercial or light industrial uses as determined by the Planning Commission;
- D. Waste and/or recycling transfer operations.
- E. Detached WTS facilities (monopole), equal to or over 100 feet in height and less than 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- F. Detached WTS facilities (lattice tower), equal to or over 150 feet in height and at least 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- G. Major public facility, except as modified by Section 16.32.010. (Ord. 960, section 2, 12/18/96; Ord. 890, section 32, 1993; Ord. 740 section 10.3.31(B), 1984; Ord. 981 section 32, 1997; Ord 1237, 2007)

16.32.30 DEVELOPMENT STANDARDS.

The following subsections indicate the required development standards of the M-1 zone:

- A. Minimum lot area: five thousand square feet; *190,457 Sq. ft. 4.4 Acres*
- B. Minimum width and frontage: fifty feet; *455 feet provided*
- C. Minimum yard requirements:
 - 1. Street yard: twenty feet where abutting Highway 99-E and S. Ivy Street. Gas station canopies shall be exempted from the twenty foot setback requirements. Remaining property none, except ten feet where abutting a residential zone. Sign setbacks along Highway 99-E and S. Ivy Street are to be measured from the face of the curb rather than the lot line. Where no curb exists, the setback shall be measured from the property line. Other than signs which are nonconforming structures and street banners which have been approved per the requirements of the Uniform Sign Code, no signs will be allowed to be located within, or to project over, a street right-of-way.
Complies
 - 2. Interior yard: none, except ten feet where abutting a residential zone.
Complies
- D. Maximum building height:

1. Freestanding signs: thirty feet; *None*
2. All other structures: forty-five feet. *Complies - Building height 40'-0"*

E. Maximum lot coverage: no limit.

F. Other regulations:

1. Vision clearance distances shall be fifteen feet from any alley or driveway and thirty feet from any other street or railroad. *Complies - 30' vision triangles are shown on the site plan*

2. Outside storage abutting or facing a lot in a residential zone shall be enclosed by a site-blocking fence or berm. The fence or berm shall be so designed as to screen the storage from view from the residential zone and shall be of such material and design as will not detract from adjacent residences. *Complies - Six foot high chain link fence with sight obscuring slats is provided around the north yard.*

Chapter 16.34

M-2 HEAVY INDUSTRIAL ZONE

SECTIONS:

16.34.010 Uses permitted outright.

16.34.020 Conditional uses.

16.34.030 Development standards.

16.34.10 Uses permitted outright.

Uses permitted outright in the M-2 zone shall be as follows:

- A. A use permitted outright in an M-1 zone. (Ord. 740 section 10.3.33(A), 1984)

Response:

For compliance with all criteria see responses to M-1 Light Industrial Standards above.

Chapter 16.35

CANBY INDUSTRIAL AREA OVERLAY (I-O) ZONE

SECTIONS:

- 16.35.010 Purpose.
- 16.35.020 Applicability.
- 16.35.025 Pre-application review and conditions of approval.
- 16.35.030 Uses permitted outright.
- 16.35.040 Conditional uses.
- 16.35.045 Prohibited uses.
- 16.35.050 Development standards.
- 16.35.060 Design guidelines.
- 16.35.070 I-O design review matrix.

16.35.10 Purpose.

The purpose of the Canby Industrial Area Overlay (I-O) zone is to implement the design guidelines and standards of the Canby Industrial Area Master Plan (Master Plan):

- A. Provide efficient circulation and access;
- B. Allow flexibility in siting development, including a range of industrial and commercial/industrial land uses;
- C. Provide visual continuity for streetscapes and developments;
- D. Encourage durable, high quality building materials.

The zone is intended to ensure high-quality industrial development with a mix of employment types and uses. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.20 APPLICABILITY.

It is the policy of the City of Canby to apply the I-O zone to all lands within the Master Plan area and other areas determined by the City, upon annexation or prior to application for development permit. The Master Plan area generally includes the area bound by Highway 99E and 1st Avenue to the north, Mulino Road to the east, SE 13th Avenue to the south, and Molalla Western Railroad to the west. The I-O zone has the following affect with regard to other chapters of this ordinance:

- A. Incorporates the Canby Industrial Area Master Plan into Title 16. The Master Plans design guidelines, standards, and plan maps are hereby incorporated by reference.
- B. Permits land uses which are permitted by the underlying zone districts (C-M, M-1, M-2), with some exceptions.

C. Replaces selected development standards contained in the C-M, M-1, and M-2 zones, for continuity and quality of site design within the Master Plan area.

D. Utilizes the City's processes for development review, including land divisions, conditional uses, and design reviews. Provides a design review matrix (i.e., replacing the table in Chapter 16.49) which is tailored to the Master Plan area.

E. Provides additional conditional use standards to ensure development compatibility.

F. Lists uses that are prohibited outright due to incompatibility with the goals for the area. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.25 PRE-APPLICATION REVIEW AND CONDITIONS OF APPROVAL

A. A pre-application meeting with utility and service providers is required prior to any land use application, building permit application, or business license application in the I-O zone, unless this requirement is waived by the City Planner. The City Planner shall provide application forms for this purpose indicating all required information. The pre-application meeting shall allow utility and service providers to make a detailed assessment of the proposed use prior to forming a recommendation on approval. In addition, this meeting will allow the City to evaluate whether a Conditional Use Permit will be required.

B. At the pre-application meeting, the City shall determine the need for a Hazardous Materials Management Plan. If required by the City, the applicant shall prepare a plan meeting the relevant sections of the Oregon Fire Code as determined by the City. The Plan shall allow utility and service providers to review the health and safety impacts of any proposed use and ensure an adequate plan will be in place to address those impacts prior to forming a recommendation on approval.

C. The Planning Commission or City Council may impose conditions to protect public health and safety on any discretionary land use application. (Ord. 1057 section 2 [part], 2000; Ord. 1237, 2007)

Response:

Pre Application Meeting was completed and minutes attached with this narrative.

16.35.030 USES PERMITTED OUTRIGHT.

Unless limited by sections 16.35.040 or 16.35.045, uses permitted outright in the C-M zone, M-1 zone, and M-2 zone are permitted outright in the I-O zone, subject to the respective zone district boundaries. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.40 CONDITIONAL USES.

Unless limited by subsection A below or section 16.35.045, conditional uses permitted in the C-M zone, M-1 zone, and M-2 zone are permitted as conditional uses in the I-O zone, subject

to the respective zone district boundaries.

A. Any proposed site development, change in use, land division, or other action that results in any of the following requires conditional use approval in the I-O zone:

1. Less than 12 employees per developed acre. For the purposes of this section only, “developed” means all areas used for buildings, landscaping, vehicle maneuvering and parking areas, outdoor storage, and other areas occupied by the use. For the purposes of this section only, employees means full-time equivalents unless the City specifically allows other interpretations;

Response:

A Conditional Use is attached with this Narrative for consideration and approval for compliance with this criteria.

2. More than 60 acres total in I-O zoning that is occupied by a single use or business. For the purposes of this section, businesses classified in the same NAICS industry group (four-digit code) are considered to be in the same use. This section is intended to apply cumulatively to all properties in the zone;

3. Utilization of any public service or utility to such an extent that the utility would not be able to supply all other uses projected in its current long-range plans;

4. Uses requiring an H occupancy under the Oregon Structural Specialty Code;

5. In any C-M zoning overlain by I-O zoning, any retail or commercial use with a building footprint exceeding 50,000 square feet;

6. In any M-1 or M-2 zoning overlain by I-O zoning, any retail or commercial use not related to or supportive of the primary industrial use of the park; or

7. In any M-1 or M-2 zoning overlain by I-O zoning, retail areas occupying more than 15% of the building footprint or more than 3,000 square feet.

B. To approve a conditional use in the I-O zone, the Planning Commission shall find that each of the following additional criteria are either met, or can be met by observance of conditions, unless it is not applicable:

1. The proposed use is compatible with the industrial nature of the park and will have minimal negative impact on the development and use of surrounding properties; ***Complies - Warehouse or Manufacturing use is the same on the surrounding properties.***

2. The proposed use does not pose a threat to public health or safety; and

Complies - No Threat

3. The proposed use is beneficial to the overall economic diversity and vitality of the City. *Complies - Brings commerce into the city by way of the business itself and that of employees using surrounding business and purchasing of local goods.*

These criteria are in addition to those provided in Section 16.50.010. In all other aspects, the conditional use process shall be as specified in Chapter 16.50. (Ord 1008 section 1 [part], 1998, Ord. 1057 section 2 [part], 2000; Ord. 1237, 2007).

16.35.45 PROHIBITED USES.

The following uses are prohibited in the I-O zone:

- A. Slaughter house;
- B. Rendering, reduction, or distillation of, or manufacturing from, animals, fish and their by-products;
- C. Auto, truck or motorcycle race track;
- D. Auto, truck, or motorcycle wrecking or salvage yard;
- E. Scrap metal storage and sales;
- F. Reclamation or manufacturing of steel barrels or drums;
- G. Dump or landfill, including rubbish, slag, organic materials, offal, or garbage in general;
- H. Livestock feeding pen, other than those associated with existing agricultural uses;
- I. Fireworks manufacturing or the manufacturing of ammunition or explosives;
- J. Nuclear power plant or similar use;
- K. Curing and storage of hides;
- L. Incinerator, smelter, blast furnace, or coke oven;
- M. Manufacture of oils, gasoline, or products made directly from petroleum, other oils, or tar products;
- N. Fertilizer production;
- O. Creosote production;
- P. Insecticide production;

Q. Tire manufacturing;

R. Saw, shingle, or lumber mill; and

S. In any M-1 or M-2 zoning overlain by I-O zoning, commercial or retail uses over 50,000 square feet are prohibited.

This list should not be used to imply that any other use is permitted. (Ord. 1057 section 2 [part], 2000)

16.35.50 DEVELOPMENT STANDARDS.

The following subsections indicate the required development standards of the I-O zone.

These standards replace the standards of the C-M zone, M-1 zone, and M-2 zone, as follows:

- A.** Minimum lot area: none. *Complies - See M-1 Zoning above*

- B.** Minimum lot width and frontage: none. *Complies - See M-1 Zoning above*

- C.** Minimum yard requirements (measured from building foundation to right-of-way line):
 - 1.** Street yards(s): 20 feet for buildings up to 25 feet in height; 35 feet for buildings between 25 feet and 45 feet in height. Parking and internal drives (except curb cuts and entrance drives) are prohibited within the required 20 foot street yard. *Complies - See M-1 Zoning above*

 - 2.** Interior yard: 10 feet, except 20 feet where abutting a residential zone. Common-wall lot lines (attached buildings), and development which provide shared parking and circulation with abutting developments, are exempt from interior yard standards. *Complies - See M-1 Zoning above*

- D.** Maximum building height: 45 feet. *Complies - See M-1 Zoning above*

- E.** Maximum lot coverage: 60 percent in the C-M zone; none in the M-1 and M-2 zones. *Complies with M-1 and M-2*

- F.** Street access (curb cuts) spacing shall be a minimum of 200 feet on designated parkway and collector streets. *Can Comply - See attached Type III Major Variance.*

- G.** Street right-of-way improvements shall be made in accordance with the circulation plan, and streetscape/street section standards of the Industrial Area Master Plan. *Complies - Street Improvements to be made with construction. See Site Plan*

- H.** Building orientation standards. The following standards are intended to ensure direct, clear, and convenient pedestrian access:

1. Development in the M-1 zone and M-2 zone shall provide at least one public entrance facing the street. A direct pedestrian connection shall be provided between the primary building entrance and public sidewalk. *Complies - Two access points provided from the public way*
2. Developments within the C-M zone shall provide continuous, straight-line pedestrian connections between the street(s), buildings, and parking areas. *N/A*
 - I. Right-of-way plantings: Street trees and ground cover plantings shall be installed with development, as approved by the City. Shrubs are prohibited within the public right-of-way. *Complies - See L1.0 Landscape Plan.*
 - J. Metal building exteriors are prohibited, except that the Planning Commission may approve architectural metal elements that accent and enhance the aesthetics of building entrances and office areas. *N/A*
 - K. Lighting shall be required for all streets, sidewalks, and pedestrian ways. Applications for land division approval and site plan review shall include photometric plans. *Complies - See LT1.0 Site Lighting*
 - L. Shared access: The City may require the provision of shared access drives through the land division review process. Shared access drives are intended to maintain adequate driveway spacing and circulation along the designated Parkway and Collector streets. *N/A See Attached Variance*
 - M. All landscaped areas shall be irrigated. *Complies - See L1.0 Specifications for Irrigation.*
 - N. Other regulations: The C-M zone, M-1 zone, and M-2 zone provide other applicable regulations related to vision clearance, Highway 99E sidewalk width, setback measurement, outside storage, and wireless/cellular tower certification. (Ord. 1008 section 1[part], 1998; Ord. 1237, 2007; Ord. 1299, 2008)

- Response:**
- A. Lot area - Complies 4.4 acres None required*
 - B. Lot width - Complies none required*
 - C. Minimum yards - Complies and exceeds 35' front yard and 10' sideyard*
 - D. Max Building Height - Complies with 40'-0" height*
 - E. Max Coverage - Complies none in M-1 or M-2 Zone*
 - F. Street Access - See attached Variance*
 - G. Street Improvements - Complies sidewalk being installed road exists*
 - H. Building Orientation - Complies main entry facing street.*
 - I. ROW Planting - Complies See Landscape Plan*
 - J. Metal Buildings - Not Applicable*
 - K. Lighting - Complies lighting plan provided*
 - L. Shared Access - See attached Variance*

*M. Irrigation - Complies all Landscaping to be irrigated
N, Vision Clearance met*

16.35.60 DESIGN GUIDELINES.

The Industrial Area Master Plan provides design guidelines for reviewing development applications. The guidelines, which are incorporated into Table 16.35.000, encourage:

- A.** Flexibility to align local streets based on parcelization and development requirements;
- B.** Tree retention, planting of large (3-inch) caliper trees, and use of lawn/ground cover planting in front yard setbacks;
- C.** Placement of buildings at or near the setback line;
- D.** Placement of parking areas to the side or rear of buildings;
- E.** Placement of smaller commercial buildings at or near the street;
- F.** Building entries visible from the street with direct pedestrian connections;
- G.** Use of quality building materials;
- H.** Architectural detail to break up and articulate large surfaces and volumes, and to accentuate building entries; and
- I.** Open space retention and trail connections, as designated by the Master Plan. (Ord. 1008, section 1[part], 1998)

16.35.70 I-O DESIGN REVIEW MATRIX.

The City uses the following matrix to evaluate compliance with the I-O design guidelines. The matrix substitutes for the general design review matrix provided in Chapter 16.49. Design review applications must comply with all other applicable provisions of Chapter 16.49, and achieve scores equal to or greater than the minimum acceptable scores in the matrix. (See Master Plan for illustrations.)

- A.** Exception: The City may reduce the minimum acceptable score(s) upon finding that certain provisions do not apply to a proposed development.

TABLE 16.35.040

CRITERIA	Possible Scores
<u>Parking</u>	
Parking areas located to the side or rear of buildings as viewed from public right-of-way: <50% of parking spaces=0; 50%-75%=1; 100%=2.	0 1 2
Increase minimum interior parking lot landscape over the base 15%: 15%-18%=0; 18%-22%=1; >22%=2.	0 1 2
Increase the number of trees planted within buffers and/or within the parking area: 100%-105% of base requirement*=0; 105%-110% of base requirement=1; >110%=2. *The base requirement is determined based on total parking area/number of spaces, and parking setback perimeter, see Chapter 16.49.120.	0 1 2
Number of parking spaces (% of required minimum): >110%=0; 110%-105%=1; 105%-100%=2.	0 1 2
Minimum Acceptable Score	4 points
<u>Transportation/Circulation</u>	
Proposed local street alignments: Street not proposed = 0; Street(s) proposed with some modification to master plane = 1; proposed street(s) approximate recommended alignments = 2. <i>Note: the Planned Parkway and collector streets are required elements, except as indicated by the Industrial Area Master Plan - Constructing sidewalk, curb and gutter</i>	0 1 2
Design of all pedestrian ways (private, on-site pathways): six feet wide, raised concrete with painted crosswalks (standard) = 0; standard with brick or similar pavers for pathways and crosswalks = 1; greater than 6 feet wide (inclusive of curb) and use of brick or similar pavers for pathways and crosswalks = 2	0 1 2
Number of pedestrian connections between the street sidewalk and internal circulation system: One connection = 0 Two connections = 1	0 1 2
Minimum Acceptable Score (some provisions may not apply)	3 points
<u>Tree Retention, Open Space conservation and Trail Connections</u>	
Preserves trees as recommended by arborist or City Planning Department: <50% of recommended trees preserved=0; 50%-75%=1; 75%-100%=2 N / A - No trees exist on this site	0 1 2
Replaces trees that were recommended for retention: No=0; Yes=1. Mitigation based on reasonable tree replacement ratio. N / A - No trees exist on this site	0 1
When site includes designated open space, park or trail connection: proposal does not dedicate or establish easement for designated open space/park or trail connection=0; dedicated or establishes easement=1; dedicated land/right-of-way and constructs improvements=2. N / A	0 1 2
Minimum Acceptable Score (some provisions may not apply)	3 points

<u>Landscaping</u>	
Trees installed at 3 inch caliper: <25% of trees=0; 25%-50%=1; 50%-100%=2.	0 1 2
Usable outdoor amenity provided with development (e.g., water features, plazas, seating areas, and similar features): no=0; yes=1; yes and public access provided (i.e., through an easement)=2.	0 1 2
Amount of grass or other plantings used for ground cover treatment: <75%=0; 75%-90%=1; 90%-100%=2.	0 1 2
Minimum Acceptable Score	3 points

<u>Building Appearance and Orientation</u>	
Building orientation at or near the street: parking or drive separates building from street=0; at least 20% of elevation within 5 feet of minimum setback=1; at least 20% of elevation is at minimum setback=2.	0 1 2
Building entrances visible from the street: no=0; yes=1.	0 1
Buildings use quality materials: concrete, wood, or wood siding=0; concrete masonry, stucco, or similar material=1; brick or similar appearance=2.	0 1 2
Articulation and/or detailing to break up large building surfaces and accentuate the building entrance(s): no=0; yes=2.	0 2
Minimum Acceptable Score	4 points

Chapter 16.42

SIGNS

No Signs proposed

Chapter 16.43

OUTDOOR LIGHTING STANDARDS

SECTIONS:

- 16.43.010 Purpose.
- 16.43.020 Definitions.
- 16.43.030 Applicability.
- 16.43.040 Lighting Zones.
- 16.43.050 Exempt Lighting.
- 16.43.060 Prohibited Light and Lighting.
- 16.43.070 Luminaire Lamp Lumens, Shielding, and Installation Requirements.
- 16.43.080 Height Limits.
- 16.43.090 Lighting Controls.
- 16.43.100 Exceptions to Standards.
- 16.43.110 Lighting Plan Required.

16.43.10 Purpose.

The purpose of this section is to provide regulations for outdoor lighting that will:

- A. Regulate uses of outdoor lighting for nighttime safety, utility, security, productivity, enjoyment and commerce.
- B. Minimize glare, particularly in and around public rights-of-way.
- C. Minimize light trespass, so that each owner of property does not cause unreasonable light spillover to other property.
- D. Preserve the night sky for astronomy and enjoyment.
- E. Conserve energy and resources to the greatest extent possible.

16.43.30 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.

B. Minor additions. Additions or modifications of less than fifty (50) percent to existing uses, in terms of additional dwelling units, gross floor area, or parking spaces, shall meet the requirements of this Code with regard to shielding and lamp type for all new lighting.

Response:

Building and site lighting has been designed to comply with the above standards. See sheet C7.0 for the site lighting plan and details.

16.43.40 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.

16.43.60 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.

16.43.70 LUMINAIRE LAMP LUMENS, 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, lighting plan, 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.

E. Landscape features shall be used to block vehicle headlight trespass while vehicles are at an external point of service (i.e. drive-thru aisle).

F. All facade lighting must be restricted to the facade surface. The margins of the facade shall not be illuminated. Light trespass is prohibited.

TABLE 16.43.070 – LUMINAIRE MAXIMUM LUMENS 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.
LZ 2	7800 lumens or less	1600 lumens or less	800 lumens or less	Landscape and facade lighting 1600 lumens or less; ornamental lights of 800 lumens or less.

16.43.80 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

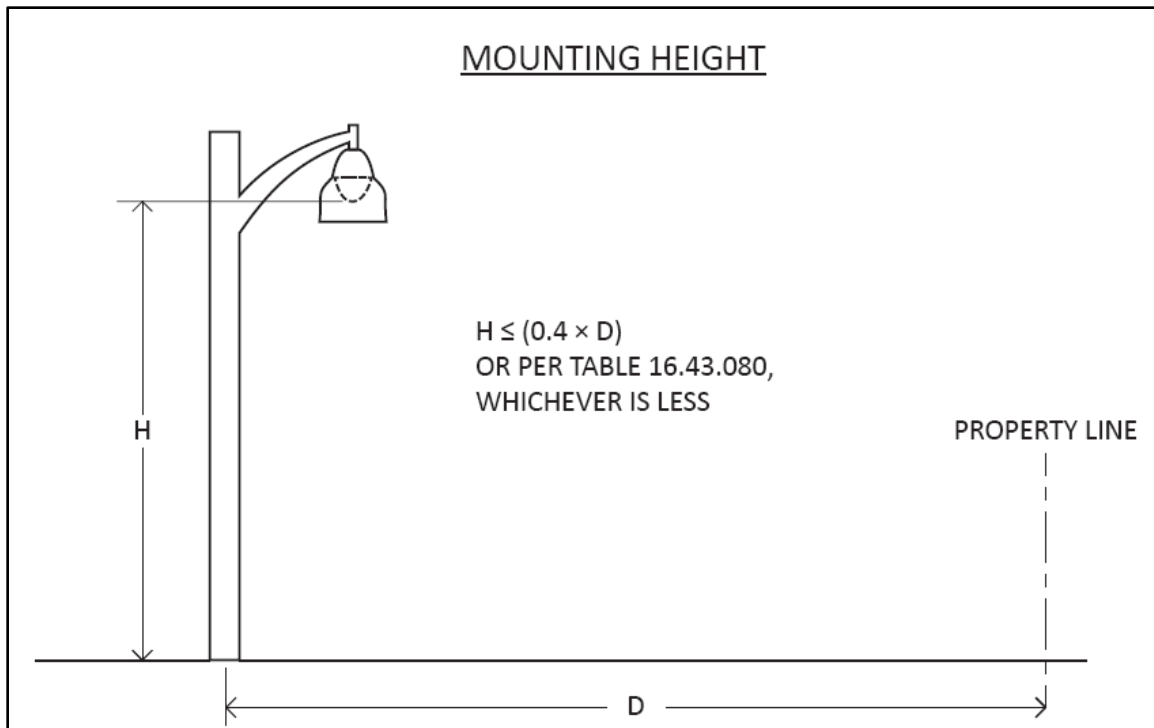
place where the lighting is installed, nor higher than 40% of the horizontal distance of the light from the property line, whichever is less. The following exceptions apply:

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.
4. The top exterior deck of parking garages should be treated as normal pole mounted lighting rather than as lights mounted to buildings. The lights on the outside edges of such a deck must be side shielded to the property line.

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
LZ 2	37.5	18.0	15.0

Figure 16.43.2: Mounting Height



16.43.090 Lighting Controls

The city strongly recommends the use of timers and/or motion detectors on outdoor lighting, and that motion detectors be set to minimize unnecessary activation. For example, motion detectors for entryway or driveway lights should not activate for off-site pedestrians or cars.

16.43.100 EXCEPTIONS TO STANDARDS.

A. Exceptions to the lighting standards in this section may be approved by the Planning Director. Lighting systems not complying with the technical requirements of this ordinance but consistent with the intent of the ordinance may be approved for the following:

1. Sport fields.
2. Construction lighting.
3. Industrial lighting for hazardous areas where the heat of the lighting fixture may cause a dangerous situation.
4. National and State Flag lighting with spotlights greater than 450 lumens.

B. To obtain such approval of an exception, applicants shall demonstrate that the proposed lighting installation:

1. Has received every reasonable effort to mitigate obtrusive light and artificial sky glow, supported by a signed statement from a registered engineer or by a lighting certified professional describing the mitigation measures.
2. The Planning Director shall review each such application. Approval may be granted if, upon review, the Planning Director believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

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 lumens 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. (Ord.1338, 2010)

Response:

Building and site lighting has been designed to comply with the above standards. See sheet C7.0 for the site lighting plan and details.

Chapter 16.46

ACCESS LIMITATIONS ON PROJECT DENSITY

SECTIONS:

- 16.46.010 Number of units in residential development.
 - 16.46.020 Ingress and egress.
 - 16.46.030 Joint and cross access.
 - 16.46.040 Access connection.
 - 16.46.050 Nonconforming access features.
 - 16.46.060 Amount of access points.
 - 16.46.070 Exception standard.
 - 16.46.080 State highway standards.
 - 16.46.090 Shared access onto state highway.
- 16.46.10 Number of units in residential development.

Response:

Chapter 16.35 Canby Industrial Area Overlay (I / O) Zone governs over the requirements of this chapter. Spacing of driveways at 200 feet apart is per 16.35.50, F.

A Type III Major Variance is attached with this Application due to existing access location on the adjacent properties to the east and west.

Chapter 16.49

SITE AND DESIGN REVIEW

16.49.30 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.

Response:

This application is for a new building and is required to obtain Site and Design Review approval.

B. The following are exempt from site and design review (but still may require a site plan review and/or building permit):

1. Signs that are not a part of a reviewable development project. Signs that are a part of a reviewable development project, and that are proposed more than two (2) years beyond the final occupancy of the reviewed development.
2. Alterations or remodeling that do not change the exterior of the building.
3. Temporary public structures which will be removed within two (2) years of placement.
4. Commercial and industrial accessory structures under 500 square feet.
5. Temporary commercial tent/canopy structures, which meet the Uniform building

or Fire Code, and which will be removed within thirty (30) days of placement.

6. Temporary Vendor activity permitted pursuant to Section 16.08.140.

7. Parking lot or paving projects. If no buildings or structures are involved, paving or parking lot development in excess of 2,500 square feet of impervious surface is exempted from a Type III site and design review. However, parking lot and paving projects in excess of 2,500 square feet of impervious surface require Type I site plan review. All new paved areas and parking lots in excess of 2,500 square feet must meet the requirements of Section 16.49.150.

8. Single family or two-family dwellings and their accessory structures, and any alterations or remodeling thereof.

9. Minor public facilities.

10. Approved Public Art Murals as defined in CMC Chapter 2.80.020.

Response:

Section is N/A

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.

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. (Ord. 1315, 2009; Ord. 1237, 2007; Ord. 1080, 2001; Ord. 1019 section 2, 1999; Ord. 981 sections 52&53, 1997; Ord. 955 section 23, 1996; Ord. 890 section 43, 1993; Ord. 848, Part III, section 1, 1991; Ord. 1341, 2011)

16.49.35 APPLICATION FOR SITE AND DESIGN REVIEW

A. For site and design review 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; the applicant shall submit a Type II application for approval pursuant to the approval criteria set forth in 16.49.040; 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 Chapter 16.41, the applicant shall submit a Type III application for approval

pursuant to the approval criteria set forth in 16.49.040. The applicant must still meet all applicable requirements of Chapter 16.49.

Response:

Application is for a Type III Design Review.

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)

16.49.40 CRITERIA AND STANDARDS.

A. 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 - ***Proposed project can conform.***

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. ***Project as designed conforms to the applicable standards of the city ordinances and is similar to the other developments in the area***

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. ***Project Complies***

5. The Board shall, in making its determination of compliance with this Ordinance, 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

16.49.40 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).

Response:

Item 5 a, b, and c are not applicable as the IO Overlay Zone Matrix supersedes Table 16.49.040

B. In review of a Type II Site and Design Review Application described in Section 16.49.035.A.1, the Planning Director shall, in exercising his powers, duties or functions, determine whether there is compliance with the DCO site and design review standards.

C. 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.

D. 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..

E. 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.

F. 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. (Ord. 848, Part III, section 2, 1991; Ord. 955 section 24 & 25, 1996; Ord 1237, 2007, Ord 1296, 2008)

Response:

This building has been designed to comply with the general INTENT of the city code .

This project as such continues with the existing size, shape, features of the buildings and landscaping of that which surround it.

Table 16.49.040 Site Design Review Menu

Not applicable - Please see I-O Design Matrix 16.35.70 above

16.49.65 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.

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.

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. (Ord. 1043 section 3, 2000)

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. (Ord. 1339, 2010)

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)

Response:

Pedestrian ways connecting the building to the public way and bicycle facilities have been provided as required. See sheet C1.0 Site Plan

16.49.80 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)

Response:

Complies - See sheet L1.0 (landscape Plan) that is designed to meet the city requirements for quantity (15% min.), design (plant types, location, etc.) and screening(parking areas).

16.49.120 PARKING LOT LANDSCAPING STANDARDS.

A. General Provisions. In addition to the objectives stated in section 2 of this ordinance, goals of parking lot standards are to create shaded areas in parking lots to reduce glare, enhance the visual environment, and encourage the use of LID practices. The design of the parking area shall be the responsibility of the developer and should consider visibility of signage, traffic circulation, comfortable pedestrian access, and aesthetics. Trees shall not be cited as a reason for applying for or granting a variance on placement of signs.

B. Application. Parking lot landscaping standards shall apply to any surface passenger vehicle parking area of ten (10) spaces or more, or to any paved vehicular use area 3,500 square feet or larger on the same tax lot or on contiguous tax lots under common ownership. Any paved vehicular area which is used specifically as a utility storage lot or a truck loading area shall be exempt from landscaping requirements within a parking lot.

C. Landscaping Within a Parking Lot.

1. Area within a parking lot shall include the paved parking and maneuvering area, as well as any 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.

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

2. Five (5) percent for the Downtown-Commercial Zone for any off-street parking spaces provided.

3. Ten (10) percent for the Core Commercial (CC) sub-area of the Downtown Canby Overlay Zone for any off-street parking spaces provided.

Response:

Complies - Parking area is 20,505 Sq. Ft. in area and is provided with 4,991 Sq. Ft. of Landscaping or 24% See Sheet C1.0. For Compliance with criteria for trees see Sheet L1.0.

Chapter 16.50

CONDITIONAL USES

SECTIONS:

- 16.50.010** Authorization to grant or deny conditional uses.
- 16.50.020** Application for conditional uses.
- 16.50.030** Public hearing required.
- 16.50.040** Placing conditions on a permit.
- 16.50.050** Notification of action.
- 16.50.060** Standards governing conditional uses.
- 16.50.070** Revocation of conditional use permits.

16.50.10 Authorization to grant or deny conditional uses.

A conditional use listed in this title shall be permitted, altered, or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of the ordinance codified in this title as a conditional use, a change in the use, or reduction in lot area, or an alteration of the structure, shall require the prior issuance of a conditional use permit. In judging whether or not a conditional use permit shall be approved or denied, the Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the location proposed and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable.

- A.** The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the city;

This Conditional Use is being requested per Chapter 16.35.40, A, 1 of the Industrial Overlay Zone and to allow less than 12 employees per developed acre. The warehouse operations will only require the employment of 12 - 15 persons.

This proposal will provide for more local employment opportunities which in turn provides a positive impact on the community. As a distribution facility for farm implements it takes advantage of Canby's access to the I-5 freeway system and the farming community along its corridor. As a warehouse type development it is a somewhat less 'dense' development in terms of employees per acre.

- B.** The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features;

The size of this site provides for the safe and efficient maneuvering and loading of large trucks used in the distribution process while allowing all activities to occur on site. Its current state allows for minimum disturbance in regards to haul off or fill and SE 4th Avenue is currently developed to its full width.

C. All required public facilities and services exist to adequately meet the needs of the proposed development;

Water, sewer, electrical and natural gas currently exist in SE 4th Avenue and are stubbed into the site.

D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone. (Ord. 740 section 10.3.75 (A), 1984)

The development is similar in use and nature to the surrounding properties and will not have any effect on their operations. The use of this proposal is allowed outright in the M-2 zone.

Chapter 16.53

VARIANCES – PARKING REQUIRED

SECTIONS:

- 16.53.010 Minor Variances.
- 16.53.015 Minor Sign Variance.
- 16.53.020 Major Variances.
- 16.53.030 Revocation of Variances.

16.53.20 MAJOR VARIANCES.

These provisions are intended to prescribe procedures which allow variations from the strict application of the regulations of this title, by reason of exceptional circumstances and other specified conditions:

A. Authorization. The commission may authorize variances from the requirements of this title, other than Division VII, where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, the literal interpretation of the regulations would cause an undue or unnecessary hardship, except that no variance shall be granted to allow the use of property for purposes not authorized within the district in which the proposed use would be located. In granting a variance, the commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and to otherwise achieve the purpose of this title.

B. Standards and Criteria. A variance may be granted only upon determination that all of the following conditions are present:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the city and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control. Actions of previous owners do not constitute other exceptional or extraordinary circumstances; and

Variance is being requested per Chapter 16.10 and Table 16.10.050 for warehouse use requiring 1 space per 1,000 sq. ft.

This projects use as a warehouse requires a minimum number of employees for its operation and is generally a less intense use than that of surrounding manufacturing uses which typically employ a greater number of employees and require larger parking lots for their vehicles. As opposed to putting in un-used impervious surface this Variance requests that an on-site area be set aside and landscaped at this time. This landscaped area would be sufficient

in size such that if future use dictate, removal and parking be provided to meet that need. This landscaped area would be above and beyond the 15 percent minimum required for the site and parking lot areas.

2. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone; and

The applicant is requesting this Variance which is also available to the surrounding property owners as situations might arise on their properties.

3. Granting of this variance will not be materially detrimental to the intent or purposes of the city's Comprehensive Plan or the Land Development and Planning Ordinance; and

Parking amounts can be met as required however this variance request that once 'needed' the parking be provided. Parking numbers as shown will meet the requirements of the applicant.

4. Granting of this variance will not be materially detrimental to other property within the same vicinity; and

This Variance is in regards to the parking requirements on this site only with no negative impacts on the surrounding properties.

5. The variance requested is the minimum variance which will alleviate the hardship; and

This Variance eliminates unnecessary development of an area that will not be used for what its intended for with this development.

6. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives.

There are no conditions on the property requiring this Variance, however it does lessen the impact of the overall site with vegetation instead of unused impervious surface.

C. Variance to Requirements of Hazard Overlay (H) Zone. Variances may be issued for non-residential buildings in very limited circumstances to allow a lesser degree of flood proofing than water-tight or dry-flood proofing, where it can be determined that such action will have a low damage potential, complies with all other variance criteria, and otherwise meets the requirements of the Hazard Overlay Zone. (Ord.805 section 4, 1987; Ord. 804 section 4(A), 1987; Ord. 740 section 10.8.50, 1984; Ord. 981 section 14, 1997; Renum. and mod. by Ord. 1080, 2001)

This project is not in the "H" Zone

Chapter 16.53

VARIANCES – DRIVEWAY SEPARATION

SECTIONS:

- 16.53.010 Minor Variances.
- 16.53.015 Minor Sign Variance.
- 16.53.020 Major Variances.
- 16.53.030 Revocation of Variances.

16.53.21 MAJOR VARIANCES.

These provisions are intended to prescribe procedures which allow variations from the strict application of the regulations of this title, by reason of exceptional circumstances and other specified conditions:

A. Authorization. The commission may authorize variances from the requirements of this title, other than Division VII, where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, the literal interpretation of the regulations would cause an undue or unnecessary hardship, except that no variance shall be granted to allow the use of property for purposes not authorized within the district in which the proposed use would be located. In granting a variance, the commission may attach conditions which it finds necessary to protect the best

interests of the surrounding property or neighborhood and to otherwise achieve the purpose of this title.

B. Standards and Criteria. A variance may be granted only upon determination that all of the following conditions are present:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the city and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control. Actions of previous owners do not constitute other exceptional or extraordinary circumstances; and

Variance is being requested per Chapter 16.35.50 of the Industrial Overlay Zone requiring street access separation of 200 feet

This site is undeveloped at this time and is located along the north side of SE 4th Avenue with a street frontage of approximately 450 feet. Surrounding properties have all been improved to include SE 4th Avenue which only lacks sidewalk improvements that are to be completed with

this project. When the surrounding improvements and street were constructed no access (curb cuts or driveways) were provided to this property. Properties to both the east and west were designed and have driveways adjacent to each corner of this lot which will restrict this property to only one driveway at about the midpoint of its street frontage in order to comply with the 200 foot separation requirement. This single access into the site will not accommodate the safe and efficient maneuvering of semi-truck traffic associated with the warehousing and distribution of freight. Shared access with the adjacent lots will require relocation of major utilities that also exist at these two property corners, eliminate pedestrian access way to the street on the west lot and remove the gated access to the east lot. Consolidation of driveways will require a great deal of cost and hardship to the owner.

2. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone; and

As being one of last lots developed and applying the 200 foot separation requirement the applicant does not have the same rights as surrounding properties and is restricted in the location of access into and safe circulation around his site.

3. Granting of this variance will not be materially detrimental to the intent or purposes of the city's Comprehensive Plan or the Land Development and Planning Ordinance; and

Granting of this variance will allow for the safe movement of traffic both on and off of this site. Allowing two driveways for ingress and egress is also preferred by the fire marshal as mentioned in the pre-application meeting.

4. Granting of this variance will not be materially detrimental to other property within the same vicinity; and

Separate driveways with the separation as shown will not negatively impact on the surrounding properties or their access.

5. The variance requested is the minimum variance which will alleviate the hardship; and

The site requires two driveways into the site for the safe and efficient operation of freight traffic.

6. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives.

The existing driveway locations and existing utilities were not caused by the applicant.

C. Variance to Requirements of Hazard Overlay (H) Zone. Variances may be issued for non-residential buildings in very limited circumstances to allow a

lesser degree of flood proofing than water-tight or dry-flood proofing, where it can be determined that such action will have a low damage potential, complies with all other variance criteria, and otherwise meets the requirements of the Hazard Overlay Zone. (Ord.805 section 4, 1987; Ord. 804 section 4(A), 1987; Ord. 740 section 10.8.50, 1984; Ord. 981 section 14, 1997; Renum. and mod. by Ord. 1080, 2001)

This project is not in the “H” Zone

16.53.30 REVOCATION OF VARIANCES.

A. Automatic Revocation. All variances shall be automatically revoked if not exercised within one year from the date of approval, or such additional time as is specified by the granting body at the time of approval. Variances shall not be deemed exercised until the use of the property permitted by the variance has actually commenced or, in the event that such use involves construction, that all required permits for said construction have been obtained.

B. Revocation for Noncompliance. Any major variance may be revoked by the City Council for noncompliance with conditions set forth in the original approval, after first holding a public hearing and giving written notice of such hearing to the grantee.

C. Extension of approval. A one-time extension will be allowed if applied for no later than ninety (90) days prior to the expiration of the original approval. A request for extension must:

1. Not change the original application.
2. Explain specifically why an extension is needed.
3. A minor variance or minor sign variance extension shall be approved by the City Planner. A major variance extension shall be approved by the Planning Commission as a new business item.
4. If approved, those with standing on the original application shall be notified of the extension by mail. Those so noticed may obtain a public hearing on the extension by filing a request in writing within ten (10) days of the notice date. The public hearing shall follow the notice requirements and procedure for major variances. The cost of notification and any required public hearing must be borne by the applicant.
5. An extension shall not be granted for more than one (1) year. (Ord. 740 section 10.8.20(C), 1984; Ord. 955 section 31, 1996; Ord 1237, 2007; Ord. 1299, 2008)

Chapter 16.89

APPLICATION AND REVIEW PROCEDURES

SECTIONS:

- 16.89.010 Purpose.
- 16.89.020 Description and summary of processes.
- 16.89.030 Type I procedure.
- 16.89.040 Type II procedure.
- 16.89.050 Type III procedure.
- 16.89.060 Type IV procedure.
- 16.89.070 Neighborhood meetings.
- 16.89.080 Application requirements and completeness.
- 16.89.090 Modifications.

16.89.010 Purpose.

The purpose of this chapter is to establish standard decision-making procedures that will enable the City, the applicant, and the public to review applications and participate in the decision-making process in a timely and effective way. (Ord. 1080, 2001)

16.89.20 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.

A. Type I Procedure (Ministerial). Type I decisions are made by the Planning Director without public notice and without a public hearing. The Type I procedure is used when there are clear and objective approval criteria and applying those criteria requires no use of discretion.

B. Type II Procedure (Administrative). Type II decisions are made by the Planning Director with public notice and an opportunity for a public hearing. The appeal of a Type II decision is heard by the Planning Commission.

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.

D. Type IV procedure (Council Decision). Type IV decisions generally apply to legislative matters, but include certain other applications as well. Legislative matters involve the creation, revision, or large-scale implementation of public policy (e.g.,

adoption of land use regulations, zone changes, and comprehensive plan amendments that apply to entire districts). Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council. Annexations and certain quasi-judicial applications are also processed under the Type IV process. (Ord. 1080, 2001; Ord 1237, 2007)

Response:

Complies - Project is being submitted as a Type III Design Review which will require review by the Planning Commission.

16.89.50 TYPE III DECISION.

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

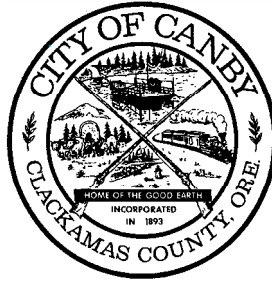
Pre-Application meeting was held on 04-06-17. A copy of the meeting minutes are attached as part of our submittal package.

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.

Due to the fact that this site is surrounded by other commercial/industrial facilities, the requirement for a neighborhood meeting has been waived by the Planning Director.

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.

All other application requirements are included in this submittal package.



Pre-Application Meeting

**1980 SE 4th Avenue
April 6, 2017
10:30 am**

Attended by:

Brian Dubal, VLMK, 503-222-4453
Bryan Brown, Planning Dept. 503-266-0702
Shane Hester, Erosion Control, 503-266-0698
Hassan Ibrahim, Curran-McLeod Eng. 503-684-3478
Havlin Kemp, VLMK, 503-222-4453

Renate Mengelberg, Economic Dev. 503-266-0701
Doug Quan, Canby Utility, Water, 971-563-6314
Gary Stockwell, Canby Utility, Electric, 503-263-4307
Jerry Nelzen, Public Works, 503-266-0759
Todd Gary, Canby Fire, 503-266-5851

This document is for preliminary use only and is not a contractual document.

VLMK, Havlin Kemp

- The BE Group are interested in constructing a 72,800 sq ft building on this site. BE Group distributes pressure washers and small farm equipment and right now they only need half the building.
- They would like to do a short term outdoor storage of small farm equipment, which would be at the back of the building.
- We would do a design review of the whole building being built in two phases. They have not determined whether they will be doing the left or right side of the building. The building will mirror each other and there could be a possibility of leasing the other half.
- There is a jog in the right-of-way, will this be a requirement to dedicate the additional land and Bryan said we will have to have our city engineer, Hassan look over it. Hassan said he did not know what the jog was and I do not know how it came about. We cannot ask Shimadzu for any right-of-way, so there is nothing we can do. Havlin said we may end up with some street trees in the right-of-way and Hassan said we would be okay if you want to extend the right-of-way to the property line. If it does not hurt you guys too much to give us that dedication we are okay with that.

CURRAN-MCLEOD ENGINEERING, Hassan Ibrahim

- You will be consolidating the two lots and the answer was yes. Bryan said it has to be consolidated, you cannot have a building structure on a lot line. Havlin said they would leave it open for the possibility of doing a zero lot line building with the centerline down the property line.
- We have a water and sewer service stubbed to the lot and if you think you will leave the two lots separate you will need to have another sewer and water service stubbed to the other lot. The water and sewer stubs are 8 inches each.

- We require a monitoring manhole in the right-of-way (ROW). We have required this for every lot in the industrial park.
- You will need to do sidewalk improvements along the entire site frontage. It is curb-tight sidewalks and match to the existing.
- You will need to be mindful of the driveway spacing and I see on the plan you have two driveways and they will need to maintain the 200 ft spacing from the existing driveway on each side of this site, Shimadzu and Troutman Art Glass. Bryan said I did not know how this came about when the industrial park was created and how it was decided to have the 200 ft spacing. I know it is what the ordinance states and Hassan said OTAK decided at the time of the creation of the industrial park. Renate said Troutman Art Glass's driveway is on the property line adjacent to this site along with Shimadzu on the other property line. Bryan said if you want two driveways you will need to request a variance and Hassan said if this is detrimental to the business we will not stand in the way, but we will require a variance. Bryan said this variance application is \$2,000 plus and there is no absolute guarantee it will be approved by Canby's Planning Commission.
- The driveway approaches need to be industrial with 8 inch concrete and reinforcement.
- All storm drainage we require of everyone per our standards to be disposed on site. If the driveway tends to slope, we do not want any private water coming into the public street, if there is a lot we will require you to have a trench drain across or a catch basin to collect it. Brian said we will be doing some sort of filtration system for water quality and for a site like this there really is no place to put a swale and do we need to prove to you it cannot be done. Hassan said no, if you do a UIC it needs to be rule-authorized. Jerry asked if there were any water wells in the area and Doug said the closest would be the Premier Gear's property and Hassan said at the Fitzgerald's property we put a manhole over the well in the street adjacent to the intersection SE 4th and Sequoia Parkway. The well has to be 267 ft away from any UIC. Renate said the two well on the Premier Gear's property have been both decommissioned last spring.

CITY OF CANBY, ECONOMIC DEVELOPMENT, Renate Mengelberg

- The docks are at angle on both sides of the proposed building and will you have a circular drive and the answer was correct. Bryan asked if the trucks were intended to back into the loading docks. Havlin said their client wanted them at a slant and we are presenting them this way and Bryan said okay.
- Where would you do the outside storage and Havlin said right now we are showing it fenced from the front of the building all the way around and the outdoor storage will be in the back. We would need at least a 25 ft drive isle in the back for the trucks to go through and the company will have all this space for storage.

CITY OF CANBY, PUBLIC WORKS, Jerry Nelzen

- If you are going to utilize the existing sewer stub we do not have any problems, but if you do not consolidate the lots, you are required to have one service per lot.
- The storm water is staying on site and Brian said yes.
- You will need to work with our city forester on planting street trees.

CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- We have a point of contact on the west side on NE 4th Avenue. Additionally, I can use a vault and or transformer on the west side from the Trend Development, Building C and there is a vault on the west side of your site at the Shimadzu property. We have choices on where we will bring your power into the site. The question is on the building as you described, what will be your power demand, from the conversation it will be a warehouse and the answer was yes. The transformer from the Trend Building C might work depending on what your needs are and if kept small this would keep your costs down by using the existing transformer. Once you have an electrician on board and they let me know your service size and various requirements like service data, connected load information, etc. and I can develop a cost, with the exception of the trench, staking, grading and backfill, which you will supply, we supply and install primary, secondary, conduits, pads, vault, etc.
- Street lights are already in place.
- What is your construction schedule and Havlin said they want to get under construction as soon as they can. Gary said sometime in the fall and Havlin stated yes.

CANBY FIRE DEPARTMENT, Todd Gary

- We would prefer the two entrances.
- At this time I have not completed a fire flow calculation.
- Depending on whether you build it all at once or phase it we will have to discuss hydrant placement. Havlin said he had a conversation with his client on how many things are affected and my question to my client was do the whole site and have a graded pad or are we going to build half the site, treated as half a building and parking for half a building. In either case we would do the street frontage at the first phase, put both driveways in to have a circular route. Todd said having both driveways works best for us, even if you decide to phase it and have the storage in the back.

CITY OF CANBY, PUBLIC WORKS, EROSION CONTROL

- We are coming into the summer interval and you will need to have your dust under control and if it rains keep the dirt on site by having a rockered entrance.
- Apply for an erosion control application through the Planning Department.

CANBY UTILITY, WATER DEPARTMENT, Doug Quan

- You have a fire hydrant on the east side of the property.
- The 8 inch stub is approximately centerline to the property.
- There is an air relief vacuum valve about 50 ft east of the west line on the property right by the curb. I do not know where your driveway will be located and you will need to be cognizant of the valve and keep it protected. The valve is in a meter box and has a stand pipe behind the curb and is painted blue.
- You will have to let me know if you will be sprinkling the building and what size fire protection line you will need, I doubt you will need much because you will have a restroom and lunchroom. Havlin said they will need 3/4 to 1 inch service and Doug said they are at flat rates for SDC and installation and the costs are on the Canby Utility's website. Havlin

said they will calculate hydrant spacing. Doug said you will need to have a double check and the hydrant will be private.

CITY OF CANBY, PLANNING DEPARTMENT, Bryan Brown

- The map supplied with your information shows a split zoning on the two lots and is at an angle and I do not understand it, but I do not think it will affect you in any way since the use is allowed in either zone. Havlin said it was one of the questions he had for us today and Bryan said it will not affect it and Havlin said he looked at our zoning code and the heavy industrial zoning and anything allowed in light industrial zoning it is the same for heavy industrial. If it is not classified under light industrial other than two or three things, it is all conditional use in heavy industrial is that correct and Bryan said yes. Havlin asked if they need to do any rezoning and Bryan stated no, it is not going to affect us. We have a provision in the code allowing us to adjust a zoning boundary by 20 ft and we automatically do it when we see it on other properties and this section is way too large for us to adjust and it will have to be an actual application.
- You will need to do a traffic study and I have an example for you. This will be very similar to your project and this will probably be what the study will amount to and it is a copy of the scope of work. The way we start this process is you give us a \$500 deposit as soon as possible if you want to keep this project moving forward. We will have our traffic engineering firm, DKS Associates to proceed in developing a scope and it is my opinion it will look similar to the scope of work for the example I gave you. The traffic study's cost will range between three to four thousand dollars. If you trip the 5% of a collector street's nearby intersection for the traffic you generate they might have to study that intersection. They did not do that for this example I gave you and Havlin asked if they were studying an existing facility and Bryan said no, it is a brand new proposed facility the same size as yours. Havlin said the BE Group is in Wilsonville and they can give you an accurate account of the trips per day and Bryan said if you wanted to turn in this information to us we can send it to our consultants and they could potentially take it into account. We are assuming you are relocating and Havlin said yes.
- You will need to supply us your best guestimate for employees per acre and if you are below our aspiration of 12 employees per acre, the code states you are required to submit a conditional use permit. It does not have to be right at 12 employees, but we would like to have some idea of what you think it will be and if you are below half you will have to submit a conditional use permit. Havlin said it will have to be a conditional use permit.
- There is no way to separate your building at the property line and put a drive isle right down the center to get to the back because I could not think of any other way you could layout this building this large. You did mention the fact you might build two separate buildings and you were talking zero lot line. Havlin said it will be either this building built in two phases or built totally. Bryan said this is the type of information you should include in the variance application as why you cannot reconfigure the lot and other information for you to justify it. The practical sense is, it likely can be approved and we have had only one variance in the last nine years. The criteria is horrendous and there is no way you can comply with everything, but in a practical sense if you state practical information I think it can be approved.

- Bryan asked Jerry if we had any examples of street trees not in a planter strip because all I think about is Sequoia Parkway and Jerry said they will have to put together a landscape plan and we will review it. Bryan said we have a street tree requirement and potentially it can be on your private property since you will not have a planter strip and Havlin said they have plenty of room. Bryan said you should incorporate it into your landscape plan and we will review it and see if we agree with what you are choosing. Jerry said if you have a bigger planter and use a larger tree it would be great with us. We have a tree display along SE 4th Avenue and they have plaques in front of them to let you know the species and on our website we have a list of trees you can pick from.
- Currently you are saying the storage will be in the rear of the property and it should be screened and of course the best way to do it is either a combination using some landscaping with slatted fencing. Havlin said they will a certain type of metal fence they will use and also place some screening shrubs around the perimeter rather than doing a slatted fence. Bryan said in the long run the landscaping would be the better solution.
- It is best to provide the ordinance parking like you have done and if you do not need it, you can use it for something else. Havlin asked is it possible to get a variance and Bryan said if you decide to do the driveway variance you can combine the parking request with it, it does not cost you anymore, but I let people know to go with the bare minimum of variances you need. Havlin said we can do a dashed area on the plans showing a parking area and have it landscaped with all the storm system installed like catch basins, curb lines and in the future if needed have it paved. Bryan said the parking lot as you are showing appears to meet the special provision in an industrial overlay and it states no parking lot in the first 20 ft of the front property boundary.
- Bryan said we need to see the elevations of the building and see what it looks like and the type of materials that meets the code.
- You have the general landscaping concept, the screening and the detailed landscaped plan. We will need to have the landscaping plan, schedule of plants and you will not need to have a landscape contract in place at that time of the Planning Commission meeting.
- You are required to keep all stormwater on site and you did not provide any area necessarily for swales or detention and we do not know if you are thinking of an underground injection well. Some of the businesses in the area have large detention facilities and Havlin said we have the GEO tech report and the infiltrations are really high for the site and our plan was to do infiltration on site.
- The normal driveway separation for a non-industrial overlay is 100 ft and I am wondering if the driveway as proposed is 100 ft from the existing one next door and it looks like it does not meet that requirement. You might want to look at this because other collector streets around town have a 100 ft separation, it is just our industrial overlay zone that has a 200 ft spacing causing us to have a better control over the driveway placements.
- If you have someone who will prepare the staff report narrative for the Planning Commission review you will need a Site and Design Review Type III application and I can give you the sections of the code that applies.
- The building will not be over 45 total ft in height and Havlin said no, it is taller than the other buildings in the area, but it will be 40 ft or less.

- Havlin asked if the conditional use will go before the Planning Commission and the answer was yes. Bryan said you will have to combine your applications, variances, Site and Design Review Type 3 and it is the only option the industrial park.

BE Group

New Warehouse Distribution Center
1980 SE 4TH AVENUE
CANBY, OREGON

Special Inspection Notes:

Project Directory:

Owner:

BE Group
PO Box 721
Sumas, Washington 98295
Phone: (604) 850-5203
Contact: Kevin Friesen

Engineer:

VLMK Engineering + Design
3933 Southwest Kelly Avenue
Portland, Oregon 97239
Phone: (503) 222-4453
Contact: Havlin Kemp, P.E.,

Landscape Architect:

Otten and Associates
3933 Southwest Kelly Ave., Suite B
Portland, Oregon 97239
Phone: (503) 972-0311
Contact: Janet Otten

Site Surveyor:

Northwest Surveying, inc.
1815 Northwest 169th Place Suite 2090
Beaverton, Oregon 97006
Phone: (503) 848-2127
Contact: Clint Stubbs

Schedule of Drawings:

REVISIONS		DATE	DESCRIPTION
Description of Set: →		06/09/17	DESIGN REVIEW SET
SHEET	TITLE	DATE	DESCRIPTION
-	COVER SHEET	●	
C1.0	SITE PLAN	●	
C1.1	ARCHITECTURAL SITE DETAILS	●	
C2.0	SITE UTILITY PLAN	●	
C3.0	SITE GRADING PLAN	●	
C4.0	SITE EROSION CONTROL COVER SHEET	●	
C4.1	SITE EXISTING CONDITIONS AND DEMO PLAN		
C4.2	SITE SEDIMENT AND EROSION CONTROL PLAN		
C4.3	SEDIMENT AND EROSION CONTROL DETAILS		
C6.0	SITE LIGHTING PLAN	●	
-	SITE SURVEY	●	
L1.0	SITE LANDSCAPE PLAN	●	
L2.0	SITE LANDSCAPE SPECIFICATIONS AND DETAILS	●	
A0.0	CODE REVIEW		
A1.0	FLOOR PLAN	●	
A1.1	ENLARGED FLOOR PLANS -		
A2.0	EXTERIOR ELEVATIONS AND BUILDING SECTION	●	
A3.0	WALL SECTIONS		
A3.1	WALL SECTIONS		
A4.0	ROOF PLAN AND DETAILS		
A5.0	ENLARGED PLANS AND DETAILS		
A6.0	SPECIFICATIONS		
A6.1	SPECIFICATIONS		
S1.0	FOUNDATION PLAN		
S2.0	FOUNDATION DETAILS		
S3.0	ROOF FRAMING PLAN		
S4.0	ROOF FRAMING DETAILS		
S5.0	PANEL ELEVATIONS AND DETAILS		
S6.0	PANEL ELEVATIONS AND DETAILS		
-	CIVIL CALCULATIONS		
-	STRUCTURAL CALCULATIONS		

FIRST ISSUE RE-ISSUED - NO CHANGES PRELIMINARY/PROGRESS
 DELETED REVISED CALCULATIONS

Separate Permits / Deferred Submittals

NO.	SYSTEM DESCRIPTION	SUB-CONTRACTOR	SUBMITTAL
1	ELECTRICAL	TO BE DETERMINED	DIRECTLY TO CITY BY SUB-CONTRACTOR
2	MECHANICAL	TO BE DETERMINED	DIRECTLY TO CITY BY SUB-CONTRACTOR
3	FIRE PROTECTION	TO BE DETERMINED	DIRECTLY TO CITY BY SUB-CONTRACTOR
4	PLUMBING	TO BE DETERMINED	DIRECTLY TO CITY BY SUB-CONTRACTOR
5	RACKING	TO BE DETERMINED	DIRECTLY TO CITY BY SUB-CONTRACTOR

DEFERRED SUBMITTAL NOTE:
IN ACCORDANCE WITH I.B.C. SECTION 107.3.4.2 DEFERRED SUBMITTAL ITEMS SHALL BE REVIEWED BY VLMK PRIOR TO SUBMITTAL TO THE BUILDING OFFICIAL FOR PERMIT APPROVAL. THE SUBCONTRACTOR OR VENDOR IS RESPONSIBLE TO PROVIDE CUSTOMARY DESIGN DOCUMENTS AND PERMIT COORDINATION FOR THEIR DEFERRED SUBMITTAL ITEMS. THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THE DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL.

APPLICABLE CODES AND STANDARDS INCLUDE:
2014 O.S.S.C., 2014 O.M.S.C., 2014 O.P.S.C., 2014 O.E.S.C., 2014 O.E.E.S.C. AND 2009 ICC ANS I 117.1

PROGRESS SET <input type="checkbox"/> BID SET <input type="checkbox"/> DESIGN REVIEW SET <input checked="" type="checkbox"/> PERMIT SET <input type="checkbox"/> CONSTRUCTION SET <input type="checkbox"/>	PROJECT: BE GROUP VLMK PROJECT #: 20160645 DATE: DECEMBER, 2016
--	--

Project Permit #'s:

DESCRIPTION	PERMIT/APP. NO.	SUBMITTED	APPROVED	COMMENTS
PRE-APPLICATION MEETING	PRA 17-05	-	04-06-17	-

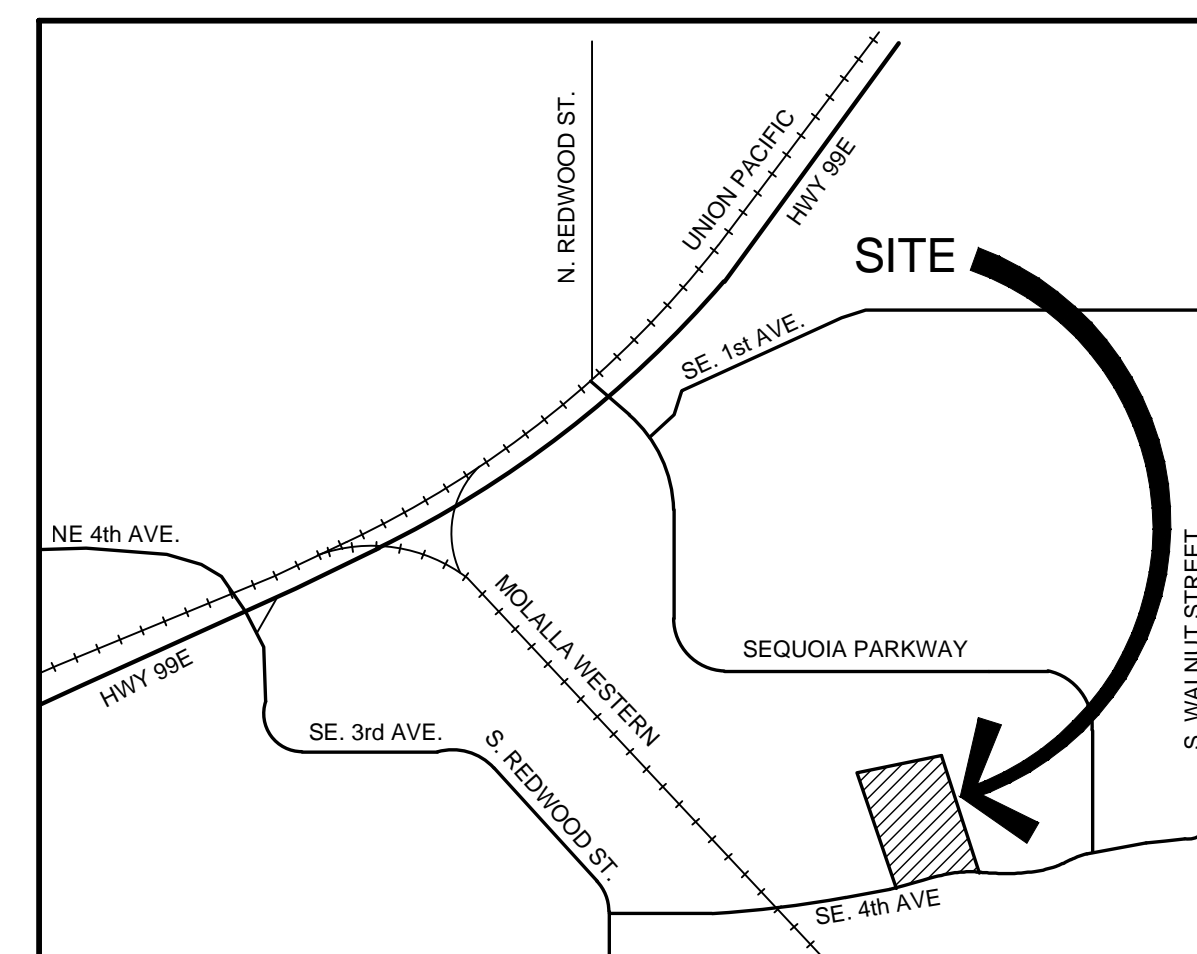
Approval Signature Block:

Approved for Construction By:	Date:	With Changes Noted:
PLANNING:		<input type="checkbox"/>
PUBLIC WORKS		<input type="checkbox"/>
CANBY UTILITY WATER		<input type="checkbox"/>
CANBY UTILITY ELECTRIC		<input type="checkbox"/>
CANBY TELEPHONE		<input type="checkbox"/>
NW NATURAL GAS		<input type="checkbox"/>
FIRE		<input type="checkbox"/>
CITY ENGINEER		<input type="checkbox"/>

NOTE:
THIS BLOCK IS FOR SITE UTILITY WORK / PERMIT ONLY.

Vicinity Map:

1"=900.0'



COVER SHEET



PROJECT NAME

New Distribution Facility
Canby, Oregon

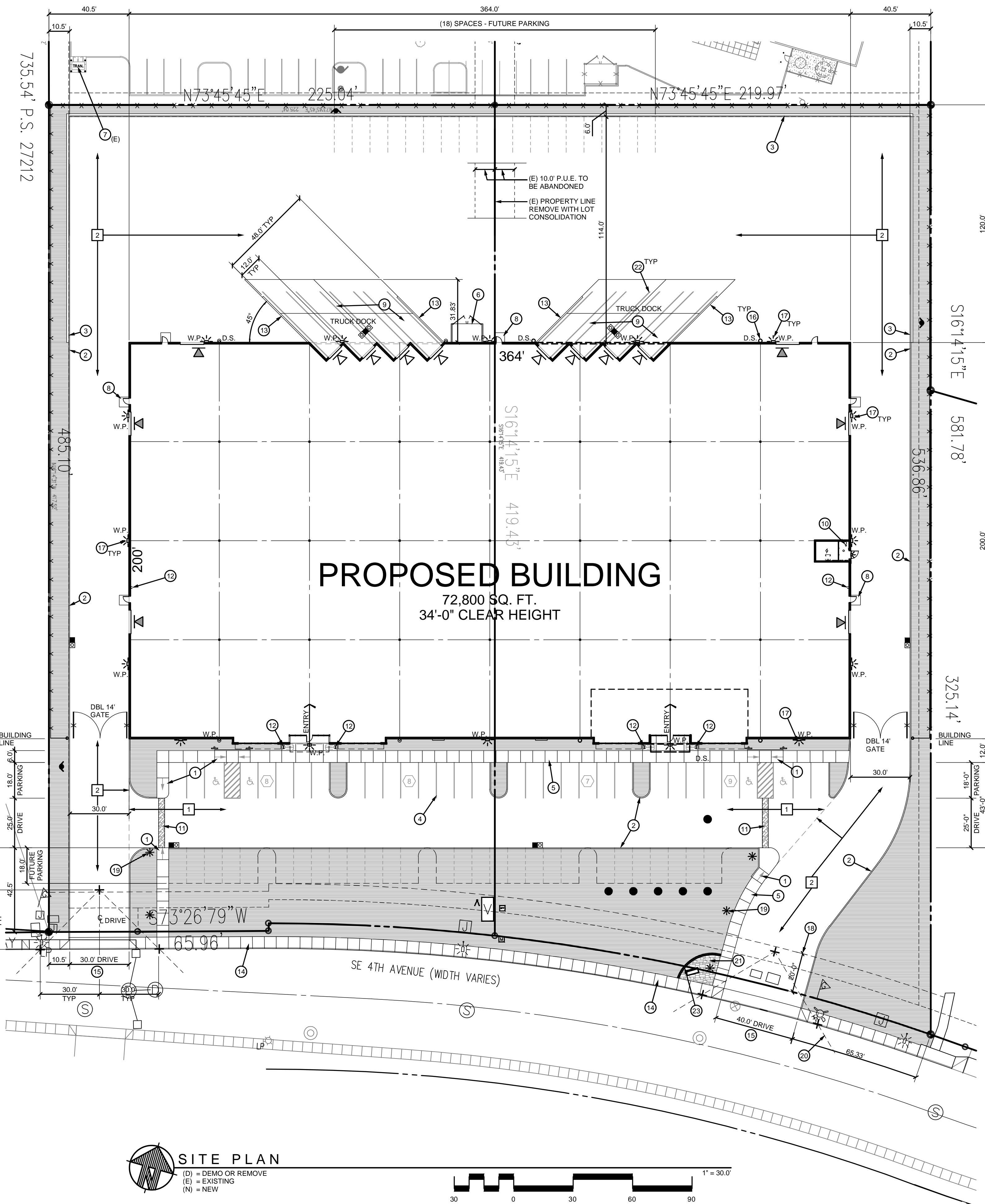
BE Group
PO Box 721
Sumas, Wa. 98295

REVISIONS

DATE	DESCRIPTION

DATE	FEBRUARY, 2017
SCALE	AS NOTED
PROJ. NO.	20160645
DRAWN	PSH
CHECKED	HGK

SITE PLAN



SITE PLANNING SYMBOLS:

- ASPHALT PAVING AS NOTED THIS SHEET
- LANDSCAPED AREA
- CONTROL DIMENSION
- 6.0' HIGH CHAIN LINK FENCE WITH GATES AS SHOWN (SEE SPECIFICATIONS)
- GARB. GARBAGE ENCLOSURE - SEE SITE DETAIL SHEET
- DISABLED PARKING STALL. 9.0' STALL W/ 6.0' STRIPED SIDE ACCESS. PROVIDE CODE APPROVED SIGN AT EACH STALL SEE STANDARD DETAIL AT SITE DETAIL SHEET.
- DISABLED VAN PARKING STALL. 9.0' STALL W/ 8.0' STRIPED SIDE ACCESS. PROVIDE CODE APPROVED SIGN AT EACH STALL SEE STANDARD DETAIL AT SITE DETAIL SHEET.
- NUMBER OF STANDARD PARKING STALLS 8.5' X 18.0'
- DOCK DOOR
- GRADE DOOR

PLANNING AND ZONING REVIEW:

JURISDICTION	CITY OF CANBY
LAND USE ZONE	M-1 / M-2
OVERLAY ZONES	I-O
STREET ADDRESS	1980 SE 4TH AVENUE
SETBACKS - STRUCTURES:	20'-0" FRONT, 10'-0" SIDE, 0'-0" REAR
AUTO PARKING REQUIRED OFFICE:	2 SPACES PER 1,000 SQ. FT. (4,000 FOR CALC) = 8
FR / WHSE:	1 SPACE PER 1,000 SQ. FT. (69,215 FOR CALC) = 69
	= 77
PARKING PROVIDED FUTURE PARKING	32 SPACES - (4) ADA (28) STANDARD 8.5. X 18' 46 SPACES - STANDARD 8.5. X 18'
LANDSCAPING REQUIRED	15% OF SITE AREA (190,457 SQ. FT.) 15 28,569 SQ. FT. REQUIRED
LANDSCAPE PROVIDED	31,729 SQ. FT.
PARKING LOT LANDSCAPING REQUIRED	15% OF PARKING AREA (20,505 SQ. FT.) 15 3,076 SQ. FT. REQUIRED
LANDSCAPE PROVIDED	4,991 SQ. FT.

AREA SUMMARY - PROPOSED BUILDING "C" SITE:

SITE AREA:	190,457 SQ. FT.	4.4 ACRES (+/-)
BUILDING AREA:	73,215 SQ. FT.	38.4% COVERAGE
LANDSCAPE TOTAL:	31,729 SQ. FT.	16.7% COVERAGE
IMPERVIOUS SURFACE:	85,513 SQ. FT.	44.9% COVERAGE

GENERAL IBC REVIEW:

2014 OREGON STRUCTURAL SPECIALTY CODE (OSSC), BASED ON THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE (IBC)
OREGON FIRE CODE (OFC) BASED ON THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE (IFC)

OCCUPANCY	F-1 MANUFACTURING S-1 (WAREHOUSE), B (OFFICE)
CONSTRUCTION TYPE	III-B (CONCRETE TILT-UP WITH WOOD ROOF)
FULLY SPRINKLED	YES
BASIC ALLOWABLE AREA	12,000 SQ. FT. (BASED ON F-1)
TOTAL ALLOWABLE AREA	UNLIMITED AREA. (WITH REDUCED OPEN SPACE INCREASE)
TOTAL AREA	73,215 SQ. FT. (PROPOSED)

PAVEMENT SECTIONS

- 1 CAR PARKING AND AISLE - 2 1/2" A.C. PAVING OVER 8" CRUSHED ROCK BASE OVER COMPACTED SUBGRADE.
- 2 HEAVY TRUCK MANEUVERING - 4" A.C. PAVING OVER 12" CRUSHED ROCK BASE OVER COMPACTED SUBGRADE.

SITE PLAN KEYNOTES

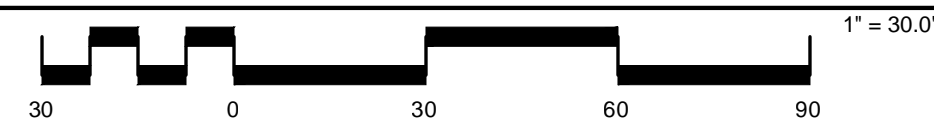
- 1 SIDEWALK RAMP. 1:12 MAXIMUM SLOPE. (ARROW DOWN)
- 2 EXTRUDED CONCRETE CURB. LOCATE AROUND ALL LANDSCAPE AREAS AS SHOWN (U.N.O.). 5'-0" TYPICAL CURB RADIUS AT CORNERS (U.N.O.). SEE SITE DETAILS
- 3 TRUCK BACKER CURB - SEE SITE DETAIL SHEET
- 4 3" WIDE PAINT STRIPE
- 5 NEW 6'-0" WIDE CONCRETE SIDEWALK SCORED 6'-0" O.C. SEE SITE DETAILS SHEET
- 6 GARBAGE ENCLOSURE - CONCRETE SLAB WITH 6'-0" HIGH VINYL COATED CHAINLINK FENCE WITH SIGHT OBLUSCURING SLATS. SEE SITE DETAIL SHEET
- 7 EXISTING (E) TRANSFORMER PAD AND BOLLARDS - COORDINATE WITH UTILITY COMPANY FOR NEW SERVICE / TRANSFORMER
- 8 5'-0" X 5'-0" MIN. CONCRETE LANDING (4" THICK - UNREINFORCED). TYPICAL AT ALL EXTERIOR DOORS FROM WAREHOUSE
- 9 LOADING DOCK CONCRETE SLAB. 7 INCH THICK UNREINFORCED CONCRETE OVER 6 INCHES COMPACTED CRUSHED ROCK OVER COMPACTED SUBGRADE.
- 10 FIRE SPRINKLER AND DOMESTIC WATER RISER - SEE ALSO SITE UTILITY PLAN
- 11 3'-0" WIDE (4" THK) STAMPED CONCRETE CROSSING (RANDOM SHALE PATTERN)
- 12 BICYCLE RACK WITH 2' X 6' SPACE TYPICAL EXTERIOR AND INTERIOR INTERIOR SPACES WALL MOUNT. (8) SPACES TOTAL SEE SITE DETAILS
- 13 RETAINING WALL WITH GUARDRAIL - SEE SITE DETAILS
- 14 NEW PUBLIC SIDEWALK PER CITY OF CANBY STANDARDS. SEE SITE GRADING PLANS
- 15 NEW CONCRETE DRIVEWAY PER CITY OF CANBY STANDARDS
- 16 D.S. = DOWNSPOUT 8" DIAMETER TYP
- 17 W.P. = WALLPACK LIGHT (BIDDER DESIGN) TO BE 'FULLY SHIELDED' LIGHTING AT 7800 LUMENS OR LESS OR 'SHIELDED' LIGHTING AT 1600 LUMENS OR LESS. SEE ELEVATIONS AND SHEET C6.0
- 18 20'-0' SITE DEVELOPMENT SETBACK
- 19 PATH LIGHT - LIGHT BOLLARD
- 20 SIGHT DISTANCE TRIANGLE
- 21 PUBLIC SEATING AREA - BENCH ON 4" THICK STAMPED CONCRETE PAD (RANDOM SHALE PATTERN)
- 22 3" WIDE X 40'-0" LONG TRUCK BACKING 'LINE-UP' STRIPE AT EACH SIDE OF LOADING DOCK DOORS
- 23 18" HIGH 'ROCKERY' STYLE LANDSCAPING WALL AROUND BACK PERIMETER OF PUBLIC SEATING AREA

SITE PLAN

- (D) = DEMO OR REMOVE
- (E) = EXISTING
- (N) = NEW

GENERAL NOTES:

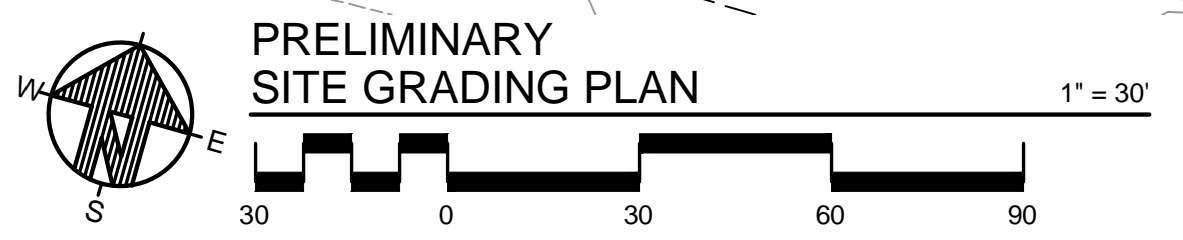
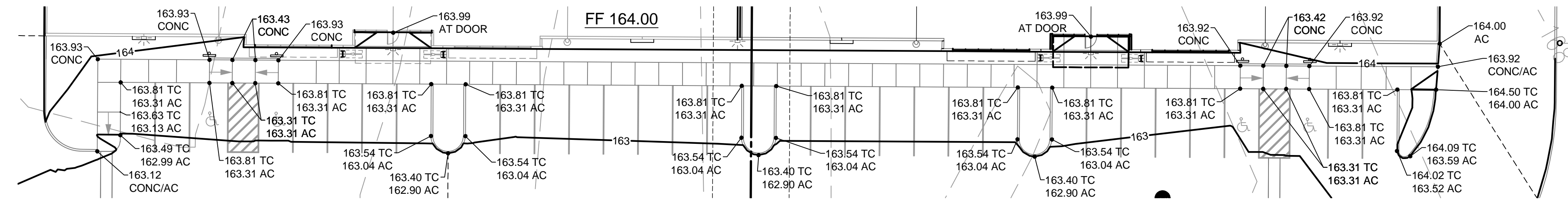
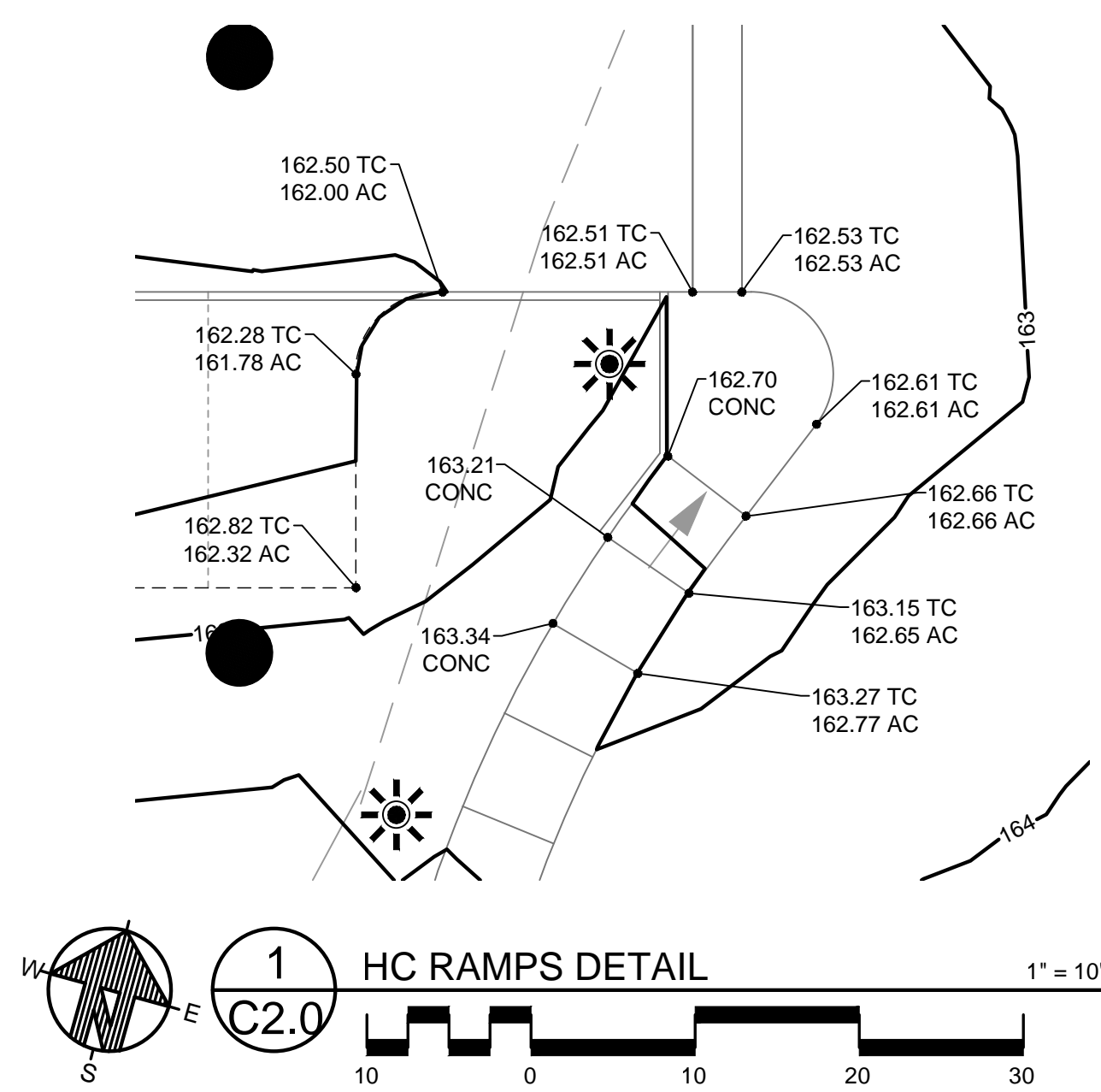
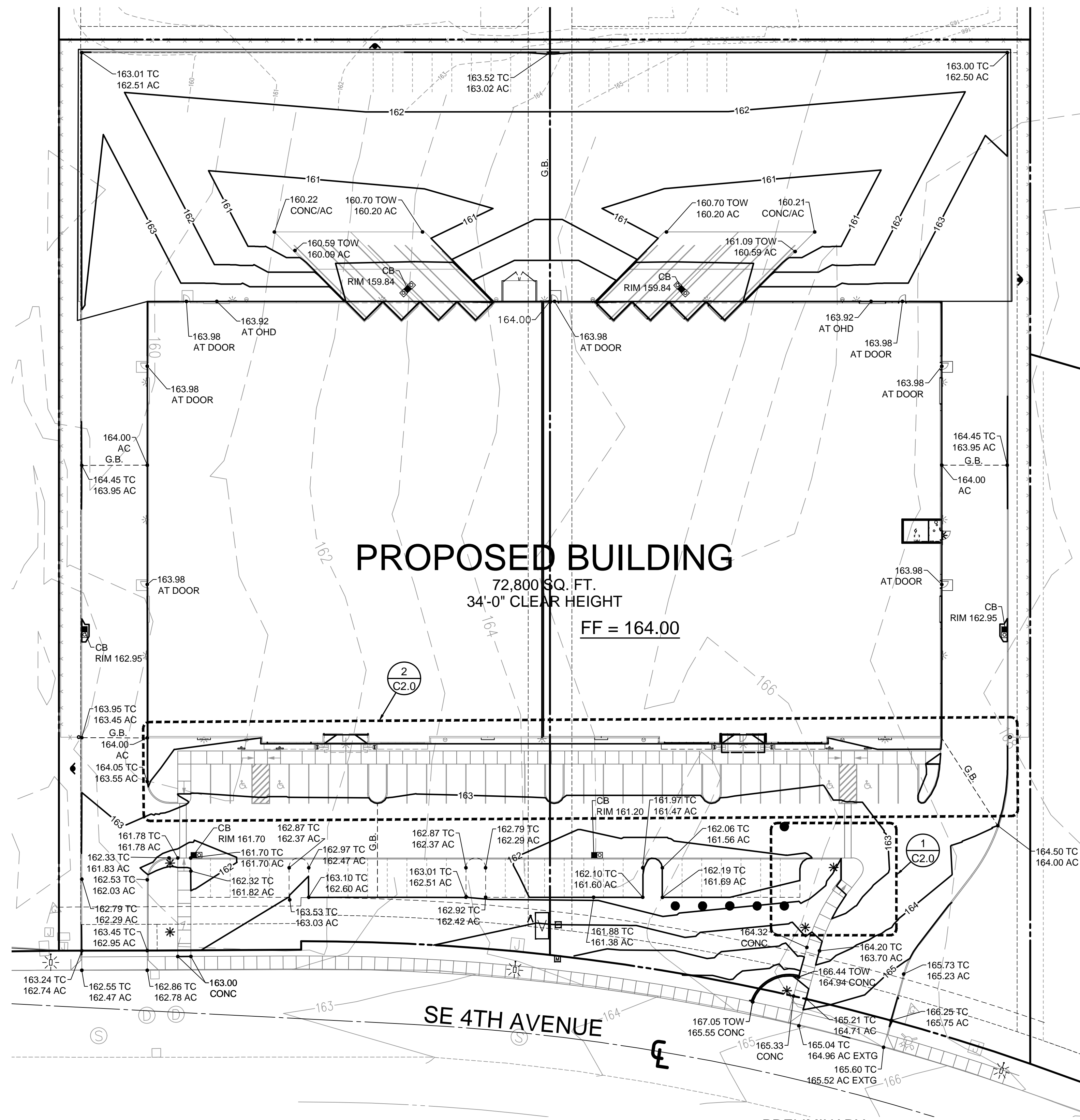
- PROPERTY LINE BEARINGS AND DISTANCES AS WELL AS SITE AREA CALCULATIONS ARE PROVIDED FOR ZONING AND PERMIT REVIEW ONLY. REAL PROPERTY LEGAL DESCRIPTIONS AND AREA CALCULATIONS ARE TO BE PROVIDED BY A REGISTERED PROFESSIONAL SURVEYOR.



REVISIONS	
DATE	DESCRIPTION

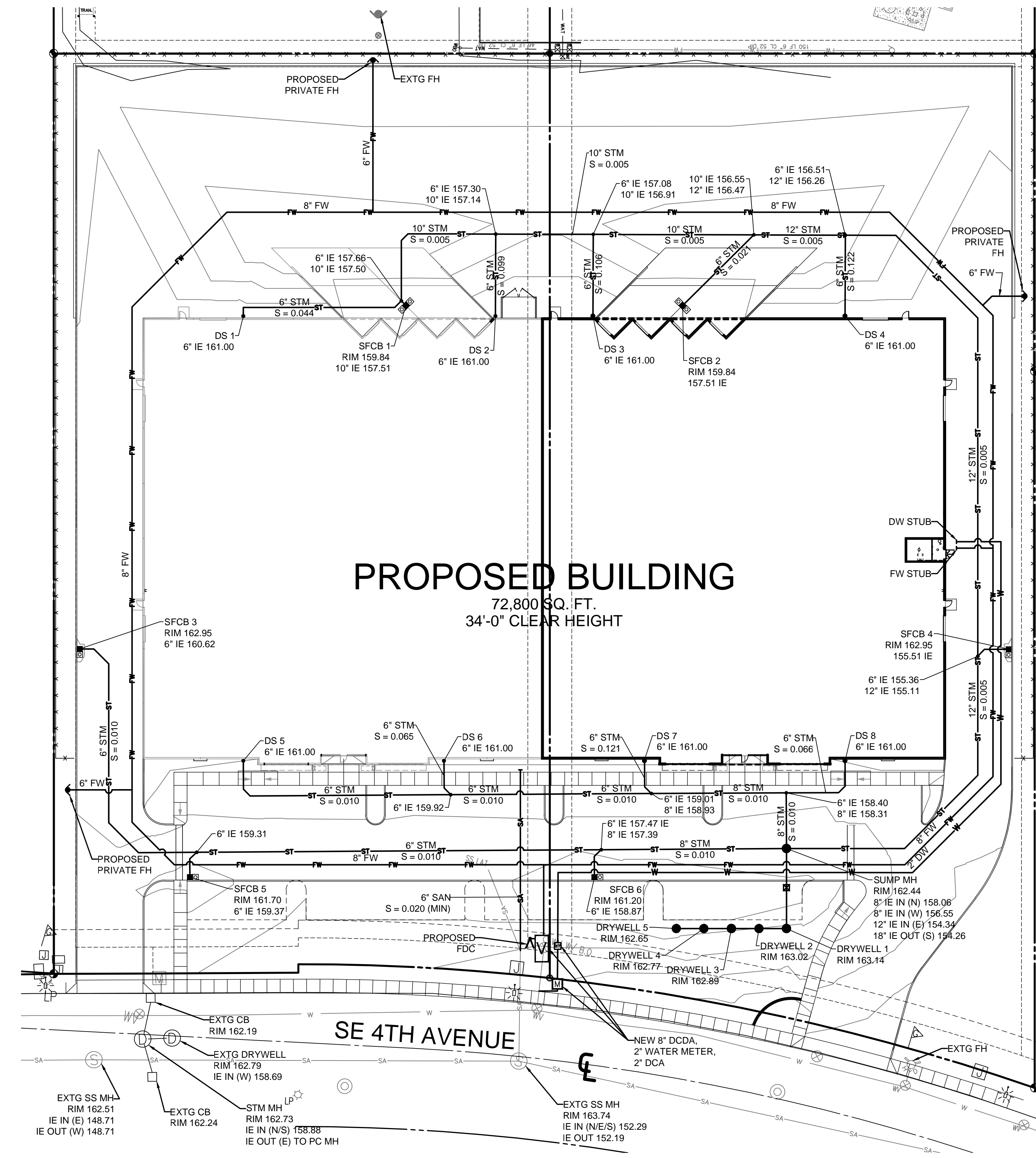
DATE	FEBRUARY, 2017
SCALE	AS NOTED
PROJ. NO.	20160645
DRAWN	NDM
CHECKED	BMD

GRADING PLAN



SITE INFORMATION
SURVEY INFORMATION FROM BOUNDARY & TOPOGRAPHIC SURVEY FROM TOPOGRAPHIC SURVEY OF LOTS 2 AND 3, LOCATED IN SE 1/4 SEC. 34, T.35, R.1E., W.M. CITY OF CANBY, CLACKAMAS COUNTY, OREGON. PROVIDED BY: NORTHWEST SURVEYING, INC. (ADDRESS: 1815 NW 169TH PLACE, SUITE 2090 BEAVERTON, OR 97006; PHONE: 503-848-2127; JOB #: 425)

C2.0

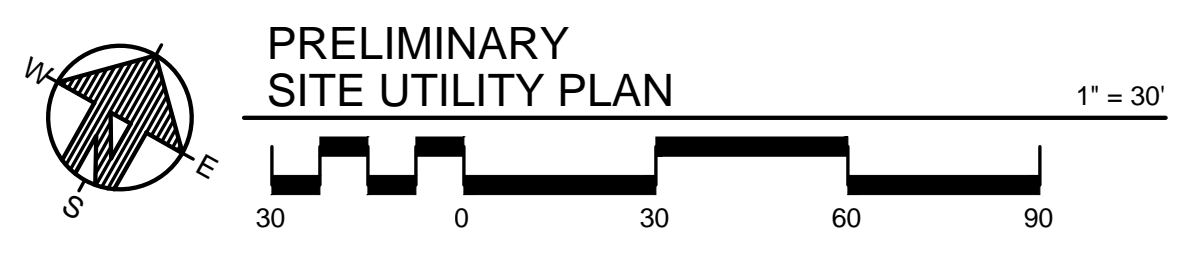


PROJECT NAME
New Distribution Facility
Canby, Oregon

BE Group
PO Box 721
Sumas, Wa. 98295

REVISIONS

△	DATE	DESCRIPTION



SITE INFORMATION

SURVEY INFORMATION FROM BOUNDARY & TOPOGRAPHIC SURVEY FROM TOPOGRAPHIC SURVEY OF LOTS 2 AND 3. LOCATED IN SE 1/4 SEC. 34, T.3S., R.1E., W.M. CITY OF CANBY, CLACKAMAS COUNTY, OREGON. PROVIDED BY: NORTHWEST SURVEYING, INC. (ADDRESS: 1815 NW 169TH PLACE, SUITE 2090 BEAVERTON, OR 97006; PHONE: 503-848-2127; JOB #: 425)

DATE	FEBRUARY, 2017
SCALE	AS NOTED
PROJ. NO.	20160645
DRAWN	NDM
CHECKED	BMD

UTILITY PLAN

REVISIONS

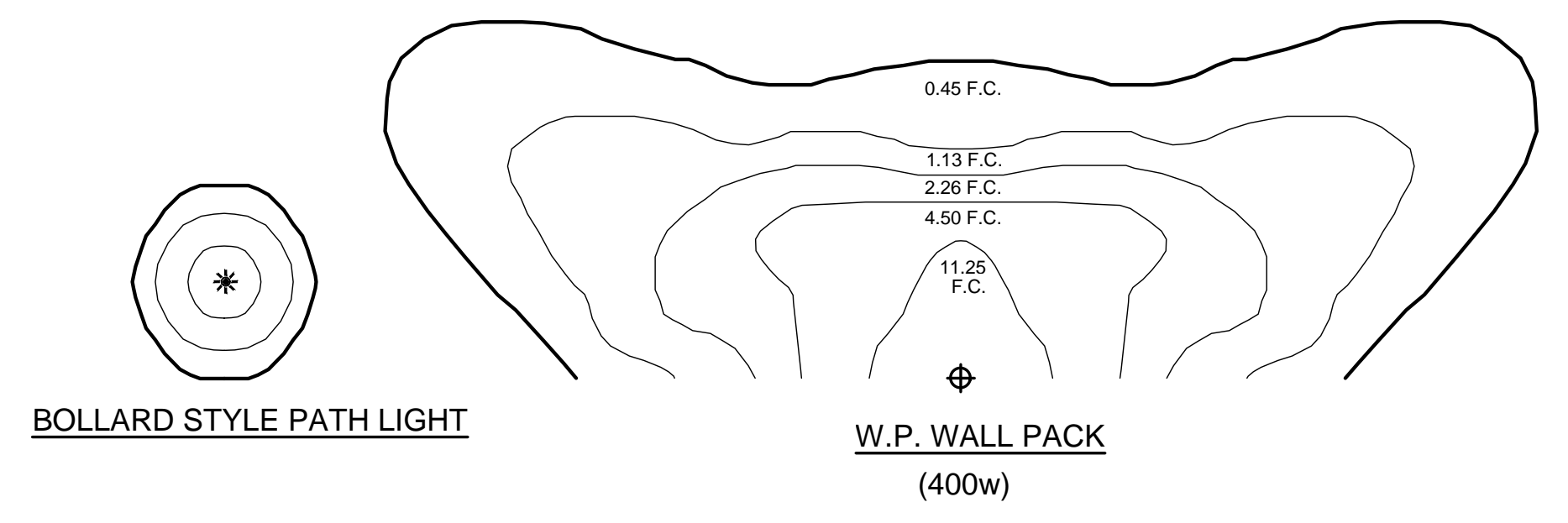
DATE	DESCRIPTION

DATE: FEBRUARY, 2017

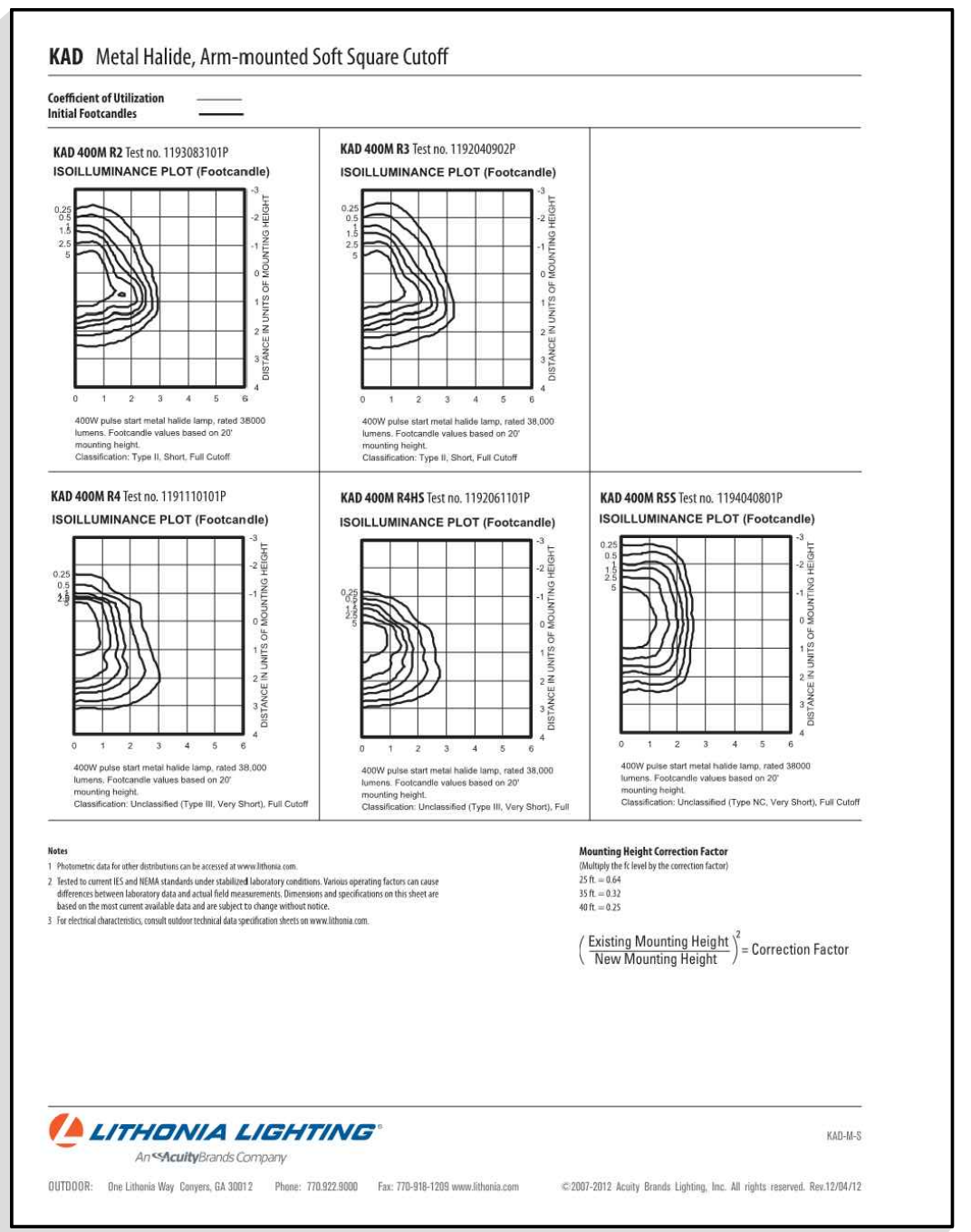
SCALE: AS NOTED	PROJ. NO.: 20160645
DRAWN: PSH	CHECKED: HGK

SITE LIGHTING PLAN

C6.0

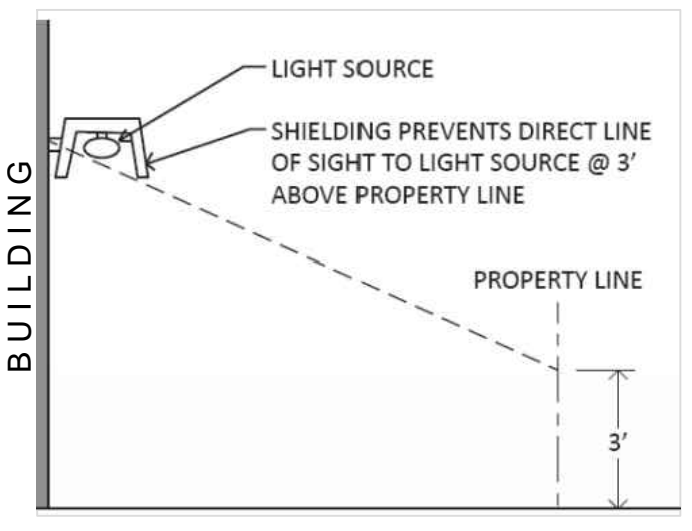


2 TYPICAL WALL PACK LIGHTING WASH
C6.0 N.T.S.



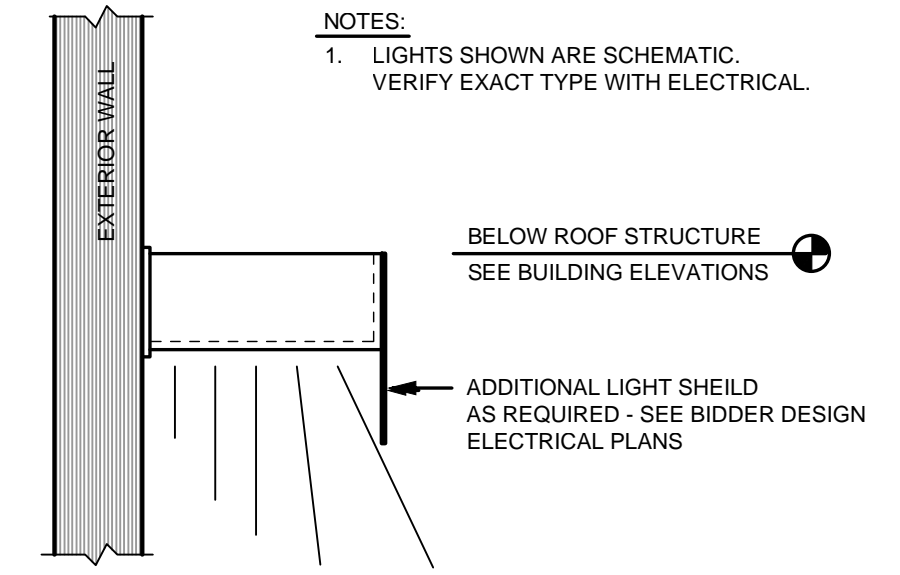
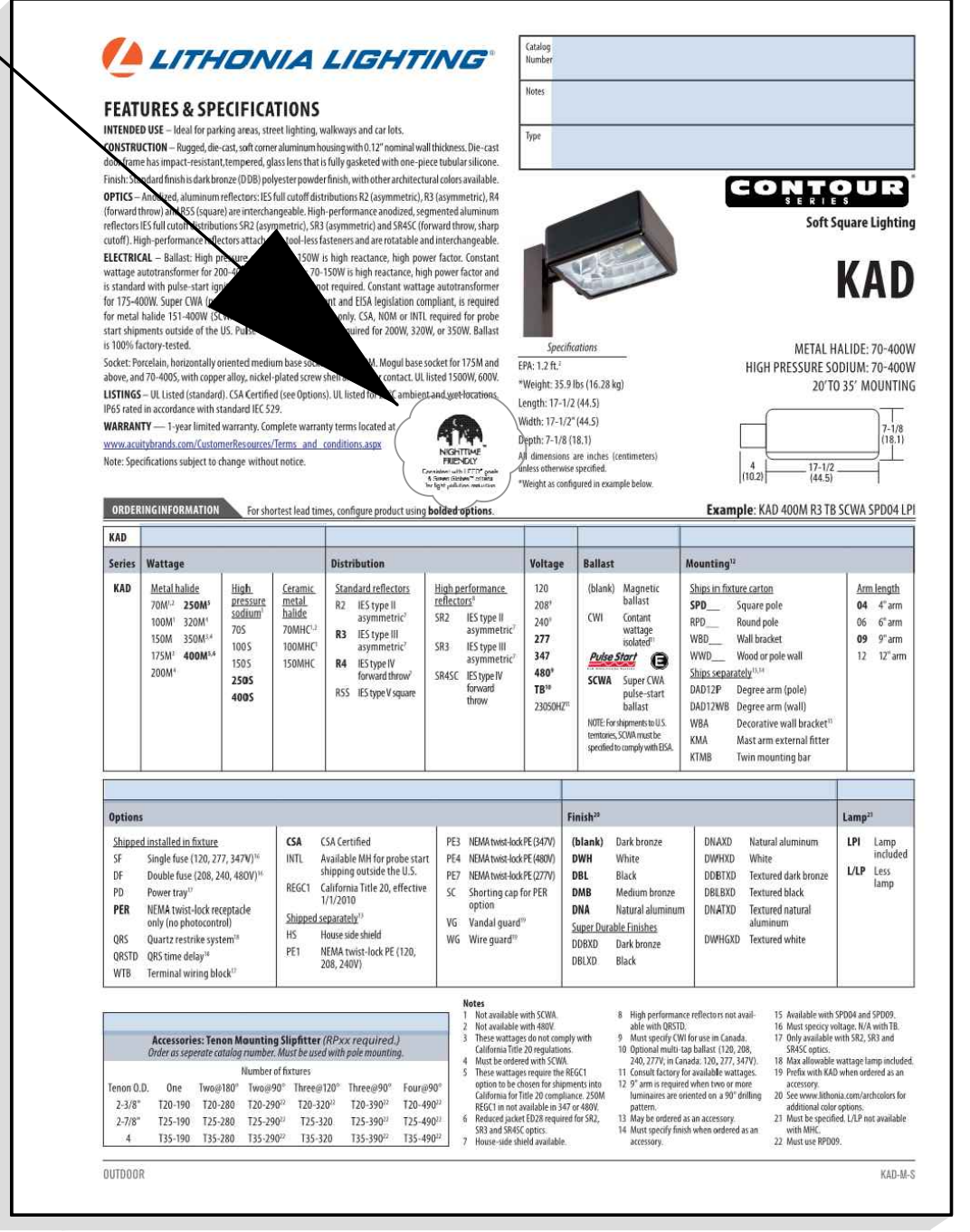
ALL SITE LIGHTING TO MEET THE REQUIREMENTS OF C.O. CANBY STANDARDS TABLE 16.43.070 FOR ZONE LZ-2 AMBIENT LEVEL MEDIUM LIGHTING

CONSTRUCTION DOCUMENTS TO PROVIDE LZ-2 LUMENS FOR LIGHTING IN ACCORDANCE WITH TABLE 17.43.070 LUMINAIRE MAXIMUMS



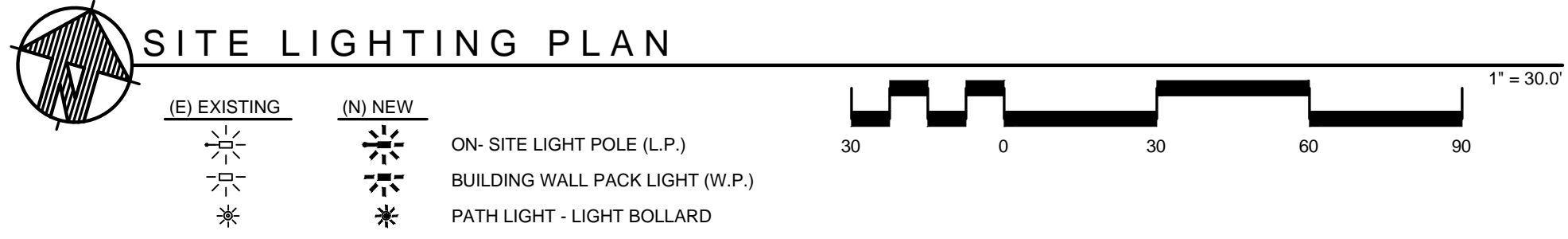
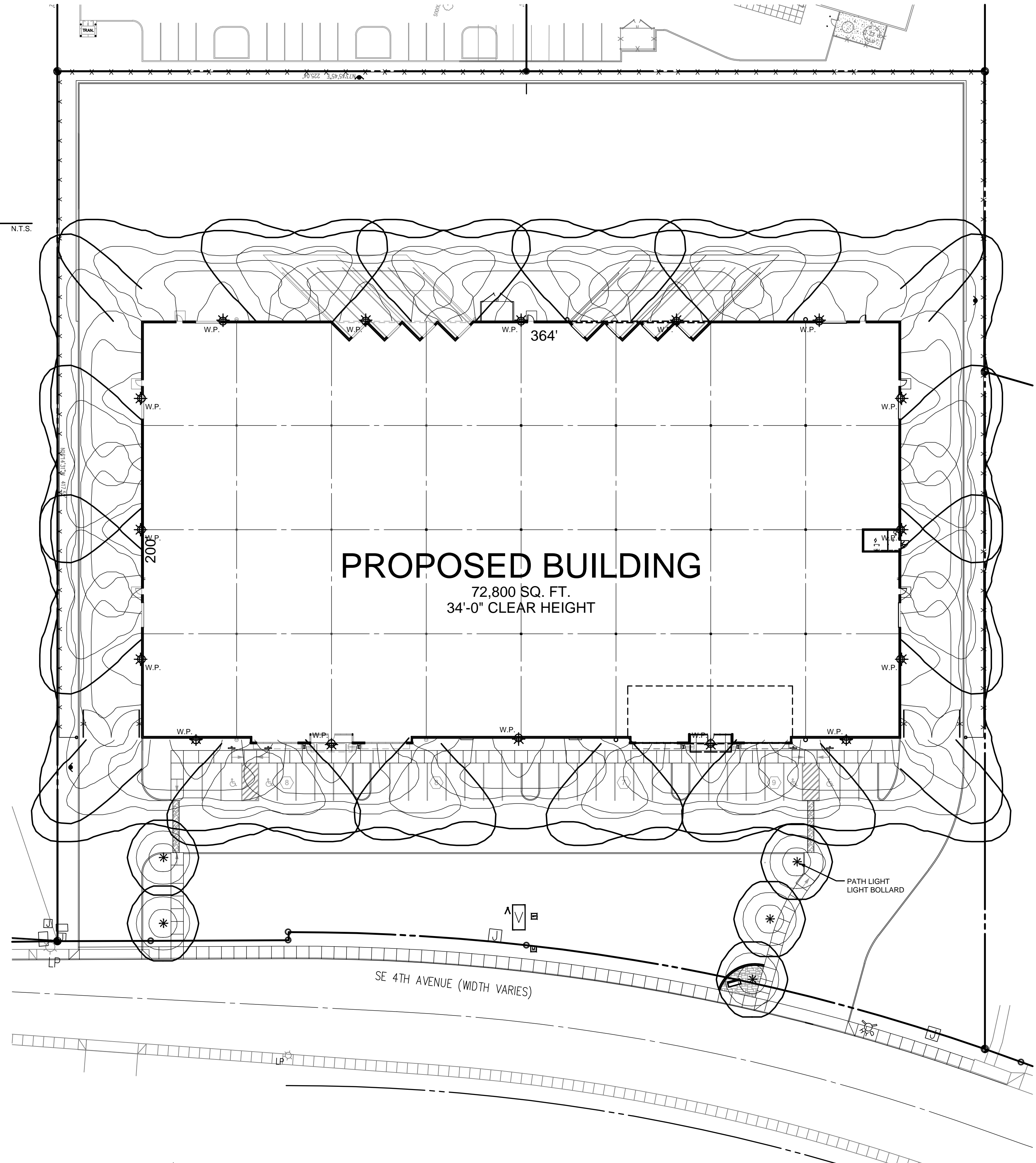
TYPICAL LIGHTING SHIELD

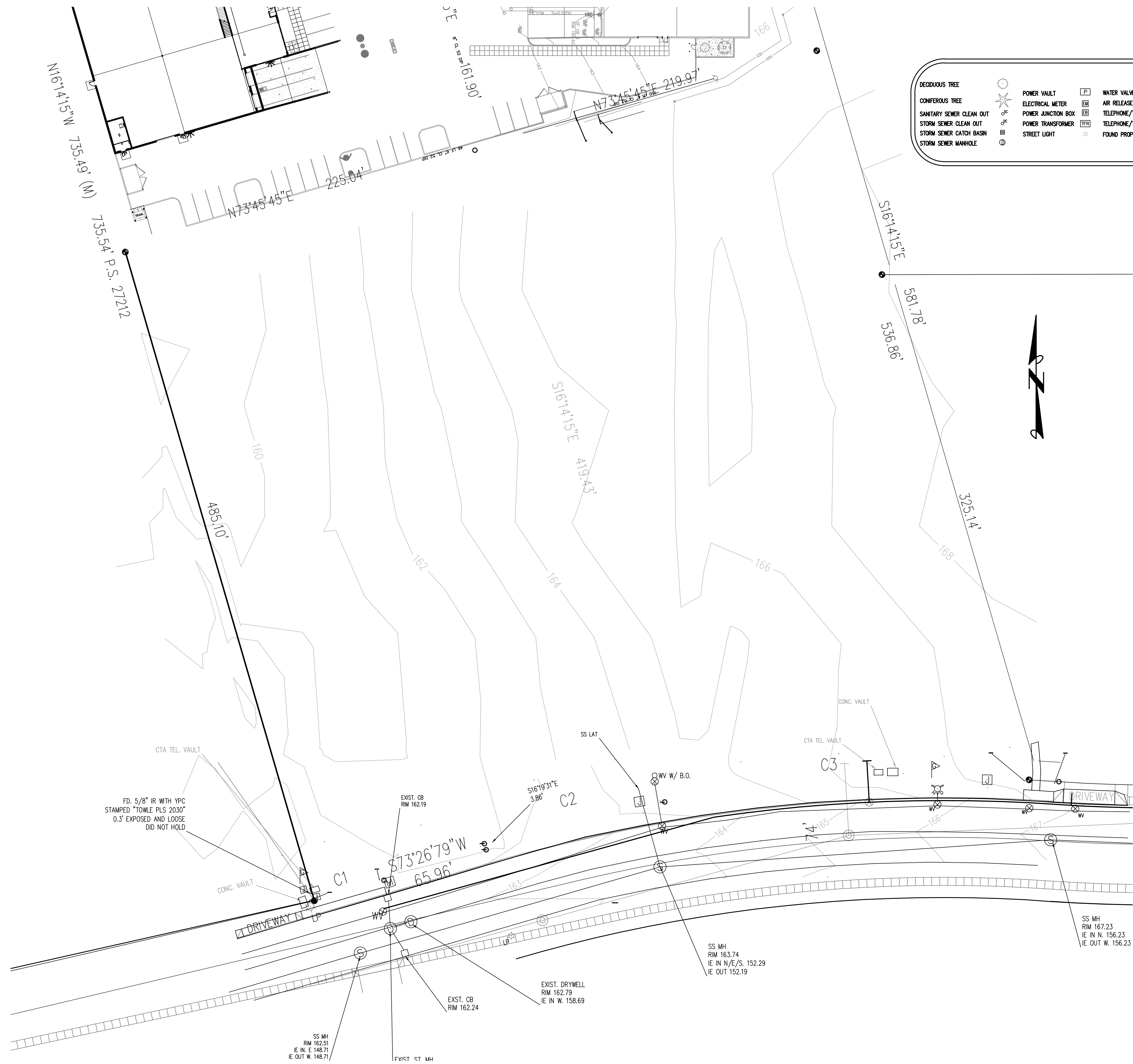
LIGHT POLLUTION COMPLIANT CERT



1 WALL PACK LIGHT DETAIL
C6.0 1" = 1'-0"

3 TYPICAL WALL MOUNT (WALL PACK) LIGHTING
C6.0 N.T.S.
NOTE: LIGHT SHOWN IS CAPABLE OF BOTH WALL AND POLE MOUNT





LEGEND			
DECIDUOUS TREE	POWER VAULT	WATER VALVE	RIGHT-OF-WAY LINE
CONIFEROUS TREE	ELECTRICAL METER	AIR RELEASE VALVE	BOUNDARY LINE
SANITARY SEWER CLEAN OUT	POWER JUNCTION BOX	TELEPHONE/TELEVISION VAULT	PROPERTY LINE
STORM SEWER CLEAN OUT	POWER TRANSFORMER	TELEPHONE/TELEVISION RISER	CENTERLINE
STORM SEWER CATCH BASIN	STREET LIGHT	FOUND PROPERTY CORNER MONUMENT	CURB
STORM SEWER MANHOLE			EDGE OF PAVEMENT
			GRAVEL EDGE
			POWER LINE
			TELEPHONE LINE
			SANITARY SEWER LINE
			STORM SEWER LINE
			WATER LINE



PROJECT NAME

**New Distribution
Facility
Canby, Oregon**

BE Group
PO Box 721
Sumas, Wa. 98295

REVISIONS

DATE	DESCRIPTION

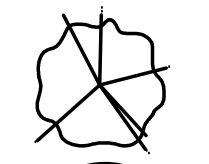
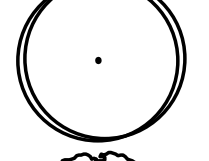

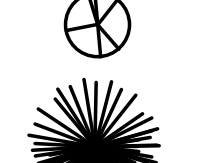
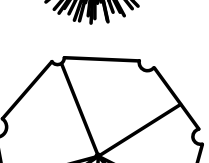
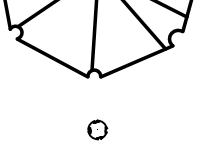





















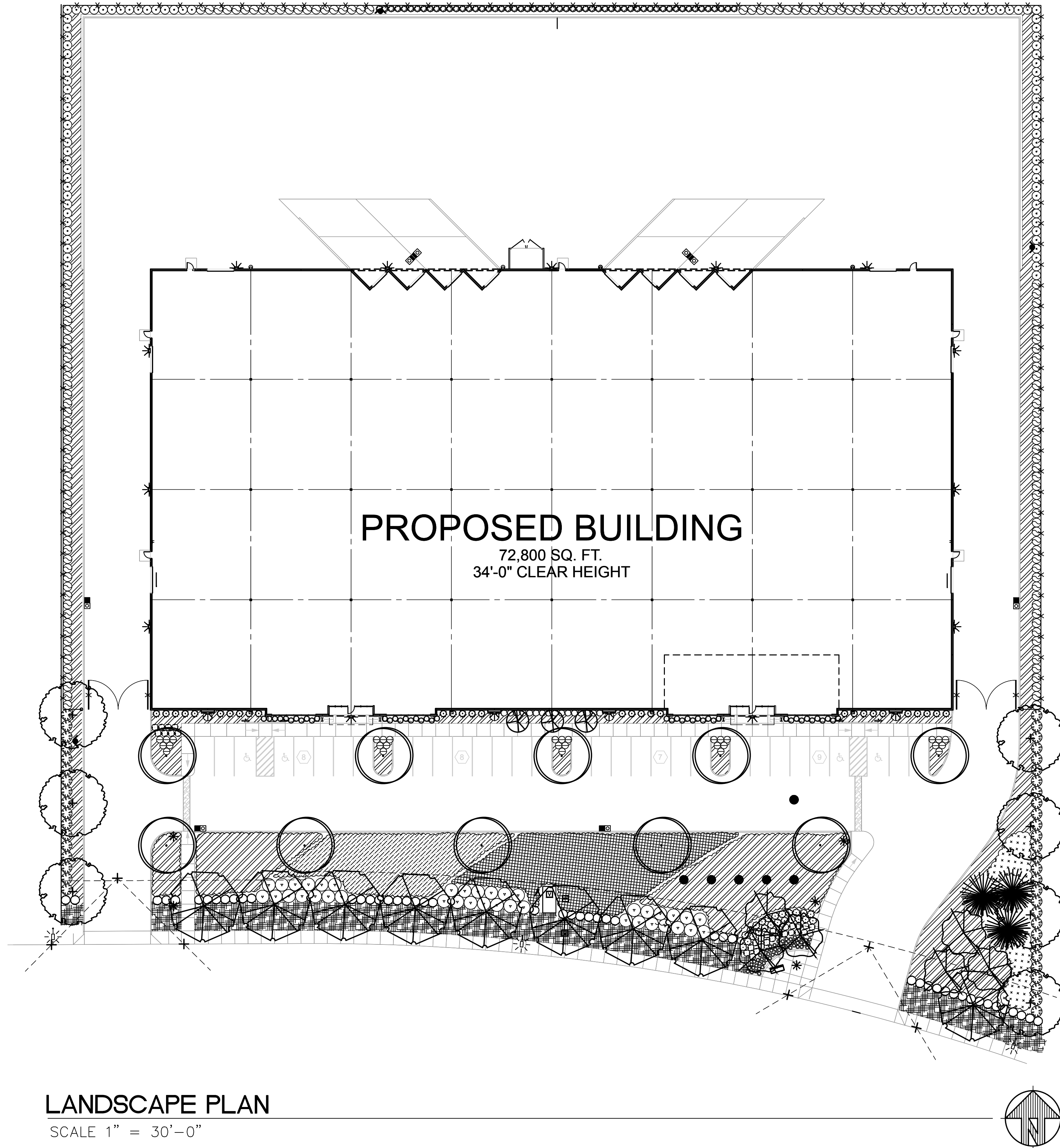
DATE FEBRUARY, 2017

SCALE AS NOTED PROJ. NO. 20160645

DRAWN CW CHECKED JLO

LANDSCAPE PLAN

SYMBOL	#	LATIN NAME / COMMON NAME	SIZE	SPACING
TREES				
	6	CERCIS CANADENSIS "FOREST PANSY" Forest Pansy Canadian Redbud	1 1/2" cal.	As shown
	10	FRAXINUS PENN. "SUMMIT" Patmore Ash	2" cal.	As shown
	7	PYRUS CALLERYANA "CHANTICLEER" Chanticleer Flowering Pear	2" cal.	As shown
	3	PRUNUS X HILLIERI "SPIRE" Hogan Cedar	6-7'	As shown
	3	THUJA PLICATA "FASTIGIATA" Spire Cherry	2" cal.	As shown
	9	ZELKOVA SERRATA "VILLAGE GREEN" Japanese Zelkova	2" cal.	As shown
SHRUBS				
	31	ABELIA X "ROSE CREEK" Rose Creek Abelia	2 gal.	3' o.c.
	39	ARBUTUS UNEDO "COMPACTA" Compact Strawberry Tree	5 gal.	6' o.c.
	134	BERBERIS THUN. "ROSE GLOW" Rose Glow Japanese Barberry	5 gal.	4' o.c.
	4	EUONYMUS ALATA "COMPACTA" Dwarf-Winged Euonymus	5 gal.	4' o.c.
	45	EUONYMUS JAPONICA "SILVER KING" Silver King Japanese Euonymus	5 gal.	5' o.c.
	56	ESCALLONIA "NEWPORT DWARF" Newport Dwarf Escallonia	2 gal.	3' o.c.
	24	ILEX CRENATA "GREEN ISLAND" Green Island Japanese Holly	2 gal.	3' o.c.
	30	JUNIPERUS SCOPULORUM "SKYROCKET" Skyrocket Juniper	2 gal.	3' o.c.
	89	LIGUSTRUM JAPONICUM "TEXANUM" Texan Japanese Privet	5 gal.	4' o.c.
	16	NANDINA DOMESTICA "GULF STREAM" Gulf Stream Nandina	2 gal.	3' o.c.
	44	Nandina domestica "Harbour Dwarf" Heavenly Bamboo	1 gal.	30" o.c.
	49	VIBURNUM TINUS "SPRING BOUQUET" Spring Bouquet Laurustinus	5 gal.	5' o.c.
	76	SPIRAEA X BUM. "GOLDMOUND" Goldmound Spirea	2 gal.	3' o.c.
	30	SPIRAEA X BUM. "LIMEMOUND" Limemound Spirea	2 gal.	3' o.c.
GROUNDCOVER & PERENNIALS				
	365	CORNUS SERICEA "KELSEY" Kelsey Red-Osier Dogwood	1 gal.	30" o.c.
	54	CAREX OSHIMENSIS "EVERGOLD" Evergold Sedge	1 gal.	18" o.c.
	1475	EUONYMUS FORST. "COLORATUS" Purple Wintercreeper	1 gal.	3' o.c.
	760	LIRIOPE MUSCARI Big Blue Lily Turf	1 gal.	2' o.c.
	460	RUBUS CALCYNOIDES "EMERALD CARPET" Emerald Carpet Bramble	1 gal.	3' o.c.

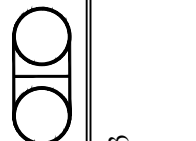


LANDSCAPE PLAN

SCALE 1" = 30'-0"

GENERAL NOTES:

- 1. Contractor is to verify all plant quantities.
- 2. Adjust plantings in the field as necessary.
- 3. Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. System is to be design/ build by Landscape Contractor. Guarantee system for a minimum one year. Show drip systems as alternate bid only.
- 4. All plants are to be fully foliated, well branched and true to form.
- 5. Contractor is to notify Landscape Architect and/or Owner's Representative of any site changes or conditions that may be detrimental to plant health or cause future problems.

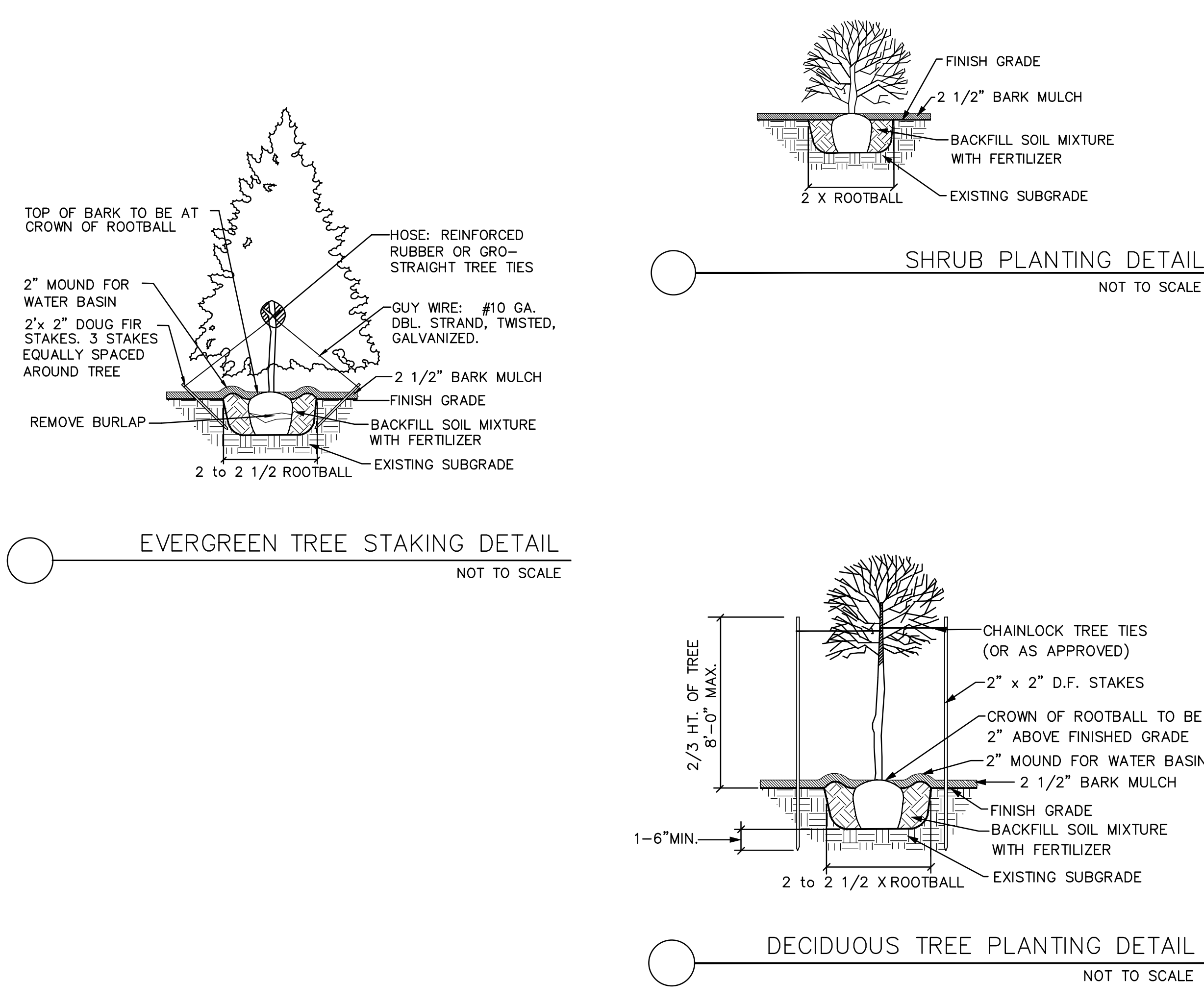


OTTEN LANDSCAPE ARCHITECTS, Inc.
3933 SW Kelly Avenue Suite B Portland, Oregon 97239-4303
Phone (503) 972-0311 Fax (503) 972-0514 www.ottenla.com

PROJECT NAME

New Distributor Facility Canby, Oregon

BE Group
PO Box 72
Sumas, Wa. 98295



OUTLINE SPECIFICATIONS PLANTING:

GENERAL: All plants shall conform to all applicable standards of the latest edition of the "American Association of Nurserymen Standards", A.N.S.I. Z60.1 - 1973. Meet or exceed the regulations and laws of Federal, State, and County regulations, regarding the inspection of plant materials, certified as free from hazardous insects, disease, and noxious weeds, and certified fit for sale in Oregon.

The apparent silence of the Specifications and Plans as to any detail, or the apparent omission from them of a detailed description concerning any point, shall be regarded as meaning that only the best general practice is to prevail and that only material and workmanship of first quality are to be used. All interpretations of these Specifications shall be made upon the basis above stated.

Landscape contractor shall perform a site visit prior to bidding to view existing conditions.

PERFORMANCE QUALITY ASSURANCE: Use adequate numbers of skilled workmen who are thoroughly trained and experienced in the necessary horticultural practices and who are completely familiar with the specified requirements and methods needed for the proper performance of the work of this section.

NOTIFICATION: Give Landscape Architect minimum of 2 days advance notice of times for inspections. Inspections at growing site does not preclude Landscape Architect's right of rejection of deficient materials at project site. Each plant failing to meet the above mentioned "Standards" or otherwise failing to meet the specified requirements as set forth shall be rejected and removed immediately from the premises by the Contractor and at his expense, and replaced with satisfactory plants or trees conforming to the specified requirements.

SUBSTITUTIONS: Only as approved by the Landscape Architect or the Owner's Representative.

GUARANTEE AND REPLACEMENT: All plant material shall be guaranteed from final acceptance for one full growing season or one year, whichever is longer. During this period the Contractor shall replace any plant material that is not in good condition and producing new growth (except that material damaged by severe weather conditions, due to Owner's negligence, normally unforeseen peculiarities of the planting site, or lost due to vandalism). Guarantee to replace, at no cost to Owner, unacceptable plant materials with plants of same variety, age, size and quality as plant originally specified. Conditions of guarantee on replacement plant shall be same as for original plant.

Landscape Contractor shall keep on site for Owner's Representative's inspection, all receipts for soil amendment and topsoil deliveries.

PROTECTION Protect existing roads, sidewalks, and curbs, landscaping, and other features remaining as final work. Verify location of underground utilities prior to doing work. Repair and make good any damage to service lines, existing features, etc. caused by landscaping installation.

PLANT QUALITY ASSURANCE: Deliver direct from nursery. Maintain and protect roots of plant material from drying or other possible injury. Store plants in shade and protect them from weather immediately upon delivery, if not to be planted within four hours.

Nursery stock shall be healthy, well branched and rooted, formed true to variety and species, full foliated, free of disease, injury, defects, insects, weeds, and weed roots. Trees shall have straight trunks, symmetrical tips, and have an intact single leader. Any trees with double leaders will be rejected upon inspection. All Plants: True to name, with one of each bundle or lot tagged with the common and botanical name and size of the plants in accordance with standards of practice of the American Association of Nurserymen, and shall conform to the Standardized Plant Names, 1942 Edition.

Container grown stock: Small container-grown plants, furnished in removable containers, shall be well rooted to ensure healthy growth. **Grow container plants in containers a minimum of one year** prior to delivery, with roots filling container but not root bound. Bare root stock: Roots well-branched and fibrous. Balled and burlapped (B&B): Ball shall be of natural size to ensure healthy growth. Ball shall be firm and the burlap sound. No loose or made ball will be acceptable.

TOPSOIL AND FINAL GRADES: Landscape Contractor is to verify with the General Contractor if the on site topsoil is or is not conducive to proper plant growth. Supply alternate bid for imported topsoil.

Landscape Contractor is to supply and place 12" of topsoil in planting beds and 6" in lawn areas. If topsoil stockpiled on site is not conducive to proper plant growth, the Landscape Contractor shall import the required amount. Landscape Contractor is to submit samples of the imported soil and/or soil amendments to the Landscape Architect. The topsoil shall be a sandy loam, free of all weeds and debris inimical to lawn or plant growth.

Landscaping shall include finished grades and even distribution of topsoil to meet planting requirements. Grades and slopes shall be as indicated. Planting bed grades shall be approximately 3" below adjacent walks, paving, finished grade lines, etc., to allow for bark application. Finish grading shall remove all depressions or low areas to provide positive drainage throughout the area.

PLANTING SPECIFICATIONS:

HERBICIDES: Prior to soil preparation, all areas showing any undesirable weed or grass growth shall be treated with Round-up in strict accordance with the manufacturer's instructions.

SOIL PREPARATION: Work all areas by rototilling to a minimum depth of 8". Remove all stones (over 1 1/2" size), sticks, mortar, large clumps of vegetation, roots, debris, or extraneous matter turned up in working. Soil shall be of a homogeneous fine texture. Level, smooth and lightly compact area to plus or minus .10 of required grades.

In groundcover areas add 2" of compost (or as approved) and till in to the top 6" of soil.

PLANTING HOLE: Lay out all plant locations and excavate all soils from planting holes to 2 1/2 times the root ball or root system width. Loosen soil inside bottom of plant hole. Dispose of any "subsoil" or debris from excavation. Check drainage of planting hole with water, and adjust any area showing drainage problems.

SOIL MIX: Prepare soil mix in each planting hole by mixing:
2 part native topsoil (no subsoil)
1 part compost (as approved)

Thoroughly mix in planting hole and add fertilizers at the following rates:
Small shrubs - 1/8 lb./ plant
Shrubs - 1/3 to 1/2 lb./ plant
Trees - 1/3 to 1 lb./ plant

FERTILIZER: For trees and shrubs use Commercial Fertilizer "A" Inorganic (5-4-3) with micro-nutrients and 50% slow releasing nitrogen. For initial application in fine seed lawn areas use Commercial Fertilizer "B" (8-16-8) with micro-nutrients and 50% slow-releasing nitrogen. For lawn maintenance use Commercial Fertilizer "C" (22-16-8) with micro-nutrients and 50% slow-releasing nitrogen. DO NOT apply fertilizer to Water Quality Swale.

PLANTING TREES AND SHRUBS: Plant upright and face to give best appearance or relationship to adjacent plants and structures. Place 6" minimum, lightly compacted layer of prepared planting soil under root system. Loosen and remove twine binding and burlap from top 1/2 of root balls. Cut off cleanly all broken or frayed roots, and spread roots out. Stagger Plants in rows. Backfill planting hole with soil mix while working each layer to eliminate voids.

When approximately 2/3 full, water thoroughly, then allow water to soak away. Place remaining backfill and dish surface around plant to hold water. Final grade should keep root ball slightly above surrounding grade, not to exceed 1". Water again until no more water is absorbed. Initial watering by irrigation system is not allowed.

STAKING OF TREES: Stake or guy all trees. Stakes shall be 2" X 2" (nom.) quality tree stakes with point. They shall be of Douglas Fir, clear and sturdy. Stake to be minimum 2/3 the height of the tree, not to exceed 8'-0". Drive stake firmly 1'-6" below the planting hole. Tree ties for deciduous trees shall be "Chainlock" (or better). For Evergreen trees use "Gro-Strait" Tree Ties (or a reinforced rubber hose and guy wires) with guy wires of a minimum 2 strand twisted 12 ga. wire. Staking and guying shall be loose enough to allow movement of tree while holding tree upright.

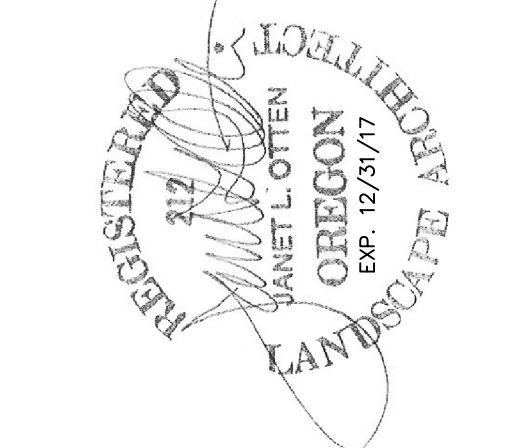
MULCHING OF PLANTINGS: Mulch planting areas with dark, aged, medium grind fir or hemlock bark (aged at least 6 months) to a depth of 2" in ground cover areas and 2 1/2" in shrub beds. Apply evenly, not higher than grade of plant as it came from the nursery, and rake to a smooth finish. Water thoroughly, then hose down planting area with fine spray to wash leaves of plants.

GENERAL MAINTENANCE: Protect and maintain work described in these specifications against all defects of materials and workmanship, through final acceptance. Replace plants not in normal healthy condition at the end of this period. Water, weed, cultivate, mulch, reset plants to proper grade or upright position, remove dead wood and do necessary standard maintenance operations. Irrigate when necessary to avoid drying out of plant materials, and to promote healthy growth.

CLEAN-UP: At completion of each division of work all extra material, supplies, equipment, etc., shall be removed from the site. All walks, paving, or other surfaces shall be swept clean, mulch areas shall have debris removed and any soil cleared from surface. All areas of the project shall be kept clean, orderly and complete.

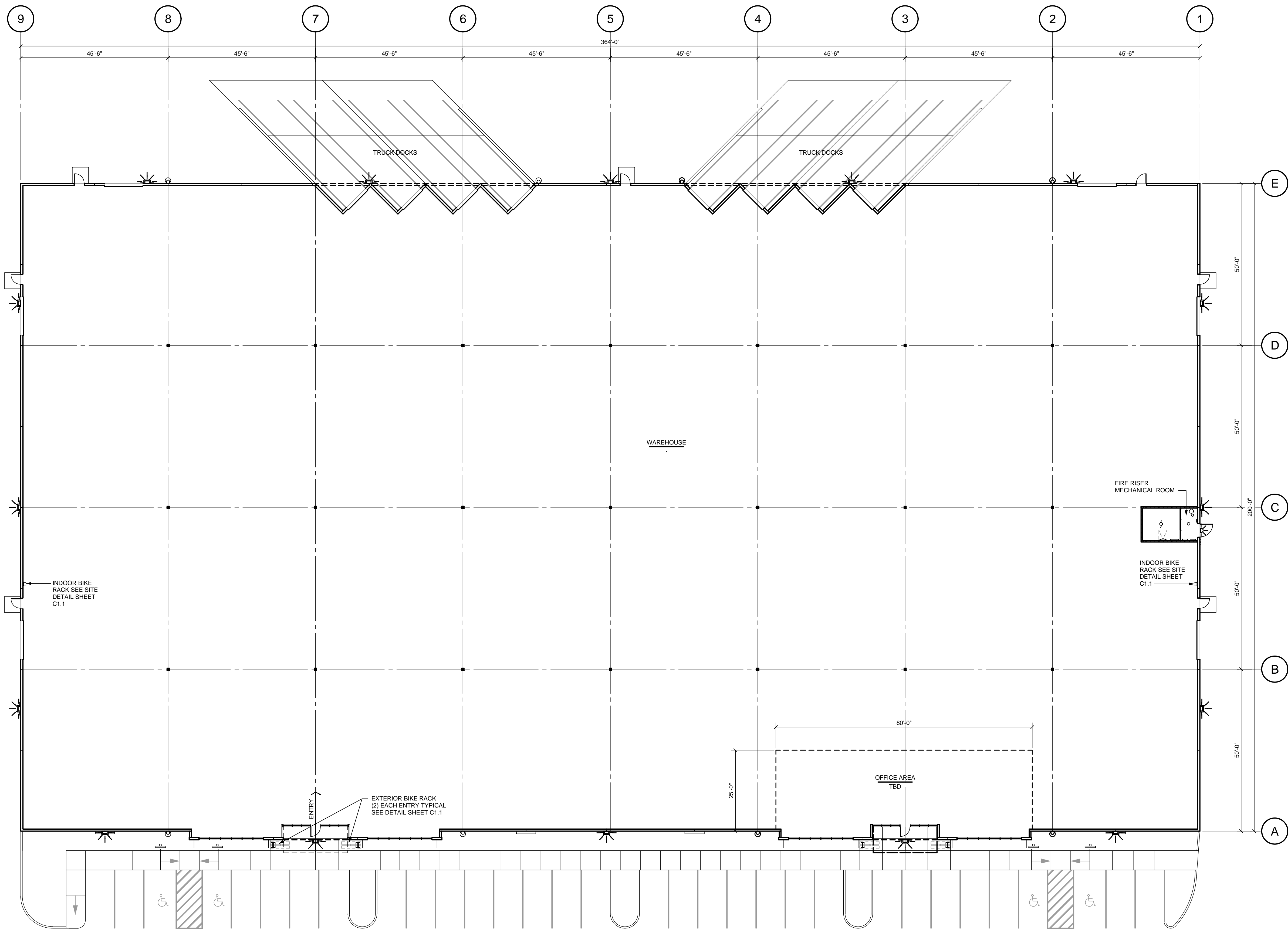
REVISIONS

A	DATE	DESCRIPTION



DATE	FEBRUARY, 2017
SCALE	AS NOTED
PROJ. NO.	20160645
DRAWN	CW
CHECKED	JLO

DETAILS AND SPECS.



PROJECT NAME
**New Distribution
Facility
Canby, Oregon**

BE Group
PO Box 721
Sumas, Wa. 98295

REVISIONS

NO.	DATE	DESCRIPTION

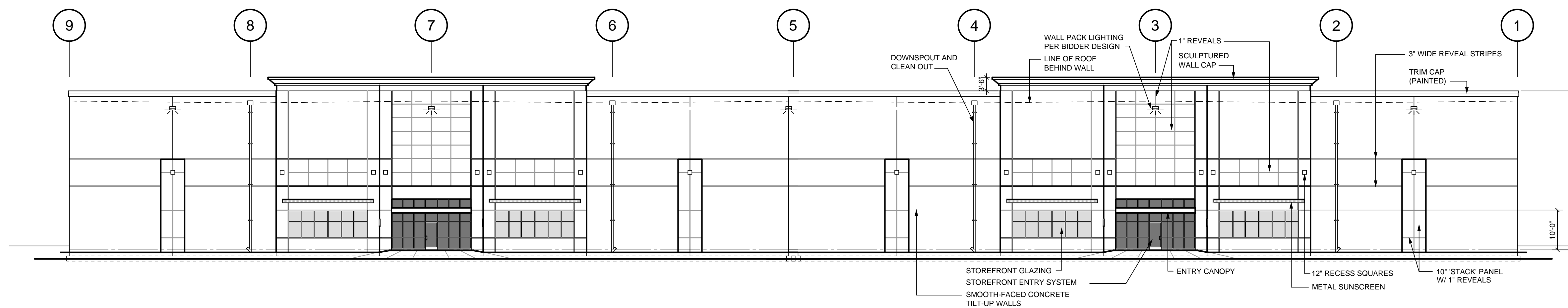
DATE	FEBRUARY, 2017
SCALE	AS NOTED
PROJECT NO.	20160645
DRAWN	PSH
CHECKED	HGK

FLOOR PLAN

FLOOR PLAN

1/6" = 1' - 0"

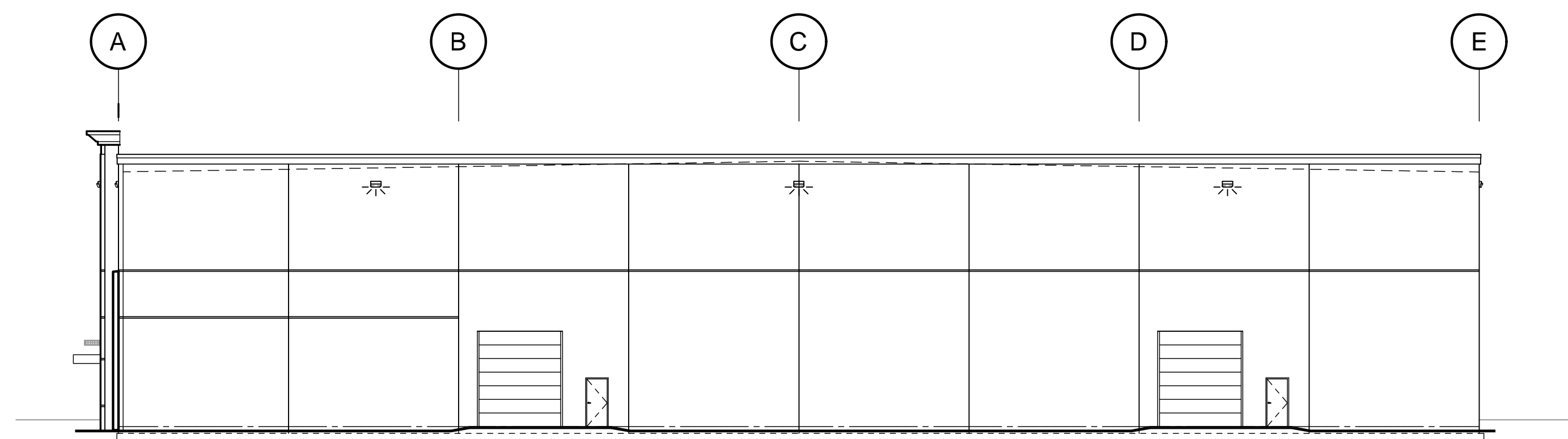
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SOUTH ELEVATION

CLEAR HEIGHT (LOW PT) = 34'-0"

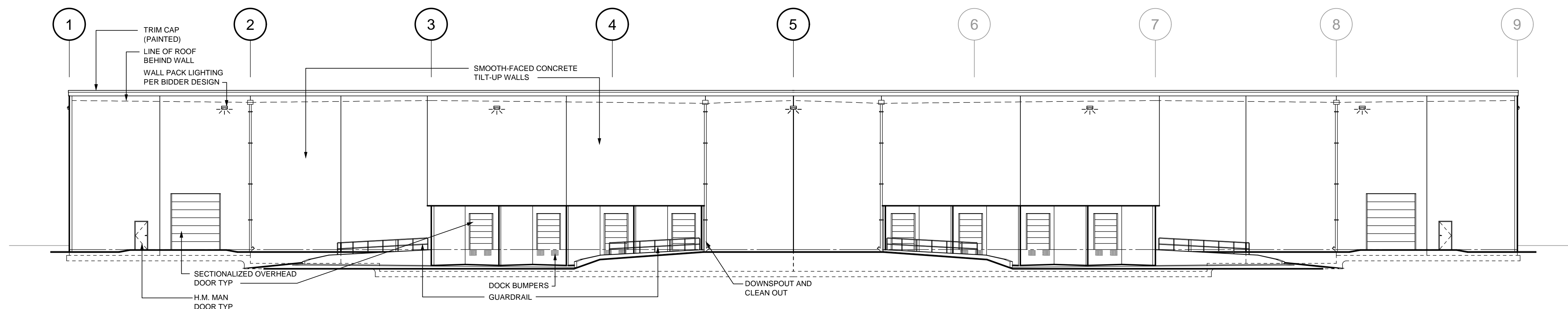
1/16" = 1' - 0"



EAST ELEVATION

CLEAR HEIGHT (LOW PT) = 34'-0"

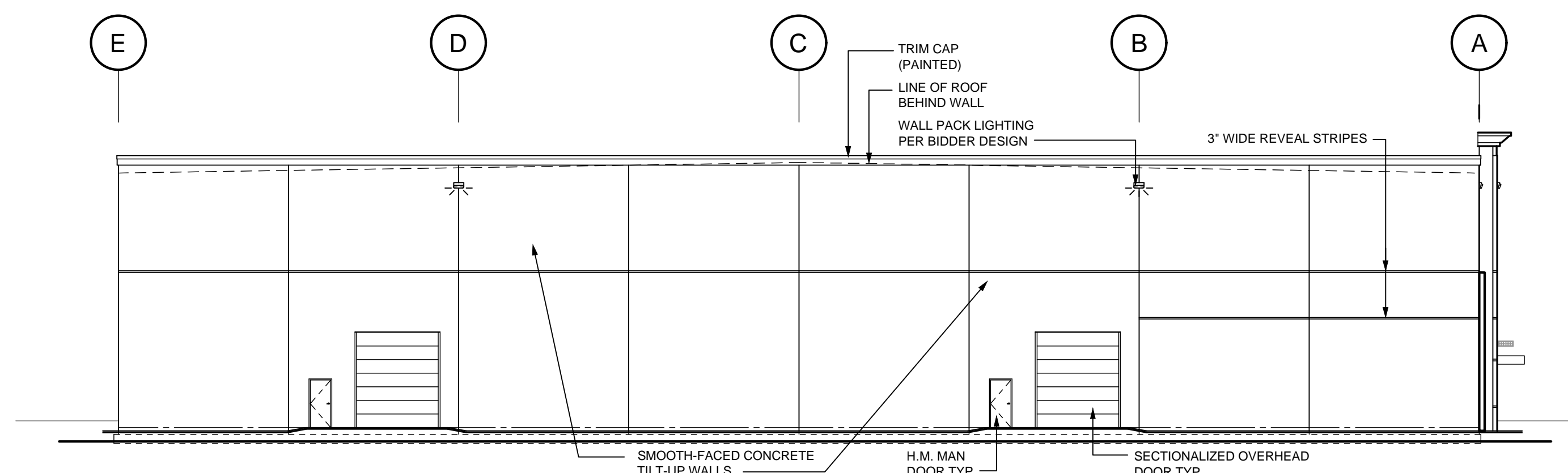
1/16" = 1' - 0"



NORTH ELEVATION

CLEAR HEIGHT (LOW PT) = 34'-0"

1/16" = 1' - 0"



WEST ELEVATION

CLEAR HEIGHT (LOW PT) = 34'-0"

1/16" = 1' - 0"

PROJECT NAME
New Distribution Facility
Canby, Oregon

BE Group
PO Box 721
Sumas, Wa. 98295

REVISIONS

DATE	DESCRIPTION

DATE	FEBRUARY, 2017
SCALE	AS NOTED
PROJ. NO.	20160645
DRAWN	PSH
CHECKED	HGK

ELEVATIONS





720 SW Washington St.
Suite 500
Portland, OR 97205
503.243.3500
www.dksassociates.com

MEMORANDUM

DATE: June 9, 2017

TO: Bryan Brown, City of Canby

FROM: Chris Maciejewski, P.E., PTOE
Jordin Kelly, EIT

SUBJECT: Canby BE Group Traffic Study Scope of Services

P#11010-084

This memorandum describes the scope of services to evaluate the transportation impacts associated with the proposed development of a manufacturing and distribution facility at 1980 SE 4th Avenue in Canby, Oregon. The 4.4 acre site location consists of two tax lots (31E34017013 and 31E3401712), both of which are currently undeveloped. The proposed development site will house a 72,800 square foot building that consists of manufacturing, distributing, and office space for BE Group. The site is zoned Heavy Industrial (M-2) and Light Industrial (M-1).

It is our understanding that the applicant is submitting an access spacing variance for the two proposed driveways on 4th Avenue. As per the guidelines set in the Access Management Section of the City of Canby's Transportation System Plan (TSP)¹, additional short term and long term collision and operations analysis is required and is included in this scope of work.

Task 1: Data Collection and Existing Conditions Analysis

Existing intersection operating conditions will be analyzed to establish the current peak hour performance at the adjacent driveways along 4th Avenue. The critical peak periods for intersection operations evaluation will be the morning (7:00 to 9:00 am) and evening (4:00 to 6:00 pm) which are the times during a typical weekday when the study area street system would be expected to experience the highest vehicle volume and the site would generate significant traffic. Vehicle turn movement counts will be collected at the following study area intersections:

- 4th Avenue/West Shimadzu USA Manufacturing Access
- 4th Avenue/East Shimadzu USA Manufacturing Access
- 4th Avenue/Trautman Art Glass Access

¹ City of Canby Transportation Plan, Page 7-22, 2010.

Furthermore, collision records at study intersections over the previous three years will be reviewed and summarized in a table to determine if there are any safety related concerns within the project area.

Task 2: Project Trip Generation

Based upon our preliminary review of the proposed project, the proposed manufacturing and distribution facility would not result in an increase in site trip generation significant enough to warrant an on off-site impact evaluation. To confirm this, the amount of new vehicle trips generated by the proposed development will be estimated using trip generation estimates published in the ITE Trip Generation Manual for similar land use type.² Trip generation estimates for the proposed development will be provided for daily, morning, and evening peak hours and will be summarized in a table. If trip generation estimates are less than 5% of the total entering volume at any collector or above intersections, no intersection analysis will be required.

Task 3: Site Circulation Review

This task will complete a review of parking supply and on-site circulation for motor vehicles, trucks, and pedestrians.

Task 4: Site Access Review and Analysis

Access to the site will be provided by two driveways on SE 4th Avenue, which is classified as a collector roadway by the City of Canby. This street currently meets the City's cross-section requirements for standard collector streets (34-50 feet paved with 50-80 feet of ROW), therefore the existing roadway should safely accommodate additional vehicle, pedestrian, and bicycle traffic.

Since the proposed development is proposing two new driveways, intersection sight distance and access spacing will be evaluated at the proposed site access to ensure sight triangles are clear from any obstructions. Furthermore, the proposed driveway locations fail to meet the City of Canby's minimum access spacing standards of 100 feet along a collector roadway. As a result, the applicant is submitting an access spacing variance as part of the development's application.

As per the guidelines set in the Access Management Section of the City of Canby's TSP, the following analysis will be conducted:

- Short term analysis of the study area safety and operations with the proposed access configuration, as well as with a configuration that would meet access spacing standards.

² Trip Generation Manual, Institute of Transportation Engineers, 9th Edition.

- Long term analysis of the study area safety and operations with the proposed access configuration. This scenario will also include consideration of the long-term redevelopment potential of the area and discussion of how access spacing standards may be achieved.

The short term intersection operations analysis will include any background traffic from nearby approved but not yet constructed projects and the new vehicle trips generated by the proposed project will also be added onto the existing traffic volumes to identify the expected traffic operating conditions once the project is built and fully operational.

The long term intersection operations analysis will also include the number of new project trips estimated in Task 2 and will utilize the Canby Small Community Model that was developed for the City's TSP to project future volumes along 4th Avenue. The long term safety evaluation will reference national safety and access spacing guidance and discuss the associated safety risks of access points that fail to meet access spacing standards.

Task 5: Documentation

The findings and recommendations of this traffic impact analysis will be presented in a Draft Report that will be submitted to the City (one electronic copy). The report will document data collection, analysis procedure, results, and mitigation measures (if necessary) for the proposed project traffic. A technical appendix that supports calculations will accompany the report. After the City has reviewed the Draft Report, we will make appropriate edits and submit a Final Report prepared by an Oregon Registered Professional Engineer (one electronic copy).

BUDGET

In consideration of the performance of these services, DKS Associates will be compensated on a time and materials basis in accordance with the hourly billing rates set forth in the attached fee schedule, subject to revision August 1, 2017, for a maximum fee of \$6,650. This fee is based upon the scope of services and level of effort presented above.

If the applicant chooses to utilize another consultant to complete this task, our review with written response of the applicant's submittal would be approximately \$1,000.

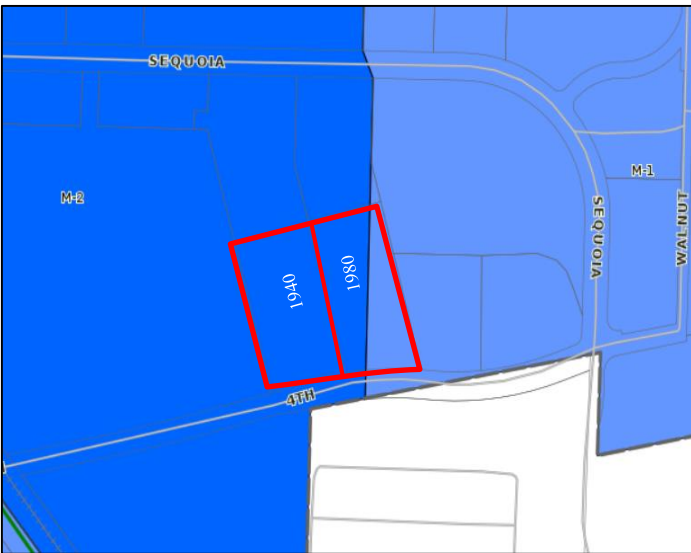
If you have any questions, please feel free to call or email.



City of Canby

NOTICE OF PUBLIC HEARING & REQUEST FOR COMMENTS

The purpose of this Notice is to invite you to a Public Hearing at a Planning Commission meeting on Monday, August 28, 2017 at 7 pm in the City Council Chambers, 222 NE 2nd Avenue to review the Site & Design Review, Conditional Use Permit and a Variance application. The applicant is proposing to construct a 73,215 sq. ft. warehouse/speculative lease building on Lots 2 & 3 of the Trend Business Center on 4.4 acres in the Canby Pioneer Industrial Park.



Comments due– If you would like your comments to be incorporated into the City’s Staff Report, please return the Comment Form by Wednesday, August 16, 2017.

Location: 1940 & 1980 SE 4th Ave

Tax Lot: 31E3401712 & 31E3401712 (Bordered in red on map at left)

Lot Size and Zoning: 4.4 acres, M-1 Light Industrial & M-2 Heavy Industrial Zone/ Industrial Overlay Zone.

Owner: Trend Business Center, LLC

Applicant: BE Group

Representative: VLMK Engineering

Application Type: Site & Design Review Type III, Conditional Use Permit & Variance

City File Number: DR 17-06/CUP 17-04/VAR 17-03

Contact: David Epling, Associate Planner, 503-266-0686, eplingd@canbyoregon.gov.

What is the Decision Process? The Planning Commission will make a decision after the Public Hearing. The Planning Commission’s decision may be appealed to the City Council.

Where can I send my comments? Written comments can be submitted up to the time of the Public Hearing and may also be delivered in person to the Planning Commission during the Public Hearing. (Please see *Comment Form*). Comments can be mailed to the Canby Planning Department, P O Box 930, Canby, OR 97013; dropped off at 222 NE Second Avenue; or emailed to eplingd@canbyoregon.gov.

How can I review the documents and staff report? Weekdays from 8 AM to 5 PM at the Canby Planning Department. The staff report to the Planning Commission will be available for inspection starting Friday, June 30, 2017 and can be viewed on the City’s website: <http://www.canbyoregon.gov> Copies are available at \$0.25 per page or can be emailed to you upon request.

Applicable Criteria: Canby Municipal Code Chapters:

- Chapter 16.08 General Provisions
- Chapter 16.10 Off Street Parking & Loading
- Chapter 16.32 M-1 Light Industrial Zone
- Chapter 16.34 M-2 Heavy Industrial Zone
- Chapter 16.35 Canby Industrial Overlay (I/O) Zone
- Chapter 16.42 Signs
- Chapter 16.43 Outdoor Lighting Standards
- Chapter 16.46 Access Limitations on Project Density
- Chapter 16.49 Site & Design Review
- Chapter 16.50 Conditional Uses
- Chapter 16.53 Variances – Parking Required
- Chapter 16.89 Application & Review Procedures

Note: Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the board based on that issue.

CITY OF CANBY –COMMENT FORM

If you are unable to attend the Public Hearing, you may submit written comments on this form or in a letter addressing the Planning Commission. Please send comments to the City of Canby Planning Department:

By mail: Planning Department, PO Box 930, Canby, OR 97013

In person: Planning Department at 222 NE 2nd Avenue

E-mail: eplingd@canbyoregon.gov

Written comments to be included in the Planning Commission’s meeting packet are due by Noon on Wednesday, August 16, 2017. Written comments can also be submitted up to the time of the Public Hearing on Monday, August 18, 2017 and may also be delivered in person to the Planning Commission during the Public Hearing at 7 pm in the City Council Chambers, 222 NE 2nd Avenue.

APPLICATION: DR 17-06, CUP 17-04 & VAR 17-03 – VLMK/BE GROUP

COMMENTS:

NAME: _____

ADDRESS _____

EMAIL: _____ **DATE:** _____

AGENCIES: Please check one box and fill in your Name/Agency/Date below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available
- No Comments

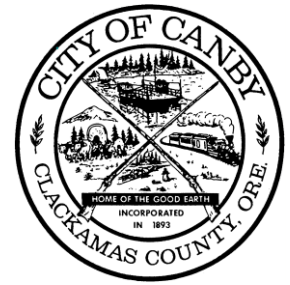
NAME: _____

AGENCY: _____

DATE: _____

Thank you!

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**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF CANBY**

**A REQUEST FOR A COMPREHENSIVE PLAN)
MAP AMENDMENT AND ZONE CHANGE)
FROM LOW DENSITY RESIDENTIAL TO)
MEDIUM DENSITY RESIDENTIAL)**

**FINDINGS, CONCLUSION & FINAL ORDER
853 & 861 S REDWOOD ST
CPA-ZC 17-01, PETER HOSTETLER**

NATURE OF APPLICATION

The applicant is seeking a Comprehensive Plan Land Use Map and Zoning Map Amendments to change two exiting tax lots (41E03BB00503/41E03BB00504 totaling 0.66 acres located at 853 & 861 S Redwood Street from the existing low density residential land use designation (LDR) and low density residential zoning district (R-1) to the medium density land use designation (MDR) and medium density residential zoning district (R 1.5). Land division plans were shared as a part of this application but are not a part of the approval process at this time.

HEARINGS

The Planning Commission held a public hearing and considered these applications at its meeting of August 28, 2017.

CRITERIA AND STANDARDS

In judging whether or not the Comprehensive Plan Land Use Map and Zoning Map should be amended or changed, the Planning Commission and City Council shall consider the Canby Comprehensive Plan and Section 16.88 and 16.54.040 of the Canby Municipal Code which states the applicable review criteria when reviewing a quasi-judicial comprehensive plan land use map amendment and zone change map amendment, including the following:

The Comprehensive Plan (Updated January, 2007 and Statewide Planning Goals:

1. Goal 2 – Land Use Planning
2. Goal 10 – Housing
3. Goal 12 – Transportation

For a Comprehensive Plan Land Use Map Amendment:

(Section 16.88.180(D)

In judging whether a quasi-judicial plan amendment shall be approved, the Planning Commission and City Council shall consider:

1. The remainder of the Comprehensive Plan of the city, as well as the plans and policies of the county, state, or any local school or service districts which may be affected by the amendments;
2. Whether all required public facilities and services exist, or will be provided concurrent with the anticipated development of the area.

(Section 16.88.180)

- E. For proposed comprehensive plan amendments, which must consider the long-term adequacy of the transportation system for TPR 660-10-060 compliance, ODOT must be consulted to determine whether a highway project is “reasonably likely to be funded” based on funding projections at that time.

Section 16.88.190

- A. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with the Transportation Planning Rule (OAR 660-012-0060). A plan or land use regulation amendment significantly affects a transportation facility if it:
 - 1. Changes the functional classification of an existing or planned transportation facility;
 - 2. Changes standards implementing a functional classification system;
 - 3. As measured at the end of the planning period identified in the adopted plan:
 - a. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or,
 - b. Would reduce the performance of the facility below the minimum acceptable performance standard identified in the Transportation System Plan.
 - c. Would worsen the performance of a facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the Transportation System Plan.

For A Map Amendment (Zone Change) (CMC Section 16.54.040):

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the city, giving special attention to Policy 6 of the land use element and implementation measures therefore, and the plans and policies of the county, state and local districts in order to preserve functions and local aspects of land conservation and development;
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

(Section 16.54.060)

- A. In acting on an application for a zone change, the Planning Commission may recommend and the City Council may impose conditions to be met by the proponents of the change before the proposed change takes effect. Such conditions shall be limited to improvements or physical changes to the property which are directly related to the health, safety or general welfare of those in the area. Further, such conditions shall be limited to improvements which clearly relate to and benefit the area of the proposed zoned change.
- B. The city will not use the imposition of improvement conditions as a means of preventing

planned development, and will consider the potential impact of the costs or required improvements on needed housing. The Planning Commission and City Council will assure that the required improvements will not reduce housing densities below those anticipated in the Comprehensive Plan.

FINDINGS AND CONCLUSIONS

After holding a public hearing and considering the August 28, 2017 dated staff report, the Planning Commission deliberated and reached a decision on August 28, 2017 recommending approval of the applicant's request for a Comprehensive Plan Land Use Map and Zoning Map change. The Planning Commission finds that the applicant's request is in compliance with the Comprehensive Plan of the City of Canby, therefore also with the applicable Statewide Land Use planning goals, and that all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation. The Commission adopts the findings and conclusions contained in the staff report and as reference to the applicant's narrative.

RECOMMENDATION

IT IS RECOMMENDED BY THE PLANNING COMMISSION of the City of Canby that the Canby City Council approve **CPA & ZC 17-01**.

I CERTIFY THAT THIS ORDER approving CPA 17-01/ZC 17-01 was presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 28th day of August, 2017

 John Savory
 Planning Commission Chair

 Bryan Brown
 Planning Director

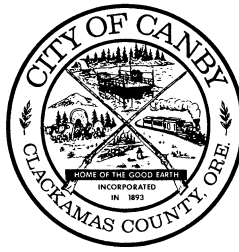
 Laney Fouse, Attest
 Recording Secretary

ORAL DECISION: August 28, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				

WRITTEN DECISION: August 28, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				



**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

**A REQUEST FOR A MINOR)
LAND PARTITION/VARIANCE)
354 NE 4TH AVENUE)**

**FINDINGS, CONCLUSION & FINAL ORDER
MLP 17-01/VAR 17-02
JASON BRISTOL**

NATURE OF THE APPLICATION

The applicant proposes to partition an existing 0.21 acre (9,148 square foot) parcel into three parcels containing approximately 4,941 square foot, 1,982 square foot and 2,211 square foot each. An existing single-family home is to remain on proposed 4,941 square foot Parcel 1, and proposed Parcels 2 and 3 will be developed with a common-wall townhouse. New driveways will access the three dwellings. The applicant also proposes a minor variance to reduce the required rear yard setback of 10 feet to 9.5 feet between the existing dwelling and the proposed property line. The property is situated within the R-2, High Density Residential Zone, as defined with Chapter 16.20 of Canby Municipal Code (CMC) and is designated High Density Residential (HRD) in the City of Canby Comprehensive Plan.

HEARINGS

The Planning Commission considered application MLP 17-03/VAR 17-02 after the duly noticed hearing on August 28, 2017 during which the Planning Commission approved MLP 17-03/VAR 17-02. These Findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not a Minor Land Partition/Variance application shall be approved, the Planning Commission determines whether criteria from the *City of Canby Land Development and Planning Ordinance* are met, or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report dated August 18, 2017 and presented at the August 28, 2017 meeting of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented, and written and oral testimony was received at the public hearing. Staff recommended approval of the Minor Land Partition application and applied Conditions of Approval in order to ensure that the proposed development will meet all required *City of Canby Land Development and Planning Ordinance* approval criteria.

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the Staff Report along with the additional findings concluded at the public hearing and noted herein, concluding that the Minor Land Partition/Variance Application meets all applicable approval criteria, and recommending that File #MLP 17-03/Variance 17-02 be approved with the Conditions of Approval reflected in the written Order below

ORDER

The application meets the requirements for Minor Land Partition/Variance approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **MLP 17-03/VAR 17-02** is approved, subject to the following conditions:

CONDITIONS OF APPROVAL

Minor Variance:

1. The minor variance must be exercised within one year of approval unless an extension is granted by the Planning Director.

Minor Partition Conditions Unique to This Request:

1. The applicant is responsible for determining if existing utility service to all existing structures will need to be relocated or protected by private easement as a result of this partition.
2. All work associated with the new paved driveway access or utility installations shall secure a street construction permit and comply with City current Public Works Design Standards.
3. Any utility easement to serve the parcels shall be shown on the recorded partition plat.
4. The applicant shall pave the driveways at least 20 feet back from the right-of-way frontage on N. Locust Street in order to meet criteria listed in Section 16.10.070(A)(4).
5. The applicant shall submit a report from a certified engineer to establish the engineering and construction costs for required street improvements on N. Locust Street and submit those fees to the City of Canby prior to recordation of the final plat.
6. A temporary street tree easement to plant the trees on private property is required and must be delineated on the final plat. The applicant shall provide a fee based on the placement of a tree at every 30' of street frontage or submit a formal Street Tree Plan.
7. Driveways for each townhouse on parcels 2 and 3 shall be no greater than 12' wide for each dwelling.
8. The project must be in conformance with the applicable findings and suggestions outlined by the City Engineer in his memorandum dated July 25, 2017 that are contained in the file unless otherwise specified by the Planning Commission. The comments are as follows:
 1. *Section 2.207 of Canby Public Works Design Standards requires half street improvements to be constructed as part of any development. N. Locust Street is being considered for reconstruction by the City and consequently, half street improvements will not be required to be constructed at this time as part of this development. However, the developer will be required to provide the City for review and approval a detailed engineer's cost estimate for the construction of the half street improvements and pay the City a fee in-lieu for deferring such improvements.*
 2. *The existing right of way on N. Locust is 40 foot for the entire length of the roadway. The City will not be pursuing any additional right of way dedication. Therefore, right of way dedication will not be required as part of this development.*
 3. *If sidewalk easement doesn't exist along NE 4th Avenue, an easement will be required to encompass the existing sidewalk.*
 4. *The developer will be required to provide a street profile design on N. Locust Street in order to determine the driveway grades along the site frontage.*
 5. *We recommend the developer granting the City a 10 foot temporary grading easement*

along the site frontage of N. Locust Street and NE 4th Avenue. The easement will terminate upon the City completing the work on those streets.

Final Partition Plat Conditions:

- 9.** A final surveyed partition plat shall be prepared by a licensed surveyor for recording the partition plat of record. Prior to recordation with Clackamas County, the plat shall be submitted to the city along with applicable fees for review by the city and other appropriate agencies. The final plat must be submitted to the city within one year of Planning Commission approval or the applicant must request, in writing, a one year extension from the Planning Commission. The applicant or county shall provide the city with a recorded copy of the plat in a timely manner.

Monumentation/Survey Accuracy Conditions

- 10.** The county surveyor shall verify that the survey accuracy and monumentation requirements set forth in Oregon Revised Statutes and CMC 16.64.070(M) are met prior to the recordation of the final plat. Installation of the front lot monumentation (along and within street rights-of-way) and the replacement of any existing monuments destroyed during improvement installation shall be confirmed by the city engineer or county surveyor prior to the recordation of the partition plat.
- 11.** Monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street centerlines as required by Oregon Revised Statutes Chapter 92. The city engineer or county surveyor shall verify compliance with this condition prior to the recordation of the final plat.

Residential Building Permits Conditions:

- 12.** Recordation of the partition plat must be completed prior to the issuance of future building permits.
- 13.** All public improvements shall comply with all applicable City of Canby Public Works Design Standards.

I CERTIFY THAT THIS ORDER approving MLP 17-03/VAR 17-02 was presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 28th day of August, 2017

 John Savory
 Planning Commission Chair

 Bryan Brown
 Planning Director

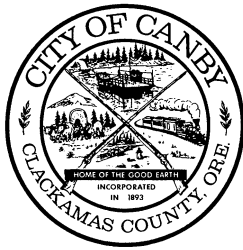
 Laney Fouse, Attest
 Recording Secretary

ORAL DECISION: August 28, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				

WRITTEN DECISION: August 28, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
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<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				



**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

**A REQUEST FOR SITE AND DESIGN REVIEW)
TO CONSTRUCT A 73,215 SQUARE FOOT)
BUILDING AND A CONDITIONAL USE)
PERMIT TO REDUCE THE REQUIRED)
NUMBER OF EMPLOYEES AND A)
VARIANCE TO REDUCE REQUIRED)
DRIVEWAY SPACING LOCATED AT)
1980 SE 4TH AVENUE)**

**FINDINGS, CONCLUSION & FINAL ORDER
DR 17-06/CUP 17-04/VAR 17-03
BE NN (NW USA), LLC**

NATURE OF THE APPLICATION

The Applicant has sought an approval of Site and Design Review DR 17-06 for the construction of a 73,215 square foot industrial building and a Conditional Use to allow a reduction in the required number of employees allowed in the I-O zone and a Variance to reduce the required 200' driveway spacing standard, located at 1980 SE 4th Avenue otherwise described as Map and Tax Lot 31E3401712, 31E3401713, City of Canby, Clackamas County, Oregon. The property is zoned M-1 (Light Industrial), M-2 (Heavy Industrial) and I-O (Canby Industrial Area Overlay) in the Canby Municipal Code (CMC) and designated correspondingly under the Canby Comprehensive Plan.

HEARINGS

The Planning Commission considered application DR 17-06/CUP 17-04/VAR 17-03 after the duly noticed hearing on August 28, 2017 during which the Planning Commission by a _____ vote approved DR 17-06/CUP 17-04/VAR 17-03. These findings are entered to document the specifics of the approval.

CRITERIA AND STANDARDS

In judging whether or not a Site and Design Review, Conditional Use, and Variance application shall be approved, the Planning Commission determines whether criteria from the Code are met, or can be met by observance of conditions, in accordance with Chapter 16.49.040 Site & Design Review, Chapter 16.50.010, Conditional Uses, Chapter 16.53.020, Variances, and other applicable code criteria and standards reviewed in the Staff Report dated July 18, 2017 and presented at the August 28, 2017 meeting of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented by staff with a recommendation for approval of the Site and Design Review/ Conditional Use/Variance application (prior to and without benefit of the public hearing) along with Conditions of Approval in order to ensure that the proposed development will meet all required *City of Canby Land Development and Planning Ordinance* approval criteria.

After holding the public hearing where written and oral testimony was received from the applicant, other proponents, those who were neutral, and opponents in attendance; the Planning Commission closed the public hearing and moved into deliberation where they utilized the findings and conditions listed in the staff report along with the overall presentation record at the public hearing to make the following findings beyond those contained in the staff report to arrive at their decision and support their recommended conditions of approval:

Commission Findings and Approval for Modifications of Standards

1. The Commission finds that

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the Staff Report along with the additional findings indicated above, concluded that the Site and Design Review/Conditional Use/Variance application meets all applicable approval criteria, and recommended that City File# DR 17-06/CUP 17-04/VAR 17-03 be approved with the Conditions of Approval stated below. The Planning Commission decision is reflected in the written Order below.

ORDER

The Planning Commission concludes that based on the record on file including testimony of the applicant and public at the public hearing, and findings of the Planning Commission that the application will meet the requirements for Site and Design Review, Conditional Use, and Variance approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **DR 17-06/CUP 17-04/VAR 17-03** is approved, subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

Commission Findings and Approval for Modifications of Standards

- 1.

Conditions Unique to this Proposal

2. **The applicant shall file a replat of the Trend Business Center Subdivision to remove the common property line and consolidate the parcels into a single legal lot and also have the PUE vacated by consent of all concerned parties. The approved replat and vacation must be filed with the Clackamas County Surveyor’s Office and recorded with the Clackamas County Clerk prior to the issuance of any building permits.**
3. The project must be in conformance with the applicable findings and suggestions outlined by the City Engineer in his memorandum dated July 27, 2017 unless otherwise specified by the Planning Commission.
4. Based on the results of the TIS, the applicant shall address the variance to reduce the driveway spacing distance as determine by the Planning Commission.

Procedural Conditions

Prior to Issuance of a Building Permit the following must be completed:

5. The design engineer shall submit to the City of Canby for review and approval at the time of final construction plan approval a storm drainage analysis and report applicable to the defined development area detailing how storm water disposal from both the building and the parking areas is being handled. Any drainage plan shall conform to an acceptable methodology for meeting adopted storm drainage design standards as indicated in the Public Works design standards.
6. A Sediment and Erosion Control Permit will be required from the City prior to commencing site work.
7. Prior to the issuance of a building permit, the installation of public or private utilities, or any other site work other than rough site grading, construction plans must be approved and signed by the City and all other utility/service providers. A Pre-Construction Conference with sign-off on all final construction plans is required. The design, location, and planned installation of all roadway improvements and utilities including but not limited to water, electric, sanitary sewer, natural gas, telephone, storm water, cable television, and emergency service provisions is subject to approval by the appropriate utility/service provider. The City of Canby's preconstruction process procedures shall be followed.
8. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon.
9. Clackamas County will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical permits for this project.

Prior to Occupancy of the Facility:

10. Prior to occupancy of the facility, all landscaping plant material indicated on the submitted landscape plan shall either be installed and irrigated with a fully automatic design/build irrigation system as proposed, or with sufficient security (bonding, escrow, etc.) pursuant to the provisions of CMC 16.49.100 (B).

I CERTIFY THAT THIS ORDER approving **DR17-06/CUP 17-04/VAR 17-03 VLMK/BE Group** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 28th day of August, 2017

 John Savory
 Planning Commission Chair

 Bryan Brown
 Planning Director

 Laney Fouse, Attest
 Recording Secretary

ORAL DECISION: August 28, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
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WRITTEN DECISION: August 28, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
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