

PLANNING COMMISSION
Meeting Agenda
Monday – September 27, 2010
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

a. Sign Code Revisions of Chapter 16.42 of Canby Municipal Code – The purpose of the proposed sign code amendments is to follow through on an evaluation commitment after working with the new code, address administrative issues, improve clarity and consistency, and incorporate recommendations for improvement collected from the business community since using the new code. Proposed revisions address: number and square footage of commercial tenant wall signage allowed, change to temporary sign limitations and establishment of system for registering same, change in marquee sign measurement, alteration to blade and awning size limitation and vertical clearance, add cross reference to design standards simplify and clarify sign right-of-way encroachment requirements, and improve consistency of graphic representation. **TA 10-03** – Staff – Bryan Brown, Planning Director; Matt Hastie, Consultant with Angelo Planning Group **Page 2**

b. Canby Municipal Code Amendment - specifically amending the Land Development & Planning Ordinance (Title 16) pertaining Low Impact Development Standards, Outdoor Lighting Standards, and Fencing Standards. **TA 10-04** – Staff – Matilda Deas, AICP, Project Planner, Matt Hastie, Angelo Planning Group **Page 87**

4. NEW BUSINESS

5. FINAL DECISIONS

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

a. None

6. MINUTES

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7. ITEMS OF INTEREST/REPORT FROM STAFF

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

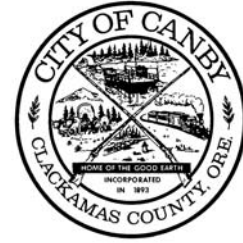
9. ADJOURNMENT

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting to Jill Thorn at 503-266-7001.

A copy of this agenda can be found on the City's web page at www.ci.canby.or.us

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For a schedule of the playback times, please call 503-263-6287.



PLANNING COMMISSION STAFF REPORT

TITLE: A CANBY MUNICIPAL CODE AMENDMENT, specifically amending the Land Development & Planning Ordinance (Title 16.42) pertaining to Sign Code Regulations

APPLICANT: City of Canby

FILE #: TA 10-03

STAFF: Bryan C. Brown, Planning Director

REPORT DATE: September 1, 2010

HEARING DATE: September 13, 2010

I. APPLICATION SUMMARY

Text Amendment Objective: Planning staff initiated this proposed sign code amendment with acknowledgement from both the Planning Commission and City Council that their would need to be a follow through commitment for a review and evaluation of the new sign ordinance that was completed in December, 2008, adopted by Ordinance No. 1299, and implemented in 2009. This text amendment to the Land Development and Planning Ordinance (Title 16.42) was seen as a necessary and desirable way to address a variety of issues that have arose through the daily application of the regulations within the past year or so.

The stated project objectives of this sign code amendment was to follow through on an evaluation commitment after working with the new code, address administrative issues, improve clarity and consistency, and incorporate recommendations for improvement collected from the business community and residents since using the new code. The proposed revisions address: the number and square footage of commercial tenant wall signage allowed, a change to temporary sign limitations and establishment of a non-cost system for registering temporary signs, a change in marquee sign measurement, an alteration to blade and awning size limitations and to the vertical clearance standard, the addition of a cross reference to the design standards, simplification and clarification of sign right-of-way encroachment requirements, and an improvement and consistency of the graphic representations.

Process: The city obtained assistance in the crafting of the original new sign ordinance from the Angelo Planning consultant group. We felt it would be advantages to solicit their help in this timely follow-up review to address and resolve issues that have arose during implementation of the code. The revisions proposed have been reviewed and are supported by the Sign Code Committee members, citizens of which were drawn from the membership of the original sign code drafting committee. The

committee members included: Bev Doolittle, Bob Westcott, Ryan Oliver, and staff members Matilda Deas, Catherine Comer, Kari Iness, and Bryan Brown. Matt Hastie with Angelo Planning Group solicited a list of issues needing to be addressed from staff and the sign committee members and helped to formulate alternative solutions for evaluation. Upon agreement, he drafted proposed code language revisions for review. The committee met three times and five versions of the draft code amendments have been provided.

On July 26 the Planning Commission held a work session to review Draft 4 of the proposed code amendments. A revised final Draft 5 version was then produced reflecting the following input received by the Planning Commission, which was very positive in moving forward toward adoption:

1. Determine if we have any limits on the height of balloon signs. If we don't identify appropriate limitations.
2. Update Figure 7 (measurement of awning signs) to reflect the new size standards for those signs, including defining "primary surface" as needed.
3. Review proposed new graphics and provide a photo of the Canby Cinema marquee sign as an example of that type of sign.

II. APPLICABLE CRITERIA

A Title 16 text amendment is a legislative land use amendment. In judging whether or not Title 16 should be amended, the Planning Commission and City Council shall consider the following approval criteria:

1. The Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;
3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;
4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community; and
5. Statewide planning goals.

III. PUBLIC COMMENT

Notice of the September 13, 2010 Planning Commission meeting and public hearing for TA-10-03 was posted at City Hall and at the Canby Public Library on September 1, 2010. Notice of the public hearing was also published in the September 1, 2010 edition of the Canby Herald. No public comments have been received as of the date of preparation of this staff report.

IV. FINDINGS

Staff recommends that Planning Commission consider the following findings in its review of this proposed Text Amendment:

1. The proposed amendment complies with the Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, and will preserve functions and local aspects of land conservation and development.

Citizen Involvement: The proposed text amendment fine tunes the application of the existing sign code. The sign code standards are based upon non-discretionary standards or regulations. Citizen input was a major component of the original adoption of these regulations in December of 2008. Members of the original sign code committee were brought back to review the proposed “fixes” contemplated to the code at this time. No direct citizen involvement is necessary at the time that sign permits are applied for and issued since little to no discretion is involved in determining whether the regulations have been met. The amendment process has included a citizen input component and the sign permit process remains unchanged and continues to align with the Canby Comprehensive Plan citizen involvement policy that “Canby shall strive to eliminate unnecessarily costly, confusing, and time consuming practices in the development review process.” A new business friendly process will eliminate the separate requirement for encroachment permits that hang over the public sidewalk while retaining the ability to have them removed if necessary.

Land Use Planning: The proposed text amendment continues to provide a means for the permitting of signs in a manner unique to the particular base zoning district or overlay district involved. This is in line with the Canby Comprehensive Plan land use policy that “Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses while grouping compatible uses.” The land use element of the Plan strives for land use development which is orderly, efficient, aesthetically pleasing, and suitably related to one another. The proposed amendments do not alter this goal of the original sign ordinance, but furthers it with standards unique to the zoning or location in town.

Environmental Concerns: The permitting of signage is not likely to impact environmental regulations, but is not exempt from meeting applicable environmental regulations. This is in line with all of the Canby Comprehensive Plan land use policies regarding environmental concerns.

Transportation: The proposed text amendment continues to regulate proposed signage in a manner that does not adversely impact the Comprehensive Plan transportation element to maintain a transportation system which is safe, convenient and economical. A new more administratively friendly process is proposed for handling signage which extends over the public right-of-way which eliminates an encroachment permit but retains the city’s right of removal and the property owner’s liability and responsibility for the signage over time. This is in line with the Canby Comprehensive Plan transportation policies that “Canby shall work to provide an adequate sidewalk and pedestrian pathway system clear of any obstructions to serve all residents.”

Public Facilities and Services: This comprehensive plan element is not particularly applicable to the proposed text amendment. The sign regulations remain to be designed to insure that they do not impact water, wastewater, storm drainage, or transportation facilities and services.

Economic: The proposed text amendment provides a process for allowing signage which is in line with the Canby Comprehensive Plan economic policy that “Canby shall encourage programs and projects which will lead to an increase in local employment opportunities.” The main issues which brought forward this code amendment was a desire to provide needed relief and greater flexibility to allow wall signs in certain circumstances where they were previously excluded. Through a proposed change that eliminates the maximum overall percentage and square footage limits for wall signs for multi-tenant buildings and specifically allowing each tenant space some signage the potential negative economic impacts of the sign regulations will be ameliorated.

Housing: This comprehensive plan element is not particularly applicable to the proposed text

amendment, because the manner in which signage is permitted in different zoning districts will not displace nor affect housing in the City.

2. There is a public need for the change. It was contemplated that with adoption of the new sign code in December, 2010 that it would be necessary to evaluate how it was achieving the desired goals that went along with its adoption along with an assessment in how responsive the code has been to serving the basic needs of the business community. An evaluation of its administrative efficiency was also deemed useful. The proposed amendments will significantly assist some businesses to obtain necessary wall signage in unique multi-tenant situations, significantly reduce permitting hassles when obtaining sign permits that hang over into the public right-of-way space (downtown sidewalks), improve the enforceability of temporary signage through a registration process, improve consistency and usability for applicants through improved graphics, increase the opportunity for use of temporary signs, allow two wall signs rather than one for large tenant spaces over 20,000 square feet in size, and alter the manner in which marquee signs are measured. The City finds that there is a public need to adopt these proposed sign code standards.
3. The proposed change will serve the public need better than any other change which might be expected to be made. The standards being altered and other adjustments to the code proposed are the best means of insuring that the City's sign code is carried out in a manner that is fair to business interests while enhancing the community without creating negative impacts. There is no other change which would better carry out these purposes, as recommended by staff and the sign code committee.
4. The proposed change will preserve and protect the health, safety, and general welfare of the residents in the community, by maintaining a permitting process and standards in place to regulate and control the type, size, and location of signage so that they are carried out in a manner that enhances the community and does not create negative impacts.
5. The proposed amendment complies with applicable Statewide Planning Goals, as it is considered to conform to the City's acknowledged Comprehensive Plan as indicated above. More specifically, this land use code text amendment complies with Goal #1 (Citizen Involvement), Goal #2 (Land Use Planning), Goal 9 (Economic Development), and Goal 12 Transportation.

Goal #1 Citizen Involvement: The proposed text amendment is a Type I application review process for sign permits is based solely upon non-discretionary regulations. Citizen involvement in this text amendment included a sign code review committee and has provided for a public hearing process when the regulations were originally created and as they are now proposing to be amended. This complies with the Statewide Planning Goal concerning citizen involvement. The proposed text amendment provides a means for permitting signs in a manner unique to the particular base zoning district or overlay district involved.

Goal #2 Land Use Planning: The proposed text amendment continues to provide a means for the permitting of signs in a manner unique to the particular base zoning district or overlay district involved. This is in line with the City's development preferences as represented with the land use zoning map and other elements of the Comprehensive Plan. The sign code in general assists in the orderly, efficient, and aesthetically pleasing allowance of signage within the community. This conforms to the intent of the State land use planning goal.

Goal #9 Economic Development: The proposed text amendment provides a process for allowing signage which is in line with the Canby Comprehensive Plan economic policy that “Canby shall encourage programs and projects which will lead to an increase in local employment opportunities.” The main issues which brought forward this code amendment was a desire to provide needed relief and greater flexibility to allow wall signs in certain circumstances where they were previously excluded. Through a proposed change that eliminates the maximum overall percentage and square footage limits for wall signs for multi-tenant buildings and specifically allowing each tenant space some signage the potential negative economic impacts of the sign regulations will be ameliorated. The primary impetus for the text amendment is to appropriately address the economic interests of the community with regard to how “wall signage” standards are applied. The results create a more flexible environment that will assist certain business operations in obtaining a wall sign that would have previously been prohibited.

Goal #12 Transportation: The proposed text amendment continues to regulate proposed signage in a manner that does not adversely impact the Comprehensive Plan transportation element to maintain a transportation system which is safe, convenient and economical. A new more administratively friendly process is proposed for handling signage which extends over the public right-of-way which eliminates an encroachment permit but retains the city’s right of removal and the property owner’s liability and responsibility for the signage over time. This is in line with the Canby Comprehensive Plan transportation policies that “Canby shall work to provide an adequate sidewalk and pedestrian pathway system clear of any obstructions to serve all residents.”

V. PROPOSED AMENDMENT

The proposed code amendment language is indicated in Exhibit A attached below. Deleted text is illustrated in ~~strikeout font~~, while added text is illustrated with a double underlined format.

VI. RECOMMENDATION

Based upon the findings and conclusions presented in this staff report, and without benefit of a public hearing, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for **TA 10-03**, an amendment to the sign ordinance regulations.

Recommended Motion:

I move that the Planning Commission recommend that City Council approve TA 10-03, based on the record of the September 13th Planning Commission public hearing and findings in the September 1, 2010 Planning Commission staff report.

VII. NEXT STEPS

1. Following close of public hearing, Planning Commission will make a recommendation to the City Council concerning adoption of the proposed text amendment, including recommended findings;

2. The City Council will make their decision based on the record of the Planning Commission's hearing and deliberations, and may do so without benefit of a new public hearing (though the Council may hold a public hearing with proper notice if it so chooses).

Exhibit A: Proposed Text Amendment Revisions for CMC Chapter 16.42



Chapter 16.42

SIGNS

Sections:

[16.42.010](#) Purpose.

[16.42.015](#) Definitions and interpretation.

[16.42.020](#) Administration and permit requirements.

[16.42.025](#) General sign standards.

[16.42.030](#) Temporary community event sign plan.

[16.42.040](#) Design standards for signs.

[16.42.045](#) Permanent signs permitted in the right-of-way.

[16.42.050](#) Size, type, and location of signs permitted by zoning district and use.

[16.42.060](#) ~~Automobile~~-Automobile service station sign standards.

[16.42.070](#) Measurements.

[16.42.140](#) Severability.

16.42.010 Purpose.

A. The purpose of this chapter is to:

1. Protect the health, safety, property and welfare of the public;
2. Provide a neat, clean, orderly and attractive appearance in the community;
3. Encourage well-designed and wisely located signs;
4. Provide for safe construction, location, erection and maintenance of signs;
5. Prevent proliferation of signs and sign clutter, minimize adverse visual safety factors to travelers in the public right-of-way;



- 6. Facilitate economic development and enhance the city's ability to retain and attract businesses and customers;
- 7. Contribute to a simple and efficient regulatory process; and
- 8. Achieve these purposes consistent with state and federal constitutional limits on the regulation of speech.

B. To achieve this purpose, it is necessary to regulate the design, quality of materials, construction, location, electrification, illumination, and maintenance of signs that are visible to the public.

C. Nothing in these regulations is intended to control the construction or location of directional or informational signs installed by the city, county or state for the purpose of controlling traffic, indicating street names, providing legal or public notice, or other public purposes.

(Ord 1299, 2008; Ord. 955 sections 13-16, 1996; Ord. 913 section 1, 1994; Ord. 830 section 13, 1989; Ord. 740 section 10.3.10(A), 1984)

16.42.015 Definitions and interpretation.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section, but defined elsewhere in the Land Development and Planning Ordinance of the city, shall be given the meanings set forth in such ordinance. Principles for computing sign area and sign height are contained in section 16.42.070. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this ordinance.

A. A-Frame Sign. A double-faced temporary sign composed of two sign boards attached at the top and separate at the bottom, not permanently attached to the ground.

B. Abandoned Sign. A sign or sign structure that has been damaged, and repairs and restoration are not started within 90 days of the date the sign was damaged, or are not diligently pursued once started.

C. Alter. To make a change to a sign or sign structure, including but not limited to, changes in area, height, projection, illumination, shape, materials, placement and location on a site. Altering a sign does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, or exchanging the display panels of a sign.

D. Automobile Service Station. A retail place of business engaged primarily in the sale of motor fuels.

E. Awning Sign. A sign attached to or incorporated into an overhead cover extending above the sidewalk or ground (usually above windows and doors).

F. Balloon Sign. A sign consisting of a membrane that relies on internal gaseous pressure or a semi-rigid framework for maintaining its form.



- G. **Banner Sign.** A sign made of fabric or other non-rigid material with no enclosing framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.
- H. **Beacon.** Any light, excluding street lights and traffic signals, with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.
- I. **Bench Sign.** A sign on an outdoor bench.
- J. **Blade/Overhang Sign.** A sign, other than a wall sign, that projects from, and is supported by or attached to a roof or wall of a building or structure.
- K. **Building Elevation Area.** The area of a single side of a building, measured in square feet and calculated by multiplying the length of the side of the building by the height of the building to the roof line. If the roof line height varies along the side of the building, the average of the lowest and highest roof line height on that side shall be used in the calculation.
- L. **Building Frontage, Primary.** The ground floor lineal length of a building wall that faces a street, driveway, parking lot, courtyard or plaza and has an entrance or exit open to the general public.
- M. **Building Frontage, Secondary.** The ground floor lineal length of a building wall that faces a street, driveway, parking lot, courtyard or plaza and does not have an entrance or exit open to the general public.
- N. **Bulletin Board.** A board that provides information in a horizontal linear format, that can be changed either manually through placement of letters or symbols on tracks mounted on a panel, or electronically through use of an array of lights in a dot matrix configuration. A bulletin board is not a sign in itself, but rather is an element that is allowed as part of a monument sign, pole sign, marquee sign, blade/overhang sign, or wall sign.
- O. **Business Complex.** A site consisting of one or more lots sharing appurtenant facilities, such as driveways, parking and pedestrian walkways.
1. **Minor Business Complex.** A site proposed for or consisting of multiple uses and/or multiple tenants, where the building(s) contain a maximum of 14,999 square feet in gross floor area.
 2. **Major Business Complex.** A site proposed for or consisting of multiple uses and/or multiple tenants, where the building(s) contain 15,000 to 99,999 square feet in gross floor area.
 3. **Industrial/Research Business Complex.** A site proposed for or consisting of multiple uses and/or multiple tenants, where the building(s) contain a minimum of 100,000 square feet in gross floor area.
- P. **Canopy Sign.** A sign that is a part of or attached to a permanent roofed structure which may be freestanding or attached to a building and is not a completely enclosed structure.



Q. Community Event Sign Plan. A sign plan approved by City Council which permits temporary banners or seasonal holiday decorations to extend over a street, over a private road providing vehicle access into a property, or to be attached to utility or streetlight poles.

R. Directory Signs. Directory signs include signs that are attached to the building and are a directory of the occupants of the building, signs that provide vehicular clearance information, signs that identify parking lot sections or direct vehicles in a parking lot, and similar signs as determined by the City Planner. The sign face of each directory sign shall not exceed two (2) square feet, or in the case of an occupant directory, shall not exceed one (1) square foot per occupant listed on the directory sign.

S. Electronic Message Board. A board that, through the use of moving structural elements, flashing or sequential lights, or lights in a dot matrix or LED configuration which may be changed intermittently or by other automated method, results in a message or image display that changes, moves or appears to move. An electronic message board is not a sign in itself, but rather is an element that is allowed as part of a monument sign, pole sign, marquee sign, blade/overhang sign, or wall sign.

T. Flag. A rectangular piece of fabric of distinctive design that is displayed hanging free from a staff, halyard or building to which it is attached. A flag is often used to display the symbol of the United States, a nation, state, or other governmental entity.

U. Flashing Sign. A sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

V. Grade. For freestanding signs, "grade" is the average level of the ground measured five feet from either end of the base of the sign, parallel to the sign face. For signs mounted on buildings, the grade is the average level of the sidewalk, alley or ground below the mounted sign measured five feet from either end of the sign face.

W. Illuminated Sign. A sign illuminated by an internal light source or an external light source primarily designed to illuminate the sign. The illumination is "external" when the light source is separate from the sign surface and is directed to shine upon the sign and "internal" when the light source is contained within the sign, but does not include signs where the text or image is composed of dot matrix or LEDs. External illumination is "direct" when the lamp fixture is directly seen by the public, such as a floodlight, and "indirect" when the source of light is not directly seen by the public, such as cove lighting.

X. Lawn Sign. A temporary freestanding sign that is supported by a frame, pole, or other structure placed directly in or upon the ground without other support or anchor.

Y. Maintenance. Normal care or servicing needed to keep a sign functional or perpetuate its use, such as cleaning, changing light bulbs, and replacing or repairing a part made unusable by ordinary wear.

Z. Marquee Sign. A sign that is a permanent roof-like structure attached to and projecting from a building, that is used in part to display changeable sign copy.



AA. Menu Board Sign. A sign not designed to be viewed from any public right-of-way, and is placed near the public entrance to, or near the drive-up service lane of, a food service establishment. A menu board sign shall not exceed 12 feet in height.

BB. Monument Sign. A freestanding sign that is placed on a solid-appearing base that extends a minimum of 12 inches above the ground and extends at least 75 percent of the length and width of the sign. The above ground portion of the base is considered part of the total allowable height of a monument sign.

CC. Name Plate. A wall sign less than 2 square feet in size, permanently affixed to the front façade of a residential structure.

DD. Neon Sign. A sign internally illuminated by a light source consisting of neon or other gas contained in a tube, except for fluorescent lights.

EE. Owner. The person owning title to real property on which a sign is located, or the contract purchaser of the real property. "Owner" also includes the owner of a sign who has a continuing lease of the real property on which the sign is located.

FF. Pennant. A sign device made from a strip of flexible material intended to wave in the wind.

GG. Pole Sign. A sign that is a freestanding sign connected to the ground by one or more supports with the lower edge of the sign physically separated from the ground (in contrast to a monument sign).

HH. Portable Sign. A sign which is not affixed to a building, other permanent structure, or to the ground in a permanent manner, and which is designed to be moved from place to place.

II. Principal Use. The purpose for which land or a structure is designed, arranged, or for which it is occupied or maintained. Multiple principal uses may be located on a lot, a site, or in a business complex.

JJ. Public Sign. A sign erected, constructed, or placed within the public right-of-way or on public property by or with the approval of the governmental agency having authority over, control of, or ownership of the right-of-way or public property.

KK. Repair. Mending or replacing broken or worn parts with comparable materials.

LL. Roof Line. The top edge of a roof or a building parapet, whichever is higher, excluding any cupolas, chimneys or other minor projections.

MM. Seasonal Holiday Decorations. Every type of decoration displayed during and around a federally recognized holiday or on a seasonal basis, whether illuminated or not, and whether attached to utility poles, buildings or any other structure.

NN. Sign. Any writing, video projection, illumination, pictorial representation, illustration, decoration, emblem, symbol, design, trademark, banner, flag, pennant, captive balloon, streamer, spinner, ribbon, sculpture, statue, or any other figure or character that:



1. Is a structure or any part thereof (including the roof or wall of a building); or
2. Is written, printed, projected, painted, constructed, or otherwise placed or displayed upon or designed into a structure or an outdoor screen or monitor, or a board, plate canopy, awning, marquee, or a vehicle, or upon any material object, device, or surface whatsoever; and
3. Communicates, or is designed to communicate on any subject whatsoever. points of a sign, but excluding essential sign structure, foundations, or supports.

OO. Sign Copy. The message or image conveyed by a sign.

PP. Sign Face. The sum of the surfaces of a sign face as seen from one plane or elevation included within the outer dimensions of the sign board, frame or cabinet.

QQ. Site. The area, parcel, or lot of land owned by or under the lawful control of an owner. Abutting lots shall be considered one site when they share appurtenant facilities, such as driveways, parking and pedestrian walkways.

RR. Street Frontage. The length or width of a site, measured along the lot line separating the site from a street.

SS. Supporting Structure. A structure specifically intended for supporting or containing a sign.

TT. Temporary Sign. A sign that is temporarily attached or tethered to a building, structure, or the ground. Temporary signs include, but are not limited to, A-frames, banners, flags, pennants, balloons, blimps, streamers, lawn signs and portable signs.

UU. Utility Sign. A sign constructed or placed by a public utility on or adjacent to a pole, pipe, or other type of utility facility within a public right-of-way or utility easement.

VV. Vehicle Sign. A sign placed in or attached to a motor vehicle, trailer, or rail car that is parked on public or private property in a publicly visible location for more than 72 consecutive hours, the principal purpose of which is to display signage rather than to use the vehicle for transportation purposes. This is not meant to include signs and logos attached to any vehicle that is regularly used in the normal course of business for transportation purposes.

WW. Video Sign. A sign providing information in both a horizontal and vertical format (as opposed to linear), through use of pixel and sub-pixel technology having the capacity to create continuously changing sign copy in a full spectrum of colors and light intensities.

XX. Wall Sign. A sign that is painted on the wall of a building, or a sign attached to the wall of a building and extending no more than twelve inches from a wall, or attached to or erected against a roof with a slope not more than 20 degrees from vertical, with the exposed face of the sign in a plane that is vertical or parallel to the plane of that roof, and which does not project more than 18 inches from the wall or roof.



YY. Window Sign. A sign attached to, or painted on a window, or displayed inside the building in a manner so that it is clearly viewable from outside the building.

(Ord. 913 section 1[part], 1994; Ord. 955 sections 13-16, 1996; Ord. 1299, 2008)

16.42.020 Administration and permit requirements.

A. Permit Required. All signs erected after the effective date of this chapter, other than signs exempt from permit requirements per 16.42.025, shall require a sign permit. Application shall be made on forms provided by the Planning Director. Sign permits issued for signs which encroach into the public right-of-way are subject to the standards of 16.42.045.

B. Fee. A fee as established by resolution of the City Council shall be paid to the City of Canby upon the filing of an application. Such fees shall not be refundable.

C. Construction and Maintenance. Each sign shall be constructed to meet the requirements of applicable building, electrical, and mechanical codes.

1. All signs and component parts shall be kept in good repair and maintained in a safe, neat, clean and attractive condition.

2. No sign shall be erected or maintained in such a manner that any portion of its surface or its supports will interfere in any way with the free use of, or any access to, any fire escape, exit or standpipe. No signs shall be erected or maintained so as to obstruct any window so that light or ventilation is reduced below standards required by any applicable law or building code.

3. It is unlawful to erect or maintain a sign which, by reason of its size, location or placement, creates an immediate danger to the health, safety and welfare of the citizens of the city by blocking vision for either pedestrians or motorists, at public and/or private roadways, intersections, driveways, or railroad crossings.

D. Appeal. Appeals are governed by the procedures set forth in Chapter 16.89.

E. Permit Expiration. Every permit issued by the Building Official under the provisions of this chapter shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half of the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one year.

F. Permit Suspension or Revocation. The City Planner or duly authorized representative may, in writing, suspend or revoke a permit issued under provisions of this chapter whenever the permit is issued on the basis of incorrect information supplied, or in violation of applicable ordinance or regulation or any of the provisions of this chapter.



G. Variance. The procedures which allow variations from the strict application of the regulations of this Title, by reason of exceptional circumstances and other specified conditions, are set forth in Chapter 16.53.

H. Conditional Use Signs or Signs under Site and Design Review. Signs proposed at the time of a conditional use application or site and design review application shall be reviewed by the Planning Commission regarding size, height, and location at the time of conditional use review or site and design review. If sign review was not part of the original conditional use review or original site and design review, the applicant may apply for a sign permit under the normal sign review procedures and policies, provided the application is made at least six (6) months after the original review. In conditional use signs or signs reviewed under design review, provisions of this chapter shall apply.

I. Nonconforming Signs. Provisions for nonconforming signs are set forth in Chapter 16.52.

(Ord. 1237, 2007; Ord. 955 section 19, 1996; Ord. 913 section 1[part], 1994; Ord. 830 section 13[part], 1989; Ord. 740 section 10.3.40 (B), 1984; Ord 1299, 2008)

16.42.025 General sign standards.

A. Prohibited Signs. Except for legal nonconforming signs, the following signs are unlawful and are nuisances:

1. Abandoned sign.
2. Vehicle sign.
3. Video sign.
4. Sign that may be confused as a traffic control device.
5. Signs that impede movement or create a physical hazard.
6. Signs with rotating or other moving parts, except barber shop poles and clocks.
7. Signs illuminated by flashing lights.
8. Searchlights or beacons, except for temporary events such as grand openings, in which case a permit is required.
9. Signs affixed to power, utility, or traffic control poles, or other public utility structures, other than city-approved traffic control signs, utility signs, and pole identification placards.

B. Exempt Signs. The following signs are exempt from the provisions of this Chapter, except as specified below, and shall not be counted towards the amount or type of signage otherwise allowed by this Chapter. Such signs shall conform to all other applicable provisions of this title.



1. All signs which are placed inside a structure or building, and which are either not visible through windows or building openings, or are not intended to be visible from outside the structure or building, as determined by the City Planner.
2. Bench signs as defined in 16.42.015, provided that the bench sign copy does not exceed 15 square feet and the bench sign is approved by the bench owner.
3. Signs attached to mass transit shelters which are approved by the mass transit agency and the transit shelter owner.
4. Directory signs as defined in 16.42.015.
5. Menu board signs as defined in 16.42.015.
6. Nameplate signs as defined in 16.42.015.
7. Utility signs as defined in 16.42.015.
8. Flags as defined in 16.42.015.

C. ~~No Sign Permit Required for Temporary Signs.~~ The following temporary signs do not require a sign permit, shall not be counted towards the amount or type of signage otherwise allowed by this Chapter, and may be displayed only in compliance with the following standards. Such signs shall conform to all other applicable provisions of this title. Except as may be approved in accordance with 16.53.015, Minor Sign Variance, temporary signs in excess of the standards of this section are not permitted.

1. Except as approved in a Community Event Sign Plan, as set forth in 16.42.030, no temporary sign shall be internally illuminated or be illuminated by an external light source primarily intended for the illumination of the temporary sign.
2. A temporary sign shall be attached to a site or constructed in a manner that both prevents the sign from being easily removed by unauthorized persons or being blown from its location, and allows for the easy removal of the sign by authorized persons. Except as approved in a Community Event Sign Plan, as set forth in 16.42.030, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
3. No temporary sign shall be erected or maintained that, by reason of its size, location or construction, constitutes a hazard to the public.
4. Temporary Signs Allowed in Residential Zones and Agricultural Zone (R-1, R-1.5, R-2, A).
 - a. One or more temporary signs no taller than 4 feet in height, and not exceeding 6 square feet in area each, may be displayed on a lot during the period from 120 days before a public election or the time the election is called, whichever is earlier, to five days after the public election.



b. One temporary sign no taller than 4 feet in height, and not exceeding 6 square feet in area, may be displayed on a lot for a maximum of 8 days in any calendar month, provided it is removed by sunset on any day it is erected.

c. One temporary sign no taller than 5 feet in height, and not exceeding 6 square feet in area, may be displayed on a lot during the time the property, or building or dwelling thereon, is for sale or lease, provided that the sign is removed within 14 days after the sale or lease is completed.

d. One temporary sign not exceeding 6 square feet in area may be displayed on a lot during the time that construction activities are occurring on site, provided that the sign is removed within 7 days of the completion of the construction activities. If the site has frontage on more than one street, one additional sign of the same size may be displayed facing the second street frontage, provided the signs are not visible simultaneously from either street. On lots of more than 2 acres, the sign area may be increased to no more than 32 square feet. In no case shall such sign be displayed for more than 12 months.

e. On property that has received tentative subdivision or partition approval from the City, from the time of that approval until issuance of a building permit for construction on the last lot, one temporary sign no taller than 8 feet in height, and not exceeding 32 square feet in area, may be displayed on a site less than 4 acres in size. If the site is greater than 4 acres in size, two temporary signs no taller than 8 feet in height, and not exceeding 64 square feet each, may be displayed.

f. Banner or Balloon Signs Allowed Twice Per Year for no Longer Than 30 Days Each Occurrence. On a lot used for a permitted or conditional use other than a single-family dwelling, one banner sign or balloon sign may be displayed up to 30 consecutive days only twice during a calendar year. A banner sign may not exceed 50 square feet in size. A balloon sign may not exceed 80 cubic feet in size.

f. Banner or Balloon Signs Allowed Twice Per Year for no Longer Than 30 Days Each Occurrence. On a lot used for a permitted or conditional use other than a single-family dwelling, one banner sign or balloon sign may be displayed up to 30 consecutive days only twice during a calendar year. A banner sign may not exceed 50 square feet in size. A balloon sign may not exceed 80 cubic feet in size. Temporary banner and balloon signs do not require a sign permit, but must be registered with the Planning Department, specifying the sign-owner's Canby business license number (if applicable), the start and stop dates, sign area and proposed location of each temporary banner or balloon sign. Temporary banner and balloon signs regulated by this subsection shall display a weatherproof label from the City that such sign is registered. Temporary banner and balloon signs displayed beyond dates provided to the City shall be in violation of this code.

5. Temporary Signs Allowed in Commercial and Industrial Zones (C-R, C-1, C-2, C-C, C-M, M-1, M-2).

a. One or more temporary signs no taller than 5 feet in height, and not exceeding 4 square feet in area each, may be displayed on a lot during the period from 120 days before a public election or the time the election is called, whichever is earlier, to five days after the public election.

b. One temporary sign no taller than 8 feet in height, and not exceeding 32 square feet in area, may be displayed on a lot during the time the property, or building or dwelling thereon, is for sale or lease, provided that the sign is removed within 14 days after the sale or lease is completed.



c. One temporary sign no taller than 8 feet in height, and not exceeding 32 square feet in area, may be displayed on a lot during the time that construction activities are occurring on site, provided that the sign is removed within 7 days of the completion of the construction activities. If the site has frontage on more than one street, one additional sign of the same size may be displayed facing the second street frontage, provided the signs are not visible simultaneously from either street. In no case shall such sign be displayed for more than 12 months.

d. One temporary sign not exceeding 32 square feet in area may be displayed on a lot during the period of a charitable fundraising event being conducted on the site where the sign is displayed. The sign shall not be displayed more than 7 days prior to the event, and must be removed within 2 days following the event.

e. ~~Banner or Balloon Signs Allowed Twice~~ Four Times Per Year for no Longer Than 30 Days Each Occurrence. One banner sign or balloon sign may be displayed on a lot by each business license holder who operates their business at that location per City business license records. A banner sign may not exceed 50 square feet in size. A balloon sign may not exceed 80 cubic feet in size. A balloon sign may not be taller than the maximum allowed height of a pole sign permitted in the same zone as prescribed in Section 16.42.050, Tables 1 through 7 of this code. Each business license holder may display such signage up to 30 consecutive days only ~~twice~~ four times during a calendar year. ~~A weatherproof label which displays the sign owner's Canby business license number shall be affixed to the backside of the banner or balloon sign in a manner that is readable by City personnel upon inspection at all times.~~ Temporary banner and balloon signs do not require a sign permit, but must be registered with the Planning Department, specifying the sign-owner's Canby business license number (if applicable), the start and stop dates, sign area and proposed location of each temporary banner or balloon sign. Temporary banner and balloon signs regulated by this subsection shall display a weatherproof label from the City that such sign is registered. Temporary banner and balloon signs displayed beyond dates provided to the City shall be in violation of this code.

f. Miscellaneous Small Signs. Miscellaneous small signs, such as those indicating hours of operation, with an aggregate area not to exceed 3 square feet and located either within a window or within 5 feet of an entrance to a building.

6. Temporary Signs Allowed in Right-of-Way in All Zones.

a. No temporary sign in the right-of-way shall interrupt the normal flow of vehicle, pedestrian or bicycle traffic, and shall provide for a minimum of 5 feet of clear passage for pedestrians on a sidewalk where a sidewalk exists. No temporary sign shall encroach into a vision clearance area.

b. As referenced in 16.42.010.C, signs installed by the city, county, or state for public purposes are allowed in the public right-of-way.

c. Temporary safety and directional signs installed by non-governmental persons, such as those displayed at or in close proximity to a road crew or construction project, shall get specific written approval from the Public Works Director prior to erecting the signs. Such signs shall be removed after the construction activity is complete.



d. A-frame signs and lawn signs no taller than 3 feet in height, and not exceeding 6 square feet in area, may be displayed by real estate brokers only on weekends and holidays in the right-of-way in relative close proximity to a property where an open house is being held for the sale or lease of the property.

e. Miscellaneous Small Signs. Miscellaneous small signs, such as those indicating hours of operation, with an aggregate area not to exceed 3 square feet and located either within a window or within 5 feet of an entrance to a building.

7. Temporary Signs Allowed in Right-of-Way Only in Commercial and Industrial Zones (C-R, C-1, C-2, C-C, C-M, M-1, M-2). A-frame signs may be displayed on public sidewalks provided they comply with the following standards:

- a. A-frame sign dimensions shall not exceed a maximum width of 3 feet, nor a maximum above-ground height of 4 feet. Each sign face shall not exceed 12 square feet.
- b. One A-frame sign per business license holder may be displayed on a public sidewalk in the right-of-way abutting the physical address that is on file with the City as the location where that business license holder operates the business. A weatherproof label which displays the sign-owner's Canby business license number shall be affixed to the backside of the A-frame sign. The business license must be current, and City personnel must be able to read the business license number upon inspection at all times.
- c. A-frame signs shall be displayed only during the business hours of the responsible enterprise.
- d. A-frame signs shall be placed so as to allow at least 5 feet of unimpeded pedestrian sidewalk maneuvering space. A-frame signs shall not encroach into any required vision clearance area. A-frame signs shall be set back from the curb so as not to interfere with on-street parking, or shall be set back a minimum of 10 feet from the edge of the street travel lane where no curb exists.
- e. The owner of the property abutting the right-of-way on which an A-frame sign is placed assumes all liability for incidents involving the sign.

(Ord. 1237, 2007; Ord. 1111 section 7, 2003; Ord. 1076, 2001; Ord. 955 section 17, 1996; Ord. 913 section 1[part], 1994; Ord. 830 section 13[part], 1989, Ord. 802 4, 1987; Ord. 740 section 10.3.40(C), 1984; Ord. 1299, 2008)

16.42.030 Temporary Community event sign plan.

Temporary banners or seasonal holiday decorations which extend over a street, over a private road providing vehicle access into a property, or are attached to utility or streetlight poles, shall be permitted only after the City Council has approved a Community Event Sign Plan.

A. Application for approval of a Community Event Sign Plan shall be made on forms provided by the Planning Director, and shall be accompanied by all required information and fees.



B. Applicant shall obtain all encroachment permits and other agency approvals required, prior to submitting an application for a Community Event Sign Plan. If signage is proposed within a right-of-way controlled by another agency, the applicant shall provide written consent from the appropriate agency regarding the signage prior to submitting an application for a Community Event Sign Plan. The consent shall identify any restrictions desired by the owner of the right-of-way.

C. The applicant shall assume all liability for incidents involving the sign by signing a document exempting the City from liability and providing liability insurance in the form required by the City Attorney and in an amount not less than the current tort liability limitations.

D. Applications for permanent geographic identification banners or signage which extend over a street, over a private road providing vehicle access into a property, or are attached to utility or streetlight poles, shall be submitted following the same application procedures as described for temporary signage, and shall be submitted by a neighborhood association that is officially recognized by the City, or shall be accompanied by a petition indicating the consent of at least 51 percent of the property owners in the geographic area delineated on the Sign Plan application.

E. Except for permanent banners or signage identifying a geographic area or district of the City, all banners and signage approved in a Community Event Sign Plan shall be removed within 2 days after the associated event or activity has ended, or no later than directed by City Council in the Sign Plan approval, whichever date is later.

16.42.040 Design standards for signs.

The following standards apply to signs in all zone districts.

A. Setbacks. Signs are required to meet the setback requirements of the applicable zone district, except however the street yard setback for signs may be reduced to fifty (50) percent of that required for other structures in the zone. Signs shall not obstruct a vision clearance area required in the applicable zone district.

B. Illumination.

1. External illumination is allowed. The external illumination may be either "direct" or "indirect", provided that the source of light (e.g., bulb) is shielded such that it is not directly seen by the public. External light sources shall be carefully located, directed, and shielded in order to avoid direct illumination of any off-site object or property.

2. Internal illumination is allowed.

3. External or internal sign illumination shall not result in glare onto neighboring properties or onto public right-of-way, such that due to level of brightness, lack of shielding, or high contrast with surrounding light levels, the sign illumination results in discomfort or visual disability for persons.

4. Sign illumination shall not appear to flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights.



C. Monument signs.

1. Monument signs shall have a distinct base, middle, and top. These elements of the sign shall vary from one another in terms of their thickness, materials, or color.

2. Monument signs shall incorporate the following materials, unless otherwise approved pursuant to subsection 4 of this section.

a. The base and top shall be constructed of stone, brick, or wood.

b. The middle shall be constructed of stone, brick, wood, metal with a matte/non-reflective finish, vinyl, or other materials as noted in subsection c.

c. Other materials may be used for bulletin board or electronic message board components in the middle portion of a monument sign, as needed to allow the bulletin board or electronic message board to function.

3. Monument signs shall provide street addresses when street addresses are not visible from the street.

4. A monument sign which does not meet one or more of the standards detailed above in subsections 1 through 3, may be approved by the Planning Director pursuant to the Type II land use application procedures set forth in Chapter 16.89. A discretionary monument sign application may be approved if the applicant demonstrates compliance with all of the following criteria:

a. The overall design of the sign exhibits a sense of structure; and

b. Timeless materials, similar to stone, brick, or wood are used; and

c. The proposed sign is in conformance with all other applicable city ordinances concerning its location, construction, and design.

D. A-Frame signs.

1. A-frame signs shall be constructed of wood, plastic, or metal with a matte/non-reflective finish.

2. A-frame signs shall not include any parts or attachments that extend beyond the edge of the sign dimensions established in Section 16.42.025.C.

3. A-frame signs shall not incorporate reflective materials.

4. A-frame sign structure shall not incorporate any neon colors.

5. An A-frame sign which does not meet one or more of the standards detailed above in subsections 1 through 4, may be approved by the Planning Director pursuant to the Type II land use application procedures



set forth in Chapter 16.89. A discretionary A-frame sign application may be approved if the applicant demonstrates compliance with all of the following criteria:

- a. The proposed materials, colors, and dimensions of the A-frame sign do not pose a hazard or nuisance to persons; and
- b. The proposed sign is in conformance with all other applicable city ordinances concerning ~~it's~~ its location, construction, and design.

E. Blade/Overhang signs.

1. Blade/overhang sign shall not extend more than 8 feet from the building face.
2. The outer edge of a blade/overhang sign shall be set back a minimum of 2 feet from a curb.
3. A minimum 8 1/2 foot clearance shall be provided between grade and the bottom of a blade/overhang sign. Blade/overhang signs which extend over the public right of way are subject to the standards of 16.42.045.

F. Wall signs. A wall sign shall not project more than 18 inches from the wall to which it is attached (or 12 inches from a wall directly abutting an alley). ~~An encroachment permit is required prior to encroachment into any public right of way.~~ Wall signs which extend over the public right of way are subject to the standards of 16.42.045.

G. Bulletin boards and electronic message boards are only allowed as part of a blade/overhang sign, marquee sign, monument sign, pole sign, or wall sign.

1. The rate of change for sign copy on a bulletin or electronic message board from one message to another message shall be no more frequent than every 8 seconds. Once changed, copy shall remain static until the next change.
2. Displays may travel horizontally or scroll vertically onto electronic message boards, but must hold in a static position after completing the travel or scroll.
3. Sign copy shall not appear to flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights. Copy shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist, or otherwise portray graphics or animation as it moves onto, is displayed on, or leaves the electronic message board.
4. No electronic message board may be illuminated to a degree of brightness that is greater than necessary for adequate visibility.

(Ord. 1111 section 7, 2003; Ord. 913 section 1[part], 1994; Ord. 830 section 13[part] 1989; Ord. 802 4, 1987; Ord. 740 section 10.3.40(C), 1984; Ord 1299, 2008)



16.42.045 Permanent Signs Allowed in Right-of Way.

A. Except as allowed by this section, no permanent signs requiring sign permits shall be located within the public right-of-way.

B. Awning, canopy, marquee, blade/overhang and wall signs proposed in compliance with this chapter may be permitted to extend over an existing or future public sidewalk provided they comply with the criteria below:

1. The sign shall be placed so as to not to interfere with use of the public property for walkway, roadway, existing or proposed utilities, and other authorized uses.

2. The sign complies with all applicable city codes with regard to structural safety, traffic, and fire safety requirements.

3. The sign will not cause an adverse impact on adjoining properties.

4. The sign will be maintained in good order.

5. No encroachment permit shall be required; however, in requesting a sign permit for a sign which extends over an existing or future public sidewalk, the applicant acknowledges that:

a. Permission to allow the sign to extend over the public sidewalk shall be revocable by the city at any time the revocation would be in the public interest and that no grant of any permit, expenditure of money in reliance thereon or lapse of time shall give the permittee any right to the continued existence of an encroachment or to any damages or claims against the city arising from a revocation.

b. Upon revocation, the permittee or any successor permittee shall, at the permittee's own cost, remove the permitted sign within 30 days after written notice has been provided by the city, unless a shorter period is specified in the notice of revocation due to an emergency situation.

c. If the permittee does not remove the encroachment and return the right-of-way, easement or public property area to a condition satisfactory to the Director, the city may do so and the costs of returning the right-of-way, easement or public property to a satisfactory condition, shall be imposed as a lien upon the property on the city lien docket.

d. The permittee, and owner of the benefited property if different than the permittee, shall be liable to indemnify and defend any claim or legal action brought against the city by reason of the existence of any approved right-of-way, easement or public property encroachment.

16.42.050 Size, type, and location of signs permitted by zoning district and use.

In addition to the design standards for signs in Section 16.42.040, Table 16.42.050 sets forth standards for type, size, and location of permanent signs that are allowed in specific zoning districts. The table is arranged by section as follows:



[Table 1](#) Residential Zones and Agricultural Zone (R-1, R-1.5, R-2, A, C-R)

[Table 2](#) Industrial Zones and Heavy Commercial Manufacturing Zone (M-1, M-2, C-M)

[Table 3](#) Highway Commercial Zone (C-2) and Outer Highway Commercial Area in the Downtown Canby Overlay Zone (DCO-ohc)

[Table 4](#) Downtown Commercial Zone (C-1) and Core Commercial Area in the Downtown Canby Overlay Zone (DCO-cc)

[Table 5](#) Core Highway Frontage Sign Overlay Zone (CHFS)

[Table 6](#) Residential/Commercial Zone and Convenience Commercial Zone (C-R, C-C), and Transitional Commercial Area in the Downtown Canby Overlay Zone (DCO-tc)

[Table 7](#) Canby Industrial Area Overlay Zone (I-O)

- A. Where the standards in a base zoning district conflict with the standards in an overlay district, the standards in the overlay district prevail.
- B. Where the standards in the Canby Industrial Area Overlay (I-O) district conflict with the standards in another overlay district, the standards in the Canby Industrial Area Overlay (I-O) district prevail.
- C. Where the standards in the Core Highway Frontage Sign Overlay (CHFS) district conflict with the standards in another overlay district, the standards in the Core Highway Frontage Sign Overlay (CHFS) district prevail.
- D. Where an automobile service station is located on a lot, regardless of zoning district, the sign standards set forth in 16.42.060 apply.

TABLE 16.42.050

Table 1. Residential Zones and Agricultural Zone (R-1, R-1.5, R-2, A, C-R)

Monument Sign



A. Use on site: Property has been subdivided into more than 20 lots.

Size: maximum 16 square feet per sign face.	Maximum Height: 7 feet.	Location/Number: Maximum two signs; One sign may be located on either side of a public street or private street entrance to the subdivided property.
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B. Use on site: Multi-family development.

Size: maximum 16 square feet per sign face.	Maximum Height: 7 feet.	Location/Number: One sign may be located adjacent to the primary street frontage, on either side of a vehicle accessway; AND one sign may be located adjacent to a collector or arterial street frontage if it is not the primary street frontage, on either side of a vehicle accessway.
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C. Use on site: church, school, public/semi-public facility, or privately-owned community center.

Size: maximum 40 square feet per sign face.	Maximum Height: 7 feet.	Location/Number: Maximum one sign; No specific location requirement.
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D. Use on site: all other uses.

Size: not allowed.	Maximum Height: n/a.	Location/Number: n/a.
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Pole Sign



A. Use on site: church, school, public/semi-public facility, or privately-owned community center.

Size: maximum 40 square feet per sign face. Maximum Height: 8 feet. Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: all other uses.

Size: not allowed. Maximum Height: n/a. Location/Number: n/a.

Wall Sign



A. Use on site: church, school, or public/semi-public facility.

Size: maximum 8 percent of building elevation area, with a maximum sign face of 60 square feet on a primary frontage or 30 square feet on a secondary frontage. Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher. Location/Number: One sign per building frontage.

B. Use on site: home occupation or permitted commercial use other than those listed above in subsection A.

Size: maximum sign face of 2 square feet. Maximum Height: shall not project above the roof line or top of the parapet. Location/Number: Maximum one sign; No specific location requirement.



wall, whichever is higher.

C. Use on site: all other uses.

Size: not allowed.

Maximum Height: Location/Number: n/a.
n/a.

Blade/Overhang Sign



A. Use on site: home occupation or permitted commercial use.

Size: maximum 2 square feet per sign face.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage.

B. Use on site: all other uses.

Size: not allowed.

Maximum Height: Location/Number: n/a.
n/a.

Bulletin Board



A. Use on site: church, school, or public/semi-public facility.

Size: bulletin board may encompass

Maximum Height:

Location/Number: Only allowed as part of a



up to 75 percent of sign face area.

determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.

B. Use on site: all other uses.

Size: bulletin board may encompass up to 50 percent of sign face area.

Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.

Electronic Message Board



A. Use on site: all uses.

Size: electronic message board may encompass up to 25 percent of sign face area.

Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.

Awning Sign or Canopy Sign

A. Use on site: not permitted for any use.

Marquee Sign

A. Use on site: not permitted for any use.



Window Sign



A. Use on site: all uses.

Size: maximum 15 percent of total window area.

Maximum Height: Location/Number: Only allowed in ground floor or determined by height 2nd floor windows. of window.



Table 2. Industrial Zones and Heavy Commercial Manufacturing Zone (M-1, M-2, C-M)

Monument Sign



A. Use on site: Church, school, or public facility.

Size: maximum 48 square feet per sign face (up to two faces).	Maximum Height: 9 feet.	Location/Number: One sign may be located adjacent each street frontage.
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B. Use on site: Minor business complex.

Size: maximum 100 square feet per sign face (up to two faces).	Maximum Height: 9 feet.	Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage; except on a site larger than 10 acres a total of two signs are allowed.
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C. Use on site: Major business complex.

Size: maximum 150 square feet per sign face (up to two faces).	Maximum Height: 9 feet.	Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage; except on a site larger than 10 acres a total of two signs are allowed.
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D. Use on site: all other uses on a site that is less than or equal to 5 acres in size.

Size: maximum 48 square feet per sign face (up to two faces).	Maximum Height: 9 feet.	Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.
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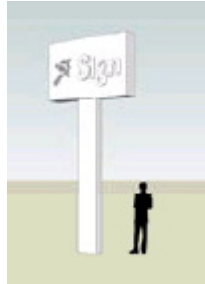
E. Use on site: all uses on a site greater than 5 acres.

Size: maximum 150 square feet per sign face (up to two faces).	Maximum Height: 9 feet.	Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street
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frontage; except on a site larger than 10 acres a total of two signs are allowed.

Pole Sign



A. Use on site: church, school, or public facility.

Size: maximum 48 square feet per sign face (up to two faces). Maximum Height: 18 feet.

Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: Minor business complex.

Size: maximum 100 square feet per sign face (up to two faces). Maximum Height: 20 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than one sign is permitted on a site, the signs must be separated by at least 300 feet.

C. Use on site: Major business complex.

Size: maximum 130 square feet per sign face (up to two faces). Maximum Height: 26 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than one sign is permitted on a site, the signs must be separated by at least 300 feet.

D. Use on site: All other uses on a site that is less than or equal to 5 acres in size.

Size: maximum 48 square feet per sign face (up to two faces). Maximum Height: 18 feet.

Location/Number: One sign; except one sign may be located adjacent each collector or arterial street frontage.

E. Use on site: All uses on a site greater than 5 acres.

Size: maximum 130 square feet per sign face (up to two faces). Maximum Height: 26 feet.

Location/Number: One sign; except one sign may be located adjacent each collector or arterial street frontage.



sign face (up to two faces).

18 feet.

located adjacent each collector or arterial street frontage; except if the use is a church, school, or public facility one sign may be located adjacent each street frontage.

Wall Sign



A. Use on site: All uses.

Size: The maximum sign face area of all wall signage allowed on a primary building frontage is 8 percent of the building elevation area of the primary building frontage. Except as allowed below, each sign is limited to up to a maximum of 120 square feet.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location.

The maximum sign face area of all wall signage allowed on a secondary building frontage is 6 percent of the building elevation area of the secondary building frontage. Except as allowed below, each sign is limited to a maximum of 60 square feet.

If the building elevation area of a primary or secondary building frontage exceeds 5,000 square feet, the total maximum sign face area of each sign allowed on that frontage is 190 square feet.



Blade/Overhang Sign



A. Use on site: All uses.

Size: Each sign shall have a maximum sign face area of 48 square feet.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location.

~~The total sign face area of all signs placed on a primary building frontage shall not exceed 12 percent of the building elevation area of the primary building frontage.~~

Bulletin Board



A. Use on site: church, school, or public/semi-public facility.

Size: bulletin board may encompass up to 75 percent of sign face area.

Maximum Height: determined by height of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.

B. Use on site: all other uses.

Size: bulletin board may encompass up to 50 percent of sign face area.

Maximum Height: determined by height of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.



Electronic Message Board



A. Use on site: all uses.

Size: electronic message board may encompass up to 25 percent of sign face area.

Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.

Awning Sign or Canopy Sign



A. Use on site: all uses.

Size: Signs on awnings shall not cover more than 25 percent of the main area of the awning, or exceed 25 square feet in size, whichever is smaller. ~~The maximum sign face area of all signage allowed on a primary building frontage is 12 percent of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.~~

Maximum Height: shall not project above the roof line.

Location/Number: One sign per awning or canopy, building frontage for each business license on file with the City at that location. ~~Sign shall not project above the roof line. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8 ½-foot clearance shall be provided between grade and bottom of sign.~~

~~The maximum sign face area of all signage allowed on a secondary building frontage is 8 percent of the building elevation area of the~~



~~secondary frontage, up to a maximum of 60 square feet.~~

Marquee Sign

A. Use on site: not permitted for any use.

Window Sign



A. Use on site: all uses.

Size: maximum 15 percent of total window area.

Maximum Height: Location/Number: Only allowed in ground floor or determined by height 2nd floor windows. of window.



Table 3. Highway Commercial Zone (C-2) and Outer Highway Commercial Area in the Downtown Canby Overlay Zone (DCO-ohc)

Monument Sign



A. Use on site: Church, school, or public facility.

Size: maximum 48 square feet per sign face (up to two faces).	Maximum Height: 9 feet.	Location/Number: One sign may be located adjacent each street frontage.
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B. Use on site: Minor business complex.

Size: maximum 100 square feet per sign face (up to two faces).	Maximum Height: 12 feet.	Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.
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C. Use on site: Major business complex.

Size: maximum 150 square feet per sign face (up to two faces).	Maximum Height: 12 feet.	Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.
--	--------------------------	---

D. Use on site: all other uses.

Size: maximum 48 square feet per sign face (up to two faces).	Maximum Height: 9 feet.	Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.
---	-------------------------	---



Pole Sign



A. Use on site: church, school, or public facility.

Size: maximum 48 square feet per sign face (up to two faces).

Maximum Height: 18 feet.

Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: Minor business complex.

Size: maximum 100 square feet per sign face (up to two faces).

Maximum Height: 20 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than one sign is permitted on a site, the signs must be separated by at least 300 feet.

C. Use on site: Major business complex.

Size: maximum 130 square feet per sign face (up to two faces).

Maximum Height: 26 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than one sign is permitted on a site, the signs must be separated by at least 300 feet.

D. Use on site: All other uses.

Size: maximum 48 square feet per sign face (up to two faces).

Maximum Height: 18 feet.

Location/Number: One sign; except one sign may be located adjacent each collector or arterial street frontage.



Wall Sign



A. Use on site: All uses.

Size: The maximum sign face area of all wall signage allowed on a primary building frontage is 8 percent of the building elevation area of the primary building frontage. Except as allowed below, each sign is limited to up to a maximum of 120 square feet.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location except that one major tenant per location may have up to two signs. For the purposes of this standard, a “major tenant” shall have more than 20,000 square feet of gross floor area.

~~The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.~~

The maximum sign face area of all wall signage allowed on a secondary building frontage is 6 percent of the building elevation area of the secondary building frontage. Except as allowed below, each sign is limited to a maximum of 60 square feet.

If the building elevation area of a primary or secondary building frontage exceeds 5,000 square feet, the total maximum sign face area of each sign allowed on that frontage is 190 square feet.



Blade/Overhang Sign



A. Use on site: All uses.

Size: Each sign shall have a maximum sign face area of 48 square feet.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location.

~~The total sign face area of all signs placed on a primary building frontage shall not exceed 12 percent of the building elevation area of the primary building frontage.~~

Bulletin Board



A. Use on site: church, school, or public/semi-public facility.

Size: bulletin board may encompass up to 75 percent of sign face area.

Maximum Height: determined by height of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.

B. Use on site: all other uses.

Size: bulletin board may encompass up to 50 percent of sign face area.

Maximum Height: determined by height of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.



Electronic Message Board



A. Use on site: all uses.

Size: electronic message board may encompass up to 25 percent of sign face area.

Maximum Height: of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.

Awning Sign or Canopy Sign



A. Use on site: all uses.

Size: Signs on awnings shall not cover more than 25 percent of the main area of the awning, or exceed 25 square feet in size, whichever is smaller. ~~The maximum sign face area of all signage allowed on a primary building frontage is 12 percent of the building elevation area of the primary building frontage, up~~

Maximum Height: shall not project above the roof line.

Location/Number: One sign per awning or canopy building frontage for each business license on file with the City at that location. ~~Sign shall not project above the roof line. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8 1/2-foot clearance shall be provided between grade and bottom of sign.~~



to a maximum of 120 square feet.

The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.

The maximum sign face area of all signage allowed on a secondary building frontage is 8 percent of the building elevation area of the secondary frontage, up to a maximum of 60 square feet.

Marquee Sign



A. Use on site: all uses.

Size: The maximum sign face area for marquee signs of all signage allowed on a primary building frontage is 12 percent of the building elevation area of the primary building frontage, up to a maximum of is 120 square feet.

The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.

Maximum Height: shall not project above the roof line or parapet wall, whichever is higher; however, the blade/overhanging portion of the sign may extend above the roof line or parapet wall.

Location/Number: One sign per primary building frontage for each business license on file with the City at that location. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8 1/2-foot clearance shall be provided between grade and bottom of sign.



Window Sign



A. Use on site: all uses.

Size: maximum 15 percent of total window area.

Maximum Height: Location/Number: Only allowed in ground floor or determined by height 2nd floor windows.
of window.



4. Downtown Commercial Zone (C-1) and Core Commercial Area in the Downtown Canby Overlay Zone (DCO-cc)

Monument Sign



A. Use on site: Church, school, or public facility.

Size: maximum 40 square feet per sign face (up to two faces). Maximum Height: 9 feet. Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: Minor business complex.

Size: maximum 50 square feet per sign face (up to two faces). Maximum Height: 12 feet. Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.

C. Use on site: Major business complex.

Size: maximum 65 square feet per sign face (up to two faces). Maximum Height: 12 feet. Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.

D. Use on site: all other uses.

Size: maximum 40 square feet per sign face (up to two faces). Maximum Height: 9 feet. Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.



Pole Sign



A. Use on site: church, school, or public facility.

Size: maximum 40 square feet per sign face (up to two faces).

Maximum Height: 12 feet.

Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: Minor business complex.

Size: maximum 50 square feet per sign face (up to two faces).

Maximum Height: 18 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than one sign is permitted on a site, the signs must be separated by at least 300 feet.

C. Use on site: Major business complex.

Size: maximum 65 square feet per sign face (up to two faces).

Maximum Height: 18 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than one sign is permitted on a site, the signs must be separated by at least 300 feet.

D. Use on site: All other uses.

Size: maximum 40 square feet per sign face (up to two faces).

Maximum Height: 12 feet.

Location/Number: One sign; except one sign may be located adjacent each collector or arterial street frontage.



Wall Sign



A. Use on site: All uses.

Size: The maximum sign face area of all wall signage allowed on a primary building frontage is 8 percent of the building elevation area of the primary building frontage. Each sign is limited to up to a maximum of 60 square feet.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location except that one major tenant per location may have up to two signs. For the purposes of this standard, a “major tenant” shall have more than 20,000 square feet of gross floor area.

~~The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.~~

~~The total combined area of wall and blade/overhang signs on a primary frontage shall not exceed 12 percent of the building elevation area.~~

The maximum sign face area of all wall signage allowed on a secondary building frontage is 6 percent of the building elevation area of the secondary building frontage Each sign is limited to up to a maximum of 30 square feet.



Blade/Overhang Sign



A. Use on site: All uses.

Size: Each sign shall have a maximum sign face area of 20 square feet.

~~The total combined area of wall and blade/overhang signs on a primary frontage shall not exceed 12 percent of the building elevation area.~~

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location.

Bulletin Board



A. Use on site: church, school, or public/semi-public facility.

Size: bulletin board may encompass up to 75 percent of sign face area.

Maximum Height: determined by height of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.

B. Use on site: all other uses.

Size: bulletin board may encompass up to 50 percent of sign face area.

Maximum Height: determined by height

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.



of sign.

Electronic Message Board



A. Use on site: all uses.

Size: electronic message board may encompass up to 25 percent of sign face area.

Maximum Height: determined by height of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.

Awning Sign or Canopy Sign



A. Use on site: all uses.

Size: Signs on awnings shall not cover more than 25 percent of the main area of the awning, or exceed 25 square feet in size, whichever is smaller. ~~The maximum sign face area of all signage allowed on a primary building frontage is 12 percent of the building elevation area~~

Maximum Height: shall not project above the roof line or parapet wall, whichever is higher.

Location/Number: One sign per awning or canopy, building frontage for each business license on file with the City at that location. ~~Sign shall not project above the roof line. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8 1/2-foot clearance shall be provided between grade and bottom of sign.~~



~~of the primary building frontage, up to a maximum of 60 square feet.~~

~~The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.~~

~~The maximum sign face area of all signage allowed on a secondary building frontage is 8 percent of the building elevation area of the secondary frontage, up to a maximum of 30 square feet.~~

Marquee Sign



A. Use on site: all uses.

~~Size: The maximum sign face area for marquee signs of all signage allowed on a primary building frontage is 12 percent of the building elevation area of the primary building frontage, up to a maximum of is 120 square feet.~~

~~The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area~~

Maximum Height: shall not project more than 8 feet above the roof line or parapet wall, whichever is higher. The blade/overhang portion of the sign may extend above the roof line or parapet wall.

Location/Number: One sign per primary building frontage ~~for each business license on file with the City at that location.~~ Outer edge of sign shall be set back a minimum of 2 feet from a curb.



allowed.

Window Sign



A. Use on site: all uses.

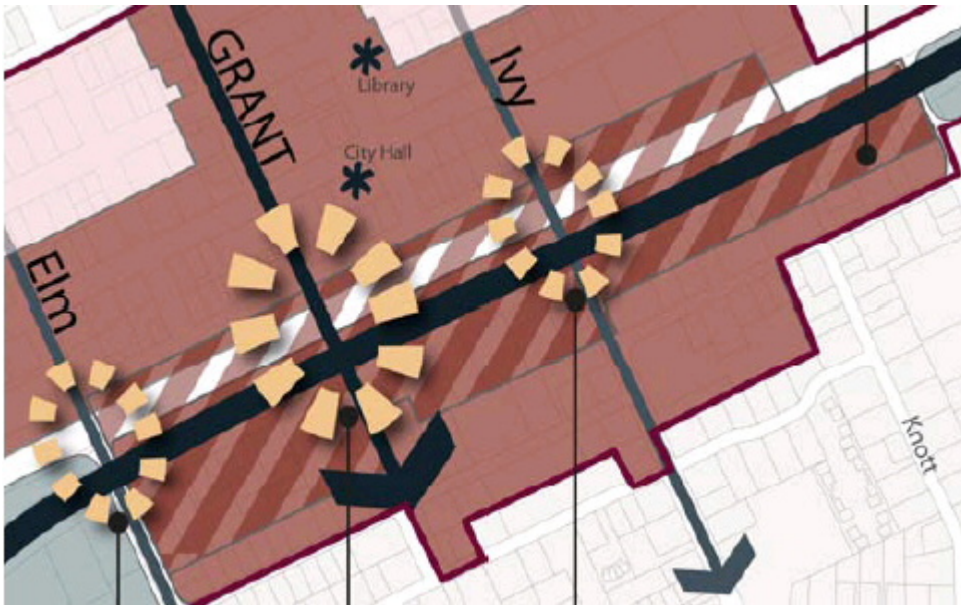
Size: maximum 15 percent of total window area.

Maximum Height: of window.
Location/Number: Only allowed in ground floor or 2nd floor windows.

Table 5. Core Highway Frontage Sign Overlay Zone (CHFS)

A. The purpose of the Core Highway Frontage Sign Overlay is to have sign standards that are particularly applicable to properties in the Core Commercial sub-area of the Downtown Canby Overlay Zone that are located in close proximity to Hwy 99 E.

B. A Core Highway Frontage Sign Overlay Zone is established as illustrated by the striped pattern on the following map, and encompasses the following area:



Monument Sign



A. Use on site: Church, school, or public facility.

Size: maximum 48 square feet per sign face (up to two faces). Maximum Height: 9 feet. Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: Minor business complex.

Size: maximum 100 square feet per sign face (up to two faces). Maximum Height: 12 feet. Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.

C. Use on site: Major business complex.

Size: maximum 130 square feet per sign face (up to two faces). Maximum Height: 12 feet. Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.

D. Use on site: all other uses.

Size: maximum 48 square feet per sign face (up to two faces). Maximum Height: 9 feet. Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.



Pole Sign



A. Use on site: church, school, or public facility.

Size: maximum 48 square feet per sign face (up to two faces).

Maximum Height: 18 feet.

Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: Minor business complex.

Size: maximum 100 square feet per sign face (up to two faces).

Maximum Height: 20 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than one sign is permitted on a site, the signs must be separated by at least 300 feet.

C. Use on site: Major business complex.

Size: maximum 130 square feet per sign face (up to two faces).

Maximum Height: 26 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than one sign is permitted on a site, the signs must be separated by at least 300 feet.

D. Use on site: All other uses.

Size: maximum 48 square feet per sign face (up to two faces).

Maximum Height: 18 feet.

Location/Number: One sign; except one sign may be located adjacent each collector or arterial street frontage.



Wall Sign



A. Use on site: All uses.

Size: The maximum sign face area of all wall signage allowed on a primary building frontage is 8 percent of the building elevation area of the primary building frontage. Each sign is limited to up to a maximum of 60 square feet.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location except that one major tenant per location may have up to two signs. For the purposes of this standard, a “major tenant” shall have more than 20,000 square feet of gross floor area.

~~The total combined area of wall and blade/overhang signs on a primary frontage shall not exceed 12 percent of the building elevation area.~~

~~The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.~~

The maximum sign face area of all wall signage allowed on a secondary building frontage is 6 percent of the building elevation area of the secondary building frontage. Each sign is limited to up to a maximum of 30 square feet.



Blade/Overhang Sign



A. Use on site: All uses.

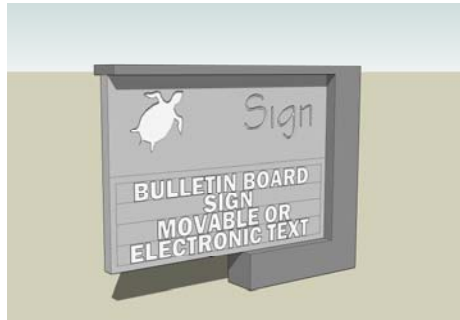
Size: Each sign shall have a maximum sign face area of 20 square feet.

~~The total combined area of wall and blade/overhang signs on a primary frontage shall not exceed 12 percent of the building elevation area.~~

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location.

Bulletin Board



A. Use on site: church, school, or public/semi-public facility.

Size: bulletin board may encompass up to 75 percent of sign face area.

Maximum Height: determined by height of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.

B. Use on site: all other uses.

Size: bulletin board may encompass up to 50 percent of sign face area.

Maximum Height: determined by height of sign.

Location/Number: Only allowed as part of a permitted sign, as set forth in 16.42.040.C.2.



Electronic Message Board



A. Use on site: all uses.

Size: electronic message board may encompass up to 25 percent of sign face area.

Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.

Awning Sign or Canopy Sign



A. Use on site: all uses.

Size: Signs on awnings shall not cover more than 25 percent of the main area of the awning, or exceed 25 square feet in size, whichever is smaller. The maximum sign face area of all signage allowed on a primary building frontage is 12 percent of the building elevation area of the primary building frontage, up to a maximum of 60 square feet.

Maximum Height: shall not project above the roof line or parapet wall, whichever is higher.

Location/Number: One sign per awning or canopy building frontage for each business license on file with the City at that location. Sign shall not project above the roof line. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8 1/2-foot clearance shall be provided between grade and bottom of sign.



~~The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.~~

~~The maximum sign face area of all signage allowed on a secondary building frontage is 8 percent of the building elevation area of the secondary frontage, up to a maximum of 30 square feet.~~

Marquee Sign



A. Use on site: all uses.

~~Size: The maximum sign face area for marquee signs of all signage allowed on a primary building frontage is 12 percent of the building elevation area of the primary building frontage, up to a maximum of is 120 square feet.~~

~~The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.~~

Maximum Height: shall not project above the roof line or parapet wall, whichever is higher. The blade/overhang portion of the sign may extend above the roof line or parapet wall.

Location/Number: One sign per primary building frontage ~~for each business license on file with the City at that location.~~ Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8 1/2 foot clearance shall be provided between grade and bottom of sign.



Window Sign



A. Use on site: all uses.

Size: maximum 25 percent of total window area.

Maximum Height: Location/Number: Only allowed in ground floor or determined by height of window. 2nd floor windows.

Table 6. Residential/Commercial Zone and Convenience Commercial Zone (C-R, C-C), and Transitional Commercial Area in the Downtown Canby Overlay Zone (DCO-tc)

Monument Sign



A. Use on site: Church, school, or public facility.

Size: maximum 32 square feet per sign face (up to two faces).

Maximum Height: 7 feet. Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: all other uses.

Size: maximum 32 square feet per sign face (up to two faces).

Maximum Height: 7 feet. Location/Number: One sign; except on a site abutting a collector or arterial street one sign may be located adjacent each collector/arterial street frontage.



Pole Sign



A. Use on site: church, school, or public/semi-public facility.

Size: maximum 32 square feet per sign face (up to two faces).

Maximum Height: 8 feet.

Location/Number: One sign may be located adjacent each street frontage.

B. Use on site: all other uses.

Size: maximum 32 square feet per sign face (up to two faces).

Maximum Height: 8 feet.

Location/Number: One sign; except on a site with more than one street frontage one sign may be located adjacent each collector or arterial street frontage.

Wall Sign



A. Use on site: church, school, or public/semi-public facility.

Size: The maximum sign face area for each wall sign is 60 square feet on a primary building frontage.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage.

The maximum sign face area for each wall sign is 30 square feet on a primary building frontage. The



~~maximum sign face area of all signage allowed on a secondary building frontage is 6 percent of the building elevation area of the secondary building frontage, up to a maximum of 30 square feet.~~

B. Use on site: All other uses.

Size: The maximum sign face area of all wall signage allowed on a primary building frontage is 6 percent of the building elevation area of the primary building frontage. Each sign is limited to up to a maximum of 16 square feet.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: One sign per building frontage for each business license on file with the City at that location. A wall sign shall not project more than 18 inches from the wall to which it is attached (or 12 inches from the wall on a building frontage abutting an alley).

The maximum sign face area of all wall signage allowed on a secondary building frontage is 4 percent of the building elevation area of the secondary building frontage. Each sign is limited to up to a maximum of 8 square feet.

Blade/Overhang Sign



A. Use on site: All uses.

Size: Each sign shall have a maximum sign face area of 6 square

Maximum Height: shall not project

Location/Number: One sign per building frontage for each business license on file with the City at that



feet. above the roof line location.
or top of the parapet
wall, whichever is
higher.

Bulletin Board



A. Use on site: church, school, or public/semi-public facility.

Size: bulletin board may encompass up to 75 percent of sign face area. Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.

B. Use on site: all other uses.

Size: bulletin board may encompass up to 50 percent of sign face area. Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.

Electronic Message Board



A. Use on site: all uses.

Size: electronic message board may encompass up to 25 percent of sign face area. Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.



Awning Sign or Canopy Sign



A. Use on site: commercial use, church, school, or public/semi-public facility.

~~Size: Signs on awnings shall not cover more than 25 percent of the main area of the awning, or exceed 25 square feet in size, whichever is smaller. The maximum sign face area of all signage allowed on a primary building frontage is 12 percent of the building elevation area of the primary building frontage, up to a maximum of 50 square feet.~~

~~Maximum Height: shall not project above the roof line or parapet wall, whichever is higher.~~

~~Location/Number: One sign per awning or canopy. building frontage for each business license on file with the City at that location. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8 1/2-foot clearance shall be provided between grade and bottom of sign.~~

~~The maximum sign face area of all signage allowed on a secondary building frontage is 8 percent of the building elevation area of the secondary frontage, up to a maximum of 25 square feet.~~

B. Use on site: all other uses.

Size: not allowed.

Maximum Height: n/a.

Location/Number: n/a.

Marquee Sign

A. Use on site: all uses.

Size: not allowed.

Maximum Height: n/a.

Location/Number: n/a.



Window Sign



A. Use on site: all uses.

Size: maximum 15 percent of total window area.

Maximum Height: Location/Number: Only allowed in ground floor or
determined by height 2nd floor windows.
of window.



Table 7. Canby Industrial Area Overlay Zone (I-O)

Monument Sign



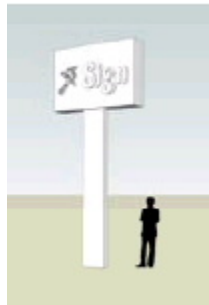
A. Use on site: all uses in the M-1 zone or M-2 zone.

Size: may not exceed 32 square feet per sign face, or 64 square feet total. Maximum Height: 6 feet. Location/Number: One sign.

B. Use on site: all uses in the C-M zone.

Size: may not exceed 150 square feet per sign face, or 300 square feet total. Maximum Height: 30 feet. Location/Number: One monument sign is allowed for a site up to 10 acres in size. Sites over 10 acres in size may be permitted a maximum of 2 signs, provided that only one sign per street frontage is allowed.

Pole Sign



A. Use on site: all uses.

Size: not allowed. Maximum Height: n/a. Location/Number: n/a.



Wall Sign



A. Use on site: all uses.

Size: The maximum sign face area of all wall signage allowed on a primary building frontage is 8 percent of the building elevation area of the primary building frontage Each sign is limited to up to a maximum of 300 square feet.

Maximum Height: shall not project above the roof line or top of the parapet wall, whichever is higher.

Location/Number: Painted wall signs are prohibited. Internally illuminated box-style signs, also called can signs, are prohibited.

For other types of wall signs, one sign is permitted per building frontage for each business license on file with the City at that location.

The maximum sign face area of all wall signage allowed on a secondary building frontage is 6 percent of the building elevation area of the secondary building frontage Each sign is limited to up to a maximum of 190 square feet.

Blade/Overhang Sign



A. Use on site: All uses.

Size: Each sign shall have a maximum sign face area of 48 square

Maximum Height: shall not project above the roof line

Location/Number: One sign per building frontage for each business license on file with the City at that location.



feet.

or top of the parapet wall, whichever is higher.

~~The total sign face area of all signs placed on a primary building frontage shall not exceed 12 percent of the building elevation area of the primary building frontage.~~

Bulletin Board



A. Use on site: All uses.

Size: bulletin board may encompass up to 50 percent of sign face area.

Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.

Electronic Message Board



A. Use on site: all uses.

Size: electronic message board may encompass up to 25 percent of sign face area.

Maximum Height: Location/Number: Only allowed as part of a determined by height permitted sign, as set forth in 16.42.040.C.2. of sign.



Awning Sign or Canopy Sign



A. Use on site: all uses.

~~Size: Signs on awnings shall not cover more than 25 percent of the main area of the awning, or exceed 25 square feet in size, whichever is smaller. The maximum sign face area of all signage allowed on a primary building frontage is 12 percent of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.~~

Maximum Height: shall not project above the roof line or parapet wall, whichever is higher.

Location/Number: ~~One sign per awning or canopy building frontage for each business license on file with the City at that location.~~ Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8 1/2-foot clearance shall be provided between grade and bottom of sign.

The maximum sign face area of all signage allowed on a secondary building frontage is 8 percent of the building elevation area of the secondary frontage, up to a maximum of 60 square feet.

Marquee Sign

A. Use on site: all uses.

Size: not allowed.

Maximum Height: n/a.

Location/Number: n/a.



Window Sign



A. Use on site: all uses.

Size: maximum 15 percent of total window area.

Maximum Height: determined by height of window.

Location/Number: Only allowed in ground floor or 2nd floor windows.

(Ord 1299, 2008)

16.42.060 Automobile service station sign standards.

The purpose of service station sign requirements is to control sign clutter for service stations so the traveling public can clearly identify the service station and the services and goods it offers.

A. No sign other than detailed in this Section shall be displayed on a lot on which an automobile service station is located. In the event that a conflict exists between this Section and the sign standards set forth in other sections of this Chapter, the standards in this section shall prevail.

1. Permitted signage includes one of the following options:

- a. One pole sign, and one wall sign, and window signs, and temporary signs; or
- b. Two wall signs, and window signs, and temporary signs.

2. Pole sign standards:

- a. Maximum area: 48 square feet total for a single-faced sign; 96 square feet total for a double-faced sign.
- b. Maximum height: 18 feet.



c. A bulletin board or electronic message board may encompass up to 75 percent of the sign face area of a pole sign.

3. Wall sign standards:

a. Maximum area: 120 square feet per sign.

b. Maximum height: Sign shall not project above the roof line or parapet wall, whichever is higher.

c. A bulletin board or electronic message board may encompass up to 25 percent of the sign face area of a wall sign.

4. Window sign standards: Maximum of 25 percent of total window area.

5. Temporary sign standards: Except during a service station grand opening, which may occur only once during a single ownership, and for a period of time not to exceed 30 consecutive days, pennants, streamers, or lawn signs shall not be permitted. Other types of temporary signs are permitted as set forth in Section 16.42.025.C. (Ord. 1299, 2008)

16.42.070 Measurements.

The requirements described in the following subsections are illustrated further in Figures 1 through 8.

A. Area.

1. Sign area shall be measured within lines drawn between the outermost dimensions of the frame or cabinet surrounding the display area containing the sign copy.

2. When signs are not framed or on a base material, and are inscribed, painted, printed, or otherwise placed upon, or attached to a structure, the sign area is the smallest possible space enclosing the sign copy that can be constructed with straight lines.

3. Where a sign is of a three-dimensional, round, or irregular solid shape, the largest cross-section shall be used in a flat projection for the purpose of determining sign area.

4. Where signs are constructed in multiple separate pieces containing sign copy, sign face area for each piece is determined by a perimeter drawn in straight lines, as small as possible, around all pieces. The sum of the area of the separate pieces shall constitute the sign area.

B. Height. The height of a sign above grade is measured from the average level of the grade below the sign to the topmost point of the sign, including support structure.

C. Clearance. Clearance is measured from the average grade below the sign to the lowermost point of the sign.



D. Spacing. For the purposes of applying spacing requirements, distances shall be measured parallel to the centerline of the adjacent street or highway. (Ord 1299, 2008)

Figure 1

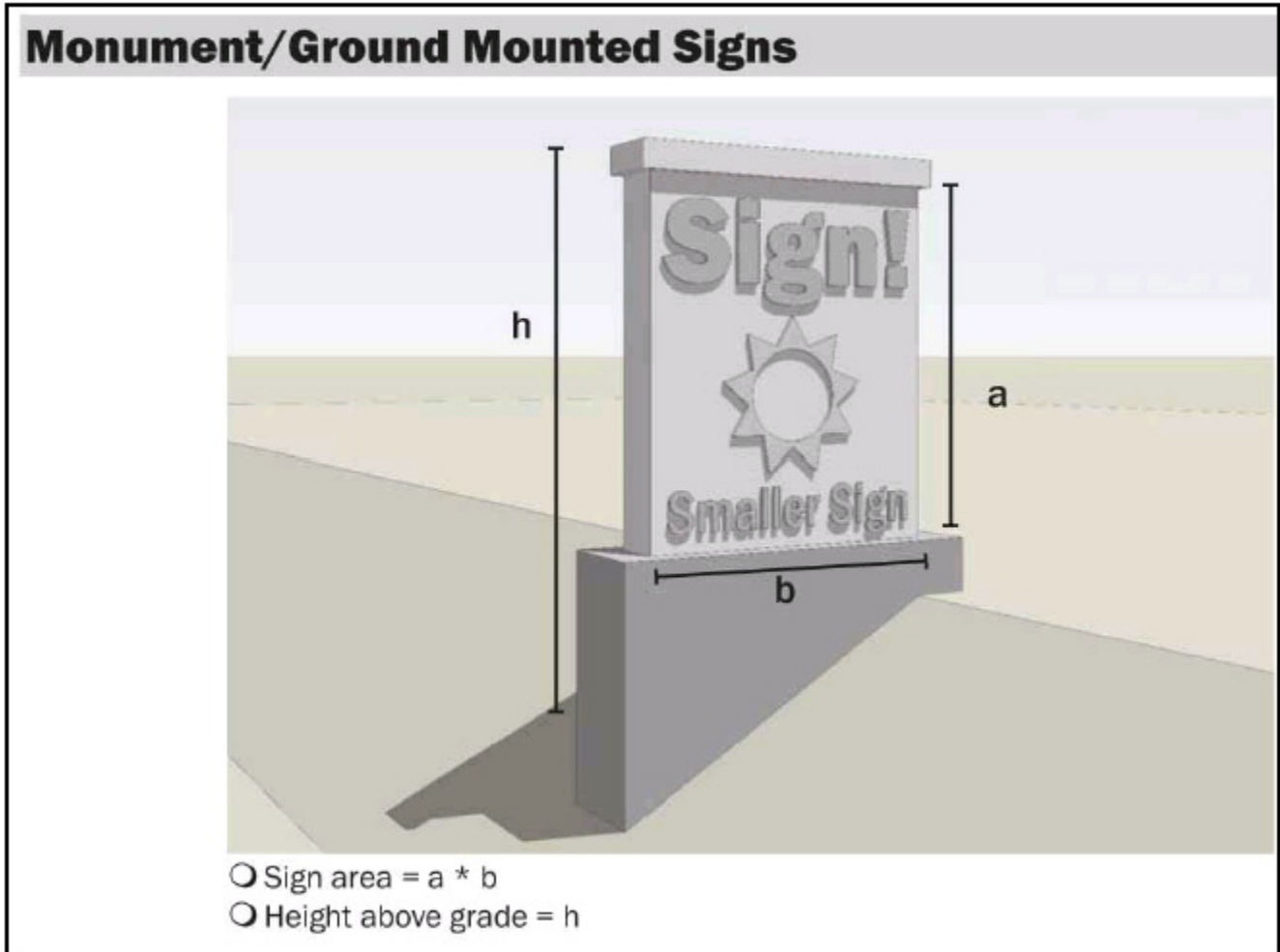


Figure 2

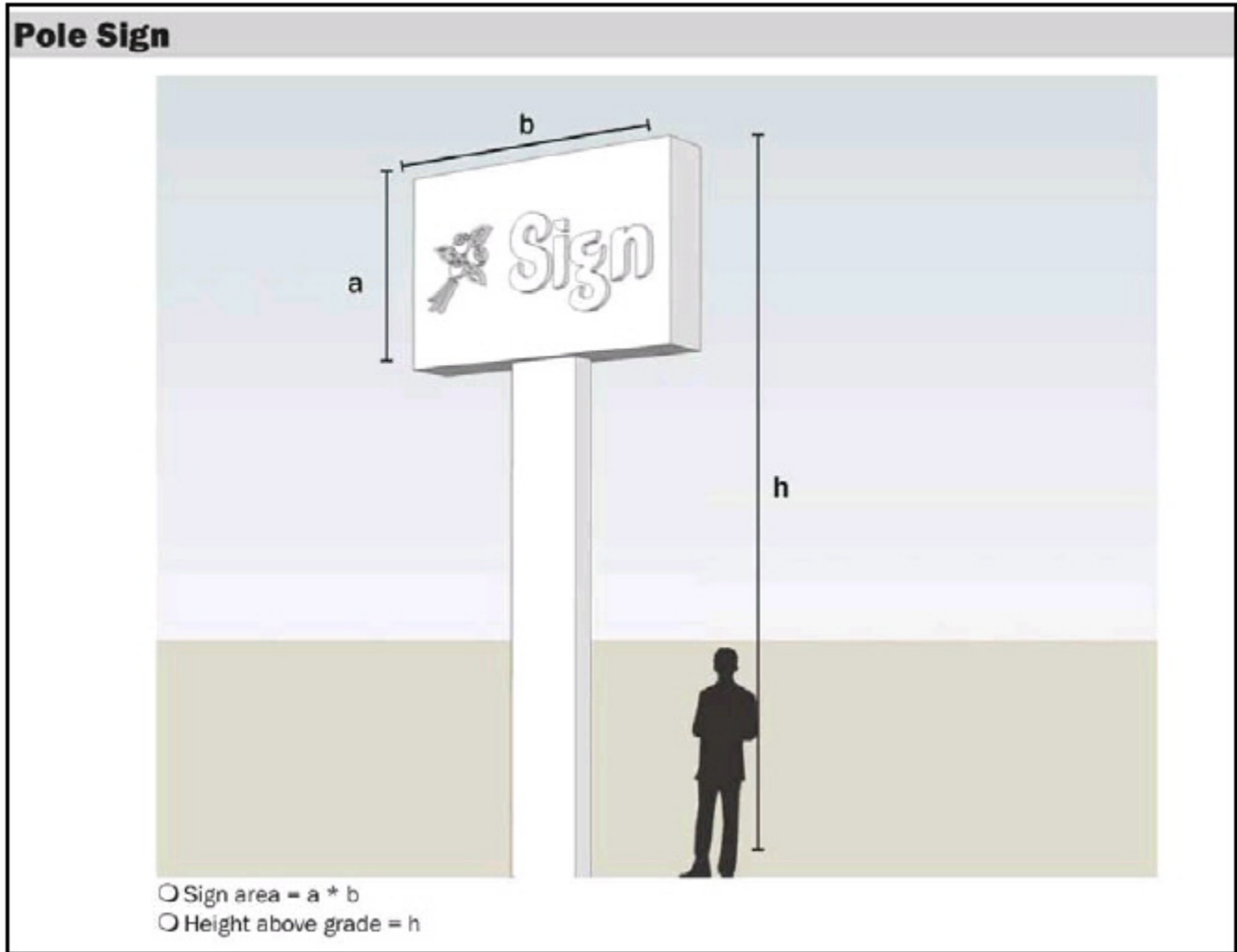


Figure 3



Figure 4



Figure 5

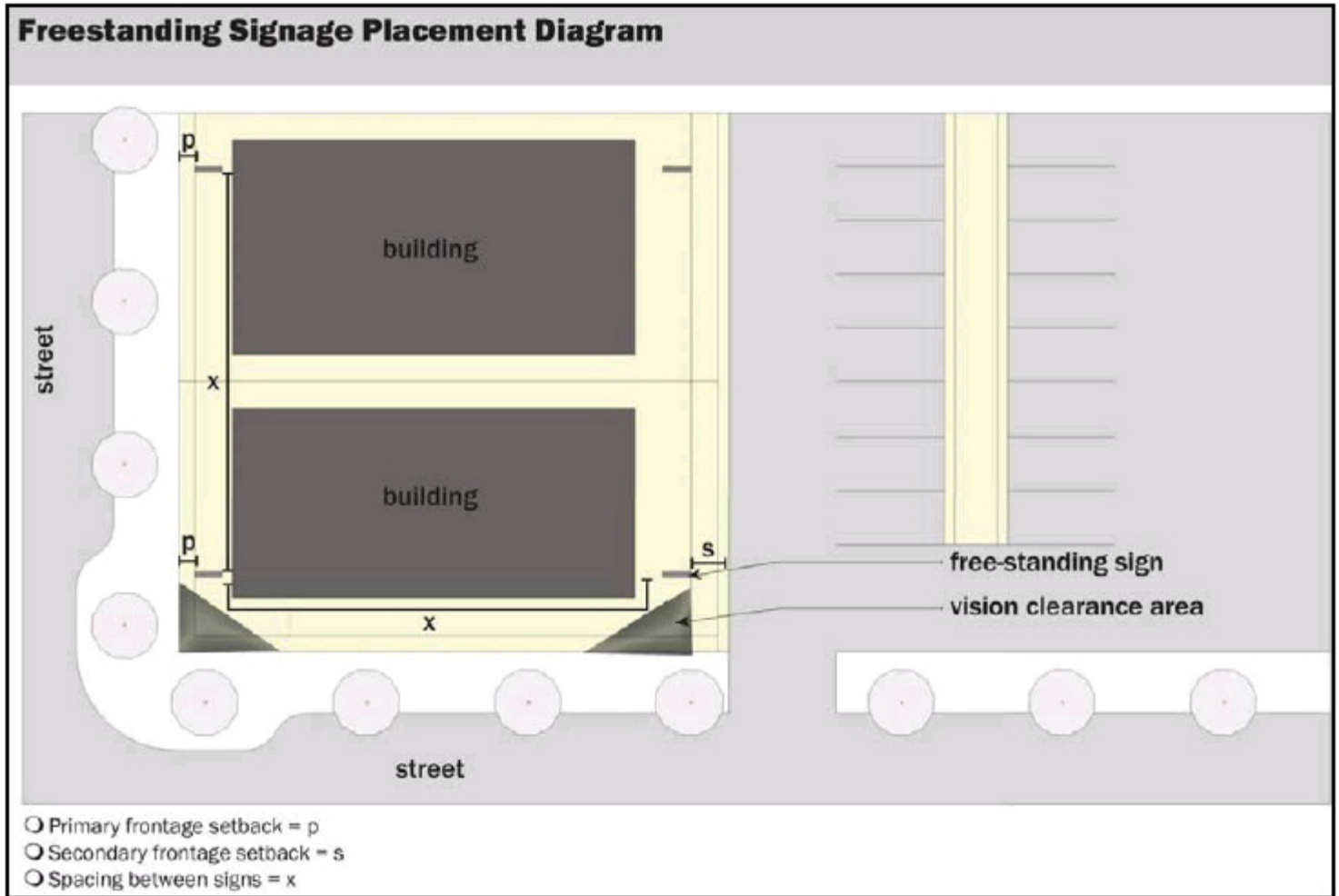




Figure 6

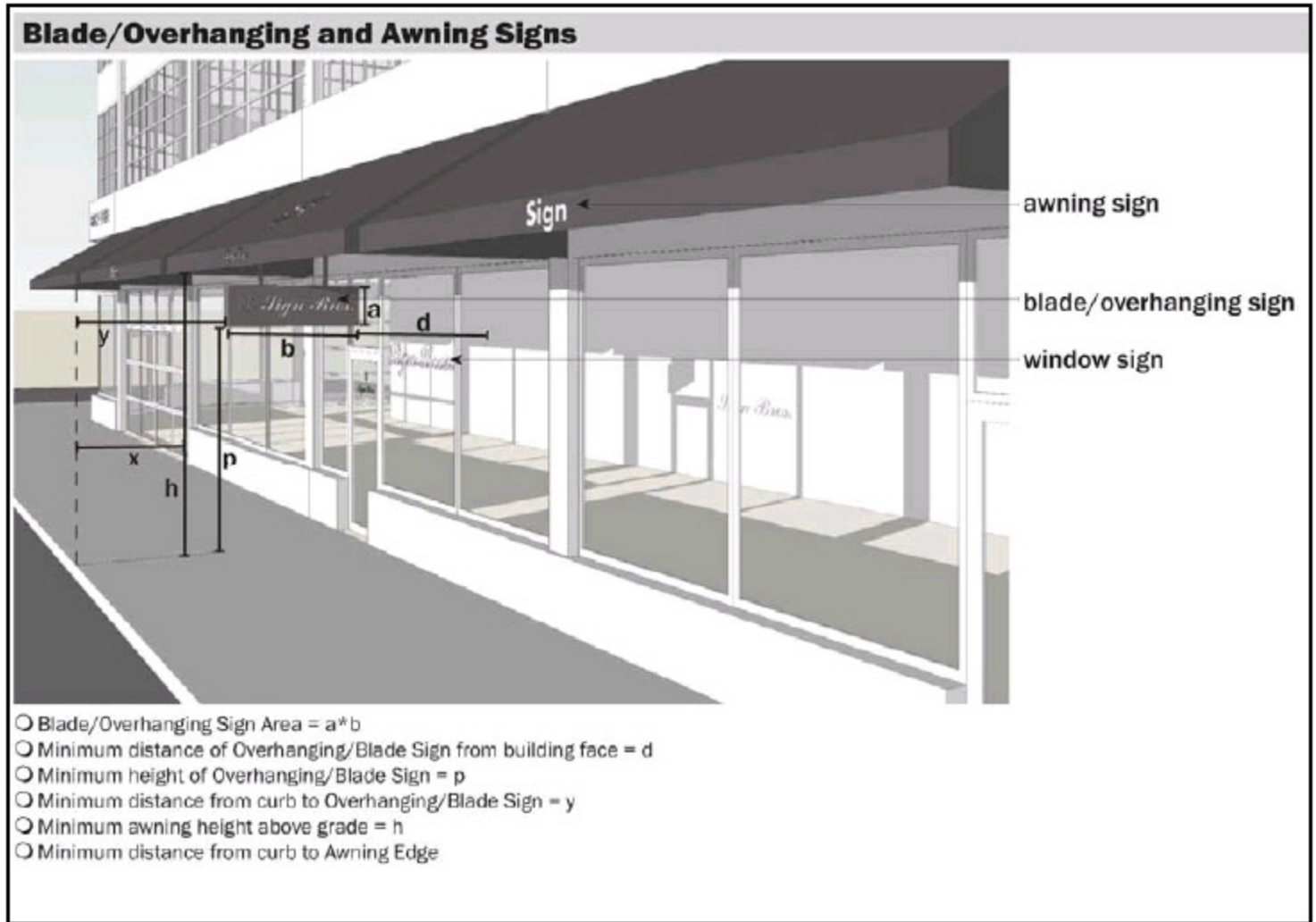


Figure 7

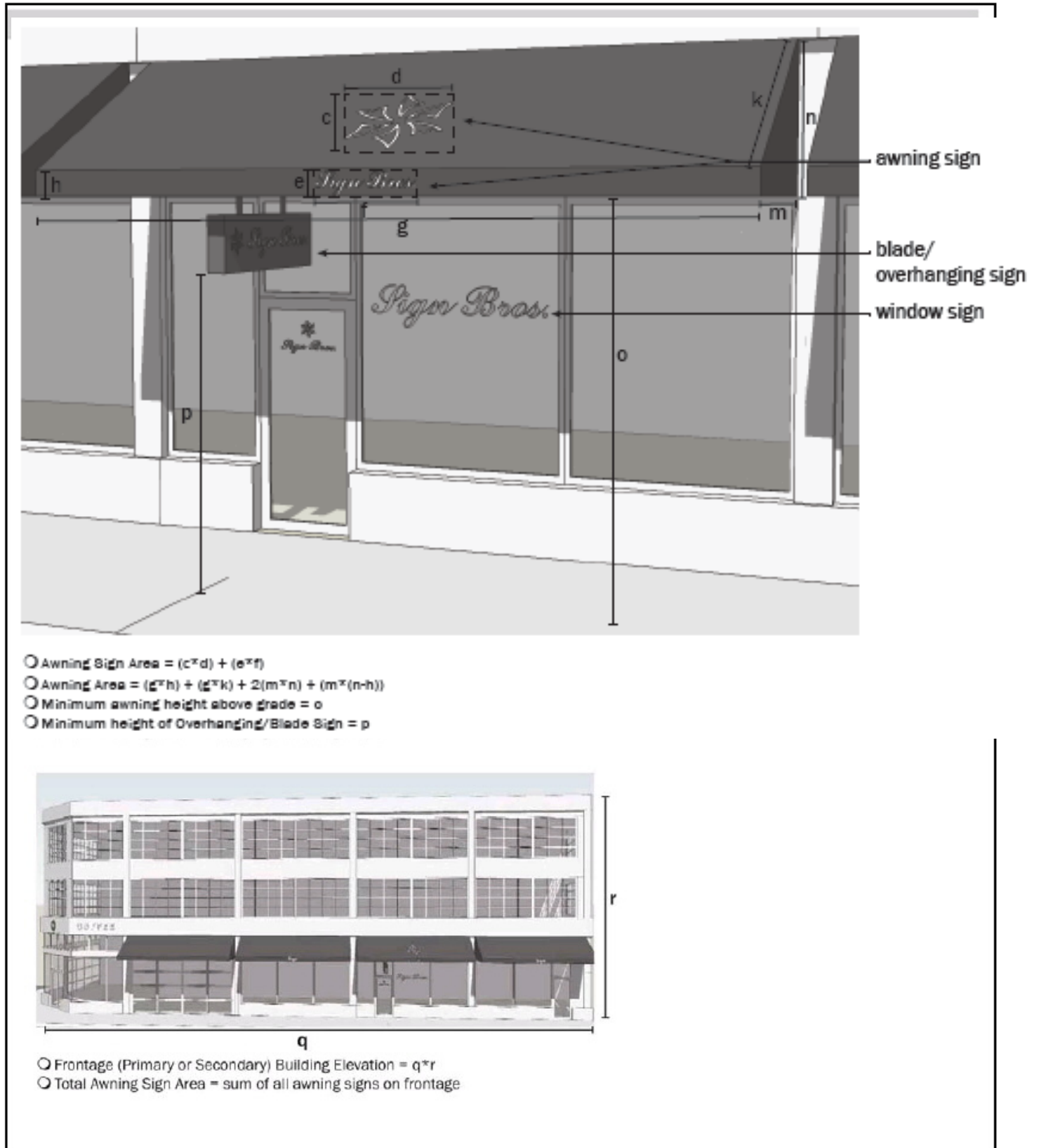




Figure 8



- Wall Sign Area = $a \cdot b$
- Height of Wall Sign above grade = h
- Window Sign area = $(c \cdot d) + (e \cdot f)$
- Total window area = $w_1 \cdot x_2 + w_2 \cdot x_2 + w_3 \cdot x_3 + w_4 \cdot x_4 \dots$





[Figures 1- 8 available as PDF document](#)

(Ord. 913 section 1[part], 1994; Ord. 830 section 13[part], 1989; Ord. 802 section 5, 1987; Ord. 840 section 10.3.40(J), 1984; Ord. 1299, 2008)

16.42.140 Severability

Invalidity of a section of this ordinance shall not affect the validity of the remaining sections or parts of sections. (Ord. 913 section 1[part], 1994; Ord 1237, 2007; Ord. 1299, 2008)



Chapter 16.53

VARIANCES

16.53.015 Minor Sign Variance.

A. Authorization. The City Planner may authorize a Minor Variance from the requirements of this title for signage where variation from the strict application of the regulations of this title is warranted by reason of exceptional circumstances and specified conditions. In granting a Minor Sign Variance, the City Planner may attach conditions which he finds necessary to protect the welfare of the City and otherwise achieve the purposes of this title.

B. Procedure. The following Minor Sign Variance requests shall be reviewed using a Type II procedure as set forth for minor variances in Chapter 16.89. Application shall be made on forms provided by the Planning Department. Following review, a Minor Sign Variance request shall be approved, approved with conditions, or denied, based upon findings of conformance with the criteria set forth in subsection C.

1. Up to a 10 percent variance from a single numeric standard regulating the location, height, or size of a sign.
2. Variance from more than one numeric standard regulating the location, height, or size of a sign, where the sum of all the variance percentages does not exceed ten.

C. Standards and Criteria. A Minor Sign Variance may be granted if the applicant demonstrates all of the following criteria are met:

1. The variance is required due to the lot configuration or other physical conditions of the site;
2. The variance is proposed in order to preserve trees, or will not result in the removal of significant natural resources, including trees;
3. The variance will not reduce allowable lot size, violate landscaping requirements, or result in a violation of other chapters or sections of this ordinance; and
4. The variance will no be materially detrimental to other property within the same vicinity.

D. Major Variance. A request for a variance in excess of the limitations set forth in 16.53.015.B shall be reviewed using a Type III procedure as set forth for major variances in this Chapter and in Chapter 16.89.

Proposed Replacement Graphics for Canby Sign Code



New sign graphic and source	Graphic
<p>Table 1 (residential) monument sign San Luis Obispo Sign Code</p>	
<p>Table 1 (residential) window sign MH image</p>	
<p>Table 2 (industrial) wall sign Canby sign inventory</p>	
<p>Table 2 (industrial) awning sign MH image</p>	

Table 2 (industrial) window sign
MH image from Southeast Portland (Central Eastside Industrial area)



Table 3 (highway commercial) monument sign
Image from previous Sign Code work
(Hayden, ID)



Table 3 (highway commercial) pole sign
Image from previous Sign Code work
(Canby)



Table 3 (highway commercial) wall sign
Image from previous Sign Code work
(Canby)



Table 3 (highway commercial) electronic message sign
Image from previous Sign Code work
(Canby)



Table 3 (highway commercial) awning sign
San Luis Obispo Sign Code



Table 3 (highway commercial) window sign
San Luis Obispo Sign Code



Table 4 (downtown commercial) monument sign
Internet site



Table 4 (downtown commercial) pole sign
 Image from previous Sign Code work
 (Canby)



Table 4 (downtown commercial) wall sign
 Image from previous Sign Code work
 (Canby)



Table 4 (downtown commercial) blade sign
 San Luis Obispo Sign Code



Table 4 (downtown commercial) bulletin board sign
 Image from previous Sign Code work
 (Canby)



Table 4 (downtown commercial) electronic message board sign
 ??

Still need new image

Table 4 (downtown commercial) marquee sign
 Photo of Canby Cinema

Suggest using photo of Canby Cinema – Catherine send or I can take photo next time I'm there

Table 5 (core highway frontage) monument sign
Image from previous Sign Code work
(Hayden, ID)



Table 5 (core highway frontage) pole sign
Image from previous Sign Code work
(Canby)



Table 5 (core highway frontage) wall sign
Image from previous Sign Code work
(unsure of community)



Table 5 (core highway frontage) blade sign
Image from previous Sign Code work
(Portland)



Table 5 (core highway frontage) bulletin board sign
Image from previous Sign Code work
(drawing)

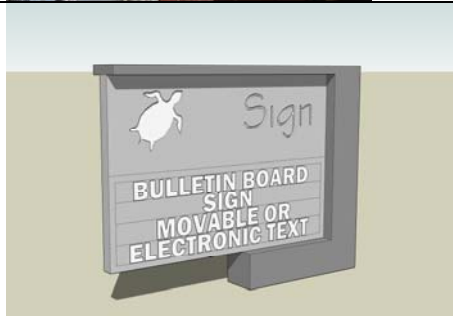


Table 5 (core highway frontage) electronic message sign
Image from previous Sign Code work
(Canby)



Table 5 (core highway frontage) awning sign
San Luis Obispo Sign Code



Table 5 (core highway frontage) window sign
San Luis Obispo Sign Code



Table 6 (residential/commercial and transitional commercial) monument sign
Internet image



or



Table 6 (residential/commercial and transitional commercial) pole sign
San Luis Obispo Sign Code



Table 6 (residential/commercial and transitional commercial) wall sign
MH image



Table 6 (residential/commercial and transitional commercial) blade sign
MH image



Table 6 (residential/commercial and transitional commercial) awning sign
Image from previous Sign Code work (drawing)



Table 6 (residential/commercial and transitional commercial) window sign
MH image



Table 7 (industrial area overlay) monument sign
Canby sign inventory



Table 7 (industrial area overlay) wall sign
Canby sign inventory



Table 7 (industrial area overlay) blade sign
MH image

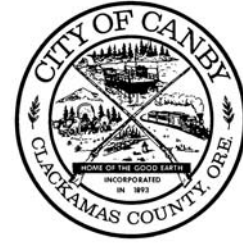


Table 7 (industrial area overlay) awning sign
MH image



Table 7 (industrial area overlay) MH image from Southeast Portland (Central Eastside Industrial area)





PLANNING COMMISSION STAFF REPORT

TITLE: A CANBY MUNICIPAL CODE AMENDMENT, specifically amending the Land Development & Planning Ordinance (Title 16) pertaining to Low Impact Development Standards, Outdoor Lighting Standards, and Fencing Standards.

APPLICANT: City of Canby

FILE #: TA 10-04

STAFF: Matilda Deas, AICP, Project Planner

REPORT DATE: September 17, 2010

HEARING DATE: September 27, 2010

I. APPLICATION SUMMARY AND BACKGROUND

This application contains code amendments and a new section of code proposed for inclusion in the City's Land Development & Planning Ordinance (Title 16). Code amendments are proposed for sections of the code pertaining to:

- Fencing standards-related to visibility, pedestrian pathways and double fencing
- Parking standards- relating to minimum ratios and pervious materials
- Residential development –relating to pervious surface ratios
- Multi-family and site design review menus
- Landscaping –relating to species, parking areas and tree preservation
- Subdivisions-relating to safe routes to schools, alleys and cul-de-sacs, lot layout, stormwater management, and
- Incentives

A new code section is proposed that addresses Outdoor Lighting Standards.

Public Works Standards have been developed concurrent with this project and will be presented to the Planning Commission and City Council through an alternate process. Our Land Development and Planning Ordinance will now reference those standards, which enables the Public Works Director to manage their implementation without having to negotiate certain modifications through the land use process.

Planning and Public Works Staff are concurrently revising Canby's Street Tree Ordinance (portions of which will reflect the new LID options) among other needed changes. Staff will present the revised Ordinance to the Planning Commission and City Council upon completion of the revision.

The City of Canby received a Code Assistance Grant from the Transportation Growth Management Program (TGM) to revise and develop code language to incorporate Low Impact Development practices into subdivision design, residential development, multi-family design and design review; to develop new outdoor lighting standards; and to address fencing concerns. The project entailed two Phases. Phase I focused on research and a review of our existing code. Phase II focused on developing the code revisions.

A Project Management Team (PMT) comprised of City Planning and Public Works Staff, Angelo Planning Consultant Staff, and the TGM grant manager provided project oversight. A Citizen and Technical Advisory Committee met throughout the process to review the amendments and provide input. The PMT conducted targeted stakeholder interviews with local property owners, business owners and developers to solicit feedback and to identify the most effective incentive strategies.

Consultants and Staff facilitated four public meetings in April, a joint workshop with the Planning Commission and City Council in June and an additional Planning Commission workshop in August. All public meetings were noticed in the Canby Herald and on the City's website, and fliers were posted at the City Hall Information Kiosk, Canby Public Library, and Canby Planning Department Public information Counter. Advisory Committee members distributed fliers in their respective neighborhoods.

II. APPLICABLE CRITERIA

A Title 16 text amendment is a legislative land use amendment. In judging whether or not Title 16 should be amended, the Planning Commission and City Council shall consider the following approval criteria:

1. The Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;
3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;
4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community; and
5. Statewide planning goals.

III. PUBLIC COMMENT

Notice of the September 27, 2010 Planning Commission meeting and public hearing for TA 10-4 was posted at Canby City Hall and the Canby Public Library on September 17, 2010. Notice of the public hearing was also published in the September 22, 2010 edition of the Canby Herald. No public comments have been received as of the date of the preparation of this staff report.

IV. FINDINGS

Staff recommends that Planning Commission consider the following findings in its review of this proposed Text Amendment:

1. The proposed amendment complies with the Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, and will preserve functions and local aspects of land conservation and development.

Citizen Involvement: As mentioned above, citizen input was a major component of both phases of

the project. The proposed code revisions also include a new requirement that staff route development applications located within one mile of a school to the appropriate school representative(s) for comments regarding safe routes to schools. The school district is currently working with citizens to develop an official safe route to schools program. When complete we will amend our Transportation System Plan to incorporate the designated safe routes to school routes.

Land Use Planning: The proposed code revisions will encourage development that is aesthetically pleasing and encourages the efficient layout of streets, open space, utility networks, and other public improvements.

Environmental Concerns: Low Impact Development (LID) strategies are designed to reduce environmental impacts of development, such as increased storm water run-off due to impervious areas. LID techniques control storm water run-off volume and reduce pollutant loadings to receiving waters. Canby struggles with storm water management, and although not all sites are suitable to LID techniques, adding LID options to Canby's storm water management tool box could have positive environmental impacts.

Economic: LID techniques promote efficient use of infrastructure and promote conservation of natural resources. Residential developments that preserve trees and open space are not only aesthetically pleasing, but have higher real estate value as documented by Professor John L. Crompton at Texas A & M University.

Housing: The code revisions provide for alternate lot layout designs. For example, if a developer preserves large tracts of existing vegetation and open space, they are allowed to reduce lot size without increasing density. The allowed variations in lot sizes could translate into more housing choices for consumers.

2. *There is a public need for the change.* The City of Canby is proactively addressing storm water management. These code revisions are part of a larger effort. Public Works Design Standards have been developed concurrent with these code revisions, and the City is working to update its Storm Water Master Plan. To date, the City has not had comprehensive outdoor lighting standards. These code revisions will rectify this deficiency. Landscaping standards have not been updated recently, and existing standards do not address the benefits of drought resistant plants with regards to water conservation, which the code revisions will remedy. The minor revisions to fencing standards were developed in response to comments from citizens.
3. *The proposed change will serve the public need better than any other change which might be expected to be made.* With regards to storm water management, the City has a very limited piped system, and the cost to complete a city wide piped system is currently not financially viable. Expanding the options for addressing storm water run-off is one viable option. The proposed outdoor lighting standards adequately address a deficiency in the code, and have been reviewed by the public, the Project Management Team, the Citizen and Technical Advisory Committee, the City Council and the Planning Commission. No other changes are expected to address the above concerns.
4. *The proposed changes will preserve and protect the health, safety, and general welfare of the residents in the community* by encouraging aesthetically pleasing development that also addresses the efficient layout of open spaces, streets, utility networks and other public improvements.

5. *Staff concludes that the proposed code amendments comply with applicable Statewide Planning Goals.*

V. PROPOSED AMENDMENT

The proposed code amendment language is indicated in Exhibit A (attached). Deleted text is illustrated in ~~strikeout font~~, while added text is illustrated with a double underlined format.

VI. RECOMMENDATION

Based upon the findings and conclusions presented in this staff report, and without benefit of a public hearing, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for **TA 10-04**.

VII. NEXT STEPS

1. Following close of public hearing, Planning Commission will make a recommendation to the City Council concerning adoption of the proposed text amendment, including recommended findings;
2. The City Council will make their decision based on the record of the Planning Commission's hearing and deliberations, and may do so without benefit of a new public hearing (though the Council may hold a public hearing with proper notice if it so chooses).

Exhibit A: Proposed Text Amendments

DIVISION I – GENERAL PROVISIONS

Chapter 16.04 Definitions

16.04.212 Eco-roof

Eco-roof means a vegetated roof constructed for water quality and quantity control. Eco-roofs are vegetated roof covers with growing media and plants taking the place of bare membrane, gravel ballast, shingles or tiles. The number of layers and the layer placement vary from system to system and roof type, but all eco-roofs include a single to multi-ply waterproofing layer, drainage, growing media and the plants, covering at least 50% of the roof deck surface.

16.04.253 Impervious surface

Impervious surface means a surface area that creates a barrier to or hinders the entry of water into the soil in comparison with natural conditions prior to development, thus causing water to run off the surface in greater quantities or at an increased rate of flow. Impervious surfaces include, but are not limited to, buildings, paved parking areas and 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.

16.04.257 Infiltration

Infiltration means the process or rate at which water percolates from the land surface into the ground. Infiltration is also a general category of best management practices (BMP) designed to collect runoff and allow it to flow through the ground for pollutant removal.

16.04.383 Low impact development

Low impact development (LID) means a stormwater management and land development strategy applied at the parcel, multiple parcel and/or subdivision level that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale controls to more closely mimic predevelopment hydrologic functions. LID tools are designed to reduce environmental impacts of development, such as increased storm water runoff due to impervious areas, poor water quality and inconsistent water quantity in streams and rivers. LID techniques control storm water runoff volume and reduce pollutant loadings to receiving waters. Not all sites are suitable for LID. Considerations such as soil permeability, depth of water table and slope should be considered, in addition to other factors. LID techniques may not completely replace the need for conventional stormwater controls.

16.04.570 Street.

Street means the entire width between the right-of-way line of every way which provides for public use for the purpose of vehicular and pedestrian traffic, and the placement of utilities and including the terms road, highway, lane, place, avenue, alley, or other similar designations.

I. Green street means a street that has been designed to integrate a system of stormwater management within its right of way. Green streets are intended to reduce the amount of runoff that is piped directly to the city stormwater system and/or streams and rivers. Green streets make

Canby Code Assistance Phase 2
Proposed Code Revisions – Public Review Draft

the best use of the street tree canopy and natural filtration and drainage systems for stormwater interception and provide temperature mitigation and air quality improvements.

Underline = new text

~~Strikeout~~ = deleted text

DIVISION III - ZONING

**Chapter 16.08
GENERAL PROVISIONS**

16.08.110 Fences.

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

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

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

1. The arbor shall not exceed eight (8) feet in height (including the fence and vegetation);
2. The arbor, or any part of the arbor, shall not obstruct the view of drivers or pedestrians navigating the streets and/or sidewalks in the area;
3. Vegetation on the arbor shall not be allowed to grow solid at any time, creating a solid barrier that blocks visibility;
4. If the vegetation becomes too full or too high, the owner is financially responsible to rectify the situation, and to maintain the vegetation, fence, and arbor;
5. Color, construction, and design must be consistent with other like arbors/fences in the immediate area;
6. The arbor shall not block, or in any way impede any present significant vistas enjoyed by neighboring homes and/or other points of interest existing at the time of the building of the fence or arbor;
7. The primary purpose of the arbor is to support and sustain foliage/vegetation.

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

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

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

E G. No fence/wall shall be constructed throughout a subdivision, planned unit development or be part of a project that is/was subject to site and design review approval where the effect or purpose is to wall said project off from the rest of the community unless reviewed and approved by the Planning Commission. (Ord. 890 section 8, 1993; Ord. 740 section 10.3.05(K), 1984; Ord. 955 section 2, 1996; Ord. 981 section 43, 1997)

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

1. Fencing installed as part of a new subdivision shall comply with either (a) or (b) below.
2. Fencing installed by a property owner on an individual lot shall comply with either (a), (b) or (c) below.
 - a. Solid fencing shall be no greater than four (4) feet in height; or
 - b. Fencing shall be constructed with black open wire material, wooden slats, or some other material that allows visual access between the pathway and adjacent uses; or
 - c. Solid fencing shall be set back at least three (3) feet from the property line that abuts the pathway;

Chapter 16.10 OFF-STREET PARKING & LOADING

16.10.030 General requirements.

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

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

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

Canby Code Assistance Phase 2
 Proposed Code Revisions – Public Review Draft

1. One of the parcels has excess parking spaces, considering the present use of the property; and the other parcel lacks sufficient area for required parking spaces. Excess parking spaces can be determined by considering when the uses need the parking spaces, such as time of day or day of week.
2. The total number of parking spaces meets the standards for the sum of the number of spaces, ~~which that~~ would be separately required for each use. If the applicant can demonstrate that the uses do not have overlapping parking needs (based on days and hours of operation) and can share parking, the total requirement for combined uses may be reduced by up to 60 percent.
3. Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying ~~permanent~~ present use of the excess parking area on one lot by patrons of the uses deficient in required parking areas.
4. Physical access between adjoining lots shall be such that functional and reasonable access is ~~actually~~ provided to uses on the parcel deficient in parking spaces.
5. Adequate directional signs shall be installed specifying the joint parking arrangement.

16.10.050 Parking standards designated.

The parking standards set out in Table 16.10.050 shall be observed.

TABLE 16.10.050

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

USE	PARKING REQUIREMENT
<i>Residential Uses:</i>	
a. Single-family dwellings	2.00 spaces per dwelling unit for new construction. (Existing single-family dwellings having only a single parking space shall not be considered to be nonconforming.)
b. Two-family dwellings	2.00 spaces per dwelling unit.
c. Multi-family dwellings in complexes with private internal driveways	2.00 spaces per unit. <u>One space per studio or 1-bedroom unit. 2.00 spaces per 2-bedroom or larger unit.</u> One additional guest parking space shall be provided for every five units for each development of ten or more units.
d. Retirement/assisted living housing	1.5 <u>1.0</u> space per unit
e. Residential day care facility and home occupation	1.00 space per employee
<i>Institutions:</i>	

Underline = new text

~~Strikeout~~ = deleted text

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a. Convalescent home, nursing home or sanitarium	1.00 spaces per two beds for patients or residents, plus 1.00 space sanitarium per employee
b. Hospital	4.00 spaces per two beds
<i>Places of Public Assembly:</i>	
a. Library, reading room	1.00 space per 400 square feet of public area
b. Nursery, primary/elementary, or junior high school	2.00 spaces per employee
c. Senior high school	1.00 space per classroom, plus 1.00 space per six students
d. Other places of public assembly, including churches	1.00 space per four seats or eight feet of bench length
<i>Commercial Amusement:</i>	
a. Theater	1.00 per six seats
b. Bowling alley	5.00 spaces per alley <u>3.0 spaces per 1,000 square feet of floor area</u>
c. Dance hall, skating rink	1.00 space per 100 square feet of floor area <u>3.0 spaces per 1,000 square feet of floor area</u>
d. Racquet courts, health clubs	2.00 spaces per court plus one space per 2 employees or exercise area <u>3.0 spaces per 1,000 square feet of floor area</u>
<i>Commercial</i>	
a. Retail shops (under 100,000 sq. ft. gross leasable area)	2.00 spaces per 1,000 square feet of floor area
b. Retail store handling exclusively bulky merchandise such as furniture, automobile and service repair shops	1.00 space per 1,000 square feet of sales floor area
c. Shopping center (over 100,000 square feet of gross leasable area)	3.00 spaces per 1,000 square feet of gross leasable area
d. Banks/savings and loans	5.00 <u>2.00</u> spaces per 1,000 gross square feet of floor area
e. Medical/dental offices	5.00 <u>3.00</u> spaces per 1,000 gross square feet of floor area
f. General offices	2.00 spaces per 1,000 gross square feet of floor area
g. Real estate offices	2.00 spaces per 1,000 gross square feet of floor area
h. Government offices	3.50 spaces per 1,000 gross square feet of floor area

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i. Restaurant	8.00 spaces per 1,000 gross square feet of floor area
j. Take-out restaurant	8.00 spaces per 1,000 gross square feet of floor area
k. Motel	75 <u>0.75</u> spaces per <u>rentable</u> room
l. Residential hotel, rooming house, boarding house, or bed and breakfast	Spaces equal to 80 percent of the number of guest accommodations <u>0.75 spaces per rentable room</u>
m. Hotel	Spaces equal to 50 percent of the number of guest accommodations <u>0.75 spaces per rentable room</u>
n. Club or lodge	One <u>1.00</u> space per 200 square feet of floor area
o. Day care , adult or child care; does not include Family Daycare (12 or fewer children) under ORS 657A.250	1.00 space per 500 square feet of floor area
p. All others	1.00 space per 550 square feet
q. Wireless telecommunication systems	1.00 space per site
<i>Industrial:</i>	
a. Manufacturing	3.50 <u>2.00</u> spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office manufacturing space. Minimum of 5 parking spaces overall.
b. Warehousing	3.50 <u>2.00</u> spaces per 1,000 gross square feet of office space, plus 1.00 <u>0.5</u> spaces per 1,000 gross square feet of non-office warehousing space. Minimum of 5 parking spaces overall.
c. Wholesale establishments	3.50 <u>2.00</u> spaces per 1,000 gross square feet of office space, plus 1.50 spaces per 1,000 gross square feet of non-office wholesale space. Minimum of 5 parking spaces overall.

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:

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,

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- 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.

- 4. The full width of driveways ~~to single family homes or their accessory structures~~ 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.

Chapter 16.16 R-1 LOW DENSITY RESIDENTIAL ZONE

16.16.030 Development standards.

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

~~F. Maximum lot coverage:~~

- ~~1. Principal building: no limit;~~
- ~~2. Accessory building: no more than the area covered by the main building, unless lot area exceeds twelve thousand square feet in which case no limit is specified.~~

F. The maximum amount of impervious surface allowed the R-1 zone shall be 60 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 surfaces include, but are not limited to, buildings, paved parking areas and 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 by the City Public Works Department for compliance with applicable regulations and development standards.

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.
2. All setbacks to be measured from the foundation line of the building; overhangs shall not exceed two feet; mechanical units, used for the heating/cooling of residential units are exempt from interior and/or rear yard setback requirements.
3. Required yards on southern and western exposures may be reduced by not more than five feet for eaves or canopies to provide shade. (Ord. 890 section 17, 1993; Ord. 740 section 10.3.18(C), 1984; Ord. 955 section 5, 1996; Ord. 981 section 45, 1997; Ord. 1080, 2001; Ord. 1111 section 7, 2003; Ord 1237, 2007)
4. Accessory buildings shall not have a larger footprint than the primary building, unless lot area exceeds twelve thousand square feet.

Chapter 16.18

R-1.5 MEDIUM DENSITY RESIDENTIAL ZONE

16.18.030 Development standards.

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

— ~~**F. Maximum lot coverage: sixty percent.**~~

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 surfaces 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.

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.
2. All setbacks to be measured from the foundation line of the building. Overhangs shall not exceed two feet; mechanical units, used for the heating/cooling of residential units are exempt from interior and/or rear yard setback requirements.
3. Required yards on southern and western exposures may be reduced by not more than five feet for eaves or canopies to provide shade. (Ord. 890 sect. 19, 1993; Ord. 740 sect. 10.3.20(C), 1984; Ord. 955 sect. 6, 1996; Ord. 981 sect. 46, 1997; Ord. 1019 sect. 8, 1999; Ord. 1080, 2001; Ord 1237, 2007.)
4. Accessory buildings shall not have a larger footprint than the primary building.

Chapter 16.20 R-2 HIGH DENSITY RESIDENTIAL ZONE

16.20.030 Development standards.

The following subsections indicate the required development standards of the R-2 zone:

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

E. The maximum amount of impervious surface allowed the R-2 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 surfaces 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.

F. Other regulations:

1. Vision clearance distance shall be ten feet from a street to an alley or a street to a driveway, and thirty feet from a street to any other street.
2. All setbacks to be measured from the foundation line of the building. Overhangs shall not exceed two feet; mechanical units, used for the heating/cooling of residential units are exempt from interior and/or rear yard setback requirements.
3. Required setbacks on southern and western exposures may be reduced by not more than five feet for eaves or canopies to provide shade.
4. Multi-family developments exceeding ten units shall provide 150 square feet of recreation space per dwelling unit. Recreation spaces shall be no less than 1,500 square feet in size. (Ord. 890 sect. 23, 1993; Ord. 740 sect. 10.3.21 (C),1984; Ord. 955 sect. 7, 1996; Ord. 981 sect. 47, 1997; Ord. 1080, 2001; Ord. 1107, 2002; Ord 1237, 2007)
5. Accessory buildings shall not have a larger footprint than the primary building.

Chapter 16.21 RESIDENTIAL DESIGN STANDARDS

16.21.010 Purpose.

The purpose of the residential design objectives ~~is~~ 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.

16.21.070 Multi-family design standards.

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

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

(1) ~~the Design Menu standard is~~ At least five of the Design Elements for Street Facing Facades are achieved. ~~(it is a pass/fail standard, meaning it must be met regardless of compliance with other standards);~~

(2) a minimum of ~~65~~ 70 percent of the total possible points from the Design Menu ~~(not including bonuses)~~ are accumulated for the whole development;

(3) 15 percent of the points used to meet (2) above are from the LID category; and,

(~~3~~ 4) ~~if~~ the applicant has received a minimum of one point in each applicable category.

C. Those elements that are not applicable to a project shall not be counted toward the total possible points.

TABLE 16.21.070

[New table is attached separately]

Chapter 16.43

OUTDOOR LIGHTING STANDARDS

[new chapter]

16.43.010 Purpose.

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

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

16.43.020 Definitions

The following words, phrases and terms as used in this chapter shall have the following meaning:

- A. Artificial sky glow means the brightening of the night sky attributable to man made sources of light.
- B. Candela means the unit of luminous intensity of a lighting source emitted in a given direction.
- C. Curfew means a time each night after which certain electric illumination must be turned off or reduced in intensity.
- D. Glare means light that causes visual discomfort, annoyance or disability, or a loss of visual performance.
- E. Landscape lighting means luminaires mounted in or at grade (not to exceed 3 feet above grade) and used solely for landscape rather than area lighting, or fully shielded luminaires mounted in trees and used solely for landscape or Facade lighting.
- F. Light trespass means light flowing across the property boundary. See Figure 16.43.1 for illustration.
- G. Lumen means the unit of luminous flux: a measure of the amount of light emitted by a lamp.
- H. Luminaire means a complete lighting unit consisting of one or more electric lamps, the lamp holder or holders, reflector, lens, diffuser, ballast, and/or other components and accessories.
- I. Luminous flux means a measure of the total light output from a source, the unit being the lumen.
- J. Mounting height means the vertical distance between the lowest part of the luminaire and the ground surface directly below the luminaire. See Figure 16.43.2 for illustration.
- K. Photometric test report means a report by an independent testing laboratory or one certified by the National Institute of Standards and Technology (NIST) describing the candela distribution, shielding type, luminance, and other optical characteristics of a specific luminaire.
- L. External point of service means an outdoor service which a business provides some service to a customer, such as drive up food service, a bank transaction, or the like

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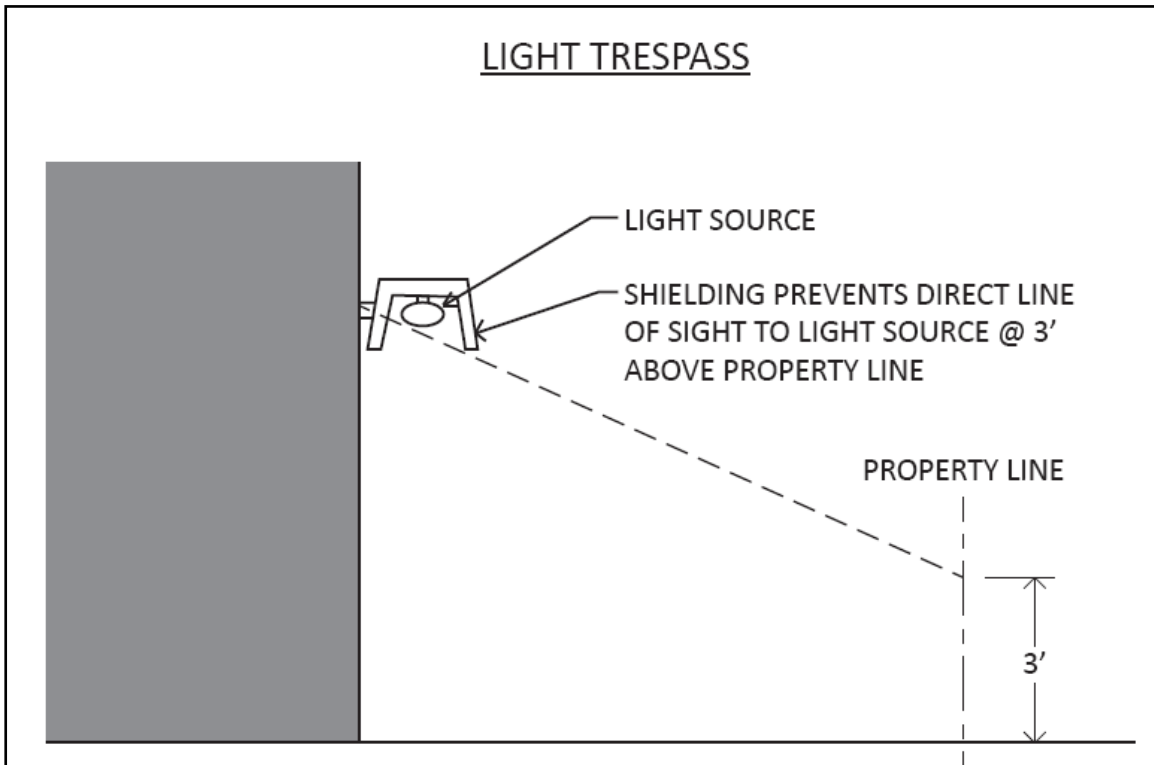
M. Shielding means a device or technique for controlling the distribution of light. Four levels of shielding are defined as follows:

1. Fully Shielded – A luminaire emitting no luminous flux above the horizontal plane;
2. Shielded – A luminaire emitting less than 2.0 percent of its luminous flux above the horizontal plane;
3. Partly Shielded – A luminaire emitting less than 10 percent of its luminous flux above the horizontal plane;
4. Unshielded – A luminaire that may emit its flux in any direction.

N. Spill light means lighting from a lighting installation that falls outside of the boundaries of the property on which the installation is sited.

O. Temporary lighting means lighting installed with temporary wiring and operated for less than 60 days in any calendar year.

Figure 16.43.1: Light Trespass



16.43.030 Applicability.

The outdoor lighting standards in this section apply to the following:

- A. New uses, buildings, and major additions or modifications:
 - 1. For all proposed new land uses, developments, buildings, and structures that require a building permit, all outdoor lighting fixtures shall meet the requirements of this Code.
 - 2. All building additions or modifications of fifty (50) percent or greater in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or cumulative additions subsequent to the effective date of this provision, shall invoke the requirements of this Code for the entire property, including previously installed and any new outdoor lighting.
- B. Minor additions. Additions or modifications of less than fifty (50) percent to existing uses, as defined in Section A(2) above, and that require a building permit, shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting on the site shall meet the requirements of this Code with regard to shielding and lamp type. The total outdoor light output after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Code, whichever is larger.

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

<u>Zone</u>	<u>Ambient Illumination</u>	<u>Representative Locations</u>
<u>LZ 1</u>	<u>Low</u>	<u>Rural areas, low-density urban neighborhoods and districts, residential historic districts. This zone is intended to be the default for residential areas.</u>
<u>LZ 2</u>	<u>Medium</u>	<u>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.</u>

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16.43.050 Exempt Lighting.

The following luminaires and lighting systems are exempt from the requirements of this Section.

- A. Externally illuminated signs in conformance with provisions in section 16.42.040 of this code.
- B. Internal lighting for signs in conformance with provisions in section 16.42.040 of this code.
- C. Temporary lighting for theatrical, television, and performance events.
- D. Lighting in swimming pools and other water features governed by Article 680 of the National Electrical Code.
- E. Code-required exit signs.
- F. Code-required lighting for stairs and ramps.
- G. Lighting required and regulated by the Federal Aviation Administration, U.S. Coast Guard, or other federal, state, or county agency.
- H. Interior lighting.
- I. Temporary lights for emergency public or private utility maintenance or public safety.
- J. Lighting fixtures existing prior to this ordinance not exceeding 30 watts.

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.
- 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.

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

<u>Lighting Zone</u>	<u>Fully Shielded</u>	<u>Shielded</u>	<u>Partly Shielded</u>	<u>Unshielded</u> (Shielding is highly encouraged. Light trespass is prohibited.)
<u>LZ 1</u>	<u>150</u>	<u>60</u>	<u>None Permitted</u>	<u>Low voltage landscape lighting and temporary holiday lighting.</u>
<u>LZ 2</u>	<u>450</u>	<u>100</u>	<u>60</u>	<u>Landscape and facade lighting 100 watts or less; ornamental lights of 60 watts or less.</u>

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:
 1. Lighting for residential sports courts and pools shall not exceed 15 feet above court or pool deck surface.
 2. Lights specifically for driveways, and then only at the intersection of the road providing access to the site, may be mounted at any distance relative to the property line, but may not exceed the mounting height listed in Table 16.43.080.
 3. Mounting heights greater than 40% of the horizontal distance to the property line but no greater than permitted by Table 16.43.080 may be used provided that the luminaire is side-shielded toward the property line.
 4. Landscape lighting installed in a tree. See the Definitions section.

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5. Street and bicycle path lights.

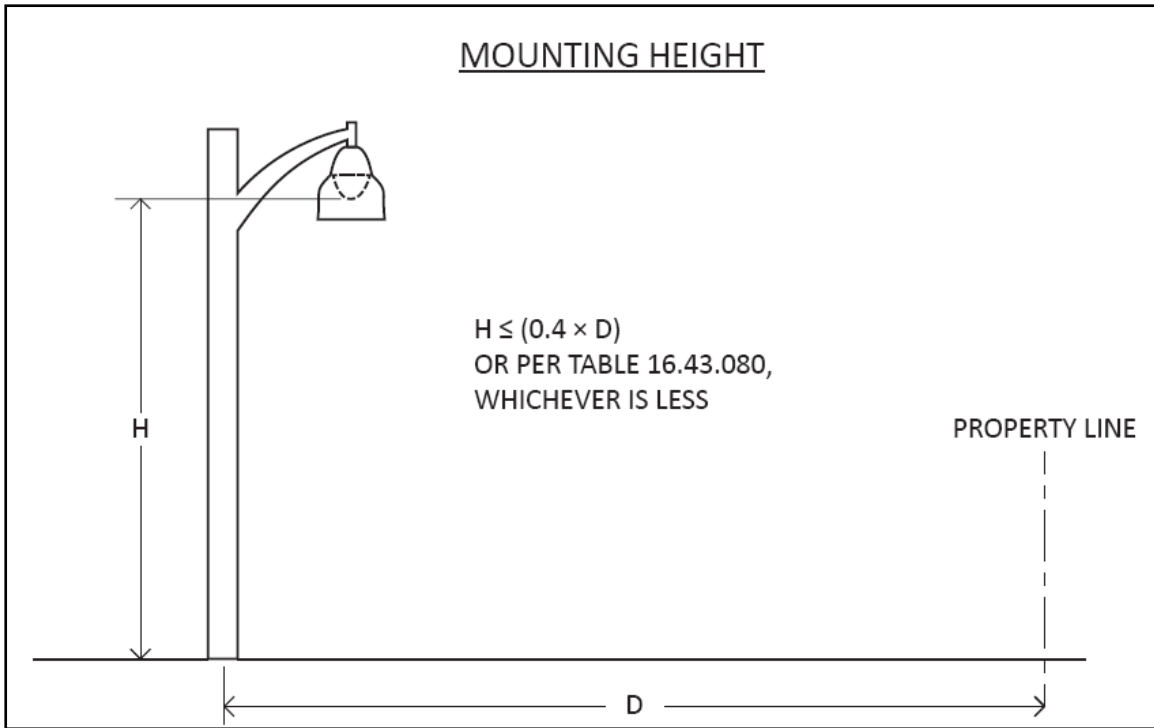
B. Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than 4 feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 40% of the horizontal distance of the light from the property line, whichever is less. The following exceptions apply:

1. Lighting attached to single family residences shall not exceed the height of the eave. Lighting for driveways shall conform to Table 16.43.080.
2. Lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated regardless of horizontal distance to property line.
3. For buildings less than 40 feet to the property line, including canopies or overhangs onto the sidewalk or public right of way, luminaires may be mounted to the vertical facade or the underside of canopies at 16 feet or less.
4. The top exterior deck of parking garages should be treated as normal pole mounted lighting rather than as lights mounted to buildings. The lights on the outside edges of such a deck must be side shielded to the property line.

Table 16.43.080 – Maximum Lighting Mounting Height in Feet

<u>Lighting Zone</u>	<u>Lighting for Driveways, Parking and Transit</u>	<u>Lighting for Walkways, Plazas and other Pedestrian Areas</u>	<u>All Other Lighting</u>
<u>LZ 1</u>	<u>35.0</u>	<u>18.0</u>	<u>8.0</u>
<u>LZ 2</u>	<u>37.5</u>	<u>18.0</u>	<u>15.0</u>

Figure 16.43.2: Mounting Height



16.43.090 Lighting Controls

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

16.43.100 Exceptions to Standards.

- A. Exceptions to the lighting standards in this section may be approved by the Planning Director. Lighting systems not complying with the technical requirements of this ordinance but consistent with the intent of the ordinance may be approved for the following:
 - 1. Sport fields.
 - 2. Construction lighting.
 - 3. Industrial lighting for hazardous areas where the heat of the lighting fixture may cause a dangerous situation.
 - 4. National and State Flag lighting with spotlights greater than 40 watts.
- B. To obtain such approval of an exception, applicants shall demonstrate that the proposed lighting installation:

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

16.43.110 Lighting Plan Required

A lighting plan shall be submitted with the development or building permit application and shall include:

- A. A site plan showing the location of all buildings and building heights, parking, and pedestrian areas.
- B. The location and height (above grade) of all proposed and existing luminaires on the subject property.
- C. Luminaire details including type and 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.

Chapter 16.49 SITE AND DESIGN REVIEW

16.49.010 Findings and objectives.

B. The City Council declares that the purpose and objectives of site development requirements and the design review procedures are to:

10. Encourage the use of Low Impact Development (LID) techniques to manage stormwater through the use of natural features, protect native vegetation, preserve and create open space, and minimize impervious surfaces.

16.49.040 Criteria and standards.

1. In review of a Type III Site and Design Review Application described in Section 16.49.035.B, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following A through ~~D~~ E, and with Criteria 4, 5, and 6 below:

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A. 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

B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and

C. 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.

D. 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.

~~D E.~~ The Board shall, in making its determination of compliance with subsections B through D ~~and C~~ above, use the ~~following~~ 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, in regards to subsections B, C, and D above, if the following conditions are met: a minimum of 65 percent of the total possible number of points (not including bonuses) are accumulated for the whole development.

a. The development accumulates a minimum of 70 percent of the total possible number of points from the list of design criteria in Table 16.49.040; and

b. At least 15 percent of the points used to comply with (a) above must be from the list of LID Elements in Table 16.49.040.

TABLE 16.49.040

[New table is attached separately]

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.

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B. On-site facilities shall be provided to accommodate safe and convenient pedestrian and bicycle access within new subdivisions, multi-family developments, planned development, shopping centers, and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers. Residential developments shall include streets with sidewalks and accessways.

C. For new office parks and commercial development:

1. At least one sidewalk connection between the proposed development and each abutting commercial or office property shall be provided. One connection shall also be provided to each neighborhood.
2. Walkways shall be provided to the street for every 300 feet of developed frontage.
3. Walkways shall be direct with minimal driveway crossings.
4. Walkways shall be linked to the internal circulation of the building.
5. Walkways shall be at least five feet wide and shall be raised, ~~have curbing,~~ or have different paving materials when crossing driveways or other vehicle maneuvering areas. (Ord. 1043 section 3, 2000)

D. Use of permeable surfacing materials for walkways is encouraged whenever site and soil conditions make it feasible. Permeable surfacing includes, but is not limited to, paving blocks, turf blocks, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards.

16.49.080 General provisions for landscaping.

1. The standards set forth in this section are minimum standards for landscaping.
2. 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 management facilities.

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2 3. 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:

- A. Fifteen (15) percent for all industrial and commercial zones (except the Downtown-Commercial zone, but including the Commercial-Residential zone).
- B. Seven and one-half (7.5) percent for the Downtown-Commercial zone.
- C. Thirty (30) percent for all residential zones.

4. 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.

3 5. 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.

8 10. 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 tree planted must be included on the city's list of approved tree species.

16.49.110 Landscape area credit for preservation of existing trees and tree groves.

1. Policy. It being the policy of the City of Canby to preserve healthy, mature trees wherever possible within its city limits, a system of landscape area credits is hereby established as an incentive for property owners and developers to preserve existing healthy, mature trees and to include them in the landscape plan for a proposed development.

2. Purpose. The primary goal of the landscape credit is to prevent haphazard removal and destruction of trees and tree groves, in order to preserve the ecological health, aesthetic character, and quality of life in Canby. Tree retention provides substantial benefits, including but not limited to erosion prevention, reductions in storm-water runoff, improved water and air quality, energy conservation, carbon sequestration, reductions in the development impacts on the stormwater drainage system, and better transition between adjacent land uses.

2 4. Landscape Credit.

A. Program for Landscape Credit. One hundred percent (100%) of the area preserved under any mature, healthy tree or ~~group~~ grove of trees retained in the landscape (as approved by the Site and Design Review Board) may ~~apply~~ be counted directly toward the percentage of landscaping required for a development.

B. Limit to Landscape Area Credit.

i. Landscape credits for preserved trees or tree groves shall not eliminate or reduce the landscaping requirements pertaining to parking lots, buffering, and screening.

~~**ii.** Furthermore, such Landscape credits for individual trees shall not comprise reduce the total landscaping requirements more than 40 percent of the total landscape requirement. (i.e., For example, in districts requiring 15 percent landscaping, preserved tree area shall not count toward more than 9 percent of the requirement). shall not be reduced to less than 9 percent).~~

iii. Landscape credits for preserved tree groves shall not comprise more than 60 percent of the total landscape requirement. A grove is defined as a stand of three or more healthy, mature trees located close together to provide some overlap in canopy coverage.

C. Trees Near a Property Line:

i. When the drip line of a tree extends beyond the owner's property line, credit can be granted for that portion of the drip line within the property line if that area exceeds 75 percent of the total drip line area. Trees so close to the property line that their drip line area is less than 75 percent of the total, can only be given credit if a qualified arborist, nurseryman or landscape architect can assure the survival of the tree and its long term health if root damage is sustained by future development on the adjacent property.

ii. Where trees have been preserved near a property line, such that the drip line of the tree spreads onto adjacent property, credit can be obtained by the adjacent property owner for protection of the drip line area that extends onto that adjacent property. (Ord. 890 section 48, 1993; Ord. 848, Part IV, section 5, 1990)

5. Trees and tree groves to be preserved and counted toward the landscape credit shall be identified on the landscape plan.

16.49.120 Parking lot landscaping standards.

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

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

3. Landscaping Within a Parking Lot.

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- A. 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.
- B. Each interior landscaped area shall be a minimum of ~~five~~ six (6) feet wide, unless the area is added to the required perimeter landscaping.
- C. 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.

4. 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:

- A. Fifteen (15) percent for all residential, industrial, and commercial zones (except as provided below in subsections B and C).
- B. Five (5) percent for the Downtown-Commercial Zone for any off-street parking spaces provided.
- C. Ten (10) percent for the Core Commercial (CC) sub-area of the Downtown Canby Overlay Zone for any off-street parking spaces provided, ~~except as follows: For parking lots with 10 or more spaces and two or more drive aisles, there shall be a minimum of 50 square feet of interior landscaping for each parking space provided.~~

~~The area landscaped to meet minimum parking lot interior landscaping requirements shall be located within ten (10) feet of the parking lot area.~~

~~**5. Trees Required Within Parking Lots.** Deciduous, evergreen and/or shade trees shall be planted within all parking lots and shall be distributed on the basis of one (1) tree for each eight (8) parking spaces or 2,800 square feet of paved vehicular use area, whichever is greater. The Site and Design Review Board explicitly encourages the use of planter islands with trees for landscaping parking lots.~~

5. 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.

- A. Landscape islands shall have a minimum area of 48 square feet and a minimum width of six (6) feet.
- B. Landscape islands shall contain at least one tree that meets the standards in subsection (6) below.
- C. Landscape islands may be counted toward the minimum parking lot landscaping requirements.

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

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- A. Reach a mature height of ~~twenty (20) to thirty (30) feet~~ forty (40) to fifty (50) feet. Trees must be at least three-inch (3”) caliper at the time of planting.
- B. Cast moderate to dense shade in summer.
- C. ~~Long~~ Be long lived, i.e., over sixty (60) years.
- D. Do well in an urban environment:
 - i. Be pollution tolerant; and
 - ii. Be tolerant of direct and reflected heat.
- E. Require little maintenance:
 - i. Be mechanically strong;
 - ii. Be insect and disease resistant; and
 - iii. ~~Require~~ Require little pruning.
- F. Be resistant to drought conditions.
- G. Be barren of fruit production.

~~7. Size of Landscape Planter Islands:~~

~~————— A. Landscape planter islands containing trees shall have a minimum planting area of twenty-five (25) square feet; shall have a minimum width of forty-eight (48) inches measured from back of curb; and shall be designed so as to prevent vehicular damage to trees. (Curb height to be six (6) inches minimum.)~~

~~————— B. Sidewalks shall not encroach upon the minimum planting width.~~

8. Perimeter of Parking and Loading Areas:

A. 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.

B. 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.

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9. 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. (Ord. 890 section 49, 1993; Ord. 848, Part IV, section 6, 1990, Ord 1296, 2008)

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DIVISION IV – LAND DIVISION REGULATION

Chapter 16.62 SUBDIVISIONS - APPLICATIONS

16.62.020 Standards and criteria.

Applications for a subdivision shall be evaluated based upon the following standards and criteria:

~~A. Conformance with the text and applicable maps of the Comprehensive Plan;~~

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

~~C. 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;

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.

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. (Ord. 890 section 53, 1993; Ord. 740 section 10.4.40(B), 1984)

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 subdivision design to the greatest extent possible.

Chapter 16.64 SUBDIVISIONS - DESIGN STANDARDS

16.64.010 Streets.

A. Generally. The location, width and grade of streets shall be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation pattern with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried. Where location is not shown in a development plan, the arrangement of streets shall either:

1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
2. Conform to a plan for the neighborhood approved or adopted by the commission to meet a particular situation where topographical or other conditions make continuance of conformance to existing street patterns impractical;
3. Minimum right-of-way and roadway width shall follow the requirements of the Canby Public Works Design Standards, Division VII;
4. Consider opportunities to incrementally extend and connect local streets to provide for safe and convenient bike and pedestrian circulation.

B. Permeable surfacing alternatives and on-site stormwater management facilities, are encouraged for street improvements. Permeable surfacing and LID stormwater management facilities shall be constructed in accordance with the Canby Public Works Design Standards and the manufacturer's recommendations. Permeable surfacing includes, but is not limited to: paving blocks, turf block, pervious concrete, porous asphalt, and other similar approved materials. Alternative surfacing methods may be approved for public and private roads, road shoulders, pedestrian ways, driveways, and easement service roads unless site constraints make use of such materials detrimental to water quality. Use of permeable surfacing methods shall meet the imposed load requirements for fire apparatus, and shall be subject to review and approval by the Canby Public Works Department.

H. ~~Cul-de-sacs. A cul-de-sac shall be as short as possible and shall have a maximum length of four hundred fifty feet and serve building sites for not more than eighteen dwelling units. A cul-de-sac shall terminate with a circular turnaround or other design approved by the City and emergency service providers.~~
A cul-de-sac shall only be allowed when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation. When cul-de-sacs are provided, all of the following shall be met:

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1. The cul-de-sac shall not exceed a length of 400 feet. Length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac;
2. The cul-de-sac shall be designed in accordance with the Canby Public Works Design Standards.
3. The cul-de-sac may have a vegetated center island that will serve to treat stormwater runoff generated by the cul-de-sac. Specifications for cul-de-sac design are located in the Public Works Design Standards.
4. The cul-de-sac shall provide a pedestrian connection between it and adjacent streets, access ways, parks, or other right-of-way. Such pedestrian ways shall conform to Section 16.64.030(C).

J. Alleys.

1. Alleys shall be provided to commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the commission.
2. Alleys shall be provided within residential subdivisions when streets are designed to meet the narrow “green” street standards in the Canby Public Works Design Standards. Visitor parking areas may be required by the city to mitigate the lack of on-street parking.
3. When alleys are provided as part of a new residential subdivision, streets shall be designed in accordance with the narrow “green” street standards in the Canby Public Works Design Standards. Visitor parking areas may be required by the city to mitigate the lack of on-street parking.
4. Alley intersection corners shall have a minimum radius of ten feet.

16.64.020 Blocks.

A. Generally. The lengths, widths and shapes of blocks shall be designed with due regard to providing adequate building sites suitable to the special needs of the type of use contemplated, needs for access, circulation, control and safety of street traffic and limitations and opportunities of topography.

B. Sizes. Block length shall be limited to 300 feet in the C-1 zone, 400 feet in residential zones, and 600 feet in all other zones, except for ~~800~~ 1,000 feet on arterials. Exceptions to this prescribed block standard shall be permitted where topography, barriers such as railroads or arterial roads ~~freeways~~, or environmental constraints prevent street extension. The block depth shall be sufficient to provide two lot depths appropriate to the sizes required by Division III. (Ord. 740 section 10.4.40(C)(2), 1984; Ord. 1043 section 3, 2000; Ord. 1076, 2001)

16.64.030 Easements.

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. ~~Long blocks parallel to arterial streets may be approved without pedestrian ways if desirable in the interest of traffic safety.~~ Sidewalks to city standards may be required in easements where insufficient right-of-way exists for the full street surface and the sidewalk. All pedestrian ways shall address the following standards to provide for the safety of users:

1. Length should be kept to a minimum and normally not in excess of two hundred feet;
2. Width should be maximized and shall not be below ten feet. For pathways over one hundred feet long, pathway width shall increase above the minimum by one foot for every twenty feet of length; ~~while~~
3. A minimum of three foot-candles illumination shall be provided. Lighting shall minimize glare on adjacent uses consistent with the outdoor lighting provisions in section 16.43 of this code;
4. Landscaping, ~~fences~~, grade differences, and other obstructions should not hinder visibility into the pedestrian way from adjacent streets and properties. Fencing along public pedestrian ways shall conform with the standards in Section 16.08.110;
5. Surrounding land uses should be designed to provide surveillance opportunities from those uses into the pedestrian way, such as with the placement of windows; ~~and~~
6. Exits shall be designed to maximize safety of users and traffic on adjacent streets; ~~and~~ and
7. Use of permeable surfacing materials for pedestrian ways and sidewalks 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.

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.

B. Minimum Lot Sizes:

1. Lot sizes shall conform with requirements of Division III unless the applicant chooses to use an alternative lot layout per subsection (3) below to accommodate interconnected and continuous open space and or other natural resources. In this case, the average minimum lot size may be reduced to 5,000 square feet after subtracting access tracts. Overall development densities shall comply with the underlying maximum density allowed by the zone.

2. In areas that cannot be connected to sewer trunk lines, minimum lot sizes shall be greater than the minimum herein specified if necessary because of adverse soil structure for sewage disposal by septic systems. Such lot sizes shall conform to the requirements of Clackamas county for sewage disposal unless provisions are made for sanitary sewers.

3. Alternative lot layout. Applicants may deviate from standard lot setbacks and dimensions to accommodate dedicated interconnected open space or other natural areas. Clustered housing, lot-size averaging, and a mixture of approaches where building lots can be grouped into a smaller portion of the total development, reserving the remainder for open space or other natural areas. Alternative development layouts shall not exceed the underlying maximum density allowed by the zone.

4. When using the alternative lot layout option, the following must be met:

a. The arrangement of the alternative lot layout shall be designed to avoid development forms commonly known as linear, straight-line or highway strip patterns.

b. To the maximum extent possible, open space and natural areas, where used, shall be continuous, interconnected, and concentrated in large usable areas.

c. Where possible, open space shall be connected to adjacent off-site open space areas.

d. Open space and natural areas shall be maintained permanently by the property owner or the property owner's association.

16.64.070 Improvements.

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;

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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;
10. Where dedicated or undedicated open space is proposed or provided, it shall be the subdivider’s responsibility to provide standard public improvements to and through that open space.
11. If fencing is being proposed as part of subdivision development, the subdivider shall be responsible for installing fencing along public streets and pedestrian ways. Fencing shall be constructed in accordance with the standards in Section 16.08.110.

C. Streets.

1. All streets, including alleys, within the subdivision and streets adjoining, but only partially within the subdivision shall be improved.
2. All public and private streets shall be constructed to city standards for permanent street and alley construction. ~~Catch basins and dry wells shall be installed and interconnected to provide drainage as may be required by the City.~~ LID alternatives, such as permeable surfacing and integrated stormwater management facilities, are required where site and soil conditions make it a feasible alternative. Upon completion of the street improvement, 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.
3. Street Trees. Street trees shall be provided consistent with the provisions of Chapter 12.32.

D. Surface Drainage and Storm Sewer System.

1. Drainage facilities shall be provided within the subdivision and to connect the subdivision to drainage ways or storm sewers outside the subdivision, if necessary, as determined by the City.
- ~~2. Capacity, grade and materials shall be by a design approved by the City. Design of drainage within the subdivision shall take into account the location, capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such area. In addition to normal drainage design and~~

~~construction, provisions shall be made to handle any drainage from preexisting subsurface drain tile. It shall be the design engineer's duty to investigate the location of drain tile and its relation to public improvements and building construction.~~

2. Stormwater Management through Low Impact Development (LID). Low impact development is a stormwater management approach aimed at emulating predevelopment hydrologic conditions using a combination of site design and stormwater integrated management practices. This approach focuses on minimizing impervious surfaces, promoting rainfall evaporation and uptake by plants, and maximizing stormwater infiltration. Specific LID strategies and integrated management practices include:

- a. Protection and restoration of native vegetation and soils,
- b. Minimizing impervious surface area through use of pervious materials (e.g. pavers and pervious concrete),
- c. Vegetated roofs,
- d. Rainfall reuse,
- e. Stormwater dispersion and bioretention (recharge).

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 the Canby Public Works Design Standards.

5. A conceptual stormwater management report must be submitted with the subdivision application. The report must demonstrate how and where stormwater will be managed at the subdivision level through the use of LID practices. Where LID practices are not used, the applicant must demonstrate why LID is not feasible. The report will be reviewed by the Canby Public Works Department and shall be consistent with the Public Works Design Standards. Generally, the stormwater management plan must include the following:

- a. A description of existing conditions including a map;
- b. A description of the proposed stormwater system including a map;
- c. An estimate of existing storm water run off;
- d. An estimate of proposed storm water run off
- e. The detention/retention requirements; and
- f. The discharge location, treatment method and sizing, and if discharging to the ground, the expected infiltration rates based upon soils mapping data.

6. Responsibility for maintenance of LID facilities shall be as follows:

- a. The Canby Public Works Department shall be responsible for maintaining all LID facilities located within the public right-of-way, and for providing for the safety of the public as related to LID facilities.
- b. Private property owners shall be responsible for maintaining all LID facilities on their property. The city reserves the right to inspect such facilities at any time. Upon

written notice by the city to the owner that the facility has been compromised to the point where the design capacity is no longer available or the facility is not functioning as designed and approved, the owner shall correct the problem. If the owner fails to respond to the written notice within 15 days, the city may undertake the work and bill all time and material to the owner.

- c. For LID facilities that are not located in the public right-of-way and serve multiple private residential properties, a public easement for the LID facility shall be established and the Canby Public Works Department shall be responsible for maintenance of the facility. All property owners served by the facility shall pay a fee to the city to cover the cost of maintenance of the facility.

- 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. Where LID practices are implemented in subdivision street design, alternative sidewalk design may be permitted with approval from the city. Alternative sidewalk design resulting from LID best management practices may include, but is not limited to: flat curbs, LID bioretention areas incorporated in conjunction with required landscaping, and alternative sidewalk widths. LID best management practices shall be designed in accordance with the Canby Public Works Design Standards.

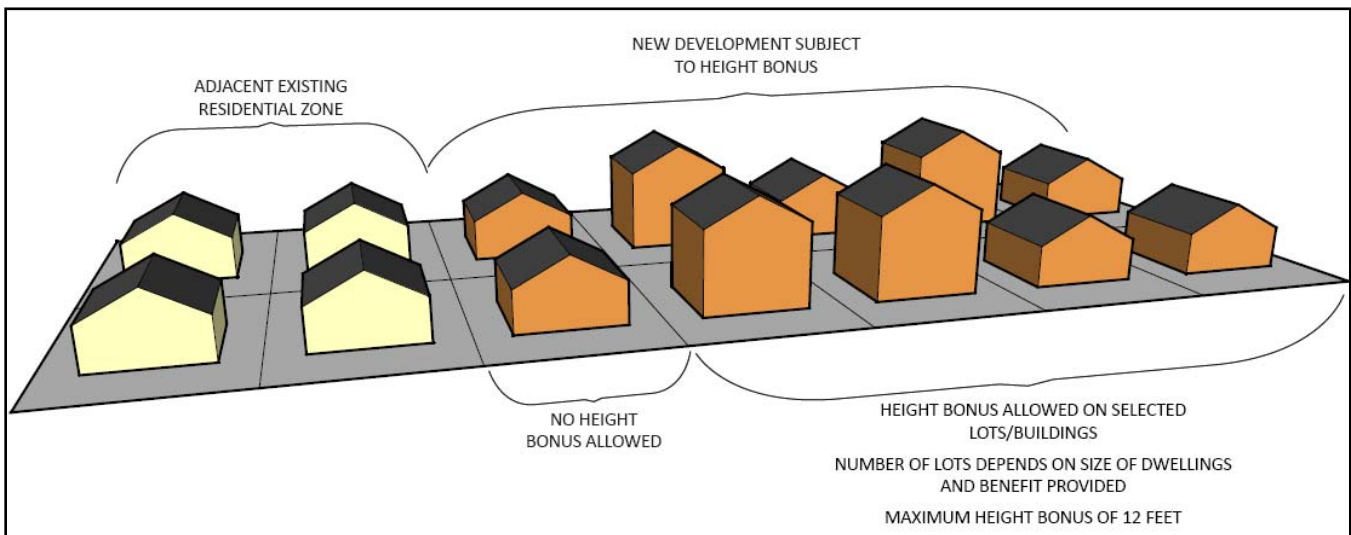
16.64.80 Low Impact Development Incentives

The purpose of this section is to encourage the use of certain low impact development (LID) practices in subdivision development beyond the minimum requirements of this code. The provisions in this section are voluntary and are not required of new subdivisions. These provisions are applicable only when an applicant elects to utilize the incentives provided in this section. Only one incentive is permitted at a time. For example, an applicant cannot utilize a height bonus and density bonus in the same subdivision application.

- A. Building height bonus.** A building height bonus will be allowed for subdivision proposals that include one of the following:
1. Additional park land beyond what is required in Chapter 16.120.
 2. The use of pervious surfacing materials such as pavers or pervious concrete.
 3. Provision of a rain garden that provides on-site stormwater management for all or part of the subdivision.
 4. Mitigation of tree removal by replanting.
- B. Standards for building height bonus** (see Figure 16.64.1 for illustration). Proposals that utilize the building height bonus shall comply with the following:

1. A proposal that includes one of the LID practices listed in A(1-4) above may request an increase in building height up to 12 feet within the building footprint.
2. The square footage of the building footprint allowed to receive the height increase shall be calculated using the following ratios:
 - i. For park land, the ratio is 1:1 square feet of additional park land to square feet of building footprint. For example, if 1,000 square feet of additional park land are provided, the height increase may be applied to 1,000 square feet of the building footprint.
 - ii. For pervious surfacing, the ratio is 1:0.5. For example, if 1,000 square feet of pervious surfacing are provided, the height increase may be applied to 500 square feet of the building footprint.
 - iii. For rain gardens, the ratio is 1:0.75.
 - iv. For mitigation of tree removal, the ratio is 10 caliper-inches to 1,000 square feet of building footprint. For example, if five 4-inch caliper mitigation trees are planted, the height increase may be applied to 2,000 square feet of building footprint. Caliper inches are measured by diameter at breast height (DBH). Tree mitigation must comply with Subsection (C) below.
3. The building height increase shall not result in buildings that exceed 12 feet of height above the maximum building height standard of the underlying zone.
4. The building(s) receiving the height increase shall be located within the same subdivision where the LID benefit is being provided.
5. The height bonus may not be used on buildings that are directly adjacent to an existing lot in a residential zone (R-1, R-1.5 or R-2).
6. Additional park land provided to utilize the height bonus shall be consistent with all applicable standards and regulations of Chapter 16.120.

Figure 16.64.1: Height Bonus Diagram



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C. Standards for mitigation of tree removal. Proposals that mitigate tree removal in order to utilize the height bonus shall comply with the following:

1. Only mitigation for removal of existing, healthy trees over six-inch caliper DBH shall be counted toward the height or density bonus.
2. Trees planted as mitigation for tree removal shall be at least two-inch caliper DBH and must be approved by the city arborist.
3. The subdivision application must show the location, size and species of exiting trees that will be removed and the location, size and species of trees to be planted as mitigation.
4. Trees planted to comply with the street tree requirements in Chapter 12.32 may not be counted toward the height or density bonus.

D. Density bonus. A density bonus will be allowed for subdivision proposals that provide additional park land beyond what is required in Chapter 16.120. Proposals that utilize the density bonus shall comply with the following:

1. To qualify for the density bonus, a proposal must provide at least 110% of the park land required in Chapter 16.120. For example, if Chapter 16.120 requires 1,000 square feet of park land, the proposal must provide at least 1,100 square feet of park land to qualify.
2. The percent density bonus allowed will be as follows:
 - i. For provision of park land between 110 – 120% of the minimum requirement, a 5% density bonus will be allowed.
 - ii. For provision of park land between 121 – 130% of the minimum requirement, a 10% density bonus will be allowed.
 - iii. For provision of park land between 131 – 140% of the minimum requirement, a 15% density bonus will be allowed.
 - iv. For provision of park land over 140% of the minimum requirement, a 20% density bonus will be allowed.
3. No subdivision will be allowed to exceed 120% of the density standard for the underlying zone.
4. Additional park land provided to utilize the density bonus shall be consistent with all applicable standards and regulations of Chapter 16.120.

DIVISION V - PLANNED UNIT DEVELOPMENT AND CONDOMINIUM REGULATIONS

Chapter 16.70 GENERAL PROVISIONS

16.70.020 Purpose.

A. The purpose of this division is to prescribe the procedures for the development of a planned unit development project or subdivision. It is also the purpose of this division to enable the development of planned unit developments projects or subdivisions in order to permit a degree of flexibility and diversification in the use of land through grouped buildings or large-scale land planning and the arrangements of specific structures and open spaces within such development. For these reasons and to permit the accomplishment of this purpose, the provisions of this division are superimposed upon the regulatory provisions of Division III and IV.

B. It is therefore the purpose of a planned unit development, as the term is employed in this title, of permitting the development of land in a manner which would be as good as, or better than, that resulting from the traditional lot-by-lot development while generally maintaining the same population density and area coverage permitted in the zone in which the project is located. A planned unit development of open spaces, circulation facilities, off-street parking areas and the best utilization of site potentials characterized by special features of geography, topography, size, location or shape. (Ord. 740 section 10.5.10(A), 1984)

C. Planned unit developments are also intended to preserve the natural environment and water quality through the use of Low Impact Development (LID) techniques when feasible and practical.

Chapter 16.76 PUD REQUIREMENTS

16.76.010 Minimum requirements.

The minimum requirements for a residential planned unit development shall include the following ~~two~~ items:

A. A minimum of ~~ten~~ fifteen percent of the gross area of the development shall be devoted to open space, and shall be located in a common area or dedicated to the public, except in the case of conversions of existing rentals to unit ownership, where the Planning Commission may permit a lesser requirement if it is found that adequate recreation facilities exist for the units.

B. The average area per dwelling unit shall not be less than that allowed within the zoning district in which the subdivision is located, unless alternative lot layout is used pursuant to 16.64.040(B). The average area shall be calculated by dividing the number of dwelling units into the gross area of the total land development, minus that area occupied by streets. ~~Except, however, that the~~ The commission may grant a density bonus of not more than fifteen percent to planned unit developments where it is found that unique, beneficial design features (such as solar

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efficiency, recreation facilities, or other community assets) warrant such a bonus. The commission shall clearly state its findings in support of granting or denying a requested density bonus. (Ord. 740 section 10.5.50, 1984)

C. To achieve the goals of low impact development, buildings are encouraged to be clustered within the designated development area of the site. Clustering is intended to preserve open space, reduce total impervious surface area, and minimize development impacts on critical areas and associated buffers. Preservation of open space reduces potential stormwater runoff and associated impacts and provides area for dispersion, filtration and infiltration of stormwater. The arrangement of clustered buildings shall be designed to avoid development forms commonly known as linear, straight-line or highway strip patterns.

D. The use of LID best management practices in site design and development is required where site and soil conditions make it a feasible option. LID practices shall meet the standards set forth in the Canby Public Works Design Standards.

Division VII - STREET ALIGNMENTS

Chapter 16.86 REGULATIONS

16.86.010 Purpose.

This chapter is intended to insure that adequate space is provided in appropriate locations for the planned expansion, extension, or realignment of public streets. Further, it is intended to allow for the safe utilization of streets once developed. The street standards are also intended to encourage the efficient layout of streets, minimize impervious surfaces, and incorporate LID green street treatments whenever feasible. This section is to be used in conjunction with other general ordinances of the city which affect public improvements, roads, highways, etc. (Ord. 740 section 107.10, 1984)

16.86.020 General provisions.

~~A. The street classifications identified in Chapter 7 of the Transportation System Plan street eirculation map of the Comprehensive Plan shall be used to determine which streets are to be arterials, collectors, and neighborhood connectors. Based upon this, new arterial street rights of way shall be between sixty and eighty feet in width, depending upon the previously determined plan for each such street. New collector street rights of way shall have a minimum width of sixty feet. New neighborhood connectors shall have a minimum right of way width of sixty feet. All new streets shall comply with the roadway standards shown in Section 16.86.040.~~

B. Right-of-way widths and cross section standards for new streets shall be in conformance with the Canby Transportation System Plan and the Public Works Design Standards.

~~B. New local residential streets shall have a minimum right of way width of forty feet. Existing local residential streets shall have a minimum right of way width of fifty feet unless a forty foot width is specified in section 16.86.030.~~

~~C. New streets intended to serve commercial and industrial areas shall have a minimum right of way width of fifty feet.~~

~~D. The Planning Commission shall have the authority to modify right of way requirements where warranted because of anticipated traffic volumes, anticipated truck traffic, planned bicycle or pedestrian paths, or other unique conditions.~~

E C. The ~~city engineer~~ Public Works Director shall be responsible for establishing and updating appropriate alignments for all streets. ~~Street surface widths and specific design details shall also be the responsibility of the city engineer, except as may be altered by the Planning Commission or City Council for special circumstances.~~

F D. No building permit shall be issued for the construction of a new structure within the planned right-of-way of a new street, or the appropriate setback from such a street as established in Division III.

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G E. Existing structures which were legally established within a planned road alignment or abutting setback shall be regarded as nonconforming structures.

H F. Bikeways and bike lanes shall be provided consistent with the Bicycle Plan element of the along arterial and collector streets as provided in the Transportation System Plan.

I G. Pedestrian facilities shall be provided consistent with the Pedestrian Plan element of the Transportation System Plan. Sidewalks shall be required along arterials, collectors, connectors, and local streets. (Ord. 740 section 10.7.20, 1984; Ord. 1043 section 3, 2000; Ord 1237, 2007)

16.86.030 – Street widening.

The following list of streets shall be utilized in conjunction with the street circulation map of the Comprehensive Plan and the requirements of applicable city ordinances to determine the required rights-of-way. Rights of way for the following streets are to become or remain forty feet in width:

- ~~_____~~ A. N. Knott between NE 4th Avenue and NE 9th Avenue;
- ~~_____~~ B. N. Locust Street between NE 3rd Avenue and NE Territorial Road;
- ~~_____~~ C. N. Juniper Court;
- ~~_____~~ D. NW 6th Avenue from N. Grant Street to Canby Village Apartments;
- ~~_____~~ E. NW 7th Avenue between N. Grant Street and N. Holly Street;
- ~~_____~~ F. SW 3rd Avenue between S. Elm Street and S. Ivy Street;
- ~~_____~~ G. SE 3rd Avenue between S. Ivy Street and S. Knott Street;
- ~~_____~~ H. SW 5th Avenue between Highway 99 E and S. Birch Street;
- ~~_____~~ I. SW 7th Avenue between S. Fir Street and S. Ivy Street;
- ~~_____~~ J. S. Knott Street between SE 2nd Avenue and SE Township Road;
- ~~_____~~ K. S. Fir Street between SW 3rd Avenue and SW 4th Avenue. (Ord. 740 section 10.7.30, 1984; Ord 1043 section 3, 2000)

16.86.040 Recommended Roadway Standards

See Figure 16.86.040. (Ord. 1043 section 3, 2000)

Specific standards for roadway design are located in the Transportation System Plan and Canby Public Works Design Standards.

16.86.050 – Reduced Roadway Width Standards

- ~~_____ A. The minimum roadway width for neighborhood collector and local streets may be reduced in accordance with 16.86.050(B) if the Planning Commission or City Council finds that all of the following criteria have been met:~~
 - ~~_____ 1. Adequate access is available for emergency vehicles, street maintenance vehicles, utility provision, and other necessary services;~~
 - ~~_____ 2. Adequate parking is available for residents and visitors; and~~
 - ~~_____ 3. Adequate provisions have been made for ongoing enforcement of parking restrictions and for installation and maintenance of signage, painting, or other measures providing notice of such restrictions.~~
- ~~_____ B. Allowable roadway widths under 16.86.050(A):~~
 - ~~_____ 1. On neighborhood connectors, a minimum of 30 feet if parking is restricted to one side only and a minimum of 22 feet with no parking on either side.~~
 - ~~_____ 2. On local streets, a minimum of 28 feet if parking is restricted to one side only and a minimum of 20 feet with no parking on either side.~~
- ~~_____ C. Public right of way width may be reduced by the same amount as roadway width as part of the same process. (Ord. 1043 section 2, 2000)~~

TABLE 16.21.070 MULTI-FAMILY DESIGN MENU

Required for approval: 70% of total possible points (15% of which must be from LID elements)

Design Criteria	Possible Points				
	0	1	2	3	4
Parking					
Screening of loading facilities from public right-of-way	Not screened	Partially screened	Fully screened	-	-
Parking lot lighting provided	No	Yes	-	-	-
Parking location (behind building is best)	Front	Side	Behind	-	-
Tree Retention					
For trees outside of building footprint and parking/access areas (3 or more trees)	No arborist report or follows <10% of arborist report	Follows 10-50% of arborist report	Follows 51-75% of arborist report	Follows >75% of arborist report	-
Replacement of trees removed (percent of those recommended for retention in arborist report)	<50%	≥50%	-	-	-
Building Orientation to the Street					
Primary entrances face the street	Not street-facing	Entrance breezeway faces street	All entrances face the street	-	-
Site's frontage has buildings within 25 feet of front lot line. (Full points may be given when courtyards are adjacent to the frontage.)	0-25% of street frontage	26-50% of street frontage	≥51% of street frontage	-	-
Screening of Storage Areas and Utility Boxes					
Trash storage is screened from view by solid wood fence, masonry wall or landscaping.	No	Yes	-	-	-
Trash storage is located away from adjacent property lines.	0 - 10 feet from adjacent property	11 - 25 feet from adjacent property	>25 feet from adjacent property	-	-
Utility equipment is screened from view.	Not screened	Partially screened	Fully screened	-	-
Prevention of Monotonous and Incompatible Design					
Horizontal length of all buildings is a maximum of 120 feet.	101 - 120 feet	81 - 100 feet	≤80 feet	-	-
Roofs have a gable, hip or gambel form, minimum pitch of 3 to 12 with at least 6-inch overhang.	No	Yes	-	-	-
A minimum of 15% of street façade areas contains windows or doors. All windows provide trim, recess, or other method of providing shadowing.	No	Yes	-	-	-
Garages are located to minimize their visual impact.	Front of building	Side of building	Back of building	-	-
Exterior design features include offsets, balconies, projections, window reveals, or similar elements to break up large building expanses.	Less than one design feature within every 30 feet of longest façade.	One design feature within every 30 feet of longest façade.	Two or more design features within every 30 feet of longest façade.	-	-
Private Open Space and Landscaping					
Private open space provided in addition to what is required for the base zone.	No additional open space.	Patios or balconies (at least 48 square feet) provided for 50% of units.	Patios or balconies (at least 48 square feet) provided for 51-100% of units.	Sport court, tot lot, pool or community room is provided.	-
Number of non-required trees provided.	-	At least one tree per 500 square feet of landscaping.	-	-	-

TABLE 16.21.070 MULTI-FAMILY DESIGN MENU

Required for approval: 70% of total possible points (15% of which must be from LID elements)

Design Criteria	Possible Points				
Street and Block Framework	0	1	2	3	4
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.	No blocks or network.	10-50% of units are along a street with sidewalks, street trees, and on-street parking.	51-100% of units are along a street with sidewalks, street trees, and on-street parking.	-	-
Low Impact Development (LID)	0	1	2	3	4
Use of pervious paving materials (% of total paved area)	<10%	-	10-50%	51-75%	>75%
Provision of park or open space area for public use	None	-	Open Space	-	Park
Use of drought tolerant species in landscaping (% of total plants)	<25% drought tolerant	-	25-50% drought tolerant	51-75% drought tolerant	>75% drought tolerant
Provision of additional interior parking lot landscaping (% of minimum required)	100%	101-110%	111-120%	>120%	-
Provision of an eco-roof or rooftop garden (% of total roof area)	<10%	-	-	10-50%	>50%
Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)	<10%	-	-	10-50%	>50%
Disconnecting downspouts from city stormwater facilities (existing buildings only)	None	Some downpouts disconnected	All downspouts disconnected	-	-
Shared parking with adjacent uses or public parking structure (% of total required parking spaces)	None	<50%	≥50%	-	-
*Drought tolerant species per Metro's list.			Total Possible Points = 59		

TABLE 16.49.040 SITE DESIGN REVIEW MENU

Required for approval: 70% of total possible points (15% of which must be from LID elements)

Design Criteria	Possible Points				
	0	1	2	3	4
Parking					
Screening of loading facilities from public right-of-way	Not screened	Partially screened	Fully screened	-	-
Parking lot lighting provided	No	Yes	-	-	-
Parking location (behind building is best)	Front	Side	Behind	-	-
Number of parking spaces provided (% of minimum required)	>120%	101-120%	100%	-	-
Access					
Distance of access to nearest intersection.	≤70 feet	71 - 100 feet	>100 feet	-	-
Pedestrian walkways from public street to building entrance.	One entrance connected.	-	All entrances connected.	-	-
Pedestrian walkways from parking lot to building entrance.	No walkways	Walkway next to building	No more than one undesignated crossing of access drive.		
Tree Retention					
For trees outside of building footprint and parking/access areas (3 or more trees)	No arborist report or follows <10% of arborist report	Follows 25-50% of arborist report	Follows 51-75% of arborist report	Follows >75% of arborist report	-
Replacement of trees removed (percent of those recommended for retention in arborist report)	<50%	≥50%	-	-	-
Signs					
Dimensional size of sign (% of maximum permitted)	>75%	50-75%	<50%	-	-
Similarity of sign color to building color	Not similar	Somewhat similar	Similar	-	-
Pole sign used	Yes	No	-	-	-
Location of sign	>25 feet from driveway entrance	Within 25 feet of driveway entrance	-	-	-
Building Appearance					
Style (similar to surroundings)	Not similar	Somewhat similar (1 or 2 points possible depending on level of similarity)		-	-
Color (subdued and similar to surroundings is better)	Neither	Similar or subdued	Both	-	-
Material (concrete, wood and brick are best)	Either 1 or 2 points may assigned at the discretion of the Site and Design Review Board				
Size of building (smaller is better)	>20,000 square feet	≤20,000 square feet	-	-	-
Landscaping					
Number of non-required trees provided	-	At least one tree per 500 square feet of landscaping.	-	-	-
Amount of grass (less grass is better) (% of total landscaped area)	>50%	25-50%	<25%	-	-
Location of shrubs	Foreground	Background	-		

TABLE 16.49.040 SITE DESIGN REVIEW MENU

Required for approval: 70% of total possible points (15% of which must be from LID elements)

Design Criteria	Possible Points				
	0	1	2	3	4
Low Impact Development (LID)					
Use of pervious paving materials (% of total paved area)	<10%	-	10-50%	51-75%	>75%
Provision of park or open space area for public use	None	-	Open space	-	Park
Use of drought tolerant species* in landscaping (% of total plants)	<25% drought tolerant	-	25-50% drought tolerant	51-75% drought tolerant	>75% drought tolerant
Provision of additional interior parking lot landscaping (% of minimum required)	100%	101-110%	111-120%	>120%	-
Provision of an eco-roof or rooftop garden (% of total roof area)	<10%	-	-	10-50%	>50%
Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)	<10%	-	-	10-50%	>50%
Disconnecting downspouts from city stormwater facilities (existing buildings only)	None	Some downpouts disconnected	All downspouts disconnected	-	-
Shared parking with adjacent uses or public parking structure (% of total required parking spaces)	None	<50%	≥50%	-	-
Total Possible Points = 61					

*Drought tolerant species per Metro's list.

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – August 23, 2010
Omni Room – Applied Technology Center
Canby High School - 721 SW 4th Avenue

PRESENT: Chair Dan Ewert, Vice Chair Jan Milne, Commissioners Sean Joyce, Chuck Kocher, John Proctor, Misty Slagle and Randy Tessman

ABSENT: None

STAFF: Bryan Brown, Planning Director; Matilda Deas, Project Planner; Jill Thorn, Planning Staff and Chris Maciejewski of DKS Associates; Consultant

OTHERS PRESENT: Brian Hodson, City Councilor and Planning Commission Liaison; Susan Myers, Cindy Harker, Marlin Harker, Melinda Montecucco, Matt English, Stephanie Boyce, Rebecca Boeckman, Charles Burden, Greg Ellis, Keith Galitz, Tom Vandehey, Gwen Schweitzer, Leroy Myers, Bob Maxwell, Marie Maxwell, Tim Dale, Kim Hayes, Mark Hayes, Alex Polgar, Troy Buzalsky, Bev Doolittle, Justin Boyce, Stan Herron, Lisa Weygandt, Jim Golden, Tom Butler, Yvonne Scott, John Peterson, Barb Peterson, Jan Galitz, Jackie Jones, Richard Davies, Randy Carson, Janet Kallstrom, Jeff Rose, Kathe Cutsforth, Clint Coleman, Mary Laudon-Flores, Bill Zweigart, Teresa Sasse, Millie Muff, Bonnie Goldan, Don Peterson, Peggy Peterson, Joan Perinchief, Alice Wallace, Roger Reif, William Foster, Brad Coy, Frank Cutsforth, John Masek, David May, Sonya Kazen, Brian Haines, Blaine Burnett

1. CALL TO ORDER

2. CITIZEN INPUT None

3. PUBLIC HEARINGS

a. Continuance of Transportation System Plan (TSP) CPA 10-01/TA 10-02 – Request for Recommendation to City Council for a Comprehensive Plan and Land Development and Planning Ordinance Amendment pertaining to adoption of the 2010 Transportation System Plan.

The TSP identifies existing and future transportation needs to guide future transportation investment in the City and determine how land use and transportation decisions can build on one another. It identifies specific transportation improvement projects and programs needed to support the City's goals and policies, serve planned growth through the year 2030, and improve safety and mobility for all travel modes in Canby.

Chair Ewert announced this hearing was a continuance from August 9, 2010. Commissioner Milne who was absent at the previous hearing had reviewed the video of the meeting. .

Joan Perinchief of 583 NE 10th Avenue asked how one way streets would decrease congestion and she felt this plan would affect Canby in a negative way.

Clint Coleman of 2114 N Vine Street said a plan should help the majority of people. He suggested that a task force of business people, citizens and planning commissioners should identify solutions.

Peggy Peterson of 1733 N Holly Street said the public had not had a voice in the plan. She felt the process had been inadequate and flawed.

Mary Lauden-Flores of 939 NW 3rd Avenue said she had had her business for three years and the business would die if the one-way street plan was implemented.

Tom Butler of 1433 N Hawthorne stated all businesses are hurting. He felt the solution was a seven day 52 week solution for a 1 hour per day problem.

Bill Zweigart of 1498 N Manzanita said he had been a school bus driver and read a letter from Sheri Ferrigno who opposed the one way street plan.

Tom Vandehey of 33904 S Needy Road suggested that dedicated right turn lanes at Grant, Ivy and Elm would eliminate the need for one-way streets. He asked why the Arndt Road bypass was not part of the plan. He stated that the city of Woodburn had implemented one-way streets and it killed the downtown.

Roger Reif of 273 N Grant Street stated he was familiar with all the streets involved and wanted a plan that the citizens would support.

John Masek of 268 NW 1st Avenue said nobody had approached him and agreed with many of the comments. He was opposed to the one-way solution and felt there was a disconnect between the city and the downtown revitalization program.

Alice Wallace of 282 SW 12th Avenue stated she didn't agree with the one-way proposal. She felt there was a need for an overpass for the fire department and the I5 connection should be built.

Cindy Harker of 573 NE 10th Avenue was not in favor of the solution and wanted the commission to take the time to find the right solution.

Don Peterson of 1733 N Holly Street said the school district and fire department had not signed off on the plan. He said that one-way streets will devastate the downtown businesses.

Chair Ewert thanked those who came out and gave input.

Matilda Deas, Project Planner, gave a review of the outreach that was done over the planning process of the plan. She went to the Chamber to seek business people for the committees. There was no response from members. She did send notices to the chamber executive of all the meetings. The Chamber did put information in their newsletters.

The Fire Department was on the committee and received all notices. The school district had two people on the committee and received all notices. Neighborhood associations were represented.

Five neighborhood meetings were held. Flyers in both English and Spanish were distributed and 8 ½ x 11 ads were placed in the Canby Herald. Notices of the meetings were placed at the library, city hall and the planning department. Ms Deas said she met with various stakeholders and the people at the fair ground.

Ms Deas stated that at the time of implementation notice will be sent to individual property owners.

Chair Ewert asked how many people were on the committees. Ms Deas said it was 15 people. She also said that she had personally dropped off flyers at all the businesses on Grant Street.

Commissioner Joyce asked if there had been verbal communication with the Chamber. Ms Deas said there had been and that information had been put in the chamber newsletters.

Commissioner Slagle suggested maybe the city could develop its own email list to communicate with the business community.

Chair Ewert asked for members of the audience to give suggestions on ways the city could communicate with the business community as well as citizens.

- Include information in Canby Utility and Canby Telcom bills
- Letters to property owners
- City Administrator meet with Chamber Executive
- Information was too generic need to use a bullet point system
- Full blown presentation to the Chamber and Rotary
- More prominent placement in the Canby Herald
- More exact information about the plan to the Fire Department

Chris Maciejewski of DKS Associates and consultant for the Transportation System Plan gave an overview. He said the growth rate of Canby had been 3 ½% per year while the Metro area was 3%. Ivy and Hwy 99E were the worse intersection in Canby. He said the committee had had a session brainstorming ideas and solutions. He suggested that the commission could recommend to the City Council to adopt the plan as presented and add that a refinement area process would occur in regard to the one-way streets.

Sonya Kazen a Senior Planner at the Oregon Department of Transportation discussed what a refinement process might look like.

Commissioner Joyce asked where there were examples of one-way streets working.

Ms Kazen said that Silverton and Bend were two examples. She also said it was Federal policy for the railroads to reduce the number of at grade crossings.

Troy Buzalsky of Canby Fire Department asked if there were plans to put dividers all along Hwy 99E like the one placed at Pine Street when Rite Aid was built.

Ms Kazen said there was no such plan.

Chris Maciejewski of DKS Associates presented an overview of the components of the proposed Transportation System Plan.

Commissioner Joyce asked for information about the Special Transportation Area designation in the staff report.

Mr. Maciejewski said it was similar to the new area on McLoughlin Blvd in Oregon City that allowed parking.

Commissioner Joyce inquired about the Otto Road extension.

Mr. Maciejewski said it was a new crossing if the Oregon Department of Transportation (ODOT) and Clackamas County agreed.

Commissioner Joyce asked what the impacts of high speed rail would be on the plan.

Mr. Maciejewski said that the ODOT rail staff had been involved in the development of the plan and to expect the number of trains to double during the life of the plan.

Commissioner Ewert asked if the Berg overpass would affect the downtown issues.

Mr. Maciejewski said it would take some off of Elm Street and only a one or two percent reduction in the downtown area.

Mr. Maciejewski said the plan included a Special Transportation Area (STA) designation for Hwy 99E. This could look like the new area in Oregon City along McLaughlin.

Commissioner Kocher asked if Cedar and Territorial could be used to get to I5.

Mr. Maciejewski said that Cedar would have to be widened, but in the end it wouldn't be faster.

Commissioner Joyce asked if the Otto Road project would relieve traffic in the Industrial Park.

Mr. Maciejewski said it was a second door to the Industrial Park.

Commissioner Tessman said the plan was a big document and he was willing to approve most of it.

Commissioner Slagle asked how many people would be willing to work on a committee to resolve the downtown area and four people raised their hand.

Commissioner Milne stated that the majority present were in opposition to the one-way street plan and she felt they were picturing it with today's screen, not the future. She said change was scary. She stated she was in favor of option 1 with language for a trigger.

Commissioner Joyce said he was disappointed with the communication on the project and felt that an economic impact study was needed in the refinement plan.

Commissioner Tessman said there was a need to refine the downtown plan but most of the plan could be forwarded to the Council with a recommendation for adoption.

Commissioner Joyce said the economic analysis should be done in six months to a year.

Commissioner Proctor said he liked option 1.

Commissioner Slagle said she like the idea of the refinement study with a deadline and hoped that more than four people would step forward to help.

Mr. Brown reminded the Commission that they could not encumber the City with the cost of the economic impact analysis, but could include a recommendation to the Council that it be considered.

Commissioner Milne moved that the Planning Commission recommend to the City Council approval of the Transportation System Plan with the implementation of the one-way circulation improvements for downtown streets only if and when needed to solve congestion issues (e.g. when the peak hour v/c ratios on Hwy 99E at Ivy Street and/or Grant Street reach 0.95, which is approximately 20% more congestion than under existing 2009 conditions). In addition, emergency response needs for the Canby Fire Department to reach the south district service area shall be addressed prior to converting Ivy Street to one-way northbound between SW 2nd Avenue and Hwy 99E (e.g. construction of a new fire station or circulation modifications that maintain or enhance the response times from the existing fire station on S Pine Street). An economic impact analysis should be completed showing the present and future projections before the City Council adopts the plan. It was seconded by Commissioner Proctor. The motion passed 5-2 with Commissioners Slagle and Tessman voting No.

4. NEW BUSINESS None

5. FINAL DECISIONS None

6. MINUTES

a. July 26, 2010 - Commissioner Slagle moved to approve minutes of July 26, 2010 as presented. Motion seconded by Commissioner Kocher and passed 5-0-2 with Commissioners Proctor and Tessman abstaining.

b. August 9, 2010 – Commissioner Tessman moved to approve minutes of August 9, 2010 as presented. Motion seconded by Commissioner Kocher and passed 6-0-1 with Commissioner Milne abstaining.

7. ITEMS OF INTEREST FROM STAFF None

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION None

9. ADJOURNMENT at 10:46 PM.