

City of Canby

SITE AND DESIGN REVIEW/MINOR PARTITION STAFF REPORT

FILE #: DR 16-05/MLP 16-02

Prepared for the August 22, 2016 Planning Commission Meeting

LOCATION: 431 S. Township Road

ZONING: R-1.5 Medium Density Residential Zone

Tax lots: 41E04AA04300 (Property bordered in red below)



LOT SIZES: 20,915 SQUARE FEET (.48 ACRE)

OWNERS: Wild Hare Rentals, LLC

APPLICANT: Darren Monen, Monen Construction

APPLICATION TYPE: Minor Land Partition (Type III)/Site and Design Review (Type III)

CITY FILE NUMBER: DR 16-05/MLP 16-02

APPLICANT'S REQUEST:

The property is located on the south side of S. Township road approximately 95 feet west of S. Lupine Street. The applicant proposes to partition an existing 20,915 square foot parcel into two parcels containing approximately 9,403 square feet, 10,466 square feet, and a residual tract of 1,045 square feet for storm water treatment. Assuming approval of the partition, the applicant proposes to develop the new parcels by constructing one triplex on each of the lots. The triplexes will contain two-bedroom 1,320 square foot dwelling units. The dwelling units will share a common driveway that extends along the west side of the property adjacent to the storm water tract.

AGENCY AND PUBLIC COMMENTS:

Comments were solicited from the public, City departments, and applicable reviewing agencies. Summary of comments are included in the staff report, and complete agency and public comments are part of the file. All comments from citizens and agencies received to date are attached to the file and will be presented to the Planning Commission.

The City Engineer (Public Works) responded with nine comments that will be made conditions of approval.

A citizen who owns property at 396 S. Locust Street #5 stated concerns for a large apartment complex in an area of single-family homes.

A citizen who owns property at 599 S. Lupine Street stated concerns that included fencing, screening, setbacks, and other issues that could impact their adjacent property.

Other agencies either had no comment or failed to respond at the time this report was completed. No public comments were received.

I. APPLICABLE CRITERIA & STAFF FINDINGS

Applicable criteria used in evaluating this application are found in Chapter 16 of the *City of Canby's Land Development and Planning Ordinance (Zoning Code)* as follows:

- 16.08 General Provisions
- 16.10 Off-Street Parking and Loading
- 16.18 R 1.5 Medium Density Residential Zone
- 16.21 Residential Design Standards
- 16.42 Signs
- 16.43 Outdoor Lighting Standards
- 16.46 Access Limitations on Project Density
- 16.49 Site and Design Standards
- 16.56 Land Division General Provisions
- 16.60 Major or Minor Partitions
- 16.64 Subdivisions-Design Standards
- 16.89 Application and Review Procedures
- 16.120 Parks, Open Space, and Recreation Land General Provisions

Chapter 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: Based on available information, the parcel appears to be a deeded residual lot from previous adjacent land divisions. The parcel can be considered a legal parcel for land use purposes.

16.08.090 Sidewalks required

- B. The Planning Commission may impose appropriate sidewalk and curbing requirements as a condition of approving any discretionary application it reviews.

Findings: The subject property is situated on the south side of S. Township Road where some improvements have occurred previously. Because of the relocation of an existing driveway, sidewalk improvements are required by the City Engineer. These improvements will be made as conditions of approval. Development of the site will require interior pedestrian walkways within the parcels.

16.08.150 Traffic Impact Study (TIS).

This section contains standards pertaining to traffic studies including purpose, scoping, determination, submittal requirements, content, methodology, neighborhood and through-trip studies, mitigation, conditions of approval, and rough proportionality determination.

Findings: Based on available information, it was determined that a Traffic Impact Study (TIS) was needed for the project. The applicant submitted the required deposit with the City and staff worked with DKS & Associates – the City’s traffic engineering firm - to determine the scope of work necessary for a Traffic Impact Study. The applicant had DKS complete the Transportation Impact Analysis which was submitted on June 17, 2016 and made part of the record. However, due to site distance issues from an existing fence, the driveway on the east side of the parcel will be closed and relocated to the west side of the property.

16.08.160 Safety and Functionality Standards

The City will not issue any development permits unless the proposed development complies with the city’s basic transportation safety and functionality standards, the purpose of which is to ensure that development does not occur in areas where the surrounding public facilities are inadequate.

Findings: Upon future submission of a development permit application, the applicant shall demonstrate that development of the property will meet the standards listed in A-E of this section. The Site and Design process, along with the TIS, have assured that the requirements of this section are met.

Chapter 16.10 Off Street Parking and Loading

16.10.050 Parking standards designated

Findings: Twelve spaces, counting those in the garages and one guest space, are required for the 6-unit development. Two additional spaces including an ADA space makes fifteen total spaces. The parking provided meets the minimum parking standard.

16.10.060 Off-street loading facilities

Findings: No loading spaces are required so this provision is not applicable.

16.10.070 Parking lots and access

Findings: Staff accepts the applicant's narrative and submitted Plans as having met all standards.

16.10.100 Bicycle Parking

Findings: The applicant states that one bicycle space is intended inside the garage of each dwelling unit. Although not all multi-family development contains garages, the bicycle spaces are appropriate in this case because a garage is available for each unit. This adequately addresses the criterion.

16.18 R-1.5 (Medium Density Residential Zone)

Findings: The zoning of the property is R-1.5 which allows two-family or three-family dwellings, and permits one triplex on each lot. Subsequently, the applicant submitted a minor land partition in conjunction with this site plan review and must record the final plat for MLP 16-02, which accompanies this application, before constructing the triplex units. The applicant has demonstrated in the submitted narrative and detailed information that the project can meet the design standards listed in Section 16.18.030.

16.21 Residential Design Standards

Findings: The applicant correctly addressed the criteria in Section 16.21.070 and the Multi-family design standards matrix. Staff concurs with the information presented in the submitted narrative and information.

16.42.040 Signs

Findings: The applicant is not proposing any signage for evaluation at this time. Any future free standing signage must be located outside of driveway clear sight distance areas and meet applicable sign ordinance standards.

16.43 Outdoor Lighting Standards

Findings: The applicant responded to criteria of this section and stated that the project will meet lighting standards. Cut sheets are required and a photometric lighting plan that indicates uniform lighting across the site that is to be shielded to avoid light trespass across the adjacent property lines and to prevent glare toward the street. The applicant stated that this information will be submitted for approval at a later date. A Condition of Approval shall require the submittal of lighting cut sheets or specifications of the fixtures and lumen information to allow full assessment of conformance with lighting standards with submittal of the construction plans.

16.46 Access Limitations on Project Density

TABLE 16.46.30

Access Management Guidelines for City Streets*

Street Facility	Maximum spacing** of roadways	Minimum spacing** of roadways	Minimum spacing** of roadway to driveway***	Minimum Spacing** driveway to driveway***
Arterial	1,000 feet	660 feet	330 feet	330 feet or combine
Collector	600 feet	250 feet	100 feet	100 feet or combine
Neighborhood/Local	600 feet	150 feet	50 feet****	10 feet

Findings: The subject property has two existing driveways, one on the east and the other on the west side of the parcel. The City’s transportation plan designates S. Township Road as a collector street, and according to the table above, the required minimum spacing from driveway to intersection and driveway to driveway is 100 feet. The City’s traffic engineer determined that, due to existing conditions the eastern driveway should be closed for vision clearance reasons. Subsequently, the project must use the driveway on the west side of the property. The intended driveway will meet the minimum distance from the nearest intersection. However, it appears that the proposed driveway cannot be placed in a way that will meet the driveway to driveway minimum distance on the same side of the street or across the street to the north.

Section 16.49.040(D) states: “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.”

The driveway does not meet the criteria listed above or the corresponding provisions stated in Public Works Design Standards Section 2.211(g). However, under the above provision, the applicant can request the Planning Commission to consider whether or not the driveway location is appropriate.

16.49 Site and Design Review

16.49.030 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.

Findings: A Site and Design Review Type III Application is required under 16.49.030(A)(1) above and has been submitted for review. Staff accepts the findings of the applicant in their narrative and submitted material and considers all criteria that are applicable to be met, including the Multi-family Design Menu Point Matrix. The applicant submitted all plans necessary to review the required criteria.

16.49.080 General provisions for landscaping

Findings: The applicant provided a landscape plan and detailed landscaping calculation to address planting and landscape provisions listed in this section. The plan identified the type of plants and ground cover in open area and a row of arborvitae along the outdoor parking area. Based on the information provided, the proposed landscaping meets requirements and percentages and incorporates Low Impact Development (LID) techniques with storm water management along the western portion of the property that is integrated with the landscaping.

Partition:

16.56 Land Division Regulation

Findings: Section 16.56 contains general language regarding land divisions and has no specific evaluation criteria.

16.60 Major or Minor Partitions

16.60.020 Standards and criteria

The same improvements shall be installed to serve each building site of a partition as is required of a subdivision, and the same basic design standards shall apply. If the improvements are not constructed or installed prior to the filing of the signed partition plat with the county, they shall be guaranteed in a manner approved by the City Attorney. However, if the commission finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, the commission shall except those improvements. In lieu of excepting an improvement, the commission may recommend to the council that the improvement be installed in the area under special assessment financing or other facility extension policies of the city.

Findings: As indicated above, the standards of Chapter 16.64 (Subdivision-Design Standards) are applicable to this proposal. The above section also gives the Planning Commission the authority to waive immediate requirements if construction is not instigated prior to filing the final plat. In this particular case, construction is proposed but will take place at a later date. All public improvements necessary shall be approved by the City Engineer as conditions of approval, and a review of future improvements on the property are guaranteed through the required site and design review application process.

16.60.040 Minor partitions

Application for a minor partition shall be evaluated based upon the following standards and criteria:

- A. Conformance with the text and applicable maps of the Comprehensive Plan;
- B. Conformance with all other applicable requirements of the Land Development and Planning Ordinance;
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;
- E. 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 land division.

Findings: The application meets the definition of a partitioning stated in Section 16.04.470. The applicant intends to divide a single parcel into two separate lots of 10,466 and 9,403 square feet each as well as a 1,045 square foot bio-retention area identified as "Tract A" and does not propose any new streets or roadway. Public facilities and services are presently available to serve the proposed new parcels. Extending individual service laterals within any future access and utility easement from the main utilities services located in the existing adjacent public streets may be necessary depending on the type and location of new development on the parcels. Access to the newly created parcels would occur over an existing driveway access identified on the site plan. A condition of approval shall be placed to establish that any utility and ingress and egress access easements are shown on the recorded partition plat.

The partition is to divide land in the R-1.5 zone, and the minimum lot size or required density is listed in Chapter 16.18, CMC. Section 16.18.030(A)(2) states the following:

"For two, three, or four-family dwellings: minimum of six units per acre. Density is calculated by dividing the number of dwelling units by the property area in acres (minus area required for street right-of-way and public park/open space areas). Decimals are rounded to the nearest whole number."

Based on the size of the lots, the proposal meets the minimum density.

16.60.060 Final procedures and recordation.

- A. Following the action of the city in approving or conditionally approving a tentative plat for a partition, the applicant shall be responsible for the completion of all required improvements, or the posting of adequate assurances in lieu thereof, to the satisfaction of the city engineer prior to the transfer of title of any of the parcels involved.

Findings: The City Engineer provided comments in a memorandum dated July 25, 2016 that shall be met as conditions of approval.

- B. Recordation of an accurate survey map, prepared by a registered engineer or licensed surveyor, must be completed within one year of the approval of the tentative map. One copy of the recorded survey map shall be filed with the City Planner for appropriate record keeping.
- C. The applicant shall bear full responsibility for compliance with applicable state and city regulations regarding the recordation of documents and subsequent transfer of ownership.
- D. The Planning Director may approve a single one-year extension to the original one-year period. Applicants must file a request for such extension in writing, stating the reasons the request is needed. The Planning Director shall review such requests and may issue the extension after reviewing any changes that may have been made to the text of this title and any other pertinent factors, including public comment on the original application.

Findings: A condition of approval shall state that a surveyed partition plat, prepared by a licensed surveyor or engineer, shall be submitted and recorded at Clackamas County after City review. The proposed final plat must be submitted to the city for review within one year of Planning Commission approval, or the applicant must request that the Planning Director approve a one-year extension for submittal. The applicant or county shall provide the city with a copy of the final plat in a timely manner after it is recorded at Clackamas County.

16.64 Subdivisions-Design Standards

As noted under 16.60.020 above, the same improvements shall be installed to serve each building site of a partition as is required of a subdivision, and the same basic design standards shall apply. If the improvements are not constructed or installed prior to the filing of the signed partition plat with the county, they shall be guaranteed in a manner approved by the City Attorney.

16.64.010 Streets

M. Planting Easements. The Planning Commission may require additional easements for planting street trees or shrubs.

16.64.070

C.(3) Street Trees. Street trees shall be provided consistent with the provisions of Chapter 12.32.

K. Street tree planting is required of the subdivider and shall be according to city requirements. (Ord. 899 section 4, 1993)

Findings: Street trees have been planted along the street frontage as a result of a previous development. It should be determined if the existing trees are planted on private property or within the public right-of-way. If not planted in the public right-of-way, a 12 foot street tree easement must be shown on the recorded partitioning plat.

16.64.030 Easements

A. Utility Lines. Easements for electric lines or other public utilities are required, subject to the recommendations of the utility providing agency. Utility easements twelve feet in width shall be required along all street lot lines unless specifically waived. The commission may also require utility easements alongside on rear lot lines when required for utility provision. The construction of buildings or other improvements on such easements shall not be permitted unless specifically allowed by the affected utility providing agency.

Findings: A condition of approval shall require that all provisions of applicable utility agencies are met prior to the recordation of the partition plat.

C. Pedestrian Ways. In any block over six hundred feet in length, a pedestrian way or combination pedestrian way and utility easement shall be provided through the middle of the block. If unusual conditions require blocks longer than one thousand two hundred feet, two pedestrian ways may be required. When essential for public convenience, such ways may be required to connect to cul-de-sacs, or between streets and other public or semipublic lands or through green way systems. Sidewalks to city standards may be required in easements where insufficient right-of-way exists for the full street surface and the sidewalk.

Findings: As previously stated, sidewalks and any other improvement along the property frontage shall meet the City Engineer's comments stated in a memorandum dated July 25, 2016. Any future development will require site and design review that could require additional walkways within the development area.

16.64.040 Lots

A. Size and Shape. The lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated. To provide for proper site design and prevent the creation of irregularly shaped parcels, the depth of any lot or parcel shall not exceed three times its width (or four times its width in rural areas) unless there is a topographical or environmental constraint or an existing man-made feature such as a railroad line.

Findings: The lots meet the above criteria.

B. Minimum Lot Sizes:

1. Lot sizes shall conform to requirements of Division III...

C. Lot Frontage. All lots shall meet the requirements specified in Division III...

E. Lot Side Lines. The side lines of lots shall run at right angles to the street upon which the lots face...

Findings: The proposal meets the above criteria.

16.64.060 Grading of building sites.

The commission may impose bonding requirements, similar to those described in section 16.64.070, for the purpose of ensuring that grading work will create no public hazard nor endanger public facilities where either steep slopes or unstable soil conditions are known to exist.

Findings: Staff does not recommend a bonding requirement.

16.64.070 Improvements

A. Improvement Procedures. In addition to other requirements, improvements installed by a land divider either as a requirement of these regulations, or at his own option, shall conform to the requirements of these regulations and improvement standards and specifications followed by the city, and shall be installed in accordance with the following procedure:

1. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the city. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the tentative plat of a subdivision or partition. No work shall commence until the developer has signed the necessary certificates and paid the subdivision development fees specified elsewhere in this division.

2. Improvement work shall not commence until after the city is notified, and if work is discontinued for any reason it shall not be resumed until after the city is notified.

3. Improvements shall be constructed under the inspection and to the satisfaction of the City. The city may require changes in typical sections and details in the public interest if unusual conditions arise during construction which warrant the change.

Findings: Improvements shall meet the City Engineer's memorandum dated July 25, 2016.

5. A map showing public improvements "as built" shall be filed with the city engineer within sixty days of the completion of the improvements.

Findings: As-built plans are not sought when improvements are not required or construction has yet to take place.

- B. The following improvements shall be installed at the expense of the subdivider unless specifically exempted by the Planning Commission:
 1. Streets, including drainage and street trees;
 2. Complete sanitary sewer system;
 3. Water distribution lines and fire hydrants;
 4. Sidewalks and any special pedestrian ways;
 5. Street name and traffic-control signs;
 6. Streetlights;
 7. Lot, street and perimeter monumentation;
 8. Underground power lines and related facilities;
 9. Underground telephone lines, CATV lines, natural gas lines, and related facilities;

Findings: As previously discussed, improvement shall meet the City Engineer's requirements stated in memorandum dated July 25, 2016. Future development is discussed in the site and design review proposal.

C. Streets

2. ...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.

Findings: A condition of approval addresses monumentation requirements.

4. Prior to city approval of the partition plat, all perimeter and back lot line monumentation shall be installed and the installation of the front lot monumentation (along and within street rights-of-way) shall be guaranteed. Any monuments destroyed during improvement installation shall be replaced at the developer's expense.

Findings: A condition of approval addresses monumentation requirements.

9. Improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use where the existing transportation system may be burdened by the proposed use.

Findings: There is no evidence that the existing transportation system may be burdened by the proposal.

D. Surface Drainage and Storm Sewer System.

3. All new subdivisions in Canby are required to treat stormwater on site. Stormwater management using LID practices is required where feasible, pursuant to requirements of this chapter and other applicable sections of this code. LID facilities shall be constructed in accordance with Canby Public Works Design Standards.

Findings: All storm water is retained onsite per Chapter 4 of the Canby Public Works Design Standards and is managed with the proposed Bio-retention Tract portion of the partition. Any additional standards will be reviewed during future construction on the site.

G. Sidewalks. Sidewalks shall be required on both sides of a public street and in any special pedestrian way within the subdivision, except that in the case of identified arterials, or industrial districts, the commission may approve a subdivision without sidewalks if alternative pedestrian routes are available. Sidewalk construction may be postponed until the actual construction of buildings on the lots, provided that adequate assurance is given that such sidewalks will be installed.

Findings: Construction of sidewalks has occurred on the property street frontages. At the time of future development of the property, additional sidewalks may be required during the review process.

J. Street Lighting System. Streetlights shall be required to the satisfaction of the manager of the Canby Utility Board.

Findings: No new streetlights are proposed or required at this time.

K. Other Improvements.

1. Curb cuts and driveway installation are not required of the subdivider but, if installed, shall be according to city standards.
2. Street tree planting is required of the subdivider and shall be according to city requirements.
3. The developer shall make necessary arrangements with utility companies or other persons or corporations affected, for the installation of underground lines and facilities....

Findings: Driveway approaches and any curb cuts will be constructed to City standards. A condition of approval addresses street trees. Future development may require placement of underground utility lines.

M. Survey Accuracy and Requirements. In addition to meeting the requirements as set forth in Oregon Revised Statutes relative to required lot, street and perimeter monumentation, the criteria listed in **Section 16.64.070** shall be required.

Findings: A condition of approval states that the City Engineer or County surveyor shall verify that the above standards are met prior to the recordation of the partition plat.

N. Agreement for Improvements. Before commission approval of a subdivision plat or partition map, the land divider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the property, or execute and file with the city engineer, an agreement specifying the period within which required improvements and repairs shall be completed and provided that, if the work is not completed within the period specified, the city may complete the work and recover the full cost and expense, together with court costs and reasonable attorney fees necessary to collect the amounts from the land divider. The agreement shall also provide for reimbursement to the city for the cost of inspection by the city which shall not exceed ten percent of the improvements to be installed.

O. Bond.

1. The land divider shall file with the agreement, to assure his full and faithful performance thereof, one of the financial choices listed in this section and meet stated provisions of the section.

- P. Guarantee. All improvements installed by the subdivider shall be guaranteed as to workmanship and materials for a period of one year following written notice of acceptance by the city to the developer.

Findings: Any public improvements required by the Commission shall meet the above criteria.

16.89 Application and Review Procedures

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)

Findings: This application is being processed in accordance with Chapter 16.89. Notice of the public hearing was mailed to owners and residents of lots within 500 feet of the subject development and to applicable agencies. Notice of the meeting was posted at the Development Services Building, City Hall, and Library and published in the Canby Herald. This chapter requires a Type III process for minor partitions and Site and Design Review. A neighborhood meeting is not required for minor partitions, but one was held on June 1, 2016 for the Site and Design Review.

16.120 Parks, Open Space, and Recreation Land-General Provision

16.120.020 Minimum standard for park, open space and recreation land

- A. Parkland Dedication: All new residential, commercial and industrial developments shall be required to provide park, open space and recreation sites to serve existing and future residents and employees of those developments.

1. The required parkland shall be dedicated as a condition of approval for:
 - a. Approval of a tentative plat of a subdivision or partition.

Findings: Criteria in this section require that System Development Charges (SDCs) be collected at the time of any future construction on the newly created parcels.

II. PUBLIC TESTIMONY

Notice of this application and opportunity to provide comment was mailed to owners and residents of lots within 500 feet of the subject properties and to all applicable public agencies. All citizen and agency comments/written testimony will be presented to the Planning Commission.

III. Decision

Based on the application submitted and the facts, findings, and conclusions of this report, staff recommends that the Planning Commission approve Site and Design Review DR 16-05 and Minor Land Partition File MLP 16-02 subject to the following conditions of approval:

IV. CONDITIONS OF APPROVAL

Commission Findings and Approval for Modifications of Standards

1. The driveway does not meet the criteria listed in TABLE 16.46.30, CMC or the corresponding provisions stated in Public Works Design Standards Section 2.211(g). However, under the provision listed in the staff report, the applicant can request the Planning Commission to consider whether or not the driveway location is appropriate through an access exception. The Transportation Impact Analysis (TIA) reviewed the access exception and made findings that support its approval. If the Commission makes a finding supporting the TIA conclusion regarding the access exception, then this condition is no longer necessary.

Conditions Unique to this Proposal

2. The applicant shall submit lighting cut sheets or specifications of the fixtures and lumen information to allow full assessment of conformance with lighting standards with submittal of the construction plans.
3. The applicant shall meet the requirements listed in the City Engineer's memorandum dated July 25, 2016.

Procedural Conditions

Prior to Issuance of building permits, the following must be completed:

4. 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 – including a pre and post development analysis. Any drainage plan shall conform to the Clean Water Services storm drainage design standards as indicated in the Public Works design standards.
5. A sediment and Erosion Control Permits will be required from the City prior to commencing site work.
6. Prior to the issuance of a building permit, the installation of public 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 applicant may submit the civil construction drawings separate from the building permit submittal package for final preconstruction conference sign-off approval. 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.

7. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon.
8. Clackamas County will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical permits for this project. Fire & Life Safety approval must be obtained from Canby Fire District prior to issuance of a City building permit.

Minor Partition Conditions Unique to This Request:

9. 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.
10. Any access or utility easement to serve the parcels shall be shown on the recorded partition plat.
11. A street tree easement 12 feet wide measured from the front property line shall be provided along the S Township Road street frontage and shall be designated on the Partition Plat. The applicant shall submit a Street Tree Plan to determine appropriate spacing or pay the street tree fee and space the trees at 30' for each street frontage as required by the ordinance

Final Partition Plat Conditions:

12. 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

13. 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.
14. 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.

ATTACHMENTS:

- A.** Applicant Narrative
- B.** Traffic Impact Study
- C.** Site Plan, maps, drawings
- D.** Public Comments



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

LAND USE APPLICATION

MINOR/MAJOR PARTITION

Process Type II/III

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

Applicant Name: DARREN MONEN, MONEN CONSTRUCTION Phone: 503-970-4065
 Address: 23633 RONDEVIC DR. Email: monend@canby.k12.or.us
 City/State: Canby, OR Zip: 97013

Representative Name: PAT SIGUL, SIGUL ENGINEERING Phone: 503-657-0188
 Address: 375 PORTLAND AVE Email: patsigul@sigulengineering.com
 City/State: GLADSTONE, OR Zip: 97027

Property Owner Name: WILD HARE RENTALS, DARREN MONEN Phone: 503-970-4065
 Signature: [Signature]
 Address: 25355 NE GLASS RD Email: monend@canby.k12.or.us
 City/State: AURORA, OR Zip: 97002

Property Owner Name: WILD HARE RENTALS, TOM THOMSEN Phone: 503-803-0912
 Signature: _____
 Address: 25355 NE GLASS RD Email: lonepine.tom@aol.com
 City/State: AURORA, OR Zip: 97002

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:

431 S. TOWNSHIP RD. 20915 sf 4 1E 04AA, Tax Lot 4300
 Street Address or Location of Subject Property Total Size of Property Assessor Tax Lot Numbers

One existing home R-1.5 MOR-Medium Density Residential
 Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation

Partition the property into two parcels and a stormwater tract
 Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
<u>OR 16-02 / M/LP 16-02</u>	<u>7.05.16</u>	<u>BB</u>	<u>\$ 2,750</u> <u>777</u>	
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

Narrative for

2-Lot Partition and Site & Design Review for 2 Triplex Structures For Monen Construction, 413 S Township Road

Applicant:

Darren Monen
Monen Construction
23633 Rondevic Dr.
Canby, OR 97013

Owner:

Wild Hare Rentals
25355 NE Glass Road
Aurora, OR 97002

Property Address & Location:

431 S. Township Road, Canby Oregon 97013
On the south side of Township Road, between S Locust Street & S Lupine Street
West of Township Village 1 & north of Township Village 4

Legal & Assessor's Map:

Located in the NE ¼ of the NE ¼ of Section 4, T4S, R1E, Willamette Meridian
City of Canby, Clackamas County, Oregon
Assessor Map: 4 1E 04AA, Tax Lot 4300

Lot Area:

20,915 sf

Zoning:

R-1.5, Medium Density Residential

Civil Engineering Consultant:

Sisul Engineering, Pat Sisul P.E.
375 Portland Avenue
Gladstone, OR 97027
(503) 657-0188

Architect:

Iselin Architects P.C., Todd Iselin
1307 Seventh Street
Oregon City, OR 97045
(503) 656-1942

Landscape Consultant:

Grover's Landscape Services
26485 S. Meridian Rd.
Aurora, OR 97002
(503) 678-1796

Property Description:

The site is located south of and adjacent to S Township Road roughly midway between S Locust and S Lupine Streets. One house, constructed in 1953, is located in the NW corner of the site near Township Road. A generous yard surrounds the home, with approximately 135 feet of distance separating the rear of the home from the southern property line and approximately 35 feet between the home and the eastern property line. The site is nearly flat and is mostly covered with grass. A few trees are located across the property, most of which are located in the yard area immediately surrounding the home. The zoning of the property is R-1.5, Medium Density Residential. The property is rectangular in shape, with approximate dimensions of 100 feet wide and 209 feet deep. The site has frontage on S Township Road, which is improved with pavement, curbs and sidewalks.



Surrounding uses are as follows:

North: S Township Road is located adjacent to the site to the north. Across Township Road the properties are developed with a mix of single-family and multi-family residential. All properties located on the north side of Township Road are zoned R-2, High Density Residential.

West: Like the subject property, parcels west of the site are zoned R-1.5 Medium Density Residential. The parcel immediately to the west of the site contains one home on a parcel slightly smaller than the subject parcel. Properties farther west are a mix of fully developed and underdeveloped properties for the R-1.5 zoning. Canby Evangelical Church is located approximately 400 feet west of the site.

South & East: South of the site is the Township Village 4 subdivision, recorded in 1992. Lots in Township Village 4 range from between 7,500 sf & 12,050 sf. Lots in Township Village 4 are zoned R-1, Low Density Residential. Lots east of the subject property are located in the Township Village 1 subdivision, recorded in 1988. These lots are zoned R-1.5 and vary between 6,000 sf & 7,625 sf. Homes in both of these subdivisions are mostly single story homes.

Proposed Development:

The applicant proposes to partition the property into two parcels and a tract for treatment of stormwater. One triplex will be constructed on each of the two parcels, an approved use in the R-1.5 zone. Parcel 1 will be adjacent to S Township Road and will be 9,403 square feet in size. Parcel 2 will be a flag lot set back off the street. Parcel 2 will have a lot area of 10,466 square feet, and an effective lot area (minus the pole strip) of 8,467 square feet. Tract A, a 1,045 square foot tract created for stormwater treatment of driveway runoff will be located on the west side of the driveway, along the western property line.

The two parcels will share a driveway approach to Township Road on the west side of the property and they will share a common parking / maneuvering area consisting of 6 parking stalls, a common trash and recycling enclosure, and a paver patio common area. The property will be professionally landscaped and maintained. Units located on Parcel 2 will have one parking space located in the garage or the unit and a second parking space located in the driveway in front of the garage. Units located on Parcel 1 will have one parking space located in the garage and will have an assigned parking space in the common parking area. No parking will be allowed in front of the garages on Parcel 1, so that the parking will be hidden behind the buildings.

Each of the two new buildings will contain three dwelling units. Exterior dimensions of the new buildings will be 63'-2" wide by 38'-4" deep, with each unit measuring 21 feet wide by 38'-4" deep. A covered entry will extend out from the front wall of each unit and a 259 square foot single car garage will be located within the unit footprint. The units themselves will be two-bedroom units having 546 square feet of living space on the main level, 774 square feet of living space on the upper level and a total of 1,320 square feet of living space.

Building front and street side facing elevations will have door and window trim. Front porches will have covered entries with stone column bases and decorative posts. The sides, rear and upper level of the front elevation will have horizontal lap siding, while the bottom level of the front elevation will have Hardiepanel siding with horizontal trim and decorative outriggers. The roofs of the building will have fiberglass composition shingles.

Utility and Service Requirements:

Water service: Two water meters will be installed, one meter to supply domestic water to each new building. One of the two existing water meters onsite will remain and be used as a common irrigation meter for landscaping.

Fire Suppression: A new fire hydrant will be installed in the front of the property along S Township Road to aid in fire suppression of this site and neighboring properties. The units will be outfit with residential fire sprinkler systems as required by the Building Code.

Sanitary sewer: A public sanitary sewer main will be extended into the property with private laterals connecting each unit to the public main.

Electrical: Individual electrical meters will be used. A 3-gang of meters will be placed along a side wall of each building.

Natural Gas: Natural gas will be used for this development. Individual gas meters will be located along a side wall of each building.

Communications / cable: Communication & cable TV will be needed for each unit.

Storm drainage: A stormwater tract is provided along the west side of the common driveway that will be used to treat stormwater runoff from the most of the common driveway area, some of the sidewalks, and the short driveways in front of the units on Parcel 1. The stormwater facility will be a shallow planter, with maximum water depths of 6 inches that will provide stormwater treatment and infiltration possibilities. Landscape area drains will be installed in the planter to protect the facility from high flows. Storm runoff from the two buildings, one catch basin on the east side of the parking lot, and the landscape area drains will be managed through construction of a new private storm drain management system to convey the runoff water, to a water quality treatment device and a drywell for disposal. The water quality treatment device and the drywell will have to meet DEQ UIC permit requirements.

Garbage: A shared garbage and recycling facility will be constructed in the center of the site, away from neighboring property lines.

US Mail: A shared mail box unit will be placed inside the site or along S Township Road, as directed by the U.S. Postal Service.

Municipal Code Conformity Title 16

The following text includes all applicable sections of the current City of Canby Title 16 Planning and Zoning Code, followed by a written statement in *highlighted italic text* explaining how the proposed project conforms to the given requirement.

16.10 OFF-STREET PARKING AND LOADING

16.10.050 Parking standards designated

Off-street Parking Provisions – The parking standards identified in Table 16.10.050 are the minimum standards for off-street vehicle parking in the City of Canby. The standards below apply to this development.

<i>Residential Uses:</i>	
c. Multi-family dwellings in complexes with private internal driveways	One space per studio or 1-bedroom unit. 2.00 spaces per 2-bedroom or larger unit. One additional guest parking space shall be provided for every five units for each development of ten or more units.

The proposed dwelling units will be two-bedroom units, therefore each unit is required to have 2.00 parking spaces. No additional guest spaces are required, as there are only 6 units, below the threshold of ten where guest spaces are required. Therefore, a total of 12 parking spaces are required.

Each unit will have one parking space in the garage, 6 spaces.

There will be a parking space in front of the garages on Parcel 2, for 3 additional spaces.

There will be 6 other surface spaces for residents and guests located on the common driveway.

In total, there will be 15 parking spaces, exceeding the minimum number required. One of the 15 spaces will be an ADA space with an adjacent access aisle.

16.10.060 Off-Street loading facilities

The proposed development will be residential construction and therefore the off-street loading facilities are not required.

16.10.070 Parking lots and access.

A. Parking Lots. A parking lot, whether as accessory or principal use, intended for the parking of automobiles or trucks, shall comply with the following:

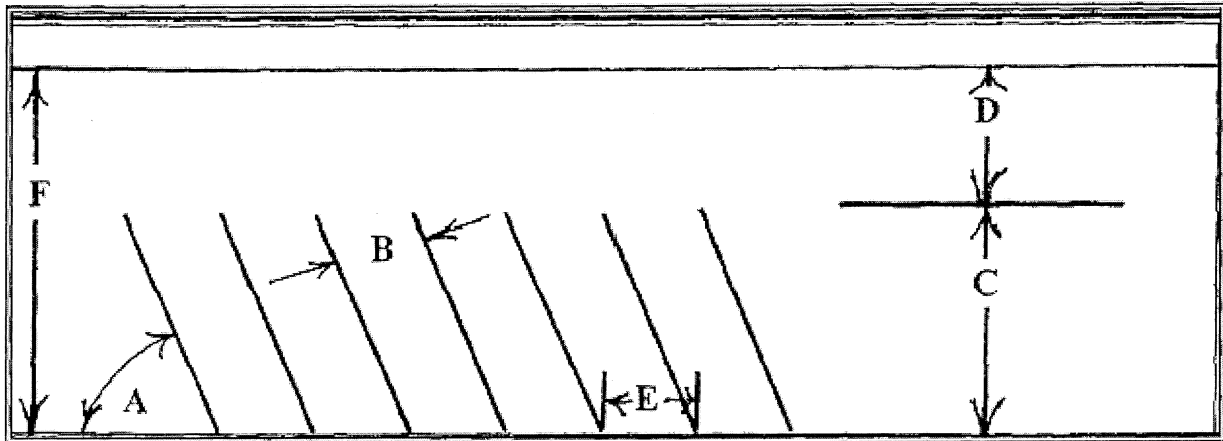
1. Parking lot design shall comply with the dimensional standards set forth in Figure 1 of this section.

All parking stalls will be equal, or exceed, the minimum parking stall dimensions of 8.5' x 18 feet. The requirements of this section are met.

TABLE 16.10.070
Minimum dimensional Standard for Parking

This table and Figure 16.10.070 provide the minimum dimensional standards for parking areas and spaces.
 A = Parking angle in degrees D = Minimum clear aisle width
 B = Minimum stall width E = Minimum clear stall distance at bay side
 C = Minimum stall depth F = Minimum clear bay width

A	B	C	D	E	F
0 (parallel)	8'0"	-	12'0"	22'0"	20'0"
30	8'6"	16'4"	12'0"	17'0"	28'4"
45	8'6"	18'9"	12'6"	12'0"	31'3"
60	8'6"	19'10"	18'0"	9'10"	37'10"
90	8'6"	18'0"	24'0"	8'6"	42'0"



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.

One compact parking stall is proposed and will be marked as compact. One compact space out of 15 total spaces is 6.7% of the total, less than the 30 percent allowed.

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 Commission may approve the use of an engineered aggregate system for outdoor storage and/or non-required parking areas as part of a Conditional Use Permit 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 Planning Commission 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, turf block, 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.

Parking and maneuvering areas are proposed to be asphaltic concrete paving and driveway and sidewalks are proposed to be constructed using standard concrete. Much of the common driveway and most of the onsite sidewalks will drain into the biofilter planter located in Tract A for treatment and infiltration opportunities. Hard surfaces that do not drain into the biofilter planter will drain into a private storm drainage system that will treat the storm water prior to injection into the underlying ground. Although permeable materials will not be used, the net result is that the storm water from driveways, parking stalls and sidewalks will be treated and injected into the ground, similar as to what would occur with the use of permeable surfacing. The requirements of this section are addressed.

- 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.

The driveway will be fully and completely paved, therefore meeting this requirement.

- 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.

The project does not require backing from any parking spaces into a street right of way. Therefore, this requirement is met.

- 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.

The proposed parking and maneuvering layout of the site meet this requirement. The applicant has met with the Fire Marshal concerning movements for fire and emergency vehicles onsite and the Fire Marshal is satisfied with the layout.

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.

Parking bumpers and curbs are proposed where parking stalls would encroach into adjacent landscape areas. The provisions of this section are met.

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

One accessible parking stall is proposed and it will be striped and signed as required.

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.

Plans have been submitted with this application that identify how ingress and egress requirements will be fulfilled. Vehicular and pedestrian ingress and egress will be via the shared access driveway to S Township Road. Site alterations that would change the requirements of the number of access points or the location of the access point are not anticipated and unlikely to occur for a site of this size. The criteria of this section are met.

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.

The two parcels proposed by the minor partition will share vehicle and pedestrian access points to S Township Road. The shared access will be described on the Partition Plat for the project.

3. All ingress and egress shall connect directly with public streets.

The proposed ingress and egress to the site will connect directly to S Township Road. The requirement of this section is met.

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.

The proposed vehicular access will be directly in front of each unit and a parking stall will be located within the garage of each unit. The requirement of this section is met.

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.

Sidewalks are proposed from the front of each building to public sidewalk on S Township Road. The proposed sidewalks satisfy the requirement of this section.

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 & Design Review Board.

Existing concrete sidewalks are already located along the site's street frontage on S Township Road and are in good repair. Sidewalk improvements will only be required where the existing driveway approaches are being modified. This requirement is met.

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.

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>Parking spaces required</i>	<i>Minimum number of accesses required</i>	<i>Minimum access width</i>	<i>Sidewalks & curbs (in addition to driveways)</i>
3-19	1	20 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.

One accessway, consistent with the requirements of this section and Section 16.64.0400 is proposed. The proposed driveway will be 24 feet wide, with curbs on both sides, and a sidewalk on one side. The requirements of this section are met.

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.

One-way ingress and egresses are not proposed. This section does not apply.

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.

The proposed 24-foot wide driveway onto S Township Road will be located 5 feet away from the existing property line to the west. Tract A, a stormwater biofilter planter will be located in between the driveway and the adjacent parcel to the west. This shared driveway will be the only driveway from the site onto S Township Road. The requirements of this section have been met.

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)].

The driveway will be located near the western property line of the site. The nearest intersection is the S Township Road / S Locust Street intersection located approximately 109 feet west of the centerline of the new driveway. The requirements of this section have been met.

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.

TABLE 16.10.100 BICYCLE PARKING STANDARD	
LAND USE CATEGORY	MINIMUM REQUIRED BICYCLE PARKING SPACES
Residential	
Multi-family residential, general	1 space per unit

Per the uses listed in Table 16.10.100, one space per unit is required. The space will be provided in the garage of each unit.

16.18 R-1.5 MEDIUM DENSITY RESIDENTIAL ZONE

16.18.010 Uses permitted outright.

Uses permitted outright in the R-1.5 zone shall be as follows:

- A. Uses permitted outright in the R-1 zone;
- B. Two-family or three-family dwellings. One duplex or triplex on each lot.

Three-family dwellings/triplexes, are permitted outright in the R-1.5 zone.

16.18.030 Development standards.

The following subsections indicate the required development standards of the R-1.5 zone:

A. Minimum and maximum lot area:

- 1. For single family dwellings: five thousand (5,000) square feet minimum and six thousand five hundred (6,500) square feet maximum.
- 2. For two, three, or four-family dwellings: minimum of six units per acre. Density is calculated by dividing the number of dwelling units by the property area in acres (minus area required for street right-of-way and public park/open space areas). Decimals are rounded to the nearest whole number.
- 3. The Planning Commission may approve smaller or larger lots in accordance with subsection B, below.

The required minimum density is six units per acre. Although not required in the Code, the Planning Director has determined that the upper limit for project density is a maximum of 14 units per acre, the minimum density allowed in the R-2 zone. The site area measures 20,915 square feet, 0.48 acre. The minimum required density is 2.9 units, which would round up to 3 units. The maximum allowable density is 6.7 units, which would round down to 6 units. Six units are proposed, within the permitted range. Although there is no required lot area for two, three or four-family dwellings, at 14 units per acre, the minimum area per unit would be 3,111 square feet. For three unit dwellings 3 x 3,111 square feet would be required, 9,333 square feet. Both Parcel 1 and Parcel 2 exceed 9,333 square feet. The requirements of this section have been met.

B. Lot area exceptions:

- 1. The Planning Commission may approve an exception to the minimum and maximum lot area standards in subsection 16.18.030.A as part of a subdivision or partition application when all of the following standards are met:
 - a. The average area of all lots and open space tracts created through the subject land division, excluding required public park land dedications, surface water management facilities and similar public use areas, shall be no less than five thousand square feet and no greater than six thousand five hundred square feet. Non-required significant natural resource areas shall be included in the average lot size calculation to enable a transfer of density onto buildable portions of the site. Required areas include identified parks, wetland areas, riparian corridors, and other areas in which building is not permitted under local, state, or federal laws or regulations;

- b. No lot shall be created that contains less than four thousand square feet; and
 - c. As a condition of granting the exception, the city will require the owner to record a deed restriction with the final plat that prevents the re-division of oversized lots (six thousand five hundred square feet and larger), when such re-division would violate the average lot size provision in subsection 16.18.030.B.1.a. All lots approved for use by more than one dwelling shall be so designated on the final plat.
2. A public benefit must be demonstrated in order to allow more than ten percent of the lots to be outside of the minimum and maximum lot areas in subsection 16.18.030.B.1.a.
 3. The Planning Commission may modify the maximum lot area requirements in subsection 16.18.030.B if these cannot be met due to existing lot dimensions, road patterns, or other site characteristics.
 4. Lots of three thousand square feet each may be permitted by the Planning Commission for single family dwellings having common wall construction.
 5. The maximum lot area standard does not apply to dwellings existing prior to subdivision or partition plan approval or to lots designated for open space.

No lot area exceptions are required.

- C. Minimum width and frontage: forty feet, except that the Planning Commission may approve lots having less frontage subject to special conditions to assure adequate access. Twenty feet is permitted for single family attached (common wall) housing on interior lots.

Proposed Parcel 1 will measure 120 feet wide in the north-south direction. Proposed Parcel 2 will measure 95 feet wide in the east-west direction, both exceeding the minimum width required. Parcel 1 will have 78.3 feet of frontage on S Township Road, while Parcel 2 will be a flag lot with 16.7 feet of frontage. Parcels 1 and 2 will share a common access easement to S Township Road measuring more than 35 feet wide permitting a common 24-foot wide driveway and a sidewalk to connect to the public transportation system. The requirements of this section are satisfied.

D. Minimum yard requirements:

1. Street yard: twenty feet on side with driveway; fifteen feet for all other street sides; except that street yards may be reduced to ten feet for covered porches only.
2. Rear yard: all corner lots, ten feet single story or fifteen feet two-story; all other lots: fifteen feet single story or twenty feet two-story. One story building components must meet the single story setback requirements; two story building components must meet the two-story setback requirements;
3. Interior yard: seven feet, except as otherwise provided for zero-lot line housing.
4. Interior and rear yards may be reduced to three feet, or the width of any existing utility easement, whichever is greater, for detached accessory structures, except accessory dwellings, erected sixty feet or more from any street other than an alley. The height limitations noted in subsection E.2 below apply. Utility easements may only be reduced with the approval of all utility providers.
5. Infill standards may also apply. See CMC 16.21.050.

Proposed Parcel 1 will have a front yard facing the shared private driveway of 20 feet, a 15-foot street side yard facing S Township Road, a twenty-foot rear yard facing TL 4400 & an interior side yard exceeding seven feet. Parcel 1 will not be an "Infill Home" as the definition of an infill

home (Section 16.04.255) requires two adjacent homes to be located within 25 feet of the common property line with the new home. Parcel 1 will only have existing homes located on adjacent lots to the east, as Township Road is located to its north, and Parcel 2 will be located to its south and west. Only 1 of the two adjacent homes to the east is located within 25 feet of the common property line. Infill standards therefore will not apply to Parcel 1.

Proposed Parcel 2 will have a front yard facing Parcel 1 of more than twenty feet, side yards meeting or exceeding the required 7 feet, and a rear yard of 20 feet. Parcel 2 will not be an "Infill Home" as explained below. Parcel 2 is bordered by Parcel 1 to the north and Tract A, the stormwater treatment tract, to the west. Existing homes on lots adjacent to Parcel 2 are located on Tax Lots 200, 300 to the east and Tax Lots 4810 & 4811 to the south. All of these lots have homes that have existed for more than 5 years. The home on Tax Lot 200 is a two-story home located more than 25 feet off of the property line, although a single level accessory structure is located behind the home within 25 feet of the property line. The accessory structure is not considered as part of the livable space of the home. The home on Tax Lot 300 is a single level home located between 20 and 25 feet away from the common property line.

To the south of Parcel 2, the home on TL 4810 is located well off the property line, approximately 70 feet. The home on TL 4811 is located closer to the property line, with a covered patio in the corner of the house located closest to the subject property. Although the roof line, an exterior post holding up the corner of the roof and an exterior patio are located within 25 feet of the SW corner of the subject property, the heated walls and livable space of the home are located more than 29 feet away from the subject parcel and more than 34 feet away from the SW corner of Parcel 2 (as measured by a professional land surveyor). According to the City Planning Staff, it is the heated walls and foundation of the structure that determine the exterior dimensions of the home, not an exterior patio or post. Therefore, the only home located on an adjacent lot within 25 feet of a common property line is the home on Tax Lot 300. Because only one home is located on an adjacent property within 25 feet of the property line common to Parcel 2, the infill standards do not apply to Parcel 2.

E. Maximum building height:

1. Principal building: thirty-five feet.

2. Detached accessory structure:

a. If located inside the allowed building footprint for the principal building, a detached accessory structure may be up to twenty-two feet tall, as measured to the highest point of the roof.

b. If located outside the allowed building footprint for the principal building, a detached accessory structure is subject to a step-up height standard, and is allowed outright only if it meets this standard. The structure shall not exceed eight feet tall, as measured to the highest point of the roof, at a distance of three feet from the property line. The structure may increase in height by one foot vertically for every one foot horizontally away from the three foot line, up to the maximum height of twenty-two feet.

c. A conditional use permit is required to locate the structure outside of the allowed building footprint for the principal building in violation of the stepup height standard.

d. Detached accessory structures over twenty-two feet tall are not permitted.

3. For detached accessory dwellings, the Planning Commission may approve building heights over twenty-two feet through the Conditional Use process, but in no case shall

the accessory dwelling be higher than the principal building. The Planning Commission may only approve the use of buildings over twenty-two feet in the case of existing structures where no substantial changes to existing roof lines are proposed.

The submitted Architectural elevations identify the height to the front dormer top plate as approximately 18 feet above floor level and a 6:12 pitch on the roof. With the 38'-4" building width, the ridge line of the roof will be approximately 27'-6" above the bottom floor level, less than the permitted 35 feet. No detached accessory structures are proposed. The provisions of this section are satisfied.

F. The maximum amount of impervious surface allowed the R-1.5 zone shall be 70 percent of the lot area.

1. Impervious surface includes all surface areas that create a barrier to or hinder the entry of water into the soil in comparison with natural conditions prior to development. Impervious surface include, but are not limited to, buildings, parking areas, driveways, roads, sidewalks, patios, packed earth, and oiled surfaces. Open, uncovered retention/detention facilities, green roofs, and permeable surfacing materials shall not be considered impervious surfaces. Roof surfaces are also considered 'pervious' when 100% of the annual average roof runoff is captured and reused on-site for irrigation or approved interior uses.

2. To limit impervious surface, alternative surfacing materials may be used. Alternative surfacing includes, but is not limited to paving blocks, turf block, pervious concrete, and porous asphalt. Other similar approved materials are encouraged. Utilization of alternative surfacing methods shall be subject to review and approval by the City Public Works Department for compliance with other applicable regulations and development standards. Maintenance of alternative surfacing materials located on private property are the responsibility of the property owner.

The impervious surface percentage of Parcel 1 will be 69.9% while the impervious surface percentage of Parcel 2 will be 65.2%. Both parcels will have an impervious surface percentage below the 70% threshold. The provisions of this section are satisfied.

G. Other regulations:

1. Vision clearance distance shall be ten feet from a street to an alley or a street to a driveway, and thirty feet from a street to any other street.

The original plan for the development had the shared driveway located on the eastern property line and the site plan mirrored. Vision and site distance was studied by the City's traffic engineer and was determined to be substandard with the driveway located along the eastern property line due to the presence of a wall located behind the Township Road sidewalk on Tax Lot 200. It was recommended that the driveway be moved to the west property line where vision clearance and site distance would exceed the minimum standards.

2. All setbacks to be measured from the foundation line of the building. Overhangs shall not exceed two feet; mechanical units, used for the heating/cooling of residential units are exempt from interior and/or rear yard setback requirements.

The project can comply with this standard.

3. Required yards on southern and western exposures may be reduced by not more than five feet for eaves or canopies to provide shade.

The project can comply with this standard.

4. Accessory buildings shall not have a larger footprint than the primary building.

No accessory buildings are proposed, this standard does not apply.

16.21 RESIDENTIAL DESIGN STANDARDS

16.21.010 Purpose.

The purpose of the residential design objectives are to promote:

- A. Community livability through the creation of attractive design housing and streetscapes.
- B. Compatibility (in height, bulk, setback and overall design) between infill housing and adjacent established housing, to the extent practicable. Additionally, the standards are intended to promote compatibility and transitions between multi-family housing and adjacent uses.
- C. Community safety for neighborhood streets and front yards by providing “eyes on the street.”
- D. Community interaction by designing neighborhood streets, front yards and open spaces so that they are attractive and inviting places for neighbors to interact.
- E. Good design at reasonable cost through design standards that improve residential design within reasonable cost parameters, process, and with options for how to meet the standards. (Ord. 1107, 2002)
- F. Low impact developments that manage stormwater through the use of on-site features, preserve natural conditions and open space, minimize impervious surfaces, and use land efficiently.

The two proposed structures and the proposed site improvements intend to fulfill the residential design objectives of this section. The proposed multi-family dwelling units attempt to create a compatible transition from the adjacent low density housing to the south into the multi-family housing permitted in this area, primarily to the north of S Township Road. The proposed buildings will be architecturally pleasing and an asset to the S Township Road neighborhood.

16.21.020 Applicability and review procedure for single family and two family dwellings.

The standards in sections 16.21.030 through 16.21.050 apply to single family dwellings, manufactured homes, and two family dwellings (duplexes). Where a proposal is for an alteration or addition to a existing development, the standards of this section apply only to the portion being altered or added. If the applicant can demonstrate that implementation of the standards would be impractical due to lot size, shape, slope, or other natural feature of the property that does not generally apply to other properties in the city, the Planning Director may waive any of the standards which are demonstrated to be impractical.

The two structures on this site will be three family dwellings (triplexes). The standards of sections 16.21.30 through 16.21.050 do not apply. We will therefore skip forward to Section 16.21.060.

16.21.060 Applicability and review procedure for multi-family dwellings.

The standards in section 16.21.070 apply to multi-family dwellings. Where a proposal is for an alteration or addition to an existing development, the standards of this section apply only to the portion being altered or added. If the applicant can demonstrate that implementation of the standards would be impractical due to lot size, shape, slope, or other natural feature of the property that does not generally apply to other properties in the city, the Planning Director may waive any of the standards which are demonstrated to be impractical. (Ord. 1107, 2002)

The proposal is for two new multi family structures. The provisions of Section 16.21.070 will apply.

16.21.070 Multi-family design standards.

A. For design review applications for multi-family dwellings (three or more units) or for development that contain 3 or more units on a single lot located in any zone, the menu in Table 16.21.070 shall apply. This menu replaces the general menu contained in Chapter 16.49 for such applications.

The proposal is for two new multi family structures, each containing three dwelling units. The menu in Table 16.21.070 applies.

B. A design review application for multi-family dwellings shall be considered to be compatible if

1. At least five of the Design Elements for Street Facing Facades are achieved.
2. a minimum of 60 percent of the total possible points from the Design Menu are accumulated for the whole development;
3. 10 percent of the points used to meet (2) above are from the LID category; and,
4. the applicant has received a minimum of one point in each applicable category.

The number of points collected in each category and the total number of points obtained by the project are discussed below.

C. Those elements that are not applicable to a project shall not be counted toward the total possible points. (Ord. 1338; 2010)

Non applicable elements are identified below and are not counted toward the total possible points.

Table 16.21.070 Multi-Family Design Menu

As part of review of multi-family developments, the following menu shall be used as part of the review. In order to "pass" this table 60% of total possible points shall be earned, (10% of the total possible points must be from LID elements)

Parking

Screening of parking and/or loading facilities from public right-of-way

*Parking for the six units will be screened from view by passing motorists. The three units closest to S Township Road will have parking in the garage, but no parking located in the driveway in front of the garage. Parking will also be located in the garages of the three units in the rear, in the driveway in front of the garages of these three units, and in parking spaces between the two buildings. One ADA parking stall is located at the end of an extension of the common driveway, but a vehicle parked in that stall will be screened with vegetation from trees and shrubs located on either side of the driveway and by the 125 foot distance that the parking space will sit back behind the public sidewalk. **Fully Screened, 2 points.***

Parking lot lighting provided

*Parking lot lighting will be provided on the buildings. **Yes, 1 point.***

Parking location (behind building is best)

*Parking is located behind the building nearest to S Township Road. **Behind, 2 points.***

Number of parking spaces provided (% of minimum required) >120% 101-120% 100% - -

*Six units, requiring of 12 parking spaces are proposed. 15 parking spaces will be provided, 6 of which will be interior spaces in garages and 9 of which will be exterior parking spaces. The intent of this provision is to limit the number of exterior parking stalls. Although the application provides for more than the minimum number of parking stalls, only 9 parking stalls are exterior stalls, fewer than the 12 allowed for which the applicant could receive full credit if there were no interior parking spaces provided. Because the application provides interior parking and fewer exterior parking stalls, the applicant believes that it is reasonable to take credit for **100%, 2 points.***

7 Points out of 7 Possible

Tree Retention

Percentage of trees retained

*Five trees are currently located on the site, 2 of which will be retained, a percentage between 10 and 50 percent. **10 – 50 percent, 1 point.***

Replacement of trees removed

*Per the Landscaping Plan, more than 50% of the trees being removed will be replaced. **>50%, 1 point.***

2 Points out of 4 Possible

Building Orientation to Street

Primary entrances face the street

*Each building will have 3 primary entrances, one for each unit. All units will have entrances facing the common driveway and sidewalk system. The three entrances on Parcel 2 will be oriented toward S Township Road, while only one of the three entrances on Parcel 1 could be considered as being oriented toward S Township Road. The proposal lands somewhere in between having none of the entrances facing the street and all of the entrances facing the street. Therefore, one of two points is reasonable. **1 point.***

Site's frontage has buildings within 25 feet of front lot line. (Full points may be given when courtyards are adjacent to the frontage.)

*The front lot line measures 100 feet. The building on Parcel 1 will be located 15 feet from the front lot line for a length of 33.83 feet. **26-50 percent of street frontage, 1 point.***

2 Points out of 4 Possible

Screening of Storage Areas and Utility Boxes

Trash storage is screened from view by solid wood fence, masonry wall or landscaping.

*The trash and recycling storage area will be located between the two buildings and will be screened behind a wooden fences. **Yes, 1 point.***

Trash storage is located away from adjacent property lines.

The trash and recycling storage area will be located between the two buildings on the east side of the common driveway. The facility will be located **>25 feet from adjacent property, 2 points.**

Utility equipment is screened from view

Heat pumps will be located in the rear yards of the units and fully screened. Electric meters will be placed where they cannot be seen from vehicles driving by the site. **Fully screened, 2 points.**

5 Points out of 5 Possible

Prevention of Monotonous and Incompatible Design

Horizontal length of all buildings is a maximum of 120 feet

Each building will measure approximately 38 feet wide by 64 feet long. <80 feet, 2 points.

Roofs have a gable, hip or gambel form, minimum pitch of 3 to 12 with at least 6- inch overhang.

Roofs will be gable, with an 8:12 pitch and overhangs exceeding 6 inches. Yes, 1 point.

A minimum of 15% of street façade areas contains windows or doors. All windows provide trim, recess, or other method of providing shadowing.

The street facing façade of Building 1 will provide for 15% windows or doors with trim. No, 0 points.

Garages are located to minimize their visual impact.

Garages are located on the side of the building closest to S Township Road. Side of building, 1 point.

Exterior design features include offsets, balconies, projections, window reveals, or similar elements to break up large building expanses.

Three front porches will be located on the driveway side of each structure and the projections and roof elements associated with the entryways will break up the front elevation into approximately 12-foot long segments. Side and rear elevations will include window and door reveals to break up the building wall. One design feature within every 30 feet of longest façade, 1 point.

5 Points out of 8 Possible

Private Open Space and Landscaping

Private open space provided in addition to what is required for the base zone.

At grade patios exceeding 48 square feet will be provided on the rear of 100% of the units and a common paver patio area will be provided adjacent to Building 2 that will provide a "third space" community area for residents of the complex. The proposed community area is similar in nature to a community room. 3 points.

Number of non-required trees provided.

Total landscaping area will be approximately 6,650 square feet. At 1 tree per 500 sf, 14 trees would be required to meet the standard, more than 14 trees are proposed. At least one tree per 500 square feet of landscaping, 1 point.

Amount of grass (less grass is better) (% of total landscaped area)

Landscaping on site will be limited, as indicated on the Landscaping Plan. <25%, 2 points.

6 Points out of 6 Possible

Street and Block Framework

Multi-family developments 8 acres or larger are developed as a series of complete blocks bounded by a network of public or private streets with sidewalks and street trees.

This section does not apply to this small site.

0 Points out of 0 Possible

Low Impact Development (LID)

Use of pervious paving materials (% of total paved area)

Paving stones are planned for the common area, however, that pavement area makes up less than 10% of the total site pavement. <10%, 0 points.

Provision of park or open space area for public use.

*A common paver patio area is planned for community gathering of complex residents, but not the general public. **Open space (generally not for public use, 2 points.***

Use of drought tolerant species in landscaping (% of total plants)

*Some drought tolerant species are planned, making up between 25%-50% of the total plants. **25-50% drought tolerant, 2 points.***

Provision of additional interior parking lot landscaping (% of minimum required)

*9,728 square feet of non-building area is located within 10 feet of the exterior of the common parking and maneuvering area. 2,313 square feet of this area is landscaping, 23.77% of the parking lot area. Fifteen (15%) is the minimum required, so the proposed exceeds the required by 8.77%. **101-110%, 1 point.***

Provision of an eco-roof or rooftop garden (% of total roof area)

Eco-roofs or rooftop garden are generally not applicable to residential construction.

This section does not apply to residential construction.

Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)

*Of the 15 total parking spaces, six will be located within garages. **10-50%, 3 points.***

Disconnecting downspouts from city stormwater facilities

*All downspouts are disconnected from City stormwater facilities. **All downspouts disconnected, 2 points.***

Shared parking with adjacent uses or public parking structure (% of total required parking spaces)

Shared parking is generally not applicable to residential uses.

This section does not apply to residential uses.

Provision of rain gardens/bioretention areas for stormwater runoff (% of total landscaped area)

*The total landscaped area will be 6,650 square feet, of which, 1,010 square feet will be rain garden / bioretention planter, 15% of the total. **10 – 50%, 2 points.***

12 out of 25 Possible Points

The project can earn a total of 39 points out of 59 Possible = 66%

Including at least 1 point from each applicable category

Including 12 points out of 25 applicable points (48%) of the total from the LID category.

16.35 CANBY INDUSTRIAL AREA OVERLAY (I-O) ZONE

The site is not within the Canby Industrial Area Overlay Zone, this Chapter does not apply.

16.36 PLANNED UNIT DEVELOPMENT OVERLAY ZONE

The project is not proposed as a Planned Unit Development, therefore the provisions of this Chapter do not apply to the proposal.

16.37 RIPARIAN OVERLAY ZONE

The site is not within a riparian area, the provisions of this Chapter do not apply.

16.38 HISTORIC PROTECTION OVERLAY ZONE (A)

No historic features are located on or adjacent to this site. The Historic Protection Overlay does not apply.

16.39 WETLAND OVERLAY ZONE

The site is free from wetlands and riparian areas. The provisions of this Chapter do not apply.

16.40 HAZARD OVERLAY ZONE (H)

The site is free from steep slopes and potential from flooding. The Hazard Overlay Zone and the provisions of this Chapter do not apply.

16.41 DOWNTOWN CANBY OVERLAY (DCO) ZONE

The site is not located within the Downtown Canby Overlay Zone. This Chapter does not apply.

16.42 SIGNS

No signs are proposed, this Chapter does not apply.

16.43 OUTDOOR LIGHTING STANDARDS

16.43.040 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.

This residential use will be in LZ (Lighting Zone) 1.

16.43.060 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.

Lighting will be installed to meet the requirements of this section. Cut sheets for the proposed fixtures will be submitted to the City of Canby for approval.

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 300 watts.

None of the above lighting systems are proposed, the provisions of this section are met.

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

E. All facade lighting must be restricted to the facade surface. The margins of the facade shall not be illuminated. Light trespass is prohibited. The sides of commercial buildings without a customer entrance shall not be lit.

Table 16.43.070 - Luminaire Maximum Wattage 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.

Cut sheets for the proposed fixtures will be submitted to the City of Canby for approval. The applicant will install lighting to meet the requirements of this Code.

16.43.080 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:

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.

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.

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 2	37.5	18.0	15.0

Exterior light fixtures will be mounted at elevation slightly above the doorways for the units. Light fixtures for the site, including lighting for the parking areas, are proposed to be mounted on the buildings. No pole mounted fixtures are proposed. The applicant will install the outdoor lighting as required to meet the provisions of this section.

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 wattage 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.

A Site Lighting Plan, will be submitted with the building permit application.

16.46 ACCESS LIMITATIONS ON PROJECT DENSITY

16.46.010 Number of units in residential development.

A major factor in determining the appropriate density of residential development, particularly in higher density areas, is vehicular access. In order to assure that sufficient access is provided for emergency response as well as the convenience of residents, the following special limitations shall be placed on the allowable number of units in a residential development:

- A. Single-family residential access, public and private roads:

The proposal is to construct multi-family housing, the provisions of this section do not apply.

- B. Single ownership developments (condominiums, townhouses, manufactured homes, multi-family developments, etc.).

- 1. Two lane access roads/drives shall be a minimum width of 20 feet with no parking permitted, or 28 feet with parking restricted to one side only, or 36 feet with no parking restrictions. Three lane access roads/drives shall be a minimum width of 32 feet with no parking permitted, or 40 feet with parking restricted to one side.

- 2. The number of units permitted are as follows:

<u>Two lane access road/drive</u>	<u>Three lane access road/drive</u>
One access: 30 units	One access: 30 units
Two accesses: 165 units	Two accesses: 220 units
Three accesses: 258 units	Three accesses: 345 units

One two lane access road/drive is adequate to serve the 12 units being proposed. The driveway will be of adequate width to provide two lanes of access with no parking.

16.46.020 Ingress and egress.

Ingress and egress to any lot or parcel, the creation of which has been approved by the Planning Commission, shall be taken along that portion fronting on a public street unless otherwise approved by the Planning Commission. (Ord. 740 section 10.3.62, 1984)

16.46.030 Access connection.

A. Spacing of accesses on City streets. The number and spacing of accesses on City streets shall be as specified in Table 16.46.030. Proposed developments or land use actions that do not comply with these standards will be required to obtain an access spacing exception and address the joint and cross access requirements of this Chapter. (Ord. 1043 section 3, 2000; Ord. 1076, 2001; Ord. 1237, 2007)

**TABLE 16.46.30
Access Management Guidelines for City Streets***

Street Facility	Maximum spacing** of roadways	Minimum spacing** of roadways	Minimum spacing** of roadway to driveway***	Minimum Spacing** driveway to driveway***
Arterial	1,000 feet	660 feet	330 feet	330 feet or combine
Collector	600 feet	250 feet	100 feet	100 feet or combine
Neighborhood/Local	600 feet	150 feet	50 feet****	10 feet

*Exceptions may be made in the downtown commercial district, if approved by the City Engineering or Public Works Department, where alleys and historic street grids do not conform to access spacing standards.

** Measured centerline on both sides of the street

*** Private access to arterial roadways shall only be granted through a requested variance of access spacing policies when access to a lower classification facility is not feasible (which shall include an access management plan evaluation).

**** Not applicable for single-family residential driveways; refer to section 16.10.070(B)(10) for single-family residential access standards Note: Spacing shall be measured between access points on both sides of the street.

S Township Road is classified as a collector roadway by Figure 7-1, Functional Classification, in the December 2010 Canby Transportation System Plan. Per Table 16.46.30 shown above, the minimum driveway to driveway spacing on collectors is required to be 100 feet and minimum driveway to roadway spacing is also 100 feet. The subject parcel has two existing driveways. One located on the west side of the property used to access the garage for the existing house and a second driveway is located on the east side of the property and is used to access the rear of the site. Both driveways existed prior to City of Canby street reconstruction project on S Township Road that constructed the frontage improvements in front of this site and others in 2000.

The proposed development would eliminate the existing driveway on the east side of the property while the existing driveway on the west side of the property would remain and be used as the access to S Township Road for the 6 proposed units. The applicant originally had planned to locate the common driveway on the east side of the site and eliminate the existing driveway approach on the west side of the site, but the City’s traffic engineer found the site distance to be inadequate for the driveway on the eastern property line due to the presence of the concrete block wall behind the sidewalk on S Township Road.

The nearest points of access to S Township Road on the southern side of the street include the S Lupine Street intersection to the east and a driveway to Tax Lot 4400 to the west of the subject parcel. The distance from the center of the access into the proposed development and the center of S Lupine Street is approximately 202 feet, while the distance from the center of the proposed access to the center of the driveway to the west will be approximately 95 feet. The distance to the intersection is within the permitted spacing listed in Table 16.46.30, while the driveway distance is 5 feet short. Elimination of the eastern driveway, helps bring the south side of Township Road close to being in conformance with the access guidelines of Table 16.46.30.

Across the street, on the north side of Township Road, virtually none of the driveways in the vicinity conform to the spacing standards of Table 16.46.30. There are four existing driveways located within 150 feet of the driveway access into this development and they are centered approximately 29 feet west, 46 feet east, 118 feet east and 142 feet east of the center of the proposed project driveway. The center-to-center spacing of the driveways on the north side of Township Road ranges from as little as 25 feet to a maximum of 72 feet, but all spaced less than the 100-foot required per Table 16.46.30. In addition, the two easternmost of the four driveways are located less than 90 feet from the S Lupine Street intersection, in conflict with the driveway to roadway standard in Table 16.46.30.

There is no place along the frontage of this site where a driveway can be positioned that would meet the spacing criteria of Table 16.46.30. At best, the driveway could be positioned so that it was centered 28 feet east of the west property line of the site (11 feet east of where it is proposed on the application) midway between two driveways to the north, roughly 37 feet from the center of each. The 37-foot separation would still be far below the required standard.

With the driveways on the north side of Township Road being far out of conformance with the access standards, with access to a lower order street not available to this site, and because this site is proposing to eliminate one of the two existing access points to Township Road thereby bringing the accesses along S Township Road more into conformance with the access management guidelines of Table 16.46.30, the applicant will pursue an exception to the spacing standards per Section 16.46.070.

16.46.035 Restricted access.

The City may allow an access to a City street that does not meet the spacing requirements of Table 16.46.030 if the proposed access is restricted (prevents certain turning movements). The City may require an applicant to provide an engineered traffic study, access management plan, or other information as needed to demonstrate that the roadway will operate within the acceptable standards with the restricted access in place. (Ord. 1237, 2007). Access to OR 99E shall be regulated by ODOT through OAR 734.51.

The access for this development is an existing access that has been used at least as far back as the year 2000 when Township Road was improved by the City of Canby. Access restrictions that would prevent certain turning movements would be impossible to construct that wouldn't also have an impact on turning movements for the existing driveways located on the north side of the street. Restricted access improvements are warranted when traffic on the roadway is so heavy that vehicles making left turns will cause serious safety problems, however, on streets without heavy traffic, access restrictions can be more of a detriment to vehicular safety than a benefit. S Township Road doesn't currently experience a level of traffic high enough that would warrant access restrictions for the proposed development.

16.46.040 Joint and cross access.

Any developments requiring site plan review that do not meet access spacing requirements are subject to these requirements. In these cases, the following information shall be shown on the site plan.

A. Adjacent commercial or office properties classified as major traffic generators (e.g. shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.

B. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:

1. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;
2. A design speed of 10 mph and a minimum width of 20 feet to accommodate two way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;
4. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.

C. Shared parking areas may be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.

D. Pursuant to this section, property owners shall:

1. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
2. Record an easement with the deed that remaining access rights along the roadway will be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

E. The City may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:

1. Joint access driveways and cross access easements are provided in accordance with this section.
2. The site plan incorporates a unified access and circulation system in accordance with this section.
3. The property owner enters into a written agreement with the city, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.

F. The Planning Department may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.

Because more significant access separation problem is with driveways located on the north side of Township Road and this site is located on the south side, joint or cross access agreements cannot solve the access spacing problem.

16.46.050 Nonconforming access features.

Legal access connections in place as of April 19, 2000 that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

- A. When new access connection permits are requested; or
- B. Change in use or enlargements or improvements that will significantly increase trip generation. (Ord. 1043 section 3, 2000)

The two existing driveway approaches into this parcel both existed prior to April 19, 2000. In 1999-2000 the City of Canby improved a large section of S Township Road with new concrete curbs and sidewalks, including the frontage of this site. The City installed the two driveway approaches into this site at that time. Due to the proposed change in the use of the property, the access connection that will remain is being studied.

16.46.060 Amount of access points.

In the interest of promoting unified access and circulation systems, the number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans. The owner and all lessees within the affected area are responsible for compliance with the requirements of this ordinance and both shall be cited for any violation. (Ord 1043 section 3, 2000)

A single point of access is requested from this property, which is the minimum number possible.

16.46.070 Exception standards.

A. An exception may be allowed from the access spacing standards if the applicant can provide proof of unique or special conditions that make strict application of the provisions impractical. Applicants shall include proof that:

- 1. Indirect or restricted access cannot be obtained;
- 2. No engineering or construction solutions can be reasonably applied to mitigate the condition; and
- 3. No alternative access is available from a street with a lower functional classification than the primary roadway.

The site has street frontage on the north side only, with properties located on its east and south sides already developed to their full development potential. Because the subdivisions on the east and south are newer subdivisions (1990's) and any future redevelopment of those properties is remote. The parcel to the west is underdeveloped,

but it is anticipated that when it redevelops that site will take access from S Locust Court along its western property line without a public way extending east to this parcel. No alternative access is available.

Access restrictions were discussed in response to Section 16.46.035. Engineering or construction solutions to restrict turning movements typically include center medians and/or a pork chop median at driveways. A pork chop median by itself typically causes more access problems than it resolves and probably wouldn't deter left turns into or out of the site. A center median would not only restrict access movements for the driveway into this site, it would also impact the existing driveways on the north side of Township Road. The level of traffic on Township Road wouldn't warrant access restrictions, therefore, an exception to the spacing standards appears to be the best alternative.

B. Access Management Plan Required. An applicant requesting an access exception may be required to submit an access management plan. The access management plan shall explain the need for the modification and demonstrate that the modification maintains the classified function and integrity of the facility. An access management plan shall be prepared and certified by a traffic or civil engineer registered in the State of Oregon. An access management plan shall at minimum contain the following:

1. The minimum study area shall include the length of the site's frontage plus the distance of the applicable access spacing standard, measured from each property line or access point(s), whichever is greater. For example, a property with 500 feet of frontage on an arterial (required 660 foot access spacing standard) shall have a minimum study area which is 1,820 feet in length.
2. The potential safety and operational problems associated with the proposed access point. The access management plan shall review both existing and future access for all properties within the study area as defined above.
3. A comparison of all alternatives examined. At a minimum, the access management plan shall evaluate the proposed modification to the access spacing standard and the impacts of a plan utilizing the City standard for access spacing. Specifically, the access management plan shall identify any impacts on the operations and/or safety of the various alternatives.
4. A list of improvements and recommendations necessary to implement the proposed access modification, specifically addressing all safety and operational concerns identified.
5. References to standards or publications used to prepare the access management plan.

The Access Management Plan for this site is to modify the proposed spacing standard and to permit the existing driveway to be used as the access for the proposed development without restricted or joint access. Although Township Road is a collector roadway, traffic volumes are not so high that turning movements associated with 5 additional units proposed with this development are anticipated to pose operational problems for Township Road.

C. The granting of the exception shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

The applicant has shown with this narrative that due to a series of non-conforming driveways located across Township Road from this site that there is no location along the frontage of the site that can conform to the access management guidelines. As there is no access to this site from any other direction and because joint access from a neighboring site on the south side of Township Road would not solve the spacing problems with the driveways on the north side of Township Road, an exception to the spacing standards appears to be the best solution.

D. No exception shall be granted where such hardship is self-created.

The hardship was not self-created. Most of the driveways located on S Township Road have existed for decades, prior to the City's adoption of access spacing standards. Ideally, a stub street from the Township Village subdivision should have been created to serve this parcel and other parcels adjacent to it from either the east or the south. However, that was not planned when Township Village was developed and now there is no way to provide an access, leaving the only access into this parcel to be from Township Road.

E. Reasons for denying access spacing exception applications include, but are not limited to, traffic safety concerns, expected or planned traffic increases due to development or road construction, and emergency service provision issues. (Ord. 1043 section 3, 2000; Ord 1237, 2007; Ord. 1340, 2011)

The access to the site is an existing access that has been used for many years. Because the proposal will eliminate one of the two access points into the site thereby bringing the south side of Township Road nearly into conformance with the access spacing standards, the proposed development will eliminate backing movements from the current home into Township Road, and because the number of trips created by the 5 additional units being proposed will not create a significant amount of traffic, the applicant anticipates that the access spacing exception can be approved.

16.49 SITE AND DESIGN REVIEW

16.49.030 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.

Two new buildings are proposed, per bullet #1, site and design approval is required.

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.

Proposed site development and landscaping plans have been submitted with the application for review and approval by the hearing body.

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.

The site is already surrounded by fences on the south, west and east sides. Although no fence or wall is being proposed to separate the project from the rest of the community, some fences are proposed that will allow for private space for the residents of the development. Access for guests will always be available via the common driveway and the sidewalk connection to the public sidewalk.

16.49.035 Application for Site and Design Review

A. For 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, applicant shall submit a Type II application for approval pursuant to the approval criteria set forth in 16.49.040.5; 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 Section 16.41.070, the applicant shall submit a Type III application for approval pursuant to the approval criteria set forth in 16.49.040.6. The applicant must still meet all applicable requirements of Chapter 16.49.

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)

The project is not located in the Downtown Canby Overlay Zone. The project will be processed as a Type III application per Section B above.

16.49.040 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 stormwater 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).

The project demonstrated compliance with the Residential Design Standards of Chapter 16.21 and the Multi-Family Design Menu, Table 16.21.070, which supersedes the Site and Design Review Matrix of this section. The requirements of this section have been addressed.

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.

E. 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.

F. 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.

G. 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.

Some trees are being cut on the property to facilitate its development as a multi-family site. Chapter 12.32 addresses removal of trees within the public right-of-way or on City owned property. No trees will be removed within the public right-of-way or on City-owned property. The provisions of this section have been satisfied.

16.49.065 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.

The internal walkway system will connect to the public walkway on S Township Road.

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.

The provisions of this section are difficult to apply to a site that has been already been developed around on two sides without provisions for pedestrian and bicycle access. Access from this site to a future development on the parcel to the west is possible. To the extent practicable new walkways have been provided within the development.

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.

The project is a residential development, therefore the provisions of this section do not apply.

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.

All walkways are proposed to be regular concrete. Most sidewalks drain toward a biofiltration planter area along the western property line, while the remainder of the sidewalks drain to an underground drainage system that will recharge groundwater.

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)

The site is not adjacent to the Molalla Forest Road pathway. The provisions of this section do not apply.

16.49.080 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).
2. Seven and one-half (7.5) percent for the Downtown-Commercial zone.
3. Thirty (30) percent for all residential zones.

Approximately 32 percent of the site will be landscaped, exceeding the thirty (30) percent minimum requirement.

D. LID stormwater management facilities, such as rain gardens and bioretention areas, may be counted toward the minimum landscaping requirement when they are located on private property. LID facilities in the public right-of-way cannot be counted toward the minimum landscaping requirement. The integration of LID stormwater management facilities within

required landscaping must be approved by the city and shall comply with the design and construction standards set forth in the Canby Public Works Design Standards.

A storm drain bioretention planter is located along the western property line and is included in the landscaping calculation.

E. Trees and other plant materials to be retained shall be identified on the landscape plan. The Site and Design Review Board encourages the retention, to the extent practicable, of existing healthy trees and vegetation.

Existing trees to be retained and those to be removed from the site are indicated on the Landscape Plan. Two of the 5 existing trees on the site are proposed to be retained, both located along the eastern property line. The remaining vegetation onsite consists of shrubs, grass and brush and it will be removed.

F. During the construction process:

1. The owner or the owner's agent shall provide above and below ground protection for existing trees and plant materials identified to remain.

2. Trees and plant materials identified for preservation shall be protected by chain link fencing placed around the tree, at the drip line.

3. If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist, nurseryman or landscape architect.

4. Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.

5. Where site conditions make necessary grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip line area, such grading, paving, trenching, boring, digging or similar encroachment shall only be permitted under the direction of a qualified arborist, nurseryman or landscape architect. Such direction must assure that the health needs of trees within the preserved area can be met.

6. Tree root ends shall not remain exposed.

Trees to remain onsite will be protected during construction as required by this section.

G. Landscaping under preserved trees shall be compatible with the retention and health of said trees.

Landscaping under the existing trees being preserved will be compatible with the existing trees.

H. When it is necessary for a preserved tree to be moved in accordance with the Tree Ordinance, the landscaped area surrounding said tree or trees shall be maintained and replanted with trees which relate to the present landscape plan, or if there is no landscaping plan, then trees which are complimentary with existing, nearby landscape materials.

No existing trees are proposed to be moved. The provisions of this section do not apply.

I. Any required landscaped area shall be designed, constructed, installed and maintained so that within three (3) years, the ground shall be covered by living grass or other plant material. (The foliage crown of trees shall not be used to meet this requirement.) A maximum of five percent of the landscaped area may be covered with bark chips, mulch, or other similar materials. A maximum of five percent of the landscaped area may be covered with rock, stones, walkways, or other similar material acceptable to the Board. Required sidewalks shall not be used to meet the landscaping requirements.

A Landscaping Plan, meeting the requirements of this section, has been submitted with the application.

J. All trees and plant materials shall be healthy, disease-free, damage-free, well branched stock, characteristic of the species. The use of tree and plant species native to the Pacific Northwest is encouraged. Any new street tree planted must be included on the city's list of approved tree species.

A Landscaping Plan, meeting the requirements of this section, has been prepared by Grover's Landscape Services and submitted with the application.

K. Landscaping methods should be guided by the provisions of the most recent edition of the Sunset Western Garden Book or similar publication.

A Landscaping Plan, meeting the requirements of this section, has been prepared by Grover's Landscape Services and submitted with the application.

L. The following guidelines are suggested to insure the longevity and continued vigor of plant materials:

1. Select and site permanent landscape materials in such a manner as to produce a hardy and drought-resistant landscaped area.

2. Consider soil type and depth, spacing, exposure to sun and wind, slope and contours of the site, building walls and overhangs, and compatibility with existing native vegetation preserved on the site or in the vicinity.

A Landscaping Plan, meeting the requirements of this section, has been prepared by Grover's Landscape Services and submitted with the application.

M. All plant growth in landscaped areas of developments shall be controlled by pruning, trimming or otherwise, so that:

1. It will not interfere with designated pedestrian or vehicular access; and

2. It will not constitute a traffic hazard because of reduced visibility.

3. It will not hinder solar access considerations.

Site landscaping will be professionally maintained.

N. After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.

Grading will be minimal, but a sufficient amount of topsoil will be placed on landscaping areas to provide for a suitable base for landscaping.

O. All planting areas shall be graded to provide positive drainage.

Planting areas will be graded away from the building to provide suitable drainage.

P. Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways.

Landscape areas adjacent to walkways and driveways are generally curbed to prevent the material from washing.

16.49.120 Parking lot landscaping standards.

C. Landscaping Within a Parking Lot.

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

LID stormwater management facilities are integrated into the landscaping along the western side of the common driveway. Other landscape islands are also provided at the ends of parking stalls and maneuvering areas to buffer those areas with landscaping.

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.

23.77 percent of the area within the parking lot is landscaped, exceeding the 15 percent required. The provisions of this section have been met.

E. All parking areas with more than 16 spaces shall include landscape islands to break up the parking area into rows of not more than 8 contiguous parking spaces.

1. Landscape islands shall have a minimum area of 48 square feet and a minimum width of six (6) feet.

2. Landscape islands shall contain at least one tree that meets the standards in subsection (6) below.

3. Landscape islands may be counted toward the minimum parking lot landscaping requirements.

The parking areas and landscape islands meet the requirements of this section.

F. Criteria for Trees in Parking Lots. Deciduous, evergreen and/or shade trees shall meet the following criteria:

1. Reach a mature height of forty (40) feet. Trees must be at least three-inch (3") caliper at the time of planting.

2. Cast moderate to dense shade in summer.

3. Be long lived, i.e., over sixty (60) years.

4. Do well in an urban environment:

a. Be pollution tolerant; and

b. Be tolerant of direct and reflected heat.

5. Require little maintenance:

a. Be mechanically strong;

b. Be insect and disease resistant; and

c. Require little pruning.

6. Be resistant to drought conditions.

7. Be barren of fruit production.

The trees proposed on the Landscaping Plan meet the requirements of this section.

G. Perimeter of Parking and Loading Areas:

1. Screening of parking and loading areas is required. Within three (3) years of planting, screening shall be of such height and density as to shield vehicle headlights from head-on visibility.

2. In addition, one (1) deciduous, evergreen and/or shade tree shall be planted every forty (40) feet, minimum, along the required setback of the vehicular use area.

Screening of the parking and loading areas is proposed, including the use of shade trees located within the setbacks surrounding the vehicular use area. The requirements of this section have been met.

H. Irrigation System or Available Water Supply Required. Landscaped areas shall be provided with automatic irrigation systems or a readily available water supply with at least one (1) outlet located within 150 feet of all plant materials to be maintained.

Irrigation will be provided meeting the requirements of this section.

DIVISION IV LAND DIVISION REGULATIONS

Chapter 16.60 MAJOR OR MINOR PARTITIONS

16.60.040 Minor partitions.

Application for a minor partition shall be evaluated based upon the following standards and criteria:

- A. Conformance with the text and applicable maps of the Comprehensive Plan;
- B. Conformance with all other applicable requirements of the Land Development and Planning Ordinance;
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;
- D. No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to city standards is not necessary to insure safe and efficient access to the parcels;
- E. 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 land division.

The proposal is to record a minor partition to divide the property into two parcels and one tract that conform to the applicable standards of the R-1.5 zoning district. The applicant has met with the Planning Department, Fire Department and utility service providers and has demonstrated that utility services are available and that safe and efficient access to the development will be available.

16.60.040 Major partitions.

Application for a major partition shall be evaluated based upon the following standards and criteria:

The proposal is for a Minor Partition, therefore the provisions of this section do not apply.

Chapter 16.62 Subdivisions-Applications

An application for Minor Partition has been submitted for approval. Certain standards and criteria of Chapter 16.62 are applicable to minor partitions.

Standards and criteria for approval of a subdivision are set forth in Sec. 16.62.020, as follows:

A. Conformance with other applicable requirements of the Land Development and Planning Ordinance;

Applicable requirements of other sections of the Land Development and Planning Ordinance are discussed in other sections of this narrative and on the maps included with the application, demonstrating that the proposed land division conforms to applicable criteria.

B. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;

The design and layout of the site provides for desirable and functional building sites. Both parcels meet or exceed the minimum lot area and dimensional standards for the R-1.5 Zone. Each parcel has access to S Township Road via a common private driveway. Public utilities, including sewer, water, communications, and power are available in S Township Road. Development of the site will not hinder the use or development of any adjacent properties.

C. Subdivision design and layout shall incorporate Low Impact Development techniques where possible to achieve the following:

1. Manage stormwater through a land development strategy that emphasizes conservation and use of onsite natural features integrated with engineered stormwater controls to more closely mimic predevelopment hydrologic conditions.
2. Encourage creative and coordinated site planning, the conservation of natural conditions and features, the use of appropriate new technologies and techniques, and the efficient layout of open space, streets, utility networks and other public improvements.
3. Minimize impervious surfaces.
4. Encourage the creation or preservation of native vegetation and permanent open space.
5. Clustering of residential dwellings where appropriate to achieve (1-4) above. The arrangement of clustered dwellings shall be designed to avoid linear development patterns.

Although the Code encourages Low Impact Development techniques, other provisions of the Code, such as minimum densities, access and parking requirements make it difficult to achieve successful Low Impact Development techniques within medium or high density residential developments. On this site, the buildings have been clustered and arranged in a pattern to avoid linear development and much of the runoff from the site will be directed to a bioretention planter located in Tract A that will provide groundwater recharge. Two out of the five total existing trees located on the site will be retained along the eastern property line.

D. 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 land division.

Necessary facilities and services are available for the proposed development at the proposed R-1.5 zoning designation. A discussion of public facilities and services is listed below.

Sanitary sewer: Sanitary sewer is available from a public sewer main in Township Rd.

Water: Public water is available from a public water main in Township Rd.

Fire: Fire service will be provided by Canby Fire District. Firefighting capabilities will be improved with the installation of a new fire hydrant along the frontage of this site.

Police: Police service will be provided by the City of Canby Police Department.

Garbage & Recycling: Trash service will be provided by Canby Disposal Company. Canby Disposal has reviewed the site plan and the plan is acceptable for them.

Storm Drainage: Storm drain runoff will be managed onsite.

Communications: Communication services are available along Township Road.

Natural Gas: Natural gas service is available along Township Road.

Power: Power is available along Township Road.

E. The layout of subdivision streets, sidewalks, and pedestrian ways supports the objectives of the Safe Routes to Schools Program by providing safe and efficient walking and bicycling routes within the subdivision and between the subdivision and all schools within a one-mile radius. During review of a subdivision application, city staff will coordinate with the appropriate school district representative to ensure safe routes to schools are incorporated into the subdivision design to the greatest extent possible. (Ord. 890 section 53, 1993; Ord. 740 section 10.4.40(B), 1984; Ord. 1338, 2010)

At approximately ½ acre, the site is too small to have much of an impact on the Safe Routes to School Program. As no connections exist toward the developed neighborhood to the south or east, the development will provide a connection to S Township Road to the north. A connection to the west is not proposed, as a connection in that direction would not shorten the connection to S Township Road or any other roadway.

F. A Traffic Impact Study (TIS) may be required in accordance with Section 16.08.150.

The Planning Director determined that a Traffic Impact Study was not required for the proposed development as the site is small and no change in zoning is occurring. However, because the driveways along S Township Road do not meet access spacing guidelines, the City's traffic engineer has reviewed traffic associated with the proposed development and made recommendations.

Chapter 16.64 Subdivisions Design Standards

Section 16.64.010 Streets

No new streets are proposed with development of this site. Access to the new units will occur via a common private driveway to S Township Road. S Township Road is already improved with asphalt pavement, curbs and sidewalks along the frontage of the site, so new street improvements needed for the project will be minor. Additional right-of-way dedication along S Township Road is not needed, as the roadway has already been constructed to its ultimate width and the improvements are located fully within the existing right-of-way.

Section 16.64.015 Access

No connection to a State Highway is proposed, therefore the project does not have to be reviewed for conformance with state access management standards. Access to S Township Road was discussed in Response to Chapter 16.46.

Section 16.64.020 Blocks

The City requires subdivisions to be designed to accommodate blocks that provide lots of suitable size and access in multiple directions. Generally, block lengths in residential zones are limited to 400 feet. The west side of this property is located less than 200 feet away from N Lupine Street, so a block division is not needed in this area. Even if a block division was needed, this development would not be able to provide for a block division due to the existing development south of the site.

Section 16.64.030 Easements

Easements for utility lines and sidewalks will be provided as necessary to satisfy requirements of the City.

Section 16.64.040 Lots

(16.64.040.A & B) Lot sizes and shapes comply with dimensional requirements for the R-1.5 Zone, as previously discussed in this narrative and as shown on the proposed site plan.

(16.64.040.C) Parcel 1 has frontage on S Township Road while Parcel 2 is a flag lot.

(16.64.040.D) No double frontage lots are being created by this development.

(16.64.040.E) Lot side lines are at or near to right angles to fronting streets.

(16.64.040.F) Resubdivision of the property will not be possible following development.

(16.64.040.H) No hazardous situation related to flooding or soil instability has been identified on the site.

(16.64.040.I) One flag lot is proposed. Parcel 2 will be a flag lot to the rear of Parcel 1 having a "flag pole" width of 16.7 feet.

(16.64.040.J) Neither home meets the definition of an "Infill Home" as explained in the response to Section 16.18.30.D.

Section 16.64.050 Parks and Recreation.

The development will meet the Parks and Recreation requirement by paying the park fee-in-lieu payments at the time of building permit submittal. No portion of the project is planned for dedication as public open space.

Section 16.64.060 Grading of Building Sites

The site is very nearly flat. Minor grading will be accomplished on the site to create suitable building sites and to promote drainage to newly installed drainage structures.

Section 16.64.070 Improvements

Improvements for the proposed development will be completed as required by this section. Plans have been submitted with this application that show the arrangement of driveways, parking areas, sidewalks, public utilities, and other improvements necessary to provide for the convenience, health, and safety of future residents of this complex and of the City. Please refer to specific plans for details. Following approval of the preliminary plan, more detailed construction plans will be submitted to the City for plan review and approval prior to construction. These construction plans will also be submitted to the private utility service providers, such as gas and communications companies, so that they may design their system improvements needed to serve the subdivision.

Sidewalks and driveway approaches along S Township Road will be constructed to City of Canby standards. Stormwater in S Township Road will continue to be managed by the City of Canby, while onsite stormwater will be privately managed through new facilities constructed by the applicant. Stormwater will be collected, treated in a bioretention planter or a water quality manhole prior to infiltration or injection into the underlying soils.

Sanitary sewer will be provided through the extension of a new public main into the development. Planned water system improvement includes installation of a new 8" water main across S Township Road with the installation of a new fire hydrant and two new water meters on the south side of the street in front of the development.

Section 16.64.080 Low Impact Development Incentives

The project does not plan to increase density or building heights allowed through the incentives offered in this section.

Chapter 16.86 Street Alignments

This chapter is intended to insure that adequate space is provided in appropriate locations for the planned expansion, extension, or realignment of public streets and it is further intended to allow for the safe utilization of streets once developed. As this site has developed subdivisions to the south and east, with no potential for re-development and any new street south of S Township Road would have difficulty meeting access spacing guidelines, no new streets are proposed to serve this development site. The provisions of this section do not apply.

Chapter 16.88 General Standards and Procedures

The general standards and procedures set out in this chapter apply to the regulations of all sections of this title, except as may be specifically noted. The application has been submitted to the City by applicant, with the land use application signed by the property owner, and the appropriate fees paid (Sec. 16.88.030).

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.

The applicant intends to have the application processed as a Type III Procedure.

TABLE 16.89.020
Land Use and Development Application Procedures

Application Type	Process Type	Notice Radius (Feet)	Neighborhood Meeting Required
Site and Design Review – Type III	III	500	Yes

Site and Design Review – Type III Site and Design Review applications generally require a Neighborhood Meeting, a meeting was held at the Canby Fire Department on June 1, 2016 and notes from the meeting are submitted with the application.

16.89.050 Type III Decision.

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

A pre-application conferences for this project were held on February 23, 2016 at the City of Canby Shops Complex. Meeting notes are submitted with this application. The requirements of this section have been met.

- 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.

The applicant held a meeting with surrounding neighbors and property owners on June 1, 2016 at the Canby Fire Department. Meeting notes are submitted with this application. The requirements of this section have been met.

- 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.

An application form has been provided for this project. The application form, the required fees and accompanying information were submitted to City of Canby Planning and Building. The requirements of this section have been met.

16.89.070 Neighborhood Meetings.

A. Applicants are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting their application in order to solicit input, identify issues, and exchange information about the proposed meeting.

B. The Planning Commission or Planning Director may require an applicant to hold a meeting in the neighborhood prior to accepting an application as complete. A neighborhood meeting is required for some application types, as shown in Table 16.89.020, unless this requirement is waived by the Planning Director.

The applicant held a meeting with surrounding neighbors and property owners on June 1, 2016 at the Canby Fire Department. Meeting notes are submitted with this application. The requirements of this section have been met.

CONCLUSION

Through the preparation of this narrative and the other documents included with the Site and Design Review Application, the applicant has demonstrated compliance with the intent and requirements of the applicable Chapters of the City of Canby Land Development and Planning Ordinance. Therefore, the project should be approved.

Feel free to contact the following members of the Design Team if you have questions regarding the submittal:

<i>Applicant</i>	<i>Darren Monen Monen Construction</i>	<i>(503) 970-4065 monend@canby.k12.or.us</i>
<i>Civil Engineer</i>	<i>Pat Sisul, Sisul Engineering</i>	<i>(503) 657-0188 patsisul@sisulengineering.com</i>
<i>Architect</i>	<i>Todd Iselin Iselin Architects, P.C.</i>	<i>(503) 656-1942 todd@iselinarch.com</i>
<i>Landscaper</i>	<i>Grover's Landscape Service</i>	<i>(503) 678-1796</i>



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

MEMORANDUM

DATE: June 17, 2016

TO: Bryan Brown, City of Canby

FROM: Chris Maciejewski, PE, PTOE
Nate Schroeder, PE, PTOE

SUBJECT: Canby Monen Triplexes Traffic Impact Study (TIS)

P#11010-065

This memorandum summarizes the potential transportation impacts associated with the proposed multifamily development along S Township Road in Canby, Oregon. The 0.48 acre lot is located between S Locust Street and S Lupine Street (see attached site plan¹). The site currently features a single family home and is zoned R-1.5 (Medium Density Residential). The proposed subdivision would develop the site into two triplexes (six total dwelling units) which is an outright permitted development based on the City's Comprehensive Plan Map and the City's Zoning.

Access to the proposed site would be provided by S Township Road, which is classified as a collector roadway under the jurisdiction of the City. The proposed development would not generate enough traffic to warrant an off-site transportation impact analysis. Therefore, the following sections describe the site conditions only, including estimated project trip generation and a review of the site access (spacing and sight distance).

Project Trip Generation

The amount of new vehicle trips generated by the proposed subdivision was estimated using trip generation estimates published in the ITE Trip Generation Manual for a similar land use². Trip generation estimates for the existing land use and proposed development are provided for daily, morning, and evening peak hours, and are summarized in Table 1. Since the additional morning and evening peak hour trip generation is relatively low, no off-site impacts were evaluated.

¹ Based on site plan provided by Sisul Engineering

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

Table 1: Vehicle Trip Generation Estimate

	Land Use (ITE Code)	Units	Total Daily Trips	Time Period	Trip Generation	Peak Hour Trips		
					Rate	In	Out	Total
Existing	Single-Family Detached Housing (210)	1	10	AM Peak Hour	0.75 trips/unit		1	1
				PM Peak Hour	1.00 trips/unit	1	0	1
Proposed	Apartment (220)	6	40	AM Peak Hour	0.51 trips/unit	1	2	3
				PM Peak Hour	0.62 trips/unit	3	1	4
Change	-	-	+30	AM Peak Hour	-	+1	+1	+2
				PM Peak Hour	-	+2	+1	+3

The following sections discuss the evaluation of the site access and sight distance.

Site Access

The proposed site currently houses a single family residence with two driveway accesses on S Township Road, which is classified as a collector roadway. S Township Road would also provide access to the proposed site. The existing single family residence will be demolished and the west driveway access will be removed. The existing east driveway will be used to access the triplexes. S Township Road currently meets the City’s cross-section requirements for standard collector streets (34-50 feet paved with 50-80 feet of ROW) and should safely accommodate additional vehicle, pedestrian, and bicycle traffic. However, this street currently does not meet the City’s access spacing standards. These standards demand 100 foot spacing between driveways and between driveways and roadways measured on both sides of the street. S Township Road currently provides access to multiple single-family homes on both sides of the road between S Locust Street and S Lupine Street. Removing the existing west driveway will allow the south side of S Township Road to meet minimum access spacing standards, however the north side of the roadway will continue to not meet standards under existing conditions. With this, an access spacing exception will be required with the proposed application.

Access spacing exception requirements are outlined in section 16.45.070 of the Canby Municipal Code. During the City’s Transportation System Plan development, S Township Road was upgraded from a local road to a collector road. The access spacing requirements for collector roads are much stricter than local roads (100 feet versus 10 feet), therefore it is expected that existing accesses will not comply with the collector road access spacing standards. However, no engineering or construction solutions can be reasonably applied to mitigate the condition, and by removing one access along the south side of S Township Road, the spacing standards will be met along that side of the road. Additionally, utilizing the west access would line up with the access on the north side of the roadway, having minimal impact to the existing accesses along the north side of the street. Furthermore, there is no alternative access available from a street with a lower functional classification than the primary roadway. The sites frontage only has access to S Township Road, and gaining access to Locust Street would require redevelopment of the existing parcel (tax lot 4400).

The pedestrian and bicycle improvement plans provided in the city’s TSP³ do not identify any pedestrian or bicycle projects in the site vicinity. The proposed on-site pedestrian facilities and their connection to facilities along S Township Road appear to be adequate.

Sight Distance

Based on a posted speed of 25 mph, the American Association of State Highway and Transportation Officials (AASHTO) sight distance requirements specify that 240 feet and 280 feet for right and left turning vehicles, respectively, should be provided.⁴ Intersection sight distance looking east from the proposed driveway is currently limited due to an existing soundwall on the adjacent property, as shown in Figure 1. Existing intersection sight distance measurements are summarized in Table 2.



Figure 1: Existing Soundwall along S Township Rd

³ Canby Transportation System Plan (TSP), December 2010; Figure 5-1 (Pedestrian Improvements) and Figure 6-1 (Bicycle Improvements).

⁴ AASHTO – Geometric Design of Highways and Streets, 2004. Exhibit 9-55. Design Intersection Sight Distance – Case B1 – Left Turn from Stop, and Exhibit 9-58. Design Intersection Sight Distance – Case B2 – Right Turn from Stop and Case B3 – Crossing Maneuver.

Table 2: Intersection Sight Distance Evaluation

Access Location	Posted Speed	Turning Direction	Required Intersection Sight Distance	Available Intersection Sight Distance	Sight Distance Adequate?
Proposed Driveway	25 mph	Right	240 feet	>350 feet	Yes
	25 mph	Left	280 feet	125 feet	No

Sight distance could be improved if the existing soundwall was removed or modified, which would require the applicant to work with the adjacent property owner. Another option would be to close the east driveway, and use the west driveway for site access instead.

FINDINGS

Based upon the analysis presented in this memorandum, the proposed project was found to not generate off-site traffic impacts under a reasonable worst-case trip generation scenario. The proposed development would generate an additional two net new trips in the morning peak period and three net new trips in the evening peak period. Therefore, no off-site mitigation is recommended for the proposed project as a result of traffic impacts. However, due to restricted sight distance at the east project driveway on S Township Road, it is recommended that intersection sight distance at the east project driveway be improved to meet safe sight distance requirements or the site utilize the west project driveway for access.

It is also recommended that an access spacing exception be granted under either scenario (existing access sight distance improved at east access or use of the access located to the west). The granting of the access spacing exception is based on the following:

- Indirect or restricted access cannot be obtained. The exploration of both restricted and joint use access for the site were reviewed, however would not address the access spacing issue along the north side of the roadway since the access in question is on the south side.
- No engineering or construction solutions can be reasonably applied to mitigate the condition. The applicant is improving access spacing along the south of S Township Road to be in compliance with current standards by removing one of two accesses currently provided to the site. The existing accesses along the north side, currently deviating from the standard, are not impacted with the proposed application. If the existing access to the west were utilized, it would line up with the access on the north side of the roadway.
- No alternative access is available from a street with a lower functional classification than the primary roadway. The sites frontage only has access to S Township Road. Access to Locust Street would require redevelopment of the existing parcel (tax lot 4400). It is anticipated that with the redevelopment of this



Canby Monen Triplexes Traffic Impact Study

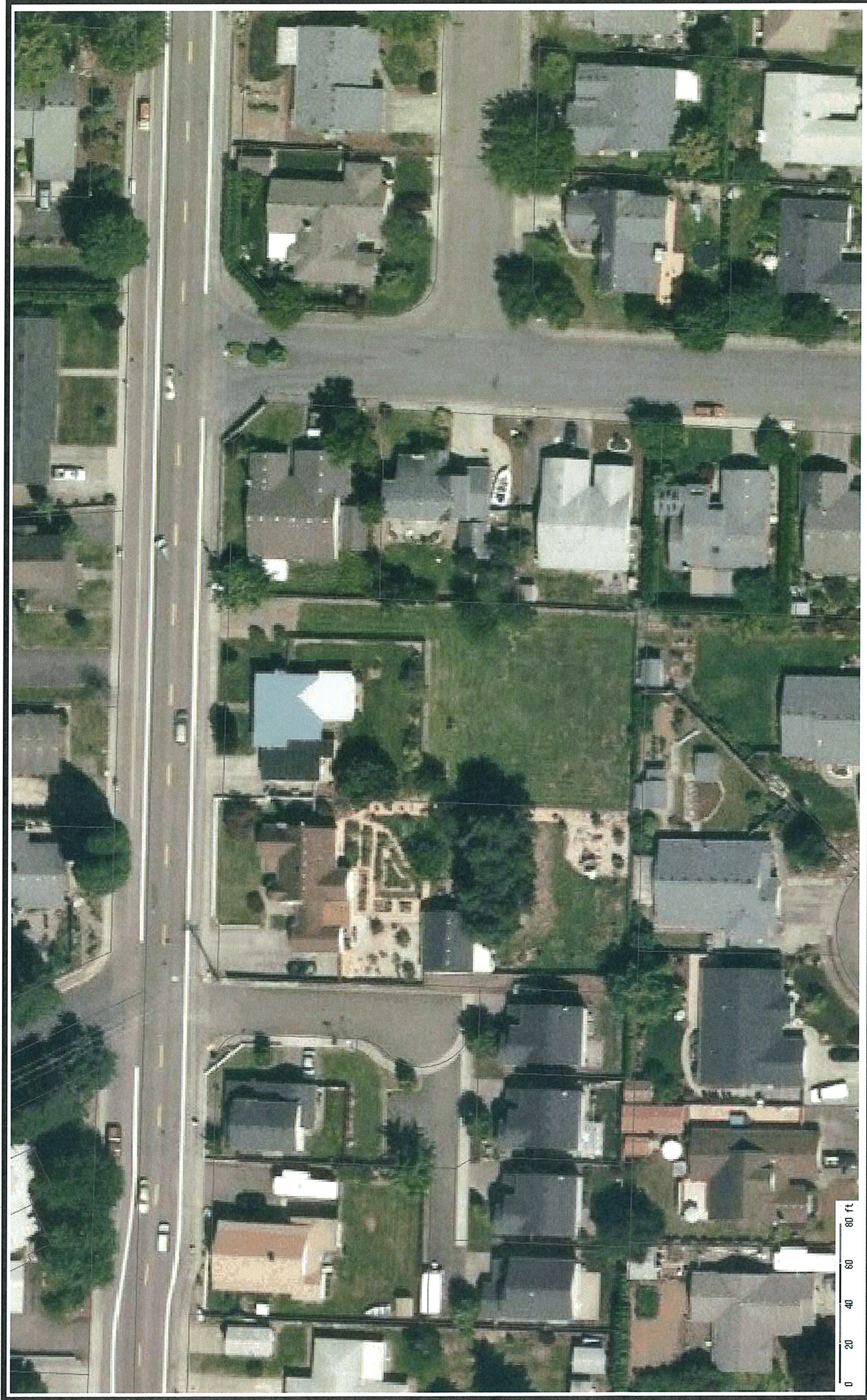
June 17, 2016

Page 5 of 5

lot that it would take access from S Locust Street and the non-conforming access along S Township Road would be removed. This access is currently located 30 feet east of S Locust Street.

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

Map



City of Canby Oregon Web Maps v. 2.0

Disclaimer: This map was produced using City of Canby and Clackamas County GIS data. The GIS data is maintained by the

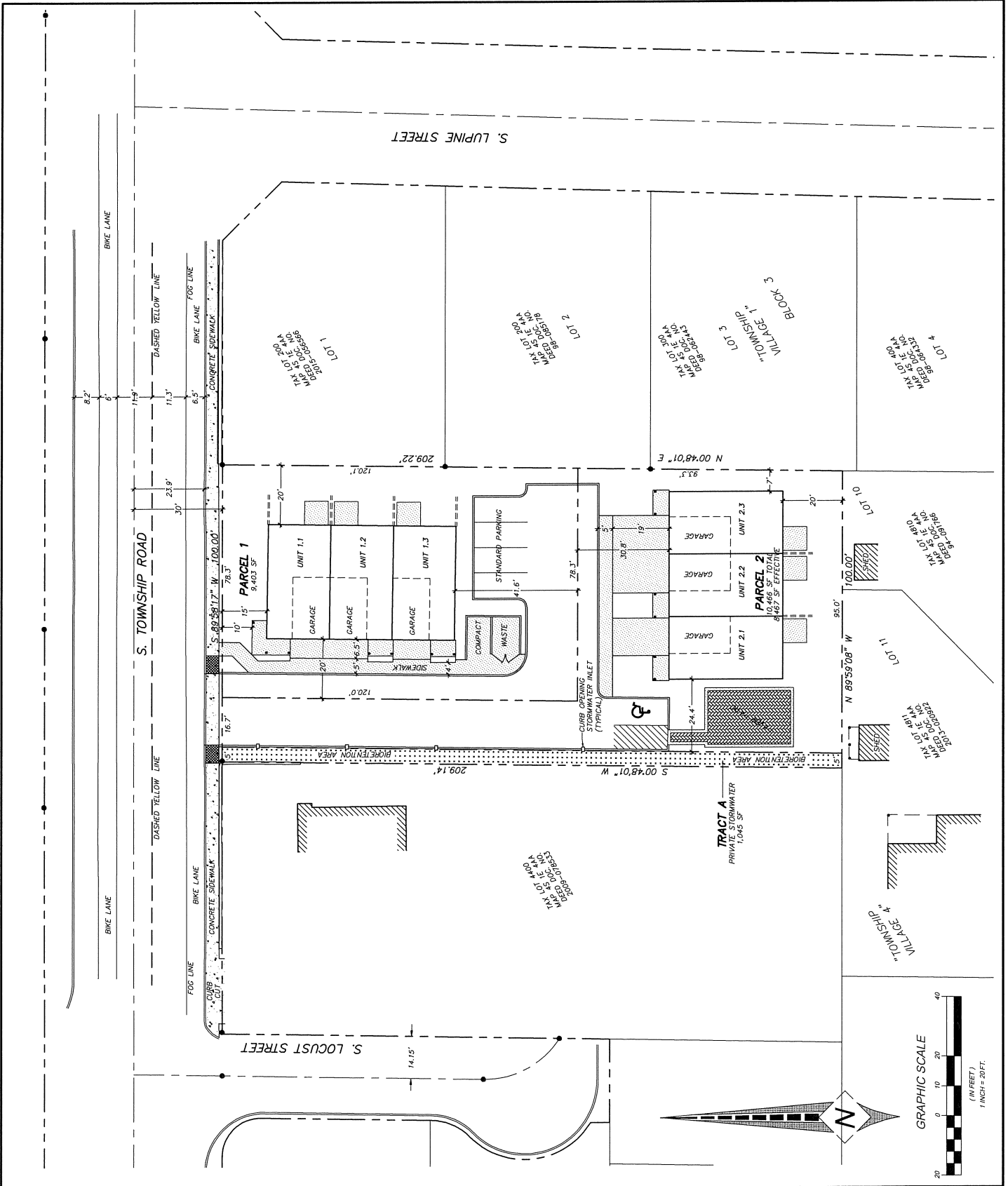
NO.	DATE	BY	REVISIONS

Partition & 6-unit
Site & Design Review
Darren Momen, Momen Construction

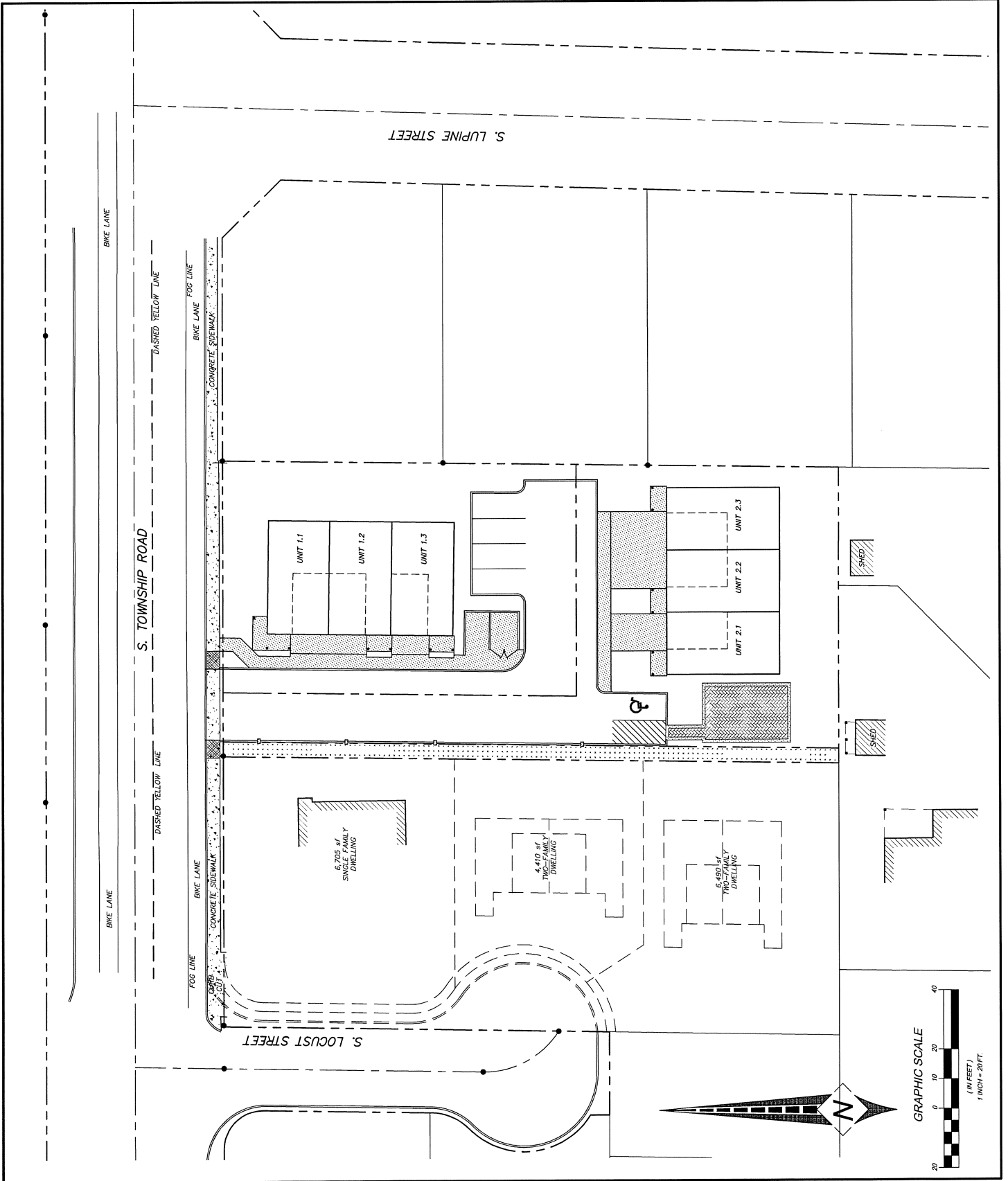
Site
Plan

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188

DATE: JULY, 2016
SCALE: 1" = 20'
DRAWN: PS
JOB: SGL16-018
SHEET: 12
OF 5 SHEETS



REVISIONS	BY



REVISIONS	BY

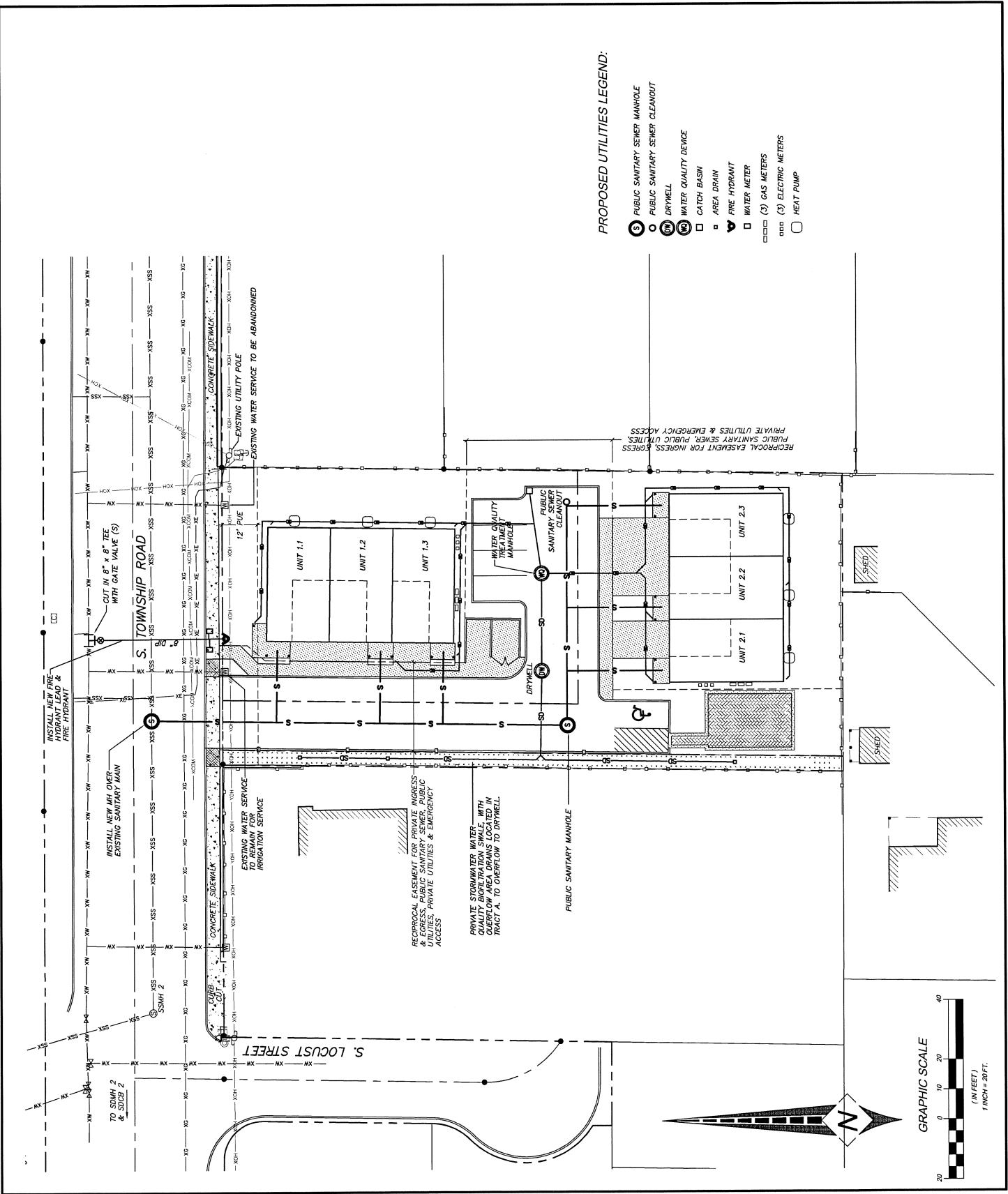
Partition & 6-unit
Site & Design Review
Daren Momen, Momen Construction
Utility Plan

SISUL ENGINEERING
376 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188

DATE JULY, 2016
SCALE 1"=20'
DRAWN PS
JOB SCL16-01B
SHEET
OF 5 SHEETS

PROPOSED UTILITIES LEGEND:

- PUBLIC SANITARY SEWER MANHOLE
- PUBLIC SANITARY SEWER CLEANOUT
- DRYWELL
- WATER QUALITY DEVICE
- AREA DRAIN
- CATCH BASIN
- ▲ FIRE HYDRANT
- WATER METER
- (3) GAS METERS
- (3) ELECTRIC METERS
- HEAT PUMP



RECIPROCAL EASEMENT FOR INGRESS, EGRESS, PUBLIC UTILITIES & EMERGENCY ACCESS

RECIPROCAL EASEMENT FOR INGRESS, EGRESS, PUBLIC UTILITIES, PRIVATE UTILITIES & EMERGENCY ACCESS

PRIVATE STORMWATER WATER - WITH OVERFLOW DRAINS LOCATED IN TRACT A, TO OVERFLOW TO DRYWELL.

EXISTING WATER SERVICE TO BE ABANDONNED

EXISTING WATER SERVICE TO REMAIN FOR IRRIGATION SERVICE

INSTALL NEW FIRE HYDRANT LEAD & FIRE HYDRANT

INSTALL NEW 1/4" OVER EXISTING SANITARY MAIN

TO SSMH 2 & SSOB 2

CUT IN 8" x 8" TEE WITH GATE VALVE (S)

CONCRETE SIDEWALK

EXISTING UTILITY POLE

12' PIPE

CONCRETE SIDEWALK

PUBLIC SANITARY MANHOLE

PUBLIC SANITARY MANHOLE

WATER QUALITY DEVICE

PUBLIC SANITARY SEWER CLEANOUT

DRYWELL

GRAPHIC SCALE (IN FEET) 1 INCH = 20 FT.

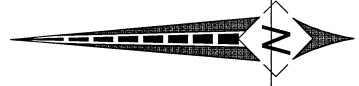
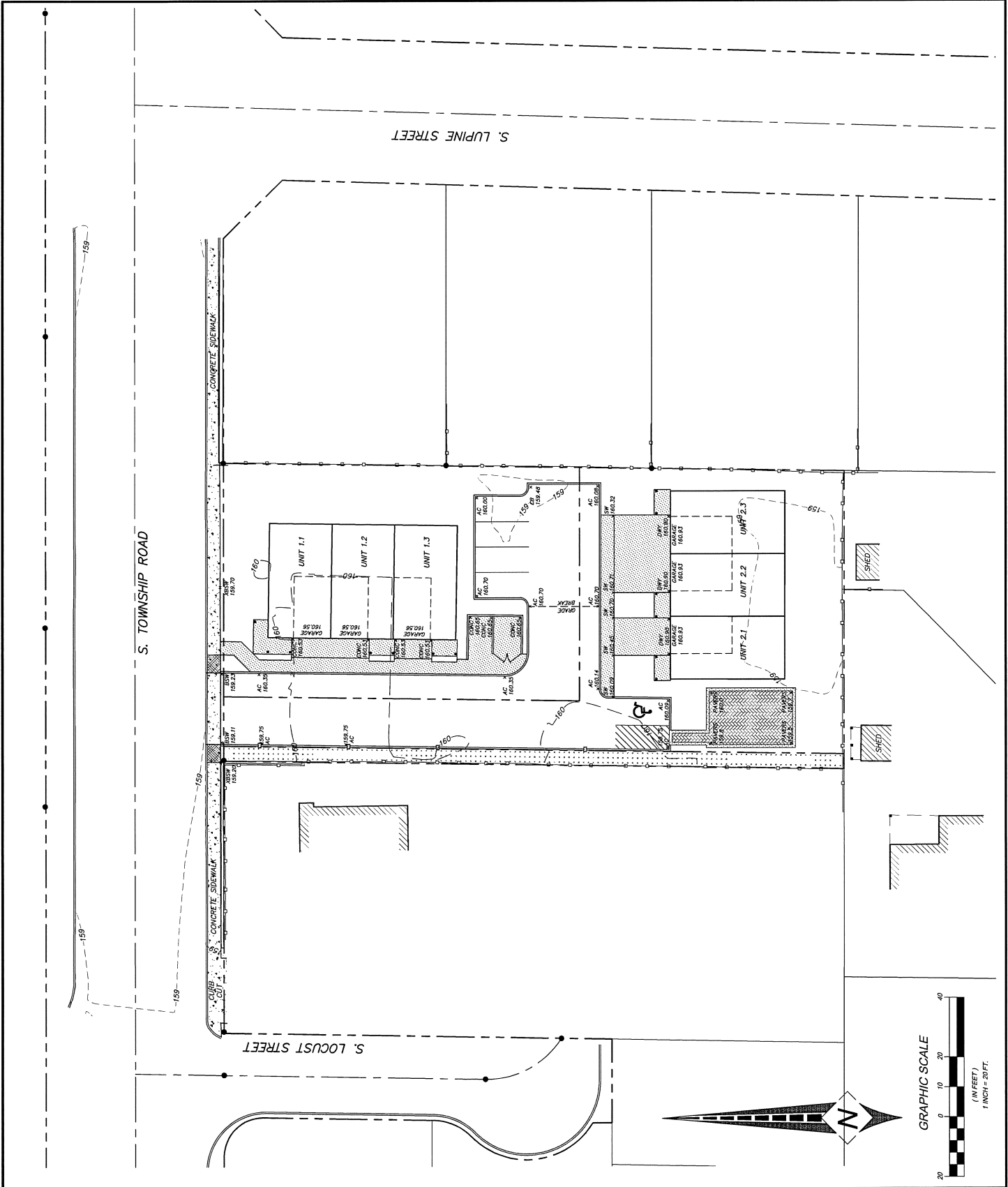
REVISIONS	BY

Partition & 6-unit
Site & Design Review
Darren Momen, Momen Construction

Grading
Plan

SISUL ENGINEERING
376 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188

DATE JULY, 2016
SCALE 1"=20'
DRAWN PS
JOB SGL16-018
SHEET C4
OF 5 SHEETS



LANDSCAPE LEGEND:



TREES:

Fraxinus Oxycarpa, "Roywood Ash", 2" caliper, (1) total



Carpinus B. Fastigiata, "Hornbeam", 2" Caliper, (3) total



Achutilus Unedo, "Strawberry Tree", 5 Gal., (3) total



Fagus Symblica, "Purple Beech", 2" caliper, (3) total



Thuja Occidentalis, "Emerald Aboviteses", 6-foot, (28) total



Cornus Kousa Chinensis, "Yousa Dogwood", 2" caliper, (3) total

SHRUBS:



5 gallon *Hydrangea quercifolia* "Pee Wee", (6) total



5 gallon *Nandina Domestica* "Jumbo", (6) total



5 gallon *Veurnum Davidi*, (7) total



5 gallon *Euonymus Japonicus*, "Silver King", 3 total



5 gallon *Osmanthus Heterophyllus*, "Coakley", (4) total



5 gallon *Prunus Laurocerasus*, "Otto Luyken", (3) total



5 gallon *Pieris Japonica*, "Valley Rose", (3) total



NATIVE PLANTS:

Acer Circinatum, Vine Maple, 5'-6", (2) total

Thuja Plicata, Western Red Cedar, 6'-7', (1) total

2 gallon *Mahonia Aquifolium Compacta*, Dwarf Oregon Grape, (5) total



Lawn Area



Peeling Stone Patio

Biofilter Stormwater Planter. Plant with 100 sedge plants (minimum 1 gallon) and 4 small shrubs (minimum 2 gallon) per planter. Total planter area = 1,010 square feet.



Approximate canopy of existing tree to remain



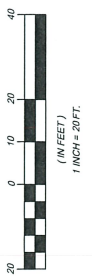
Existing tree



Tree being removed



GRAPHIC SCALE

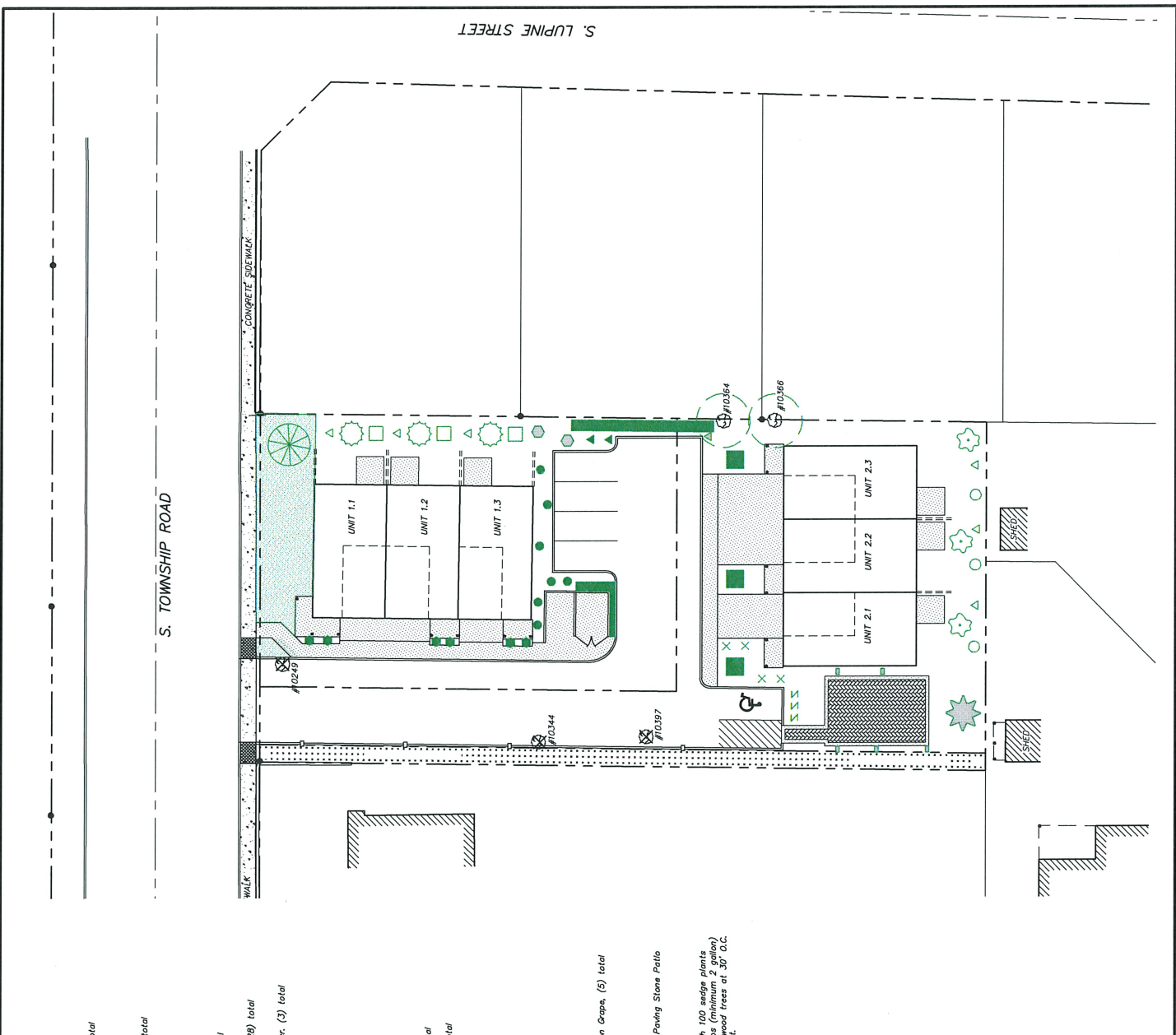


REVISIONS	BY

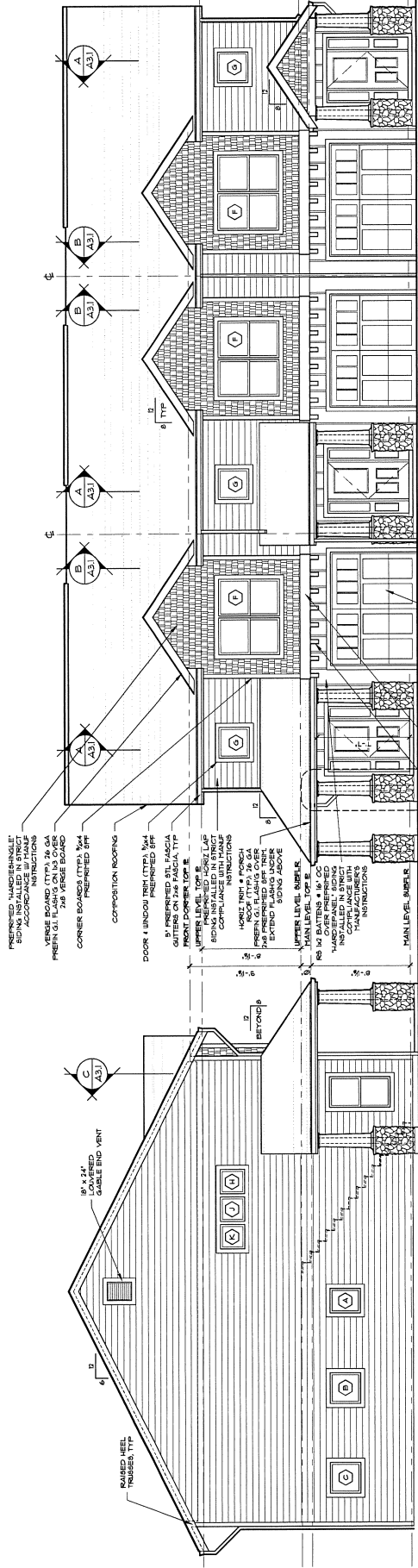
Partition & 6-unit
Site & Design Review
Plan
Daren Momen, Momen Construction

GROVERS LANDSCAPE SERVICES, INC.
26485 S. MERIDIAN RD.
AURORA, OR 97002
LCB #7087 LICENSE #11807

DATE JULY, 2016
SCALE 1"=20'
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JOB SGL16-018
SHEET C5
OF 5 SHEETS



PRELIMINARY
 NOT FOR CONSTRUCTION



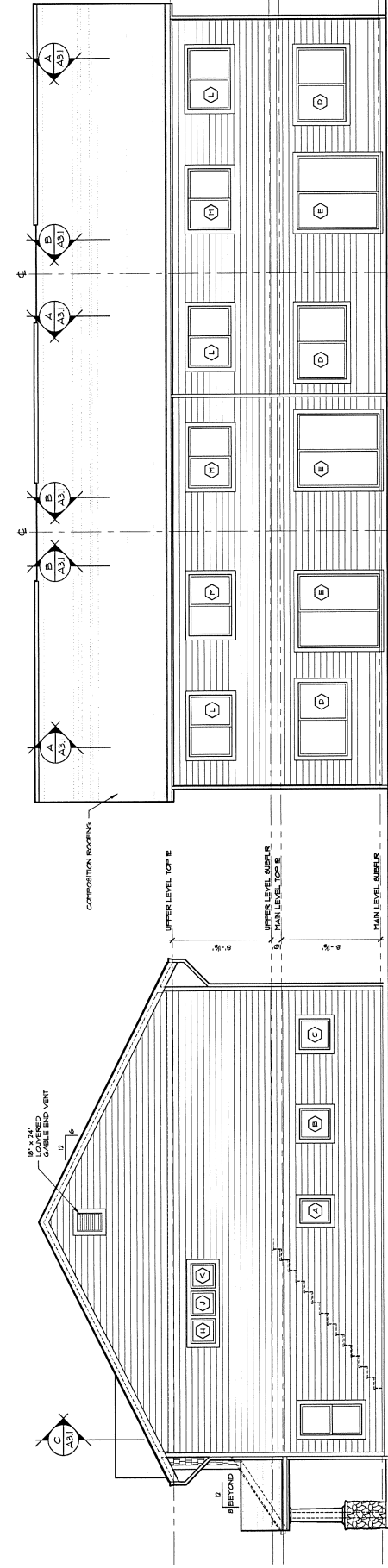
FRONT (SOUTH) ELEVATION

1/4" = 1'-0"

Wild Hare Rentals, LLC
 Canby Tri-Plex - Parcel 1
 431 S Township Rd
 Canby, OR 97013

PROJ. NO.: 1803
 FILE: A-ELV
 DATE: 8/20/16

SHEET #
A2.1
 ELEVATIONS



REAR (NORTH) ELEVATION

1/4" = 1'-0"

RIGHT SIDE (EAST) ELEVATION

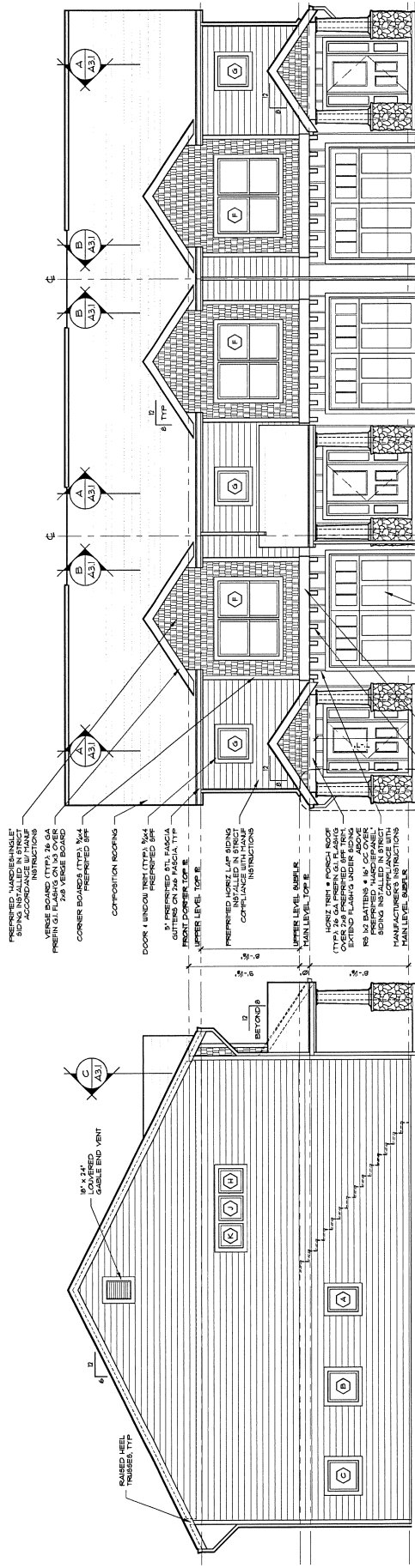
1/4" = 1'-0"



ISELIN ARCHITECTS P.C.

1500 SW 15th Ave
Oregon City, OR 97145
503-656-0988 fax
www.iselinarchitects.com

NOT FOR CONSTRUCTION
PRELIMINARY



FRONT (SOUTH) ELEVATION

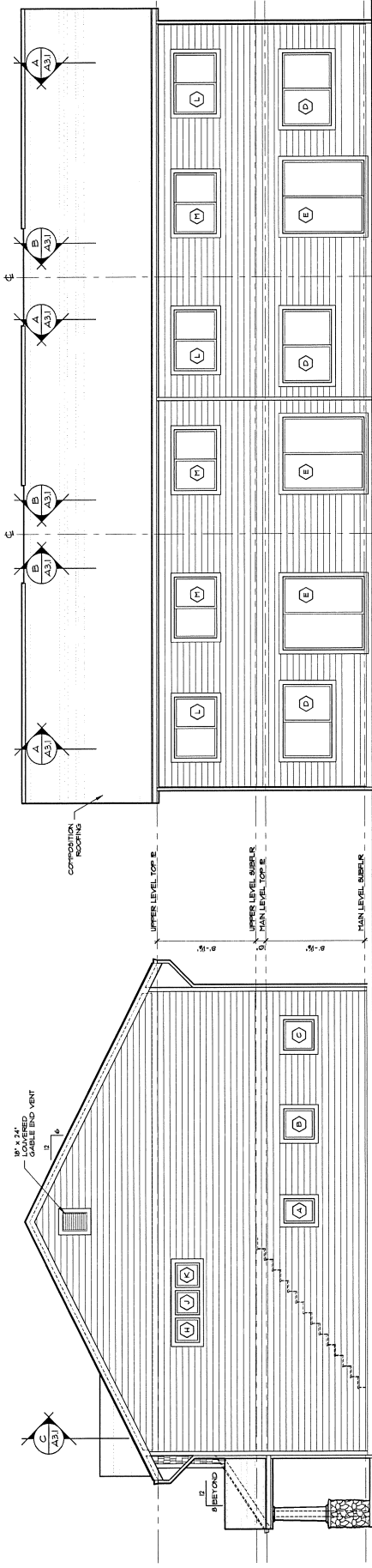
LEFT SIDE (WEST) ELEVATION

Wild Hare Rentals, LLC
431 S Township Rd
Canby, OR 97013

PROJ. NO.: 1853
DATE: 11/21/16
6/30/16

SHEET #
A2.1

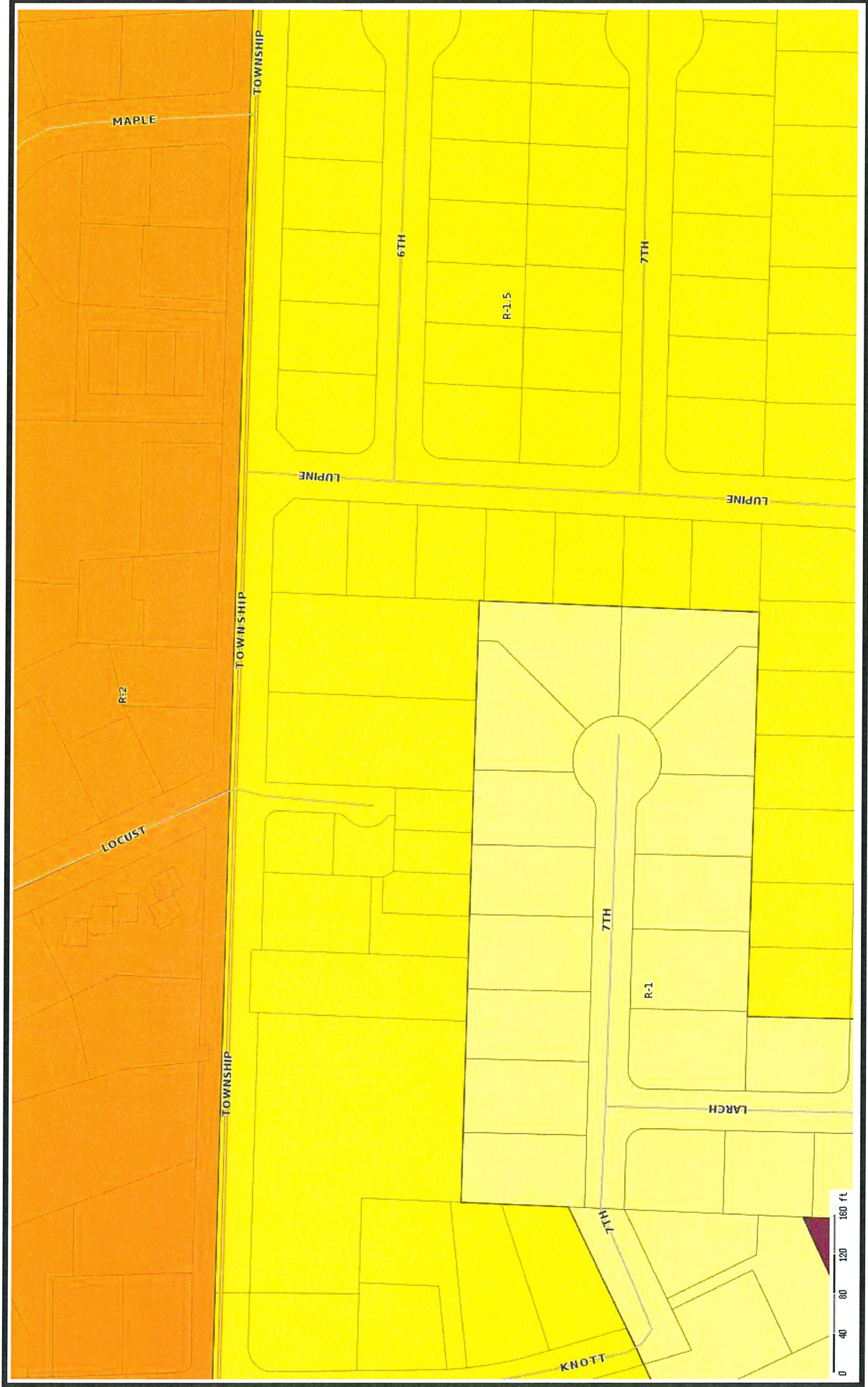
ELEVATIONS



REAR (NORTH) ELEVATION

RIGHT SIDE (EAST) ELEVATION

Map



City of Canby Oregon Web Maps v. 2.0

Disclaimer: This map was produced using City of Canby and Clackamas County GIS data. The GIS data is maintained by the

William and Nancy Crorey
12720 S. Carus Oregon City, OR 97045
Phone: 503 266-9065 Fax: 503 266-9366
Email: wcrorey@canby.com

July 27, 2016

City of Canby
Planning Commission
111 NW 2nd Avenue
Canby, OR 97013

Subject: Comments on Site and Design Review/Minor Partition application
431 S. Township Rd

Sirs,

My wife and I are the owners of the residential house located at 599 S. Lupine which is the second property south of Township on Lupine. This property borders the 431 S. Township Rd lot.

We have the following serious concerns regarding the proposal as we understand it. We were notified and did attend meeting with the owners, the contractor and the Engineer about their proposed plan the first part of June at the fire department building. The plan we were shown is nothing close to what is proposed on this review. We were told the following in response to our questions regarding privacy fencing between our property and the proposed, new triplex rental property(s),

1. There would be an Arborvitae tree screen.
2. There would be a cyclone fence with slats.
3. There was a side walk and about 10 feet for plantings in the original plan shown to us.
4. There was to be 20 feet (the minimum code requirement) between the back of the northern unit and the property line.

On the new, revised plan, there is about 4' for the fence and the Arborvitae tree shield. I doubt if this is sufficient. This is from a drive way servicing the "standard parking" area to my property line. With no privacy screening, head lights from vehicles accessing the South unit and the "standard parking will constantly shine into my house's bedroom windows.

On the new, revised plan, there is 20 feet clearance from the back of the northern unit to the property line. There is no landscaping plan included so I do not know what sort of privacy screening is included. (the original included the Arborvitae tree screening)

On the new, revised plan, the southern most building has moved east to within 7 feet of the property line. So a two story building with 18 foot eve height will be shading both my lot (lot 2) and the neighbor's lot (lot 3). I have been assured that this meets code.

However, let me point out that the 7 foot minimum side clearance, I think, is intended for houses adjacent to each other or side by side. This is not the case. The existing houses have their back wall facing this proposed new structures side.

The north building does not appear to have enough space for any front yard or vehicle entry. There is a 5 foot sidewalk immediately adjacent to 6.5 foot drive into the garage. This does not seem to be at all adequate. The southern unit has a 19' drive with a 5' sidewalk into the garage.

With all the new impervious areas, it also seems like there will be a storm water run off problem which could affect my property. No grading or storm drainage plan was included.

I have a serious concern about tenant vehicle parking. The plan shows that each triplex unit has one parking place, the garage. There are four additional parking spots to be shared among the six tenants. I formally owned eight single family homes which I rented. I am down to 4 now. In the over 28 years of renting the properties, not once was the garage used for vehicle storage. It is typically used for storage of other items and the vehicles are parked in the driveway.

Since the north unit does not have enough driveway space to park a vehicle, the garage must be used and the tenants cannot have more than one car. The likelihood of this happening is doubtful. So I fear that there will be a huge increase of on street parking on the closest street, Lupine. This will present a **safety problem** since the entry from Township to Lupine has an island thus forcing an "s" maneuver when entering. With cars on the street, in front of my property, I fear that the entry to Lupine may be obstructed.

As an example, there is a rental set of properties located one block south of Township off of Redwood. I think that they are duplexes each with a two car garage and sufficient driveway to park a vehicle. However, the vehicle situation there constantly overflows to a vacant lot across from the development on Redwood. Regarding the proposed, new development, if there are two vehicles per unit in this proposed development, (a total of twelve cars), there will constantly be a shortage of parking necessitating off street parking especially if the garages are not utilized for parking.

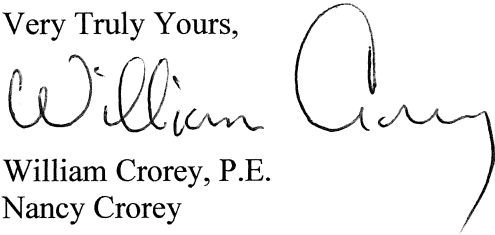
In general, it appears that this property is too small or improperly dimensioned to accommodate the proposed, two triplex complex. Even if it meets all the minimum codes, it pushes everything to the limit.

Lastly, I never received the notice of the meeting at either my rental house or my home with is the address of the owner of record. I went into planning to see how things were going since we were told at the June meeting that we should receive something in July. Learning of the meeting this late, has not allowed me to prepare properly for this review. At this time, with my lack of information, with the drastic change of the proposed development and without the other plans (grading, landscaping, and storm water

calculation) I feel that this development will affect my properties value in an adverse manner. **Therefore, my wife and I request that the submitted change request be denied.** The Township Village development is a single family home development. The remainder of the houses on the south side of Township Road are single family homes. I fear that revising the existing single family home and lot to a development for six families will create problems and affect my property value.

Thank you for your time and consideration of my concerns.

Very Truly Yours,

A handwritten signature in cursive script that reads "William Crorey". The signature is written in black ink and is positioned to the right of the typed name "William Crorey, P.E." and "Nancy Crorey".

William Crorey, P.E.
Nancy Crorey

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 111 NW Second Street
E-mail: brownb@ci.canby.or.us

Written comments to be included in the Planning Commission's meeting packet are due by Noon on Wednesday, July 27, 2016. Written comments can also be submitted up to the time of the Public Hearing on Monday, August 8, 2016 and may also be delivered in person to the Planning Commission during the Public Hearing at 7 pm in the City Council Chambers, 155 NW 2nd Avenue.

Application: Site & Design Review – DR 16-05/MLP 16-02, Monen Triplexes

COMMENTS:

Very concerned that these "big box" apartment complexes will look and be very unlike the surrounding single-home neighborhood. Ownership, not rentals, are what provide stability in any community.

Much, much prefer an area away from established single family dwellings.

Please re-consider.

NAME: Deborah L. Gustin
EMAIL: none
ORGANIZATION/BUSINESS/AGENCY: _____
ADDRESS: 396 S. Locust St #5 (Condominium owner)
PHONE # (optional): 503-962-9752
DATE: 7-22-2016

AGENCY RESPONSE - Please check one box and fill in your Name/Agency/Date above:

- 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

Thank you!

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Application: Site & Design Review – DR 16-05/MLP 16-02, Monen Triplexes

COMMENTS:

SEE ATTACHED MEMO DATED July 25, 2016

NAME: NASSAN IBRAHIM
EMAIL: naia@curran-mclead.com
ORGANIZATION/BUSINESS/AGENCY: CM
ADDRESS: 6655 SW HAMPTON ST, SUITE 210, PORTLAND, OR 97223
PHONE # (optional): 503 684-3478
DATE: July 25, 2016

AGENCY RESPONSE - Please check one box and fill in your Name/Agency/Date above:

- 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

Thank you!

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

July 25, 2016

MEMORANDUM

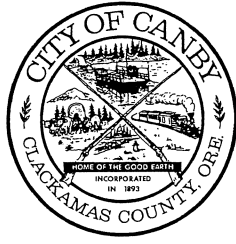
TO: Mr. Bryan Brown
City of Canby

FROM: Hassan Ibrahim, P.E. *HAI*
Curran-McLeod, Inc.

RE: **CITY OF CANBY**
431 S TOWNSHIP ROAD DEVELOPMENT (DR 16-05/MLP 16-02)

We have reviewed the submitted preliminary plans on the above mentioned project and have the following comments:

1. The driveway access to the site from S Township Road shall be a commercial driveway approach with 6" minimum concrete thickness and reinforcements and must meet the current ADA guidelines.
2. The driveway to the existing house and the driveway to the back yard shall be removed and replaced with a new sidewalk matching the existing width.
3. A demolition permit will be required from the City of Canby prior to the removal of the existing house.
4. Sanitary sewer and water services are stubbed out to serve this property. The main sanitary sewer line can be a public line but the service laterals will be private in their entirety (from the Tee connection at the main line to the house).
5. A minimum of 15-foot wide public sanitary sewer easement shall be recorded through the platting of this development or by a separate document. The easement shall encompass the public sanitary sewer line in its entirety.
6. An erosion control permit will be required from the City of Canby prior to any on-site disturbance.
7. A storm drainage analysis shall be submitted to the City for review and approval during the final design phase. The analysis shall meet Chapter 4 of the City of Canby Public Works Design Standards dated June 2012.



BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY

A REQUEST FOR SITE AND DESIGN REVIEW)
TO CONSTRUCT TWO TRIPLEXES AND)
DIVIDE AN EXISTING LOT INTO TWO LOTS)
AT 431 S TOWNSHIP ROAD)

FINDINGS, CONCLUSION & FINAL ORDER
DR 16-05/MLP 16-02
MONEN CONSTRUCTION

NATURE OF THE APPLICATION

The Applicant has sought an approval of Site and Design Review DR 16-05 for the construction of two new triplexes and to divide a 20915 square foot parcel into two lots at 431 S. Township Road otherwise described as Map and Tax Lot 31E04AA04300, City of Canby, Clackamas County, Oregon. The property is zoned R-1.5 (Medium Density Residential Zone) in the Canby Municipal Code (CMC) and designated Medium Density Residential under the Canby Comprehensive Plan.

HEARINGS

The Planning Commission considered application DR 16-05/MLP 16-02 after the duly noticed hearing on August 8, 2016 during which the Planning Commission by a _____ vote approved DR 16-05/MLP 16-02. These findings are entered to document the specifics of the approval.

CRITERIA AND STANDARDS

In judging whether or not a Site and Design Review 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 and other applicable code criteria and standards reviewed in the Staff Report dated July 28, 2016 and presented at the August 8, 2016 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 and Minor Partition 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

DR 16-05/MLP 16-02 Monen Triplexes

*Findings, Conclusion & Final Order
Page 1*

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 application meets all applicable approval criteria, and recommended that City File# DR 16-05/MLP 16-02 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 approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **DR 16-05/MLP 16-02** is approved, subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

Commission Findings and Approval for Modifications of Standards

1. The driveway does not meet the criteria listed in TABLE 16.46.30, CMC or the corresponding provisions stated in Public Works Design Standards Section 2.211(g). However, under the provision listed in the staff report, the applicant can request the Planning Commission to consider whether or not the driveway location is appropriate through an access exception. The Transportation Impact Analysis (TIA) reviewed the access exception and made findings that support its approval. If the Commission makes a finding supporting the TIA conclusion regarding the access exception, then this condition is no longer necessary.

Conditions Unique to this Proposal

2. The applicant shall submit lighting cut sheets or specifications of the fixtures and lumen information to allow full assessment of conformance with lighting standards with submittal of the construction plans.
3. The applicant shall meet the requirements listed in the City Engineer's memorandum dated July 25, 2016.

Procedural Conditions

Prior to Issuance of building permits, the following must be completed:

4. 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 – including a pre and post development analysis. Any drainage plan shall conform to the Clean Water Services storm drainage design standards as indicated in the Public Works design standards.
5. A sediment and Erosion Control Permits will be required from the City prior to commencing site work.
6. Prior to the issuance of a building permit, the installation of public 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 applicant may submit the civil construction

drawings separate from the building permit submittal package for final preconstruction conference sign-off approval. 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.

7. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon.
8. Clackamas County will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical permits for this project. Fire & Life Safety approval must be obtained from Canby Fire District prior to issuance of a City building permit.

Minor Partition Conditions Unique to This Request:

9. 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.
10. Any access or utility easement to serve the parcels shall be shown on the recorded partition plat.
11. A street tree easement 12 feet wide measured from the front property line shall be provided along the S Township Road street frontage and shall be designated on the Partition Plat. The applicant shall submit a Street Tree Plan to determine appropriate spacing or pay the street tree fee and space the trees at 30' for each street frontage as required by the ordinance.

Final Partition Plat Conditions:

12. 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

13. 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.
14. 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.

I CERTIFY THAT THIS ORDER approving _____ was presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this ____ day of _____, 20__

 John Savory
 Planning Commission Chair

 Bryan Brown
 Planning Director

 Attest

ORAL DECISION: _____

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>Shawn Hensley</i>				
<i>John Serlet</i>				
<i>Derrick Mottern</i>				
<i>Kristene Rocha</i>				
<i>Larry Boatright</i>				
<i>Tyler Smith</i>				

WRITTEN DECISION: _____

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>Shawn Hensley</i>				
<i>John Serlet</i>				
<i>Derrick Mottern</i>				
<i>Kristene Rocha</i>				
<i>Larry Boatright</i>				
<i>Tyler Smith</i>				