

A G E N D A

CANBY PLANNING COMMISSION

REGULAR MEETING City Council Chambers

November 25, 1991 - 7:30 p.m.

I. ROLL CALL

II. MINUTES

October 14, 1991
October 28, 1991

III. CITIZEN INPUT ON NON-AGENDA ITEMS

IV. COMMUNICATIONS

V. FINDINGS

ANN 91-06 - Bergen
CPA 91-04 - Bergen
CUP 91-07/DR 91-07 - Canby Alliance Church

VI. NEW BUSINESS

VII. PUBLIC HEARINGS

AMENDMENT TO ZONING ORDINANCE - Section 16.10.070 - a request by Paul Winklesky (Oregon City Physical Therapy Center, P.C.) for amendment to two Code requirements which affect the driveway into the parking lot and the sidewalk with respect to property located on the northeast corner of N. Third Avenue and Ivy Street (Tax Lot 4200 of Tax

SUB 91-01, a request by David Anderson to develop a 17-lot single family subdivision, North Pine Addition II. The property is located east of N. Pine Street and north of N.E. 14th Avenue (Tax Lot 1500 of Tax Map 3-1E-34B).

VIII. DIRECTOR'S REPORT

IX. ADJOURNMENT

The City of Canby Planning Commission welcomes your interest in these agenda items. Please feel free to come and go as you please.

Kurt Schrader, Chair
Linda Mihata, Vice-Chair
John Zieg
Tamara Maher

Wade Wiegand
Robert Westcott
Henry Fenske



MEETING TIMELINES AND PROCEDURES

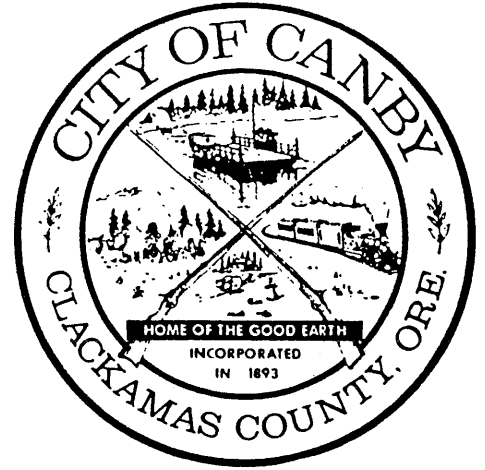
- *In order not to restrict any person from testifying but, rather, to encourage everyone to do so, the Canby Planning Commission shall try to adhere as closely as possible to the following timelines:*

*Applicant (or representative[s]) - not more than 30 minutes
Proponents - not more than 10 minutes
Opponents - not more than 10 minutes
Rebuttal - not more than 20 minutes*

- *Everyone present is encouraged to testify, even if it is only to concur with previous testimony. For more complete presentations, Proponents and Opponents may "buy" time from one another. In so doing, those either in favor, or opposed, may allocate their time to a spokesperson who can represent the entire group.*
- *All questions must be directed through the Chair.*
- *Any evidence to be considered must be submitted to the hearing body for public access.*
- *All written testimony received, both for and against, shall be summarized by staff and presented briefly to the hearing body at the beginning of the hearing.*

Unless there is a continuance, if a participant so requests before the conclusion of the initial evidentiary hearing, the record shall remain open for at least seven (7) days after the hearing.





- STAFF REPORT -

TITLE: AN ORDINANCE AMENDING PROVISIONS OF TITLE 16 OF THE CANBY MUNICIPAL CODE REGARDING PARKING LOTS AND ACCESS TO PROVIDE FOR A REDUCTION IN REQUIRED ACCESS DRIVE WIDTHS AND OTHER MINOR CHANGES.

FILE NO: TA 91-01 (Amendment to Zoning Ordinance - Section 16.10.070)

**STAFF: Robert G. Hoffman, AICP
Planning Director**

DATE OF REPORT: November 15, 1991

DATE OF HEARING: November 25, 1991

I. STAFF'S REQUEST:

Staff is requesting that the Commission consider recommending to Council approval of Ordinance ___ regarding the amendment to Section 16.10.070, Parking Lots and Access.

II. APPLICABLE CRITERIA:

This is a legislative land use application. In judging whether a legislative application should be approved, the Planning Commission must consider the following standards:

1. That the amendments conform with the Comprehensive Plan of the City of Canby;
2. That there is a public need for the amendments and that such changes best serve the public need for the City of Canby;
3. That the amendments will preserve and protect the health, safety, and welfare of the residents of the City of Canby; and
4. That the amendments conform to the statewide planning goals.

III. BACKGROUND AND RELATIONSHIPS

In January, 1991, the City Council adopted amendments to the Planning and Zoning Ordinance, including numerous amendments to the Site and Design Review Ordinance and Off-Street Parking and Loading requirements and Drive-Up Use requirements. Since that time, numerous designers and developers have utilized these new requirements and have discussed them with staff. Paul Winklesky wrote the Planning Commission a letter describing the impact of the Parking and Access requirements on his draft proposals for a lot at N. Ivy and 3rd Avenue. Also, the Planning Commission approved a proposal of the Alliance Church for a fellowship hall which included revising access requirements or substantially redesigning the development.

IV. FINDINGS

A. CONFORMANCE WITH THE COMPREHENSIVE PLAN

- **Citizen Involvement** - Public participation is provided by this review and hearing process.

- **Urban Growth** - The amendments would only apply within the City limits and would allow development to occur within the Urban Growth Boundary and not outside of it. Thus the UGB policies are followed.
- **Land Use** - The amendments involve detailed access requirements for development within the various land use categories. The purpose of the amendments is to require only the amount and dimension of access which is needed and not to provide excess amounts. It appears some of the current requirements currently require excess amounts. Thus, development is likely to be more efficient in the use of land, and not less aesthetically pleasing. Policy #2, involving intensity and density of development, is met since excess dimensions are eliminated. Policy #3 involves not overburdening public facilities. The change in access requirements should not overburden any public facilities. Other land use policies are not affected by the amendments. Also, development of the smaller parcels in Canby will be facilitated by reduced requirements. The current access standards limit development of these lots.
- **Environmental Concerns** - These goals and policies will be followed since needless waste of scarce land is limited and scenic and aesthetic qualities are not adversely affected.
- **Transportation** - These proposed amendments have no direct effect on the public transportation facilities, but are designed to provide adequate access standards for private and public lands and their connection to the public transportation lands. (See discussion of standards and their generation under the Health, Safety, and Welfare Section in this report.)
- **Public Facilities and Services Element** - The standards for access were designed to include these facilities and services and the elements were generated to provide adequate, but not excessive, dimensions.
- **Economic, Housing, and Energy Elements** - These elements are not directly affected except to slightly reduce development costs.

B. Comprehensive Plan Consistency

According to the above described analysis, the proposed amendments will aid in implementing the goals and policies of the Comprehensive Plan and will not prevent accomplishment of Plan policies, as far as staff analysis can determine.

C. Public Need

For a long time, the efficient and effective use of land, and proper access of land for development, have been public policies as part of the Comprehensive Plan. The current access standards have proven to be "excessive" and provide for more width than needed in ordinary traffic lanes. Staff has surveyed actual driveway and access widths in a number of jurisdictions and has concluded that, to provide more efficient and effective use of land, the access requirements should be reduced.

D. Health, Safety and Welfare

In order to adequately provide for the safety and access of the motorists and pedestrians, standards for driveway access are necessary. The proposed standards are based on the following:

Provide 9 feet per lane, plus about 1 foot on each side of outside lanes for "friction." Cars are about 6-1/2 feet wide, and the minimum lane width recommended by highway engineers for local streets is 9 feet. This should be sufficient for most driveways. For situations with high truck volumes (such as industrial areas), provide 11 foot lanes.

The current standards are much wider than the result of the application of the above lane widths. Adequate standards are desirable and should not be "excessive."

E. Conformance to Statewide Planning Goals

The "so-called" Conservation Goals include the concepts of efficiency and effectiveness as part of the concepts they attempt to implement. For example, Goal 14, regarding "Urbanization", includes the following as a necessary consideration.

- "4. Maximum efficiency of land uses within and on the fringe of the existing urban area."

Thus, the subject amendments respond to the State Goals and guidelines.

V. CONCLUSION

1. Staff concludes that the proposed ordinance conforms with the Comprehensive Plan.
2. Staff concludes that there is a public need for the amendments and that such changes serve the public need of the City of Canby.
3. Staff concludes that the amendment will preserve and protect the health, safety, and welfare of the residents of the City of Canby.
4. Staff concludes that the amendments conform to statewide planning goals and recent legislation.

VI. RECOMMENDATION

Based upon the findings and conclusions in this report, without benefit of public hearing, and with the additional information contained in the file, staff presents proposed Ordinance No. ___, as requested by the Canby Planning Commission.

AN ORDINANCE FOR THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON, SETTING STANDARDS FOR SITE REVIEW AND AMENDING CHAPTER 16.10 OF THE CANBY MUNICIPAL CODE TO PROVIDE FOR REDUCED STANDARDS FOR PARKING LOTS AND ACCESS.

WHEREAS, it has been determined that changes are needed to amend or improve upon the wording and standards of certain sections of Chapter 16 (Planning and Zoning) of the Canby Municipal Code; and

WHEREAS, the Canby Planning Commission and Canby City Council, after providing appropriate public notice, conducted a public hearing, during which both opponents and proponents were given the opportunity to come forward to present testimony on these proposed changes; and

WHEREAS, after concluding the public hearing, the Planning Commission and City Council made any appropriate changes to the wording of the proposal to assure that the public interest would be best served by this ordinance;

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

Amend Chapter 16.10.070, Parking Lots and Access, to read as follows:

Section 16.10.070 - Parking Lots and Access

A. Parking Lots.

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

1. Parking lot design shall comply with the dimensional standards set forth in Figure 1 of this section.
2. Parking stalls of eight (8) feet in width for compact vehicles may comprise up to a maximum of thirty (30%) percent of the total number of parking stalls.

3. Areas used for standing or maneuvering of vehicles shall have paved asphalt or concrete surfaces maintained adequately for all weather use and so drained as to avoid the flow of water across sidewalks.
4. Except for parking to serve residential uses, parking areas adjacent to or within residential planning districts or adjacent to residential uses shall be designed to minimize disturbance of residents.
5. Artificial lighting, which may be provided, shall be so deflected as not to shine or create glare in any residential planning district or on any adjacent dwelling, or any street right-of-way in such a manner as to impair the use of such way.
6. Groups of more than four (4) parking spaces shall be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
7. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrian and vehicular traffic on the site.
8. Parking bumpers or wheel stops shall be provided to prevent cars from encroaching on the street right-of-way, adjacent landscaped areas, or adjacent pedestrian walkways.
9. Handicap parking is required per ORS 455.101 and shall be at least nine (9) feet wide and shall have adjacent aisle that is at least six (6) feet wide. The aisle shall be located on the passenger side of the parking space.

B. Access.

1. The provision and maintenance of vehicular and pedestrian ingress and egress from private property to the public streets, as stipulated in this ordinance, are continuing requirements for the use of any structure or parcel of real property in the City of Canby. No building permit or other permits shall be issued until scale plans are presented that show how the ingress and egress requirement is to be fulfilled. Should the owner or occupant of a lot or building change the use to which the lot

or building is put, thereby increasing ingress and egress requirements, it shall be unlawful and a violation of this ordinance to begin or maintain such altered use until the required increase in ingress and egress is provided.

2. Owners of two (2) or more uses, structures, or parcels of land may agree to utilize jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designed in this ordinance, provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts shall be placed on permanent file with the City Recorder.
3. All ingress and egress shall connect directly with public streets.
4. Vehicular access for residential uses shall be brought to within fifty (50) feet of the ground floor entrances or the ground floor landing of a stairway, ramp or elevator leading to dwelling units.
5. Required sidewalks shall extend from the ground floor entrances or the ground floor landing of stairs, ramps or elevators to the sidewalk or curb of the public street or streets that provide the required access and egress.
6. To afford safe pedestrian access and egress for properties within the City, a sidewalk shall be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design and in a manner approved by the Site and Design Review Board. Sidewalks approved by the Board may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grade and alignment established by the Site and Design Review Board.

7. The standards set forth in this ordinance are minimum standards for access and egress, and may be increased through the Site and Design Review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety and general welfare.
8. Minimum access requirements for residential uses - Ingress and egress for multi-family residential uses shall not be less than the following: (except that in the case of flag lots, Section 16.64.040I shall apply)

DWELLING UNITS	MINIMUM NUMBER REQUIRED	MINIMUM WIDTH	SIDEWALK, ETC. (in addition to driveways)
2	1	12 46 feet	5 foot sidewalk
3 - 19	1	20 24 feet	5 foot sidewalk 1 side only; curb required
20 - 49 or	1 2	20 24 feet 12 46 feet	5 foot sidewalk; 1 side only
50 - 499 or	1 2	30 32 feet 20 24 feet	5 foot sidewalk, 1 side only; curbs required
Over 500	As required by Site and Design Review Board	As required by Public Works Director	As required by Public Works Director

9. Minimum Access Requirements for Commercial or Institutional Uses - Ingress and egress for commercial uses shall not be less than the following:

PARKING SPACES	MINIMUM NUMBER REQUIRED	MINIMUM PAVEMENT WIDTH	MINIMUM PAVEMENT SIDEWALKS, ETC.
1 - 4	1	12'	
5 1 - 99	1	20' 32' for first 50' from R-O-W, 24' thereafter	Curbs required; sidewalks one side only
100-249	2	20' 32' for first 50' from R-O-W,	Curbs required; sidewalk one side only
Over 250	As required by Site and Design Review Board	As required by Public Works Director	As required by Public Works Director

10. Minimum Access Requirements for Industrial Uses - Ingress and egress for industrial uses shall not be less than the following:

REQUIRED PARKING SPACES	MINIMUM NUMBER REQUIRED	MINIMUM PAVEMENT WIDTH	MINIMUM PAVEMENT SIDEWALKS, ETC.
1 - 250	1	24' 36' for first 50' from R-O-W, 24' thereafter	Curbs required with sidewalk one side only
Over 250	As required by Public Works Director	As required by Public Works Director	As required by Public Works Director

11. One-Way Ingress or Egress - When approved through the Site and Design Review Process, one-way ingress or egress may be used to satisfy the requirements of subsections (H), (I) and (J). However, the hard surfaced pavement of one-way drives shall not be less than ~~sixteen (16)~~ **twelve (12')** feet for multi-family residential, commercial, or industrial uses.

12. Maximum Driveway Widths and Other Requirements

- a. Unless otherwise herein provided, maximum driveway widths shall not exceed forty (40) feet.
- b. No driveways shall be constructed within five (5) feet of an adjacent property line, except when two (2) adjacent property owners elect to provide joint access to their respective properties, as provided by subsection 2.
- c. There shall be a minimum distance of forty (40) feet between any two (2) adjacent driveways on a single property.

13. Distance Between Driveways and Intersections - Except for single-family dwellings, the minimum distance between driveways and intersections shall be as provided below. Distances listed shall be measured from the stop bar at the intersection:

- a. At the intersection of any collector or arterial streets, driveways shall be located a minimum of 50 feet from the intersection.
- b. At the intersection of two (2) local streets, driveways shall be located a minimum of thirty (30) feet from the intersection.

- c. If the subject property is not of sufficient width to allow for the separation between driveway and intersection as provided, the driveway shall be constructed as far from the intersection as possible, while still maintaining the five (5) foot setback between the driveway and property line.
- d. In the case of existing flag lots, it shall be at the discretion of the Site and Design Review Board to determine the best location for driveways.
- e. When considering a public facilities plan that has been submitted as part of a Site and Design Review plan in accordance with this ordinance, the City Public Works Director may approve the location of a driveway closer than 150 feet from the intersection of collector or arterial streets, based on written findings of fact in support of the decision. Said written approval shall be incorporated into the recommended decision of the City Planner for the Site and Design Review plan under the process set forth.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefor on Wednesday, _____ 1991; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, _____, 1991; commencing after the hour of 7:30 P.M., at the Council Chambers at the Canby City Hall, 182 N. Holly, Canby, Oregon.

Marilyn K. Perkett, City Recorder

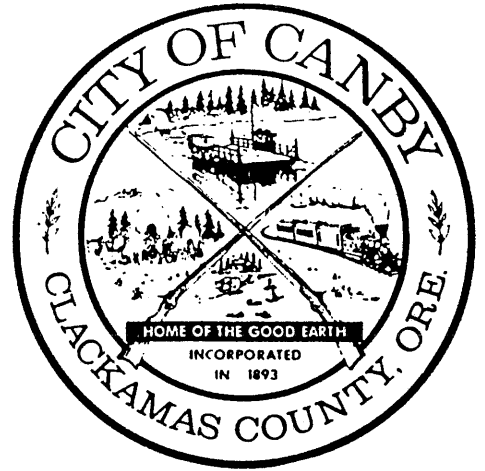
ENACTED by the Canby City Council at a regular meeting thereof on _____, 1991, by the following vote:

YEAS ___ NAYS ___

Shawn Carroll, Mayor

**Marilyn K. Perkett
 City Recorder**

- STAFF REPORT -



APPLICANT:

Dave Anderson

FILE NO.:

SUB 91-01

OWNER:

Dave Anderson

STAFF:

Robert G. Hoffman, AICP,
Planning Director

LEGAL DESCRIPTION:

Tax Lot 1500 of
Tax Map 3-1E-34B

DATE OF REPORT:

November 15, 1991

LOCATION:

East of N. Pine and just
north of N.E. 14th Avenue

DATE OF HEARING:

November 25, 1991

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

R-1 (Low Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval to subdivide a 3.99 acre parcel into 17 single family residential lots (North Pine Addition II).

II. APPLICABLE CRITERIA:

A. City of Canby Code Section 16.62.020

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

- i. Conformance with the text and applicable maps of the Comprehensive Plan.
- ii. Conformance with other applicable requirements of the land development and planning ordinance.
- iii. 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.

B. Other Applicable Policies and Regulations:

■ City of Canby Comprehensive Plan:

- I. Citizen Involvement
- II. Urban Growth
- III. Land Use
- IV. Environmental Concerns
- V. Transportation
- VI. Public Facilities and Services
- VII. Economics
- VIII. Housing
- IX. Energy

■ City of Canby General Ordinances:

- 16.20 Off-Street Parking and Loading
- 16.16 R-1 Low Density Residential Zone
- 16.42 Signs
- 16.46 Access Limitations
- 16.60 Major and Minor Partitions (Subdivisions)
(especially 16.64, Subdivision Design)
- 16.86 Street Alignment
- 16.88 General Standards

III. FINDINGS:

A. Background and Relationships

There has been action in the recent past on various proposals for this part of the City/County. A new school was recently approved on Territorial. An Adult Foster Care Facility was approved on Territorial and Redwood with a new subdivision immediately to the east on land recently annexed. A new subdivision and annexation was approved just east of Pine Street, along 12th Way. There have been numerous inquiries about annexation in this vicinity. A fairly new subdivision along 13th Place exists south of the site. Otherwise, there are homes on large parcels of 2 to 5 acres nearby. The City Limit line is irregular and is located with a corner immediately to the southwest of the site. City zoning is R-1, Low Density Residential, and the Comprehensive Plan Land Use is for Low Density Residential as well. Pine Street is a collector street. The subject parcel was part of a recent annexation which has been approved. In summary, the subject parcel is in a transitional position between urban subdivisions and homes in small acreage.

B. Comprehensive Plan Consistency Analysis

i. Citizen Involvement

The notification process and public hearing are a part of the compliance with the adopted policies and process pertaining to Citizen Involvement.

ii. Urban Growth

The property is entirely within the Urban Growth Boundary. It fully meets the intent of Canby's Goals and Policies regarding the Comprehensive Plan Urban Growth Chapter, provided that all necessary urban services are available. This will be discussed later in this report. The site is a Priority "A" for development, which is the first stage to be developed. It is committed to urban development.

iii. Land Use Element

■ **GOAL: TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.**

Policy #1 Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.

Policy #2 Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.

Policy #3 Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

Policy #4 Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.

Policy #5 Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.

Policy #6 Canby shall recognize the unique character of certain areas and will utilize the special requirements, in conjunction with the requirements of the Land Development and Planning Ordinance in guiding the use and development of these unique areas.

ANALYSIS

It has been previously discussed in this report, that the subject parcel is located in a transitional position between urban subdivisions and homes on small acreage. Urban development activities have been proceeding all around the site. Policy #1 is being met through the use of the subdivision into 17 single family lots. The ultimate development of adjacent land will be single family homes.

Policy #2 is provided for by the R-1 (Low Density Residential) zoning which will apply to the parcel after subdivision. Policy #3 will be met by Canby's current service system and concurrent extension of service systems for the proposed subdivision. Policy #4 does not apply, since there are no known natural hazards present. Policy #5 will be followed since the property is zoned R-1 and any development of the lots will need to follow the Canby Land Development and Planning Ordinance requirements.

Policy #6 deals with unique areas and the subject property is not indicated as part of the Special Areas discussion in the Comprehensive Plan.

iv. ENVIRONMENTAL CONCERNS

- | | |
|---------------|--|
| Policy #1-R-A | Canby shall direct urban growth such that viable agricultural uses within the Urban Growth Boundary can continue as long as it is economically feasible for them to do so. |
| Policy #1-R-B | Canby shall encourage the urbanization of the least productive agricultural area within the urban growth boundary as a first priority. |
| Policy #2-R | Canby shall maintain and protect surface water and groundwater resources. |

- Policy #3-R Canby shall require that all existing and future development activities meet the prescribed standards for air, water and land pollution.
- Policy #4-R Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.
- Policy #5-R Canby shall support local sand and gravel operations and will cooperate with County and State agencies in the review of aggregate removal applications. *(Not applicable.)*
- Policy #6-R Canby shall preserve and, where possible, encourage restoration of historic sites and buildings. *(Not applicable.)*
- Policy #7-R Canby shall seek to improve the overall scenic and aesthetic qualities of the City.
- Policy #8-R Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.
- Policy #9-R Canby shall attempt to minimize the adverse impacts of new developments on fish and wildlife habitats.
- Policy #1-H Canby shall restrict urbanization in areas of identified steep slopes. *(Not applicable.)*
- Policy #2-H Canby shall continue to participate in and shall actively support the federal flood insurance program. *(Not applicable.)*

Policy #3-H Canby shall seek to inform property owners and builders of the potential risks associated with construction in areas of expansive soils, high water tables and shallow topsoil.

ANALYSIS

The previous owner has been gardening a portion of the property, which will continue until the subdivision is built. The site is Class II type soil. There has been some farming of the area in the past. There are no known soil problems related to urban type development. Canby's storm and sanitary sewer procedure will provide protection for ground water and surface water. Drywells will be required.

Building, health and other Code regulations will protect against other types of pollution. Policies #5R, 6R and 7R do not apply since there are no known aggregate, historic, scenic, or aesthetic resources present. The development ordinance will provide review of buildings, and encourage preservation of some measure of open space, where appropriate. Staff has walked the site and there are no significant fish or wildlife habitat resources identified, to date. No steep slopes or flood prone land is present.

v. **TRANSPORTATION**

GOAL: TO DEVELOP AND MAINTAIN A TRANSPORTATION SYSTEM WHICH IS SAFE, CONVENIENT AND ECONOMICAL.

Policy #1: Canby shall provide the necessary improvement to City streets, and will encourage the County to make the same commitment to local County roads, in an effort to keep pace with growth.

Policy #2: Canby shall work cooperatively with developers to assure that new streets are constructed in a timely fashion to meet the City's growth needs.

- Policy #3: Canby shall attempt to improve its problem intersections in keeping with its policies for upgrading or new construction of roads.
- Policy #4: Canby shall work to provide an adequate sidewalks and pedestrian pathway system to serve all residents.
- Policy #5: Canby shall actively work toward the construction of a functional overpass or underpass to allow for traffic movement between the north and south side of town.
- Policy #6: Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.
- Policy #7: Canby shall provide appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy efficient vehicles.
- Policy #8: Canby shall work cooperatively with the State Department of Transportation and the Southern Pacific Railroad Company in order to assure the safe utilization of the rail facilities.
- Policy #9: Canby shall support efforts to improve and expand nearby air transport facilities.
- Policy #10: Canby shall work to expand mass transit opportunities on both a regional and an intra-city basis.
- Policy #11: Canby shall work with private developers and public agencies in the interest of maintaining the transportation significance as well as environmental and recreational significance of the Willamette River.

Policy #12: Canby shall actively promote improvements to State highways and connecting County roads which affect access to the City.

ANALYSIS

N. Pine Street is proposed in the Canby Comprehensive Plan as a collector street. It will need to be improved, and sidewalks and curbs provided as part of the development process. A ten foot street dedication has been proposed to widen Pine. The Pine Street intersection with Highway 99E is also the entrance to the Fairgrounds. N.E. 15th is proposed as a local street, eventually to be looped through the adjacent tax lot to the north. A 10 foot connection to the Logging Road has been provided for bikes and pedestrians.

vi. PUBLIC FACILITIES AND SERVICES

GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

Policy #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

Policy #3: Canby shall adopt and periodically update a capital improvement program for major City projects. *(Not applicable.)*

Policy #4: Canby shall strive to keep the internal organization of City government current with changing circumstances in the community. *(Not applicable.)*

Policy #5: Canby shall assure that adequate sites are provided for public schools and recreation facilities. *(Not applicable.)*

ANALYSIS

All public utilities can be provided from Territorial Road, the Logging Road and Pine Street. Sewer is available in the Logging Road and at the southwest corner of the property. A water line is available on the southwest corner of the subject parcel. Other utilities are in Pine Street. Some service extensions will be required. We are not aware of any unique problems to serve this area, at this time. We have asked for input regarding any concerns various service providers might have. The Fire Marshal has asked for an eventual looped water line. Public Works has asked for a few special conditions (see attachments). The development will need to participate in the costs of service facility extensions. The City of Canby voters have recently approved a major expansion of school facilities so that school capacity will be available. The new Parks Plan proposes a park to serve the population. It is located east of the Logging Road. Storm water will need to be handled on-site, but this vicinity recently experienced problems because of the high water table. Public Works is exploring whether this is a "perched" table and what type of solution is required.

vii. **ECONOMIC**

GOAL: TO DIVERSIFY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.

Policy #1: Canby shall promote increased industrial development at appropriate locations. *(Not applicable.)*

Policy #2: Canby shall encourage further commercial development and redevelopment at appropriate locations. *(Not applicable.)*

Policy #3: Canby shall encourage economic programs and projects which will lead to an increase in local employment opportunities.

Policy #4: Canby shall consider agricultural operations which contribute to the local economy as part of the economic base of the community and shall seek to maintain these as viable economic operations. *(Not applicable.)*

ANALYSIS

Development of this site, with homes, will provide residences for Canby business owners and employees, and also will provide a few employment opportunities and expand the market for Canby businesses.

viii. HOUSING

GOAL: TO PROVIDE FOR THE HOUSING NEEDS OF THE CITIZENS OF CANBY.

Policy #1: Canby shall adopt and implement an Urban Growth Boundary which will adequately provide space for new housing starts to support an increase in population to a total of 20,000 persons. *(Not applicable since UGB is already adopted and this parcel is within it.)*

Policy #2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

Policy #3: Canby shall coordinate the location of higher density housing with the ability of the City to provide utilities, public facilities and a functional transportation network.

Policy #4: Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the City.

Policy #5: Canby shall provide opportunities form mobile home developments in all residential zones, subject to appropriate design standards.

ANALYSIS

This subdivision will provide an opportunity for 17 single family units of housing, since it will be zoned R-1.

ix. ENERGY CONSERVATION

GOAL: TO CONSERVE ENERGY AND ENCOURAGE THE USE OF RENEWABLE RESOURCES IN PLACE OF NON-RENEWABLE RESOURCES.

Policy #1: Canby shall encourage energy conservation and efficiency measures in construction practices.

Policy #2: Canby shall encourage development projects which take advantage of wind and solar orientation and utilization.

Policy #3: Canby shall strive to increase consumer protection in the area of solar design and construction.

Policy #4: Canby shall attempt to reduce wasteful patterns of energy consumption in transportation systems.

Policy #5: Canby shall continue to promote energy efficiency and the use of renewable resources.

ANALYSIS

Recently constructed housing will have increased standards for energy efficiency. At least twelve of the lots would meet the draft Solar Access Ordinance and a couple of the lots would be exempt since they are already developed along Pine.

C. Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan and Compliance with Other Applicable City Ordinances:

Review of the above analysis will show that the proposed subdivision is consistent with the policies of the Comprehensive Plan. Development of each of the lots will need to comply with all applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State Codes and Regulations. We are not aware, at this time, of any provisions which cannot be met by the development of this site. The site will be zoned for Low Density Residential development (R-1), which permits a single family home on each lot.

D. Conformance with Applicable Requirements of the Land Development and Planning Ordinance

This is the object of this entire staff report.

E. Design and Lot Arrangement - The Overall design shall be functional in terms of sites, utility easements and access, without hindering adjacent development.

Since the site is irregular and includes an existing home on Pine, and excludes another home on Pine, some creativity and ingenuity are necessary to solve some of the problem areas. The site plan illustrates how the adjacent parcels to the north and south could be developed and still be related to the subject development in terms of streets, utilities and lot layout to be compatible with this design. The lots are designed to meet City standards and are all larger than the required 7,000 square feet, ranging in size between 7,000 square feet and 12,600 square feet (for the existing houses). There are three flag lots necessitated by the shape of the original parcel. The Pine Street right-of-way is proposed to be widened by 10 feet, with full half-street improvements, including 20 feet of pavement and a 5 foot sidewalk.

Streets - The proposed streets are shown in the cross-sections on the proposed Preliminary Plat, to be 40 feet in right-of-way, with 36 feet of pavement and 5 feet of sidewalk on each side. These meet City standards and do not encourage excess traffic on residential streets. Conditions will be needed to cover endings of streets expected to eventually be continued. Temporary turnarounds will need to be required.

Blocks - Generally, the block designs, sizes, topography, lengths, and shapes are well suited to the site and provide an adequate framework for lot design.

Easements - All necessary easements will be provided by the developer including a ten foot access easement to the Logging Road for bikes and pedestrians.

F. Section 16.64 - Subdivision Design Standards

Lots (Section 16.64.040) - The lots have been designed to meet standard subdivision practices and are appropriate for the irregular site, including 3 flag lots.

Public Open Spaces (Section 16.64.050) - The applicant has not proposed any public open space.

Grading of Building Sites (Section 16.64.060) - Standard building practices will be followed, meeting City requirements.

Improvements (Section 16.64.070) - All improvements will be made to fully comply with Canby requirements.

IV. CONCLUSION

The proposed subdivision is consistent with the Comprehensive Plan, all applicable requirements of the Land Development and Planning Ordinance, and the overall design and arrangement of lots is functional and will not unduly hinder use or development of adjacent properties.

V. RECOMMENDATION

Based on the findings and conclusions presented in this report, and without benefit of public testimony, staff recommends approval of SUB 91-01 (North Pine Addition II) at this time. The following conditions should be included:

1. Temporary turnarounds, meeting the requirements of the Fire Marshal and Director of Public Works, shall be provided at the ends of 15th Avenue which will continue at a later time. A full-width barricade shall be placed, at the developer's expense, at the end of the new street.
2. Any necessary utilities shall be constructed to the specifications of the provider.
3. Utility easements shall be provided and are to be twelve (12) feet along all streets and exterior parcel lines. Exterior lines of the subdivision adjacent to other platted subdivisions with easements, and easements along all interior lot lines, are to be six (6) feet wide off of each lot, for a total of twelve (12) feet.
4. "As-built" drawings shall be submitted to the City within sixty (60) days of completion.
5. Street name and traffic control signs shall be provided at the developer's expense. This shall include "dead end" signs for the end of 15th Avenue.
6. A one foot plug shall be provided at the end of 15th Avenue to prevent access to the north until annexed and platted.
7. The final plat shall reference this land use application - City of Canby, File No. SUB 91-01, and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits requested subsequent to the date of this approval.
8. The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying, land title, plat security, and plat recordation.
9. The existing septic tank on Lot #2, Block 1, shall be pumped out, filled with granular material, and inspected, at the time of connection to the City system.

10. Prior to occupancy of Lots #5, 6, 7, 8 of Block 1, a 6-foot fence shall be constructed along the rear property line to prevent discard of garbage, rubbish, or lawn clippings, or a signed agreement shall be filed by the lot owners, with the City Planner, agreeing to such a limitation on discard of waste.
11. Access on Tract "A" is limited to pedestrians or non-motorized vehicles.
12. The proposed sewer on 15th Avenue shall be extended to Pine and a manhole with stubs shall be provided at such termination and shall be designed to the satisfaction of the Director of Public Works.
13. While building setbacks are normally required to be measured from the property line, in situations where the sidewalks are built on private property, the driveways and parking areas shall be designed to provide a minimum of 19 feet of parking area between the sidewalk and the face of the garage (or some equal outdoor parking provided on-site).
14. The driveway areas to provide access to Lots 8 and 9 shall provide for reciprocal access.
15. Erosion-control during construction shall be provided by following the recommendations of the "Erosion Control Plans Technical Guidance Handbook," by Lori Faku and Rick Raety, dated November 1989, as revised (currently January, 1991).
16. Half-street improvements shall be provided along Pine Street, including 10 feet of dedication, curbs, sidewalks, and additional street paving, as approved by the Director of Public Works.

Exhibits:

1. Vicinity Map
2. Tentative Plat *(too large to copy)*
3. Attachments

VICINITY MA

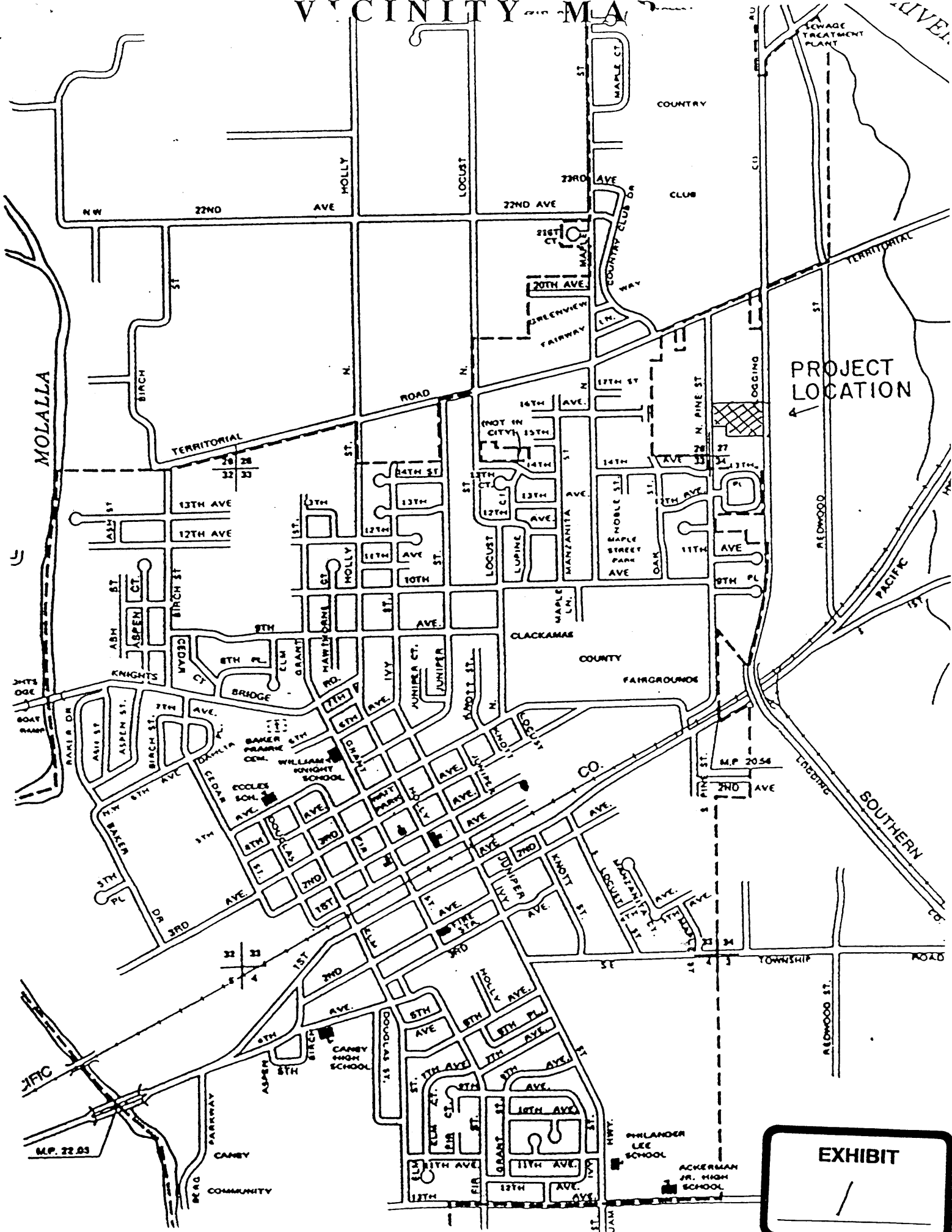


EXHIBIT
/

REQUEST FOR COMMENTS

DATE: NOVEMBER 1, 1991

TO: CUB, PUBLIC WORKS (Roy and Rusty), SEWER, FIRE, POLICE

The City has received SUB 91-01, an application by Dave Anderson for approval to create a 17-lot single family subdivision known as North Pine Addition II. The site is located east of N. Pine Street and north of N.E. 14th (Tax Lot 1500 of Tax Map 3-1E-34B).

We would appreciate your reviewing the enclosed site plan and submitting comments by November 12, 1991 PLEASE. If the application is found to be complete, the public hearing will be scheduled for November 25, 1991. If we do not receive your comments, or input as to the inclusion of special condition(s) of approval, we will assume you approve of the application in its present form. Thank you.

Fire hydrant shown on tentative plat meets the requirements of CFD. Water main should be installed so in the future the line would be able to be continued thru future developments on North and South side of N. Pine Addition 2, and be able to connect on Pine to create a looped system.

EXHIBIT

3

REQUEST FOR COMMENTS

DATE: NOVEMBER 1, 1991

TO: CUB, PUBLIC WORKS (Roy and Rusty), SEWER, FIRE, POLICE

The City has received SUB 91-01, an application by Dave Anderson for approval to create a 17-lot single family subdivision known as North Pine Addition II. The site is located east of N. Pine Street and north of N.E. 14th (Tax Lot 1500 of Tax Map 3-1E-34B).

We would appreciate your reviewing the enclosed site plan and submitting comments by November 12, 1991 PLEASE. If the application is found to be complete, the public hearing will be scheduled for November 25, 1991. If we do not receive your comments, or input as to the inclusion of special condition(s) of approval, we will assume you approve of the application in its present form. Thank you.

Lot #1 in BLK #1 Shows NO Access. Fall
Sewer Lateral. - sewer will be provided

The storm system needs to be further researched
before acceptance. yes

The septic tank should be pumped and filled with
a granular material when hooked to public sewer,
on the existing house lot and inspected.

Lot's - 5-6-7-8 of BLK #2 should provide
a fence of continuing nature along property
line of Forest Road, so owners don't discard
garbage and lawn clippings on City property.
as is done on pre-existing division's joining
Forest Road. Also same lots, Sewer Lateral's
should not be hooked to Sewer Main, in Forest Road
they shall be hooked into sewer in 15th Ave.

Also construct a LEAN BARRICADE at END of
N.E. 15th.

OVER

The End of the Sewer Mainline should be to
N. Pine. Could that be extended into N. Pine
for Future Development Across W. Pine.

Also will N. Pine itself be improved
on width at the South side of N.E. 14th
on the East side, to the North property
line of this subdivision.

In Reference to Tract 'A' Access
to Forest Road. This shall be a non-motorized
pathway. This should be an easement for

Sewer Line Maintenance. No building allowed
on said easement, also a minimum of 10 feet
wide.

Nov. 6, 1991

Roy L. Hester

REQUEST FOR COMMENTS

DATE: NOVEMBER 1, 1991

TO: CUB, PUBLIC WORKS (Roy and Rusty), SEWER, FIRE, POLICE

The City has received SUB 91-01, an application by Dave Anderson for approval to create a 17-lot single family subdivision known as North Pine Addition II. The site is located east of N. Pine Street and north of N.E. 14th (Tax Lot 1500 of Tax Map 3-1E-34B).

We would appreciate your reviewing the enclosed site plan and submitting comments by November 12, 1991 **PLEASE**. If the application is found to be complete, the public hearing will be scheduled for November 25, 1991. If we do not receive your comments, or input as to the inclusion of special condition(s) of approval, we will assume you approve of the application in its present form. Thank you.

1. The end of NE 15th Needs a barricade.
2. If The planning commission is not pleased with the design then this parcel can be designed with either cul-de-sac or through street. We should talk briefly about this.
3. During construction, we will want to see the sewer come further toward Pine so all possible options are kept open.
4. Naturally we need sidewalks, curbs and street improvements as is typical.
5. The easement between 849 must be reciprocal.
6. Any storm drain components will require additional information.
7. Vehicular access to the logging road should be denied.
8. Excavation and Construction materials are not to be deposited in the logging road R.O.W.
9. This is another case where we should require 20 feet of front setback to be measured from the back of the sidewalk and not the property line.

10. Ray ~~at~~ will have to discuss & report back to you regarding sewer in Pine to help property to the North and West stay Toned. (This includes # 1 as well)
11. The end of 15th should have a 1' reserve.