

ORDINANCE NO. 1597

AN ORDINANCE AMENDING CANBY'S SECTION 16.10.010.B. OF THE CANBY MUNICIPAL CODE TO RESTORE ERRONEOUSLY DELETED LANGUAGE.

WHEREAS, City staff propose a legislative text amendment restoring language erroneously deleted during the adoption of TA 22-01;

WHEREAS, City staff propose legislative text amendments modifying Chapter 16.10.010.B; Title 16 of the Canby Municipal Code (CMC);

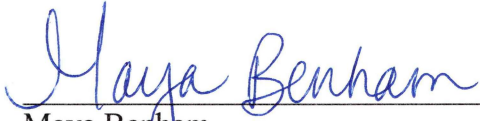
WHEREAS, the Planning Commission found that the standards and criteria of Section 16.88.160 of the Land Development and Planning Ordinance concerning Text Amendments were met, and forwarded a recommendation of approval to the City Council on a 5-0 vote as specified in their Findings and Final Order; and

WHEREAS, the City Council, after reviewing the record of the Canby Planning Commission regarding the subject amendments, concluded that the Planning Commission's recommendation is appropriate as recommended.

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

- (1) TA 23-01 is hereby approved and the Canby Municipal Code hereby amended as detailed in Attachment B for the Land Development and Planning Ordinance (as directed by the City Council findings and final order);

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on April 19, 2023, ordered posted as required by the Canby City Charter, and scheduled for a second reading on May 3, 2023 commencing after the hour of 7:00 p.m., in the Council Chambers located at 220 NE 2nd Avenue, Canby, Oregon.




Maya Berham
City Recorder

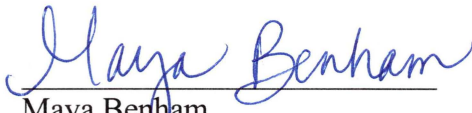
PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on May 3, 2023 by the following vote:

YEAS 6

NAYS 0


Brian Hodson, Mayor

ATTEST:


Maya Berham
City Recorder

Chapter 16.10

OFF-STREET PARKING AND LOADING

Sections

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

16.10.010 Off-street parking required – exceptions.

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

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

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

16.10.020 Definitions.

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

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

16.10.030 General requirements.

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

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

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

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

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

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

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

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

2. The total number of parking spaces meets the standards for the sum of the number of spaces that would be separately required for each use. If the applicant can demonstrate that the uses do not have overlapping parking needs (based on days and hours of operation) and can share parking, the total requirement for combined uses may be reduced by up to 60 percent.
 3. Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying present use of the excess parking area on one lot by patrons of the uses deficient in required parking areas.
 4. Physical access between adjoining lots shall be such that functional and reasonable access is provided to uses on the parcel deficient in parking spaces.
 5. Adequate directional signs shall be installed specifying the joint parking arrangement.
- H. The number of vehicular spaces required in Table 16.10.050 may be reduced by up to 10% if one of the following is demonstrated to the satisfaction of the Planning Director or Planning Commission:
1. Residential densities greater than nine units per gross acre (limit parking to no less than one space per unit for multi-family structures); or
 2. The proposed development is pedestrian-oriented by virtue of a location which is within convenient walking distance of existing or planned neighborhood activities (such as schools, parks, shopping, etc.) and the development provides additional pedestrian amenities not required by the code which, when taken together, significantly contribute to making walking convenient (e.g., wider sidewalks, pedestrian plazas, pedestrian scale lighting, benches, etc.). (Ord. 890 section 10, 1993; Ord. 854 section 2 [part], 1991; Ord. 848, Part V, section 16.10.030, 1990; Ord. 1043 section 3, 2000; Ord. 1338, 2010)

16.10.040 Prohibited near intersections.

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

16.10.050 Parking standards designated.

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

TABLE 16.10.050

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

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	One space per studio or 1-bedroom unit. 2.00 spaces per 2-bedroom or larger unit. One additional guest parking space shall be provided for every five units for each development often or more units.
d. Retirement/assisted living	1.0 spaces per unit
e. Residential day care facility and	1.00 space per employee
<i>Institutions:</i>	
a. Convalescent home, nursing home or sanitarium	1.00 spaces per two beds for patients or residents, plus 1.00 space 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	3.0 spaces per 1,000 square feet of floor area
c. Dance hall, skating rink	3.0 spaces per 1,000 square feet of floor area
d. Racquet courts, health clubs	3.0 spaces per 1,000 square feet of floor area
<i>Commercial</i>	
a. Retail shops (under 100,000 sq. ft.)	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	2.00 spaces per 1,000 gross square feet of floor area
e. Medical/dental offices	3.00 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
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	0.75 spaces per rentable room
l. Residential hotel, rooming house,	0.75 spaces per rentable room
m. Hotel	0.75 spaces per rentable room

n. Club or lodge	1.00 space per 200 square feet of floor area
o. Day care , adult or child care; does not include Family Daycare (12 or fewer children) under ORS 657A.250	1.00 space per 500 square feet of floor area
p. All others	1.00 space per 550 square feet
q. Wireless telecommunication systems	1.00 space per site
r. Self-Storage (Mini) Warehouse	2.00 spaces per 1,000 gross square feet of office space
s. Food Cart Pod	C-R, C-2, C-M zones; 1.5 spaces per cart C-1 zone; none M-1 and M-2 zone; 1 space per cart See Chapter 16.45.035
Industrial:	
a. Manufacturing	2.00 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office manufacturing space. Minimum of 5 parking spaces overall.
b. Warehousing	2.00 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office warehousing space. Minimum of 5 parking spaces overall.
c. Wholesale establishments	2.00 spaces per 1,000 gross square feet of office space, plus 1.50 spaces per 1,000 gross square feet of non-office wholesale space. Minimum of 5 parking spaces overall.

(Ord 1296, 2008, Ord. 1338, 2010; Ord. 1514, 2019)

16.10.060 Off-street loading facilities

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

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

B. Loading berths shall conform to the following minimum size specifications:

1. Commercial uses – 13’ x 35’
2. Industrial uses – 12’ x 60’
3. Berths shall have an unobstructed minimum height of 14’.

C. Required loading areas shall be screened from public view, from public streets, and adjacent properties by means of sight-site obscuring landscaping, walls or other means, as approved through the site and design review process.

D. Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.

E. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of a school or day care center having a capacity greater than twenty-five (25) students.

F. The off-street loading facilities shall, in all cases, be on the same lot or parcel as the structure they are intended to serve. In no case shall the required off-street loading spaces be part of the area used to satisfy the off-street parking requirement.

G. The Planning Commission may exempt a building from the loading berth requirement, or delay the requirement, based on findings that loading berths are not needed for a particular building or business. (Ord. 854 section 2[part], 1991; Ord. 848, Part V, section 1, 16.10.060, 1990; Ord. 1237, 2007)

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 and sixteen (16) feet in length for compact vehicles may comprise up to a maximum of thirty (30) percent of the total number of parking stalls. Such parking stalls shall be marked "Compact Parking only" either on the parking surface or on a sign in front of the parking stalls.

3. Areas used for standing or maneuvering of vehicles shall have paved asphalt, concrete, solid concrete paver surfaces, or paved "tire track" strips maintained adequately for all weather use and so drained as to avoid the flow of water across sidewalks or into public streets, with the following exception:

a. The Planning Director or Planning Commission may approve the use of an engineered aggregate system for outdoor storage and/or non-required parking areas provided that the applicant can demonstrate that City Standards related to:

i. minimizing dust generation,

ii. minimizing transportation of aggregate to city streets, and

iii. minimizing infiltration of environmental contaminants including, but not limited to, motor oils, fuels, volatile organic compounds (e.g. benzene, toluene, ethylbenzene, xylene), and ethylene glycol are met.

The decision maker may impose conditions as necessary to meet City Standards.

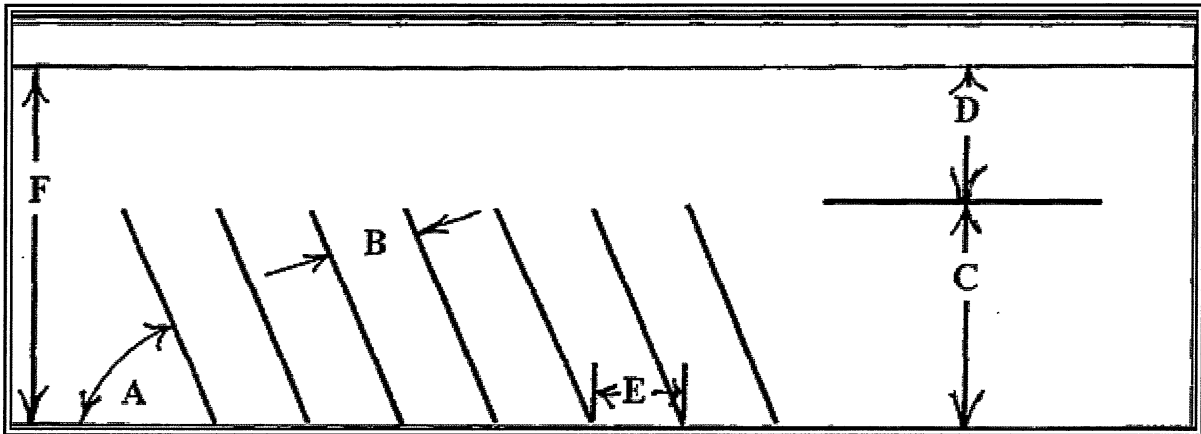
- b.** Use of permeable surfacing materials for parking lots and driveways is encouraged whenever site and soil conditions make permeable surfacing feasible. Permeable surfacing includes, but is not limited to: paving blocks, turf block, pervious concrete, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards and the manufacturer's recommendations. Maintenance of permeable surfacing materials located on private property are the responsibility of the property owner.
- 4.** The full width of driveways must be paved in accordance with (3) above:
- a.** For a minimum of 20 feet from the right-of-way line back into the private property to prevent debris from entering public streets, and
- b.** To within 150 feet of all portions of the exterior wall of the first story of any structure(s) served by the driveway to ensure fire and emergency service provision.
- 5.** Except for parking to serve residential uses, parking areas adjacent to or within residential planning districts or adjacent to residential uses shall be designed to minimize disturbance of residents. Artificial lighting, which may be provided, shall be so deflected as not to shine or create glare in any residential planning district or on any adjacent dwelling, or any street right-of-way in such a manner as to impair the use of such way.
- 6.** Groups of more than four (4) parking spaces shall be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
- 7.** Off-street parking areas, and the accesses to them, shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrian and vehicular traffic on the site and in adjacent roadways. The Planning Director or Planning Commission may require engineering analysis and/or truck turning diagrams to ensure safe and efficient traffic flow based on the number and type of vehicles using the site, the classification of the public roadway, and the design of the parking lot and access drives.
- 8.** Parking bumpers or wheel stops shall be provided to prevent cars from encroaching on the street right-of-way, adjacent landscaped areas, or adjacent pedestrian walkways.
- 9.** Accessible parking shall be provided, constructed, striped, signed and maintained as required by ORS 447.233 and all Oregon Structural Specialty Code requirements.

TABLE 16.10.070
Minimum dimensional Standard for Parking

This table and Figure 16.10.070 provide the minimum dimensional standards for parking areas and spaces.

A = Parking angle in degrees
 B = Minimum stall width
 C = Minimum stall depth
 D = Minimum clear aisle width
 E = Minimum clear stall distance at bay side
 F = Minimum clear bay width

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



B. Access.

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

2. The City of Canby encourages joint/shared access. Owners of two (2) or more uses, structures, or parcels of land may agree to, or may be required by the City to, utilized jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designed in this ordinance, provided that satisfactory legal evidence is presented to

the City Attorney in the form of deeds, easements, leases or contracts shall be placed on permanent files with the city recorder.

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

4. Vehicular access for residential uses shall be brought to within fifty (50) feet of the ground floor entrances or the ground floor landing of a stairway, ramp or elevator leading to dwelling units.

5. Required sidewalks shall extend from the ground floor entrances or the ground floor landing of a stairs, ramps or elevators to the sidewalk or curb of the public street or streets that provide the required access and egress.

6. To afford safe pedestrian access and egress for properties within the city, a sidewalk shall be constructed along all street frontages, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to city standards except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design, and in a manner approved by the Site and Design Review Board. Sidewalks approved by Board may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grade and alignment established by the Site and Design Review Board.

7. The standards set forth in this ordinance are minimum standards for access and egress, and may be increased through the site and design review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety and general welfare. (Ord. 890 section 12, 1993; Ord. 1237, 2007; Ord. 1338, 2010)

Minimum Access Requirements

16.10.070(B)(8): Minimum access requirements for residential uses - ingress and egress for residential uses shall not be less than the following (except that in the case of flag lots, section 16.64.0400) shall apply):

<i>Dwelling units</i>	<i>Minimum number of accesses required</i>	<i>Minimum access width</i>	<i>Sidewalks & Curbs (in addition to driveways)</i>
1 or 2	1	12 feet	none required
3-19	1	20 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.
20-49	Option A: 1 access OR Option B:	20 feet 12 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.

	2 accesses		
50-499	Option A: 1 access OR Option B: 2 accesses	30 feet 20 feet	Curbs required; Minimum of one sidewalk connection to residences and parking areas
Over 500	As required by Site and Design Review Board		As required by Public Works Director
16.10.070(B)(9): Minimum access requirements for commercial or institutional uses - ingress and egress for commercial uses shall not be less than the following:			
<i>Parking spaces required</i>	<i>Minimum number of accesses required</i>	<i>Minimum access width</i>	<i>Sidewalks & curbs (in addition to driveways)</i>
1-4	1	12 feet	None required
5-99	1	20 feet	Curbs required; sidewalk on one side minimum
100-249	2	20 feet	Curbs required; sidewalk on one side minimum
Over 250	As required by Site and Design Review Board		As required by Public Works Director
16.10.070(B)(10): Minimum access requirements for industrial uses - ingress and egress for industrial uses shall not be less than the following:			
<i>Parking spaces required</i>	<i>Minimum number of accesses required</i>	<i>Minimum access width</i>	<i>Sidewalks & curbs (in addition to driveways)</i>
1-250	1	24 feet	Curbs required; sidewalks on one side minimum
Over 250			As required by Public Works Director

8. One-Way Ingress or Egress – The hard surfaced pavement of one-way drives shall not be less than twelve (12) feet for multi-family residential, commercial or industrial uses. (Ord. 1514, 2019)

9. Driveways:

a. Access to private property shall be permitted with the use of driveway curb cuts. The access points with the street shall be the minimum necessary to provide access while not inhibiting the safe circulation and carrying capacity of the street. Driveways shall meet all applicable guidelines of the Americans with Disabilities Act (ADA). Driveway distance shall be measured from the curb intersection point [as measured for vision clearance area (16.04.670)].

Distances to an intersection shall be measured from the stop bar at the intersection.

b. Driveways shall be limited to one per property except for certain uses which include large commercial uses such as large box stores, large public uses such as schools and parks, drive through facilities, property with a frontage of over 250-feet and similar uses.

c. Double frontage lots and corner lots may be limited to access from a single street, usually the lower classification street. Single family residential shall not have access onto arterials, and shall have access onto collectors only if there is no other option.

d. If additional driveways are approved by the City Administrator or designee, a finding shall be made that no eminent traffic hazard would result and impacts on through traffic would be minimal. Restrictions may be imposed on additional driveways, such as limited turn movements, shared access between uses, closure of existing driveways, or other access management actions.

e. Within commercial, industrial, and multi-family areas, shared driveways and internal access between similar uses are encouraged to reduce the access points to the higher classified roadways, to improve internal site circulation, and to reduce local trips or movements on the street system. Shared driveways or internal access between uses will be established by means of common access easements at the time of development.

f. Driveway widths shall be as shown on the following table.

Driveway Widths (Minimum/Maximum, Ft.)

Street Classification	Res.	Comm.	Ind.
Arterial:	NA (1)	12/36	12/36
Industrial:	NA (1)	12/36	12/36
Collector:	12/24 (2)	12/36	12/36
Neighborhood Route:	12/24 (2)	12/36	12/36
Local:	12/24 (2)	12/36	12/36
Cul-de-sac:	12/24 (2)	12/36	12/36
Public Alley	12/24 (2)	NA	NA

Res. = Residential Zone
 Comm. = Commercial Zone
 Ind. = Industrial Zone

Notes: (1) Special conditions may warrant access.

(2) 28' maximum width for 3-car garage.

g. Driveway spacing shall be as shown in the following table.

Minimum Driveway Spacing

<u>Street Classification</u>	<u>Intersection</u>	<u>Driveway</u>
Arterial (2)	330' (1)	330' (1)
Industrial Streets (2)	100' (1)	100' (1)
Collector (2)	100' (1)	100' (1)
Neighborhood Route	50' (1)(3)	10'
Local (all)	50' (1)(3)	10'
Cul-de-sac	50' (1)(3)	10'
Public Alley	50' (1)(3)	

Notes: (1) Minimum distance or no closer than 60% of parcel frontage unless this prohibits access to the site, in which case City Administrator or designee may approve a deviation.

(2) Direct access to this street will not be allowed if an alternative exists or is planned.

(3) For single-family residential houses, the minimum distance between driveways and an intersection shall be thirty (30) feet.

h. Curb cuts shall be a minimum of five feet from the property line, unless a shared driveway is installed. Single driveways may be paved up to an adjacent property line but shall maintain a five (5) foot separation from the side property line where the driveway enters the property. Driveways shall not be constructed within the curb return of a street intersection. Deviations may be approved by the City Administrator or designee.

i. For roads with a classification of Collector and above, driveways adjacent to street intersections shall be located beyond the required queue length for traffic movements at the intersection. If this requirement prohibits access to the site, a driveway with restricted turn movements may be permitted.

j. Multi-family access driveways will be required to meet the same access requirements as commercial driveways if the multi-family site generated 100 or more trips per day.

k For circular type driveways, the minimum distance between the two driveway curb cuts on one single-family residential lot shall be thirty (30) feet. (Ord. 1514, 2019)

10. When considering a public facilities plan that has been submitted as part of site and design review plan in accordance with this ordinance, the city Public Works Supervisor may approve the location of a driveway closer than fifty (50) feet

from the intersection of collector or arterial streets, based on written findings of fact in support of the decision. Said written approval shall be incorporated into the recommended decision of the City Planner for the site and design review plan under the process set forth.

11. Where an existing alley is 20 feet or less in width, the property line setback abutting the alley shall increase to provide a minimum of 24 feet for maneuvering and backing movements from, garages, carports, or parking areas. (Ord. 890 section 12, 1993; Ord. 872, 1991; Ord. 854 section 2 [part], 1991; Ord 848, Part V, section 16.10.070 (A)(B) 1990; Ord. 955 section 3 & 4 1996; Ord. 981 section 44, 1997; Ord. 1019 section 5, 1999; Ord 1237, 2007; Ord. 1514, 2019)

16.10.080 Street Tree Plan

A Street Tree Plan can be provided in lieu of meeting the requirement of planting a tree every 30 lineal feet of street frontage as stated in Ordinance 1385 Exhibit B. The Street Tree Plan can compensate for driveways, utilities, or other obstructions that inhibit the 30 foot spacing requirement. The requirement for the planting of street trees is required under Chapter 12.32 CMC. (Ord. 854, 1991; Ord. 848, Part VI, section 1, 1990; Ord. 1514, 2019)

16.10.090 Drive-up uses.

A. Drive-up uses shall provide a minimum stacking area clear of the public right-of-way or parking lot aisle from the window service to the vehicles as follows:

1. All drive-up uses. – Each lane shall provide a minimum capacity for two (2) to eight (8) automobiles, as determined by the Site and Design Review Board.

2. For purposes of this section, an automobile shall be considered no less than twenty (20) feet in length. The width and turning radius of drive-up aisles shall be approved by the City Public Works Director.

B. The stacking area shall not interfere with safe and efficient access to other parking areas on the property. Traffic aisles shall be wide enough to accommodate backing movements where adjacent to parking stalls. Parking maneuvers shall not occur in the stacking area. (Ord. 848, Part VII, section 16.10.090, 1990)

16.10.100 Bicycle Parking.

Bicycle parking shall be provided for all multi-family residential, institutional, commercial, and industrial uses.

A. Dimensions and characteristics: Bicycle parking spaces shall be a minimum of six (6) feet long and two (2) feet wide, and overhead clearance in covered spaces shall be a minimum of seven (7) feet. A minimum five (5) foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking. Bicycle racks located on a sidewalk shall provide a minimum of two (2) feet between the rack and a wall or other obstacle, and between the rack and curb face. Bicycle racks or lockers shall be securely anchored to the surface or a structure. Bicycle racks located in the Downtown Commercial Zone shall be of the inverted U style

(a.k.a. staple racks). See Figure 20 of the Canby Downtown Plan for correct rack placement.

B. Location: Bicycle parking shall be located in well-lit, secure locations within fifty (50) feet of the main entrance to a building, but not further from the entrance than the closest automobile parking space, and in no case further than 50 feet from an entrance when several entrances are involved.

C. Number of spaces: The bicycle parking standards set out in Table 16.10.100 shall be observed. (Ord. 1019 section 1, 1999; Ord. 1076, 2001)

TABLE 16.10.100 BICYCLE PARKING STANDARD	
LAND USE CATEGORY	MINIMUM REQUIRED BICYCLE PARKING SPACES
Residential Multi-family residential, general Multi-family residential, seniors or with physical disabilities	1 space per unit 4, or 1 space per 5 units, whichever is greater
Institutional Schools – Elementary Schools - Jr. High/Middle School Schools - St. High College Transit Centers/Park & Ride Lots Religious Institutions Hospitals Doctor, Dentist Offices Libraries, Museums, etc.	To be determined through design review To be determined through design review To be determined through design review To be determined through design review 5% of auto spaces (or 100% of demand, depending on accessibility to bicyclists) 1 space per 40 seat capacity 1 space per 5 beds 2, or 1 space per 1000 ft ² , whichever is greater 2, or 1 space per 1000 ft ² , whichever is greater
Commercial Retail Sales Auto-oriented Services Groceries/Supermarkets Offices Restaurants/Food Cart Pods Drive-in Restaurants Shopping Centers Financial Institutions Theaters, Auditoriums, etc. Downtown Commercial Zone	0.33 space per 1000 ft ² , whichever is greater 2, or 0.33 space per 1000 ft ² , whichever is greater 0.33 space per 1000 ft ² 2, or 1 space per 1000 ft ² , whichever is greater 1 space per 1000 ft ² 1 space per 1000 ft ² 0.33 space per 1000 ft ² 2, or 0.33 space per 1000 ² , whichever is greater 1 space per 30 seats 4 spaces per block
Industrial Industrial Park Warehouse Manufacturing, etc.	2, or .1 space per 1000 ft ² , whichever is greater 2, or .1 space per 1000 ft ² , whichever is greater 2, or .15 space per 1000 ft ² , whichever is greater

NOTES:

Each individual use needs to be evaluated for bicycle parking – e.g., a commercial accessory use in an

industrial district may have different requirements than the industrial uses around it. Similarly, in mixed-use developments, the amount of each use and required bicycle parking needs" evaluation. Finally, within each use category one needs to consider the different user categories - residents, employees, customers, etc. - and parking requirements for each. (Ord. 1019 section I, 1999; Ord. 1043 section 3, 2000; Ord. 1076, 2001)

AFFIDAVIT OF POSTING

STATE OF OREGON)
)
County of Clackamas) **ss:**
)
CITY OF CANBY)

I, Maya Benham, being first duly sworn, depose and say that I am the City Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon.

That on the 19th day of April, 2023 the Council for said City of Canby held a Regular City Council Meeting, at which meeting Ordinance No. 1597 was read for the first time and passed by the vote of said Council and was then and there ordered posted in at least three (3) public and conspicuous places in said City for a period of five (5) days prior to the second reading and final vote on said Ordinance, as provided in Section 2 of Chapter 8 of the Charter of the City of Canby, and

Thereafter, on the 20th day of April, 2023, I personally posted said Ordinance in the following three (3) conspicuous places, all within the said City of Canby, to wit:

- 1. Canby Civic Building
- 2. Canby Post Office
- 3. City of Canby Web Page

That since said posting on the date aforesaid, the said Ordinance will remain posted in the said three (3) public and conspicuous places continuously for the period of more than five (5) days and until the very 3rd day of May, 2023.

Maya Benham
Maya Benham, City Recorder

Subscribed and sworn to before me this 18 day of April, 2023.

Melisse Bisset
Notary Public for Oregon
My Commission Expires:

