

PLANNING COMMISSION
Meeting Agenda - MODIFIED
Monday – April 25, 2011
7:00 PM - Regular Meeting
City Council Chambers – 155 NW 2nd Avenue

Chair Dan Ewert – Vice Chair Janet Milne
Commissioners Sean Joyce, Charles Kocher, John Proctor, Misty Slagle and
Randy Tessman

1. CALL TO ORDER

2. CITIZEN INPUT ON NON-AGENDA ITEMS

3. PUBLIC HEARINGS

Pioneer Pump - The applicant is requesting a modification to an existing Site and Design Review approval to construct a new 34,500 square foot, warehouse to support Pioneer Pump's business needs. 310 S. Sequoia Parkway. **MOD 11-01/LLA 11-02 to DR 05-04** Markus Mead, Associate Planner

4. NEW BUSINESS

Upcoming Planning Projects

Appropriate zoning determination: Auto Towing Business as an Outright Permitted Use within the M1 District

5. FINAL DECISIONS

Note: These are final, written versions of previous oral decisions. No public testimony.

Pioneer Pump – MOD 11-01/LLA 11-02 to DR 05-04

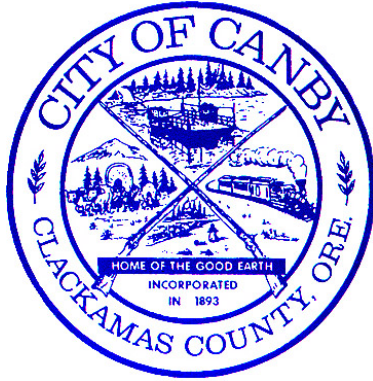
6. MINUTES

January 24, 2011

7. ITEMS OF INTEREST/REPORT FROM STAFF

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

9. ADJOURNMENT



City of Canby

Planning and Building Department

Molalla Towing Service
Attn: Wayne Dillinger
Ph: 503-910-3592
Molalla, OR

April 1, 2011

RE: Determination of Appropriate Zoning – Molalla Towing Service Company Branch Office in Canby

APPROPRIATE ZONING DETERMINATION: A determination of the appropriate zoning for a considered use is intended to identify those zoning districts for which an identified use would be allowed outright, as a possibility with approval of a Conditional Use Permit, or as determined by the Planning Commission. City staff is available to help determine and verify the existing zoning of a particular location or property. A zoning map of the City of Canby is available on the City of Canby website: <http://www.ci.canby.or.us> (click on “zoning map” link).

This letter is in reference to a request for information concerning the appropriate zoning district in which to appropriately locate an identified use. Once the appropriate zoning district(s) are identified, city economic development staff is available to assist a prospective client in locating possible areas in town with the appropriate zoning designation.

The considered use is for a branch location for a Molalla Towing Company. They see an opportunity to serve the I-5 and Canby area market. They described their possible operation needs to include up to a 2 acre site capable of parking/storing up to 10 to 15 cars at a time in a fenced area with a small office building. They tow autos and light duty trucks to the site and store them from 3 to 45 days at most.

- Although the considered use is not specifically listed, it has been determined to be included within the uses listed in 16.28.010.C Automobile, motorcycle, boat or truck sales, service, repair, rental, storage or parking. These uses are permitted outright within the C2, Highway Commercial and the CM, Heavy Commercial/Manufacturing Districts.

- The considered use could possibly be approved through a Conditional Use Permit application and approval process within the M1, Light Industrial District as determined by the Planning Commission.

We are pleased to provide you with this requested information. Please feel free to contact me if you have additional zoning or land use related questions.

Respectfully,

Bryan Brown
Planning Director

Chapter 16.32

M-1 LIGHT INDUSTRIAL ZONE

Sections:

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

16.32.010 Uses permitted outright.

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

- A.** Manufacturing, fabricating, processing, compounding, assembling or packaging of products made from previously prepared materials such as cloth, plastic, paper, metal, wood (but not including sawmills or lumber mills), the operation of which will not result in
 1. The dissemination of dusts, gas, smoke, fumes, odors, atmospheric pollutants or noise which exceed Oregon Department of Environmental Quality standards
 2. Danger by reason of fire, explosion or other physical hazard;
 3. Unusual traffic hazards;
- B.** Automobile body shop, or heavy repair shop;
- C.** Contractor's equipment or storage yard;
- D.** Dwelling for watchman or caretaker working on the property;
- E.** Food processing plant;
- F.** Fuel distribution, wholesale or retail;
- G.** Ice or cold storage plant;
- H.** Laundry or dry-cleaning plant;
- I.** Lumber yard;
- J.** Machinery, farm equipment or implement sales, service or rent;

- K.** Motor or rail freight terminal;
- L.** Railroad trackage and related facilities;
- M.** Restaurant, when related and incidental to primary industrial uses of the area;
- N.** Service station, when related and incidental to primary industrial uses of the area;
- O.** Stone, marble, or granite cutting;
- P.** Tire retreading or recapping;
- Q.** Transfer and storage company;
- R.** Utility storage or service yard;
- S.** Veterinarian's office or animal hospital;
- T.** Warehouse
- U.** Wholesale distribution, including warehousing and storage;
- V.** Wireless or cellular communications facility/tower;
- W.** Other light industrial uses as determined by the Planning Commission;
- X.** Business or professional office, when related and incidental to primary industrial uses of the area;
- Y.** Public building or uses such as fire station, or park or playground.
- Z.** Attached WTS facilities (see 16.08.120).
- AA.** Detached WTS facilities (monopole or lattice tower), under 150 feet in height and at least 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- BB.** Detached WTS facilities (monopole), under 100 feet in height and less than 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- CC.** Detached WTS facilities (monopole), equal to or over 150 feet in height and at least 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).

DD. Minor public facility. (Ord. 890 section 31, 1993; Ored. 749 section 1(A), 1984, Ord. 740 section 10.3.31(A), 1984; Ord. 995 section 10 & 11, 1996; Ord. 981 section 30 & 31, 1997; Ord. 1019 section 10, 1999; Ord 1237, 2007)

16.32.020 Conditional uses.

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

- A.** Commercial recreation uses;
- B.** Motels, hotels and similar accommodations;
- C.** Other heavy commercial or light industrial uses as determined by the Planning Commission;
- D.** Waste and/or recycling transfer operations.
- E.** Detached WTS facilities (monopole), equal to or over 100 feet in height and less than 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- F.** Detached WTS facilities (lattice tower), equal to or over 150 feet in height and at least 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- G.** Major public facility, except as modified by Section 16.32.010. (Ord. 960, section 2, 12/18/96; Ord. 890, section 32, 1993; Ord. 740 section 10.3.31(B), 1984; Ord. 981 section 32, 1997; Ord 1237, 200

Chapter 16.28

C-2 HIGHWAY COMMERCIAL ZONE

Sections:

- 16.28.010 Uses permitted outright.**
- 16.28.020 Conditional uses.**
- 16.28.030 Development standards.**

16.28.010 Uses permitted outright.

Uses permitted outright in the C-2 zone are as follows:

- A.** A use permitted outright in a C-1 zone;

- B. Miniature golf courses;
- C. Automobile, motorcycle, boat or truck sales, service, repair, rental, storage or parking;
- D. Theaters;
- E. Restaurant, including drive-in;
- F. Kennel;
- G. Lumber yard;
- H. Machinery, farm equipment or implement sales, service or rental;
- I. Hotel or motel;
- J. Service station;
- K. Tire shop, including incidental tire recapping;
- L. Veterinarian's office or animal hospital;
- M. Fuel oil distribution, retail, provided all fuel oil storage is underground;
- N. Nursery and greenhouse;
- O. Feed and seed store;
- P. Department store;
- Q. Similar commercial uses as determined by the Planning Commission.
- R. Attached WTS facilities (see 16.08.120).
- S. Detached WTS facilities (monopole), less than 100 feet in height (see 16.08.120). (Ord. 890 section 28, 1993; Ord. 830 section 6, 1989; Ord. 740 section 10.3.28(A), 1984; Ord. 981 section 25, 1997; Ord. 1237, 2007)

16.28.020 Conditional uses.

Conditional uses in the C-2 zone shall be as follows:

- A. A use permitted outright in an M-1 zone;
- B. A use listed as conditional in a C-1 zone and not listed in section 16.28.010.

C. Detached WTS facilities (monopole), equal to or over 100 feet in height (see 16.08.120). (Ord. 890 section 29, 1993; Ord. 740 section 10.3.28(B), 1984; Ord. 981 section 26, 1997)

Chapter 16.22

C-1 DOWNTOWN COMMERCIAL ZONE

Sections:

- 16.22.010 Uses permitted outright.
- 16.22.020 Conditional uses.
- 16.22.030 Development standards.
- 16.22.040 Design Review Matrix.

16.22.010 Uses permitted outright.

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

A. Residential. Residential uses shall be permitted only when part of a mixed use development (residential with commercial, office, or public/institutional use). Both vertical mixed use (housing above the ground floor) and horizontal mixed use (housing on the ground floor) developments are allowed, as follows:

1. Ground floor dwelling units that are incidental (less than 25% of the ground floor gross area) attached to any use allowed in a C-1 zone, and have access from a side or back entrance, or an entrance that is incidental to the commercial main ground floor use.
2. Residential units occupying the second and/or third story of any structure in the C-1 zone, provided the primary ground floor use is listed in 16.22.010.
3. Limitation on street-level housing. No more than fifty (50) percent of a single street frontage may be occupied by residential uses. This standard is intended to reserve storefront space for commercial uses and public/institutional uses; it does not limit residential uses above the street level on upper stories, or behind street-level storefronts. For parcels with street access at more than one level (e.g., sloping sites with two street frontages), the limitation on residential building space shall apply to all street frontages.

a. Density. There is no minimum or maximum residential density standard. Density shall be controlled by the applicable lot coverage and building height standards.

b. Parking, garages, and driveways. All off-street vehicle parking intended for residential use, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas behind or to the side of the building; except that side yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of four (4) feet. On corner lots, garage entrances shall be oriented to a side street when access cannot be provided from an alley.

c. Creation of alleys. When a residential subdivision (e.g., four or more townhome lots) is proposed, a public alley shall be created for the purpose of vehicle access. Alleys are not required when existing development patterns or topography make construction of an alley impracticable. As part of a subdivision, the City may require dedication of right-of-way or easements, and construction of pathways between townhome lots (e.g., between building breaks) to provide pedestrian connections through a development site.

4. Existing dwelling units which are not incidental and attached to a use allowed in the C-1 zone may be altered, expanded (or rebuilt within one year of a fire or other act of nature) provided that any such additions or rebuilding comply with the development standards for dwelling units in the R-2 zone;

B. Retail store or shop, except those listed as permitted or conditional uses in the C-2 zone;

C. Amusement enterprise, including pool hall, bowling alley, dance hall, skating rink or theater, when enclosed in a building;

D. Bakery, for retail sale primarily on premises;

E. Barber or beauty shop;

F. Bank or other financial institution;

G. Bed and Breakfast, in an existing residence;

H. Bicycle sales, service, or repair;

I. Blueprinting, Photostatting, printing or other reproduction process;

- J.** Bus depot;
- K.** Business college;
- L.** Catering establishment;
- M.** Church;
- N.** Club or lodge hall;
- O.** Day care facility;
- P.** Laundry or cleaning establishment;
- Q.** Frozen food lockers;
- R.** Hardware store, not including lumber or other large building materials requiring on-site outside or warehouse storage;
- S.** Hotel and apartment hotel;
- T.** Laboratory for experimental, photo or electronic testing research;
- U.** Locksmith or gunsmith;
- V.** Magazine or newspaper distribution agency;
- W.** Mortuary;
- X.** Office, business or professional;
- Y.** Pawn shop;
- Z.** Public Transit Center;
- AA.** Restaurant, without drive-in service;
- BB.** Scientific or professional instrument sales or repair;
- CC.** Sales, rental or repair of small recreational, radio, television, business or household equipment;
- DD.** Studio, including music, art, dancing, photography or health;
- EE.** Taxidermy shop;

FF. Telephone or telegraph exchange;

GG. Theater, except drive-in;

HH. Auto parts store and incidental shop facilities;

II. Upholstery shop;

JJ. Watch and clock repair;

KK. Similar commercial uses as determined by the Planning Commission;

LL. Public building or land use such as fire station, city hall, park, playground, library or museum.

MM. Minor public facility. (Ord. 890 section 24, 1993; Ord. 805 section 2, 1987; Ord. 802 section 6, 1987; Ord. 740 section 10.3.24(A), 1984; Ord. 955 section 8, 1996; Ord. 981 section 21, 1997; Ord. 1076, 2001; Ord 1237, 2007)