

5. LAND USE ELEMENT

5.1 Land Use Concept

The types and arrangements of land uses profoundly affect the character of a neighborhood. The primary goal of the Land Use Element is to “create a distinctive community that minimizes impacts on existing residents.” It is anticipated that some property owners will want to annex their properties into the City of Canby for urban-intensity development in the near future. As urbanization of the area is likely, this element attempts to achieve its goal by establishing a land use program for the area that:

- Provides incentives for conservation of the area’s treasured natural resources
- Promotes urban design that protects the privacy of neighbors
- Offers flexibility to develop and arrange a mix of different uses in a way that minimizes impacts to existing residents
- Provides land owners the opportunity to get a good return on their investment while respecting community values
- Achieves a cohesive neighborhood image for the area
- Meets the City’s policy to provide for an adequate supply of housing.

Figure 5-1 illustrates the land use designations for the Concept Plan area, followed by a detailed explanation of how the Land Use Element will be implemented.

5.5 Bonus Housing Cluster

In some cases, developers may create a bonus housing cluster, which allows them to create more homes than the base density allows in order to achieve some special public benefit (Figures 5-6 and 5-7). Bonus housing clusters may be created if a development includes:

- A new community green
- A new pocket park
- Forestland preservation
- Wetlands conservation
- Historic preservation

The bonus housing cluster allows 150 percent of the number of units allowed by the base density for the area that is being set aside for a public purpose. Areas that are being set aside for a public purpose must be accessible and/or viewable by the general public. The bonus density does not apply to areas that cannot be developed as a result of local, state, or federal law, or physical conditions that would otherwise preclude development. Bonus housing clusters will be required to mitigate trans

By way of example, a developer wants to create housing on a parcel that is 10 net acres in the Flexible Residential Zone. Using the base density specified by the Flexible Residential Zone, this would allow the developer to create 55 units. If the developer set aside two acres of forestland, it would allow 61 units to be created. This would be calculated as follows:

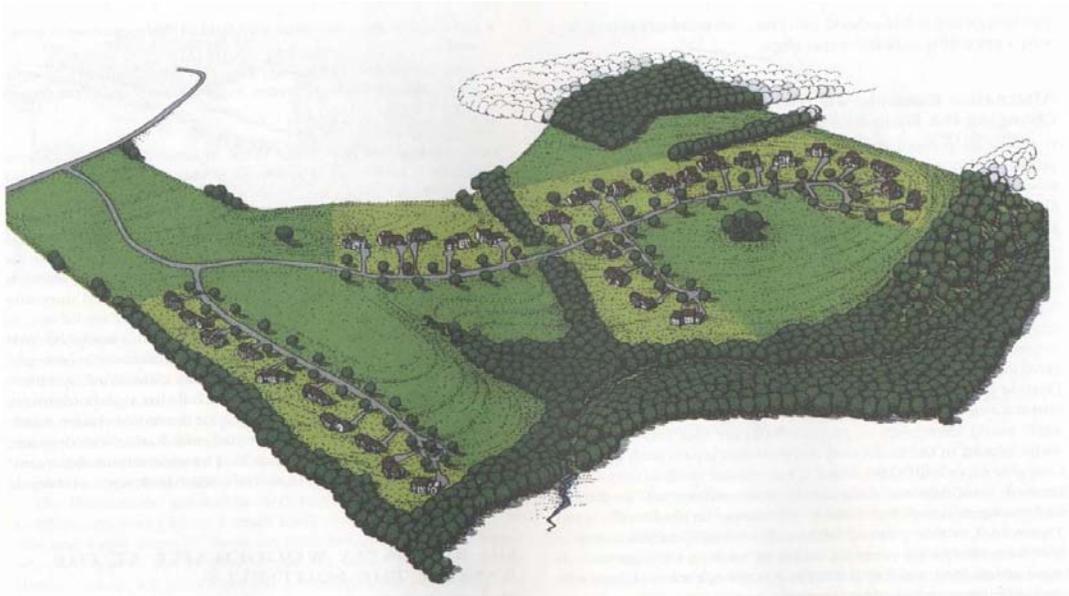
$$\begin{aligned}
 8 \text{ acres} \times 5.5 \text{ units per acre} &= 44 \text{ units} \\
 2 \text{ acres} \times 5.5 \text{ units per acre} \times 150\% &= 16.5 \text{ (rounded up to 17)} \\
 \text{Total allowed} &= 61 \text{ units}
 \end{aligned}$$

Figure 5-6. Traditional Suburban Land Use Development Pattern



(For illustration only)

Figure 5-7. Similar Housing Productivity Organized in Cluster Units



Note: The development pattern illustrated in Figure 5-5 would not be possible in the NE Canby Concept Plan area, as show here. This figure exaggerates the housing clustering pattern to illustrate how this site planning tool could be used in an area to preserve natural resources. Clustered housing is expected to occur only in some parts of the NE Canby Concept Plan area,

(For illustration only)

5.4 Housing Cluster

Housing clusters are allowed in the NE Canby Concept Plan area. Traditional suburban development tends to emphasize maximizing distance between adjacent units, which can result in a less coherent neighborhood form and disregard natural resources and other physical features of the land (Figure 5-4). Housing clusters allow developers to arrange housing on smaller home sites around community greens, cul-de-sacs or other unique site design features (Figure 5-5). Clustered housing can save developers and homebuyers significant expense because shorter roads and utility extensions are required to serve homes. With clustered housing, developers can control or eliminate through traffic, creating a safe and comfortable environment for residential development. These types of site plans can be used to preserve tree groves, which would likely result in higher property values. Clustering can also utilize common areas or open space to facilitate stormwater drainage. Development that utilizes this site planning technique usually holds common areas and open space areas through mutual ownership by a homeowners association or similar entity.

Each development in the NE Canby Concept Plan area should achieve an *average net density*, which is determined by the flexible zone that the development is located in. To calculate the number of units that should be constructed, the developer would divide the net buildable (the total site acreage subtracting area used for streets, utility easements, and other non-buildable areas) acreage by the average density specified by the flexible zone. The average net density is also called the base density.

Variances to the flexible zone standards would be allowed if special site characteristics prohibited developers from constructing the minimum number of units, maximum number of units, or average density. If a variance is pursued, the site developer must demonstrate how the proposed development best meets the intent of this plan, and the flexible zone. Sites developed for some conditional uses (i.e. institutional or governmental) may be conditionally exempt from the minimum unit, maximum unit, and average density development requirements.

Flexible zones are established as follows (Tables 5-1 through 5-3):

Table 5-1. Flexible Residential Zone*

Building Form	Minimum Units	Maximum Units
Duplex (corner lots only)	0%	15%
Townhouse	0%	15%**
Neighborhood House	15%	100%
Large Lot House	0%	85%

* Each subdivision should achieve an average net density of 5.5 units per acre

** The maximum number of townhouse units is increased to 35% if a bonus housing cluster is utilized. See Section 5.5 for more information.

Table 5-2. Flexible High-Density Residential Zone*

Building Form	Minimum Units	Maximum Units
Townhouse	0%	100%
Apartment/Condo (and supporting uses such as parking, physical plant, etc.)	0%	100%

* Each subdivision should achieve an average net density of 20 units per acre

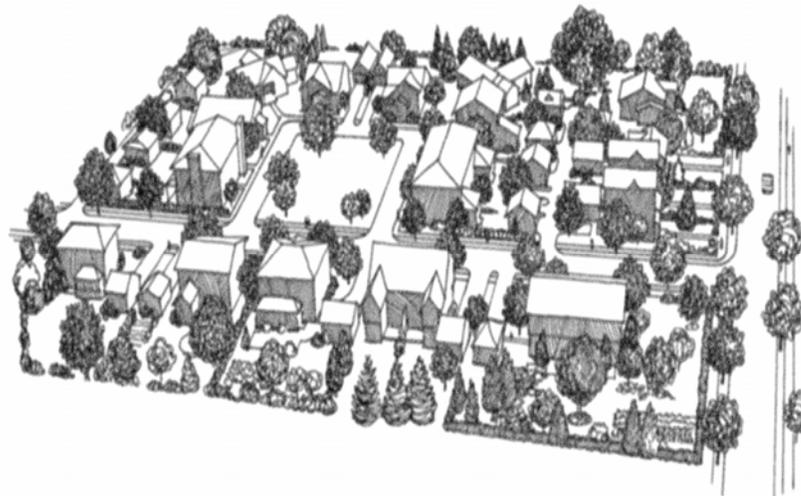
Table 5-3. Flexible Mixed Use Commercial/Residential Zone*

Building Form	Minimum Site Area Coverage	Maximum Site Area Coverage
Townhouse	75%	90%
Mixed Use Commercial (and supporting uses such as parking, physical plant, etc.)	10%	25%

* Each subdivision should achieve an average net density of 15 units per acre

Figure 5-3 illustrates an example of a development that might be possible in the Flexible Residential Zone.

Figure 5-5. Flexible Residential Zone Development Example



(For illustration only)

USES

- Retail
- Restaurant
- Convenience grocery
- Grocery
- Medical office
- Professional office
- Daycare
- Apartments/condos (2nd story only)
- Other consistent uses as determined by City

5.3 Flexible Zoning

Communities are fluid places that often change character over time. Flexible zoning is a tool that the City of Canby will use in the NE Canby Concept Plan area to encourage land to develop in such a way that reflects the community's character, while providing the flexibility for new construction to best respond to current market demands.

Flexible zoning includes a system for controlling the types and locations of allowed development. The City already has policies in place that provide for an adequate land supply that can be used in the production of a variety of different housing types (i.e. townhouses, neighborhood houses, large lot houses, etc.). In the past, the City's traditional approach to zoning, and the regulation of housing production has focused on segregating seemingly incompatible land use types. Flexible zoning would result in more integration of different housing types.

This flexible zoning approach has five desired outcomes:

1. Increasing aesthetics and appeal of new housing and limiting impacts on existing uses;
2. Distribute the *costs* and *benefits* of developing different housing types equitably;
3. Meet existing City policies that provide for development of an adequate housing supply;
4. Provide flexibility to developers to create and arrange different housing products that meet current market demands;
5. Integrate different housing products that will, over time, create a more interesting, diverse and cohesive neighborhood.

Under the flexible zoning approach, each development should contain certain percentages of different building forms. There are three flexible zones that will each result in a different blend of housing:

- Flexible Residential Zone
- Flexible High Density Residential Zone
- Flexible Mixed Use Commercial/Residential Zone

Photograph 5-5. Mixed Use Commercial Example



(For illustration only)

SITING

- The lot frontage shall be between 65 feet and 200 feet. Lots shall be a minimum of 100 foot depth.
- Individual stores or commercial footprints shall range from 800 to 2,000 sq ft.
- Parking shall be sited in the rear of the building and accessed by a drive or alley.
- The minimum side setback is 20 feet.
- The building's primary entrances shall be oriented towards Otto Drive or a courtyard/plaza.
- Commercial uses will have no more than a 10 foot front setback from Otto, and will have some storefronts with entrances along Otto Drive.

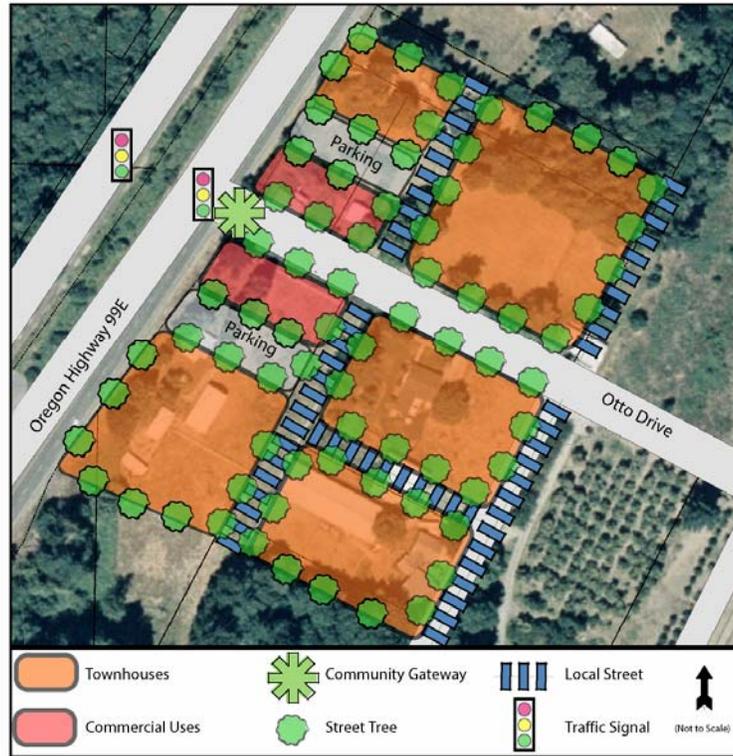
HEIGHT

- The building shall be no more than 35 feet in height.
- No less than 80 percent of each story used for as stores, restaurants, or offices shall have at least 8 feet 8 inches clear height.

DESIGN ELEMENTS

- A landscaped transition buffer shall be planted between commercial buildings and adjacent lots (excluding those occupied or planned for other commercial structures or apartments/condos). The transition buffer shall be at least 15 feet wide and include shade trees and a privacy fence that is between 6 feet and 8 feet tall.

Figure 5-4. Mixed Use Node Site Plan Concept



(For illustration only)

The mixed use node is intended to allow for commercial uses serving both neighborhood and community needs, such as professional offices, a convenience grocery store, or a small restaurant. Commercial uses developed at this site will generally be small, specialty stores or offices with footprints ranging in size from 800 to 2000 sq ft. Commercial uses will have no more than a 10 foot front setback from Otto, and will have some storefronts with entrances along Otto Drive. It is encouraged that a community gateway be integrated into the overall site design for the Mixed Use node (see Section 6.1 for more information). Variances to the siting standards for Mixed Use Commercial uses are optional when a community gateway will be developed.

- No less than 80 percent of the first story shall have at least 8 feet 8 inches clear height.

DESIGN ELEMENTS

- A front porch, between 8 feet and 12 feet deep with a width equal to no less than 40 percent of the lot frontage, is required along the street building line.
- Privacy fencing, between 6 and 8 feet in height, may be placed along any unbuilt rear and side lot lines.
- New construction must include 8 out of 12 adopted design factors detailed in the Canby Land Development Ordinance.
- Windows facing neighboring properties where housing exists, or housing is likely to exist, will be designed primarily for light and ventilation, and will not readily provide views into neighboring properties. Second story windows can be placed above a viewable height or installed as skylights. First story windows can be placed to face hedges or fences.

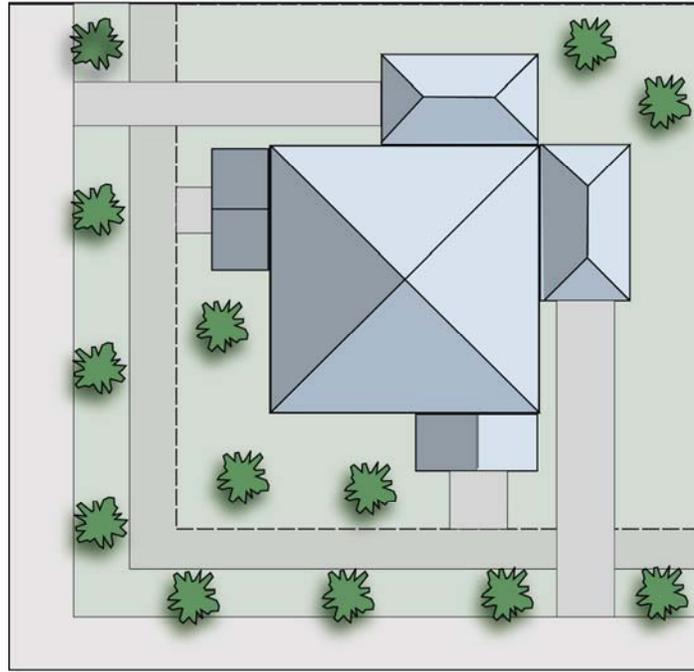
USES

- Residence
- Bed and breakfast (under 6 rooms)
- Home office
- Workshop, parking, or accessory apartment are allowed in the outbuilding

5.2.2.6 Mixed Use Commercial

A mixed use node that integrates commercial and residential uses will be located at the intersection of Oregon 99E and Otto Road (Figure 5-3).

Figure 5-3. Duplex Example



SITING

- Duplex structures shall only be permitted on corner lots.
- Each duplex unit shall front on a different street.
- The lot frontage shall be between 50 feet and 65 feet. Lots shall be a minimum of 100 foot depth.
- Front steps shall be setback between 12 and 15 feet from the sidewalk or 19.5 feet from the property line.
- Front porches shall be setback between 14 and 20 feet.
- Main buildings shall be setback between 18 and 22 feet.
- The garage shall be setback at least 30 feet or flush with the body of the house.
- Where a unit does not front, the minimum side setback is 10 feet.

HEIGHT

- The building shall be no more than 25 feet to its eaves.
- The outbuilding shall be no more than 18 feet to its eaves.
- The front yard fence shall be between 30 and 40 inches in height.
- The front porch elevation shall be no less than 30 inches above the fronting sidewalk elevation.

SITING

- The lot frontage shall be between 65 feet and 200 feet. Lots shall have a minimum of 100 foot depth.
- Buildings shall be setback between 42 to 56 feet from the property line.
- A minimum of 150 square feet of landscape space per dwelling unit shall be available. Landscaped areas shall be no less than 1,500 square feet in size.
- Parking shall be sited in the rear of the building and accessed by a drive or alley.
- The minimum side setback is 20 feet.
- The buildings primary entrance shall be oriented towards the street or a private courtyard.
- A pedestrian connection shall be constructed between adjacent apartment/condo buildings.

HEIGHT

- The building shall be no more than 35 feet in height.
- No less than 80 percent of each story used for dwellings shall have at least 8 feet 8 inches of floor to ceiling clearance.

DESIGN ELEMENTS

- A landscaped transition buffer shall be planted between apartment buildings and adjacent residential uses. The transition buffer shall be at least 15 feet wide and include shade trees and a privacy fence that is between 6 feet and 8 feet tall.

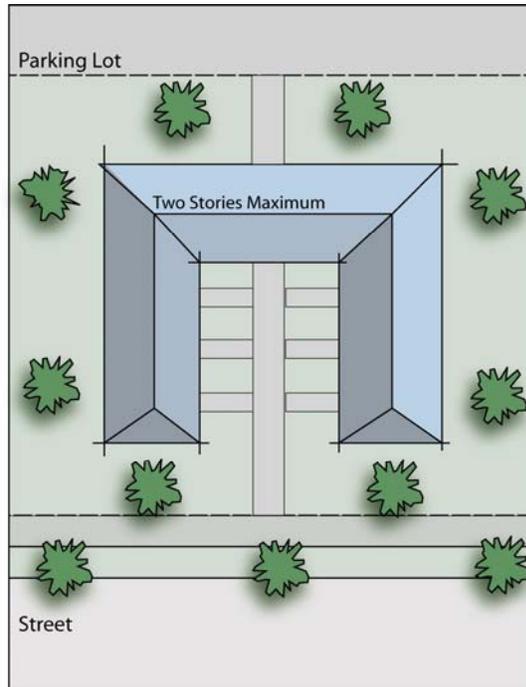
USES

- Residences
- Assisted living

5.2.2.5 Duplex

Duplexes are structures that contain two attached dwelling units on a shared lot. In the NE Canby Concept Plan Area, duplexes will be designed and sited similarly to Neighborhood Houses or Large Lot Houses. Construction of this building form is only allowed on corner lots where it is possible to face front door and front porch for each unit to different streets.

Figure 5-2. Garden Apartment Example



(For illustration only)

Photograph 5-4. Apartment/Condo Example



Front Elevation



Rear Elevation

(For illustration only)

- No less than 80 percent of the first and second stories shall have at least 8 feet 8 inches of floor to ceiling clearance.

DESIGN ELEMENTS

- New construction must include 8 out of 12 adopted design factors detailed in the Canby Land Development Ordinance.
- A front porch, between 8 feet and 12 feet deep with a width equal to no less than 40 percent of the lot frontage, is encouraged along the street building line.
- Privacy fencing, between 6 and 8 feet in height, may be placed along any unbuilt rear and side lot lines.

USES

- Residence
- Bed and breakfast (under six bedrooms)
- Home office
- Workshop, parking, or accessory apartment are allowed in the outbuilding

5.2.2.4 Apartment/Condo

Apartment and/or condo development in the NE Canby Concept Plan area will be developed in the “garden apartment” style. The major advantage of this building form is that it can provide relatively high densities, while maintaining a human scale and extra green space for the streetscape. This building form generally is a two-story structure that includes large courtyards with street exposure. Parking for this building form is usually provided on-street or in rear-entry lots. The following standards are intended to supplement existing standards adopted in the Canby Land Development and Planning Ordinance.

Photograph 5-3. Large Lot House Example



(For illustration only)

The following design standards apply to large lot house units:

SITING

- The lot frontage shall be between 65 feet and 100 feet. Lots shall be a minimum of 100 foot depth.
- Front setbacks shall be a minimum of 25 feet and a maximum of 35 feet from the property line.
- Garages shall be setback at least 35 feet from the front property line.
- The minimum side setback is 10 feet.
- The minimum rear setback is 20 feet.
- The primary building entrance shall be oriented towards the street.
- Use of shared driveways is encouraged in order to minimize curb cuts.

HEIGHT

- The building shall be no more than 38 feet in height.
- The outbuilding shall be no more than 22 feet in height.
- The front yard fence shall be between 30 and 40 inches in height.
- The front porch elevation shall be no less than 30 inches above the fronting sidewalk elevation.
- The first floor finished elevation shall be at least 24 inches above the mean street frontage elevation

- No less than 80 percent of the first story shall have at least 8 feet 8 inches of floor to ceiling clearance.

DESIGN ELEMENTS

- New construction must include 8 out of 12 adopted design factors detailed in the Canby Land Development Ordinance.
- Windows facing neighboring properties where housing exists, or housing is likely to exist, will be designed primarily for light and ventilation, and will not readily provide views into neighboring properties. Second story windows can be placed above a viewable height or installed as skylights. First story windows can be placed to face hedges or fences.
- A front porch, between 8 feet and 12 feet deep with a width equal to no less than 40 percent of the lot frontage, is required along the street building line.
- Privacy fencing, between 6 and 8 feet in height, may be placed along any unbuilt rear and side lot lines.

USES

- Residence
- Bed and breakfast (under 6 rooms)
- Home office
- Workshop, parking, or accessory apartment are allowed in the outbuilding

5.2.2.3 Large Lot House

Large lot houses are generally larger than neighborhood houses and have larger lot sizes. These properties also have front porches and front yards that face the street, and generous private back yards. Large Lot Houses sit on lots that range in size from 6500 sq ft to 10,000 sq ft.

Photograph 5-2. Neighborhood House Example



(For illustration only)

The following design standards apply to neighborhood house units:

SITING

- The lot frontage shall be between 45 feet and 65 feet. Lots shall be a minimum of 100 foot depth.
- Front steps shall be setback between 12 and 15 feet from the sidewalk or 19.5 feet from the property line.
- Front porches shall be setback between 14 and 20 feet from the sidewalk or between 21.5 and 27.5 from the property line.
- Main buildings shall be setback between 18 and 22 feet from the sidewalk or between 25.5 and 29.5 from the property line.
- The garage shall be setback at least 30 feet or flush with the body of the house.
- The minimum side setback is 10 feet.
- The buildings primary entrance shall be oriented towards the street.
- Use of shared driveways is encouraged in order to minimize curb cuts.

HEIGHT

- The building shall be no more than 35 feet in height.
- The outbuilding shall be no more than 22 feet in height.
- The front yard fence shall be between 30 and 40 inches in height.
- The front porch elevation shall be no less than 30 inches above the fronting sidewalk elevation.

HEIGHT

- The building shall be no more than 35 feet in height.
- The outbuilding shall be no more than 22 feet in height.
- The side wing shall be no more than 15 feet to in height.
- Any front yard fencing shall be between 30 and 40 inches in height.
- The front porch elevation shall be no less than 30 inches above the fronting sidewalk elevation.
- No less than 80 percent of the first story shall have at least 8 feet 8 inches of floor to ceiling clearance.

DESIGN ELEMENTS

- New construction must include 8 out of 12 adopted design factors detailed in the Canby Land Development Ordinance.
- Windows facing neighboring properties where housing exists, or housing is likely to exist, will be designed primarily for light and ventilation, and will not readily provide views into neighboring properties. Second story windows can be placed above a viewable height or installed as skylights. First story windows can be placed to face hedges or fences.
- A front porch, between 8 feet and 12 feet deep with a width equal to no less than 60 percent of the lot frontage, is required.
- Privacy fencing, between 6 and 8 feet in height, may be placed along any common lot lines in the rear yard.

USES

- Residence
- Bed and breakfast (under 6 rooms)
- Home office
- Workshop, parking, or accessory apartment are allowed in the outbuilding

5.2.2.2 Neighborhood House

Neighborhood houses are the building blocks of small communities and neighborhoods. This housing form is a detached dwelling unit that includes a front porch, front yard, and a generous and private back yard. Neighborhood houses generally are on properties ranging in size from 4500 sq ft to 6500 sq ft.

advantages compared to detached housing units, such as easier maintenance and the potential for greater efficiency in heating and cooling.

Photograph 5-1. Townhouse Example



(For illustration only)

The following design standards apply to townhouse units:

SITING

- A maximum of five units shall be contiguous as one building and there shall be a minimum 15 foot gap between adjacent town house buildings.
- The lot/unit width shall be between 20 feet and 38 feet. At least 50 percent of townhouse lots in any subdivision shall have a minimum 100 foot depth. The remainder shall have a minimum 50 foot depth.
- Front steps shall be setback 6 feet from sidewalk or 13.5 feet from property line.
- Front porches shall be setback between 8 and 10 feet from sidewalk or between 15.5 and 17.5 feet from property line.
- Main buildings shall be setback between 10 and 16 feet from sidewalk or between 17.5 and 23.5 feet from property line.
- The garage shall be setback a minimum of zero feet and a maximum of 10 feet from the property line.
- The garage and/or vehicle parking (autos, trailers, boats, etc) shall be accessed through a rear alley. Where a rear alley is not possible shared driveways shall be used to minimize curb cuts.
- The building's primary entrance shall be oriented towards the street.

5.2 Building Placement

Over the next 10 to 20 years, the NE Canby Concept Plan area will be developed to include a variety of residential land use types and limited commercial uses. While in practice most residential land use types (i.e. single-family detached, single-family attached, townhouses, etc.) have more commonality than differences with regards to their functions and properties, they do require minimally different siting treatments to allow interior spaces and site access to function.

A major emphasis of this plan is to provide for different residential forms to be sited in close proximity to each other while presenting an overall unified community image. An outcome of the building placement standards contained within this section is that different residential forms will be designed and sited to ensure the area develops as an aesthetically cohesive neighborhood. What follows is a brief description of the basic design and site planning guidelines and standards that will be applied to different land use types permitted within the NE Canby Concept Plan area.

5.2.1 General Guidelines for Building Placement

The following design guidelines apply to all new construction in the NE Canby Concept Plan area, regardless of building form:

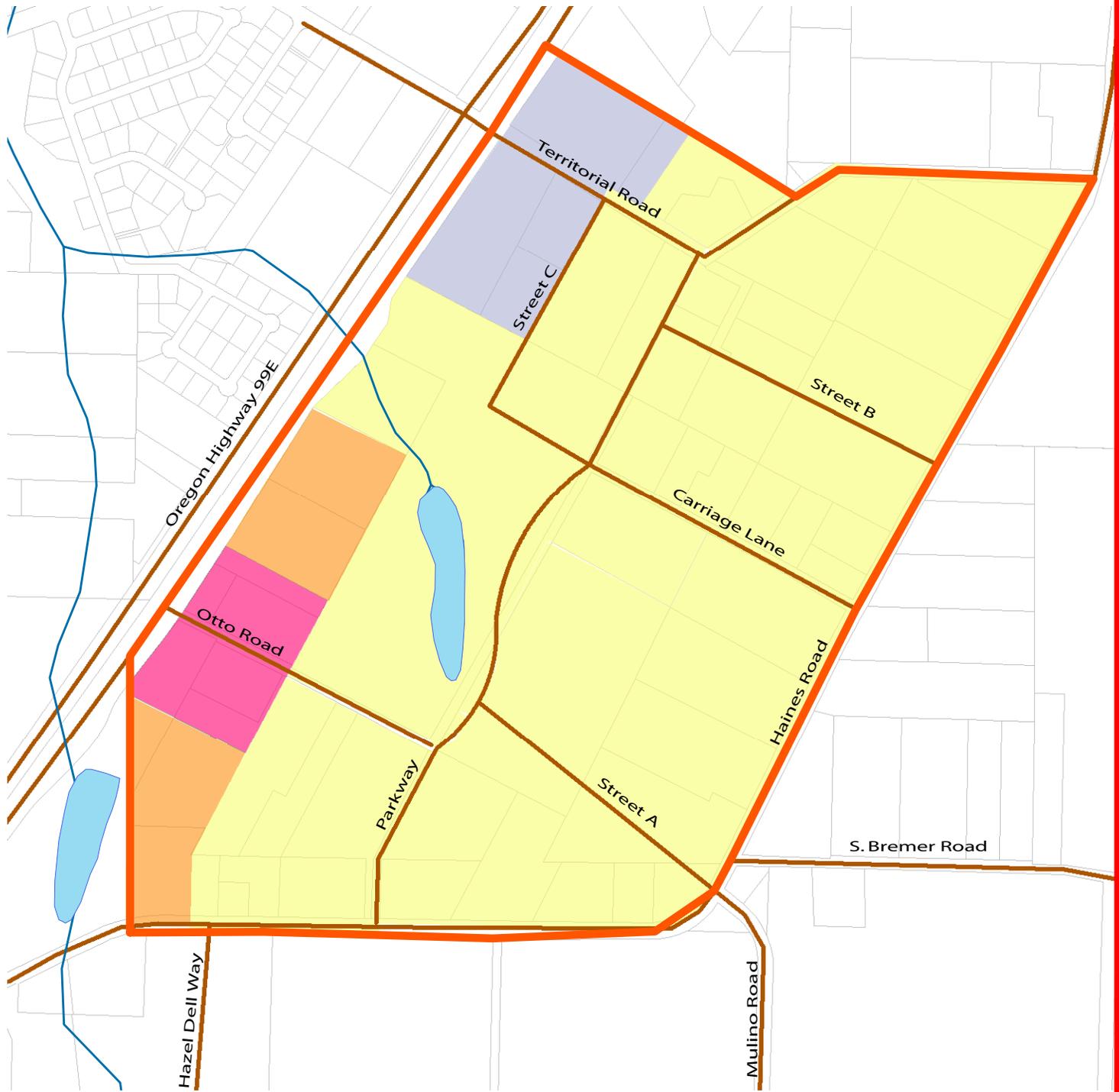
- Buildings frontages are generally aligned, are close to the street, and face the street. The intent of this guideline is for buildings to be close to the street and to provide design compatibility, while avoiding regimentation.
- Building placement forms and separates private open space. This guideline encourages buildings to provide privacy and security for private open space.
- Buildings are designed to maximize privacy by directing views to their front and backyards, not towards their side yards where neighboring buildings are present or are likely in the future. Windows facing neighboring properties where housing exists, or housing is likely to exist, will be designed primarily for light and ventilation, and will not readily provide views into neighboring properties. Second story windows can be placed above a viewable height or installed as skylights. First story windows can be placed to face hedges or fences.
- Private open space will be physically demarcated using fences, hedges, or garden walls, except in separating commercial uses from public spaces or each other.
- Vehicle storage is away from the street. Garages will be setback from the street to allow the other portion of houses to be more prominently featured. Parking lots should be located either to the side or rear of commercial uses.

5.2.2 General Standards for Building Placement

Design standards are established by the Concept Plan to minimize adverse impacts of new development on neighboring properties.

5.2.2.1 Townhouse

Townhouses are three or more attached single-family residential units arranged side-by-side. This dwelling type is a very efficient form of housing that creates a distinct edge for the streetscape and can deliver comfortable private courtyard gardens. Townhouses are very desirable for small families, couples, and persons living alone. Townhouses have many



HIGH DENSITY
RESIDENTIAL

MIXED USE

FLEXIBLE
RESIDENTIAL

INSTITUTIONAL



1"=600'

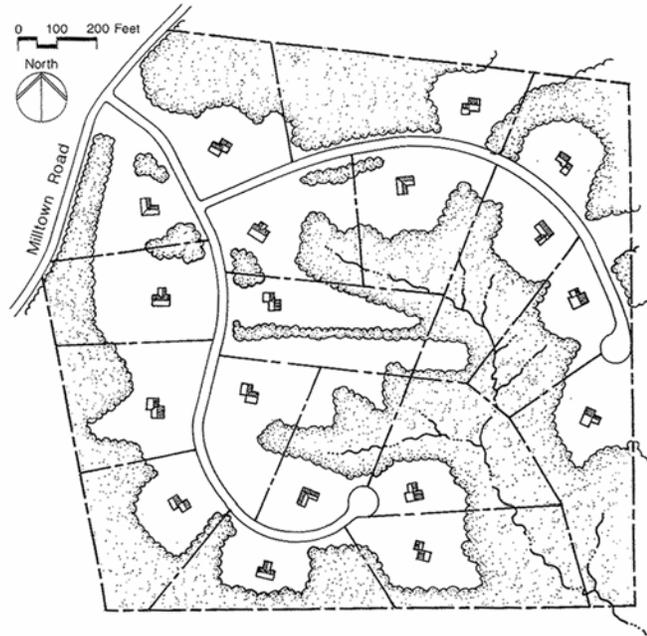
NE CANBY MASTER PLAN

FIGURE 5-1: LAND USE PLAN

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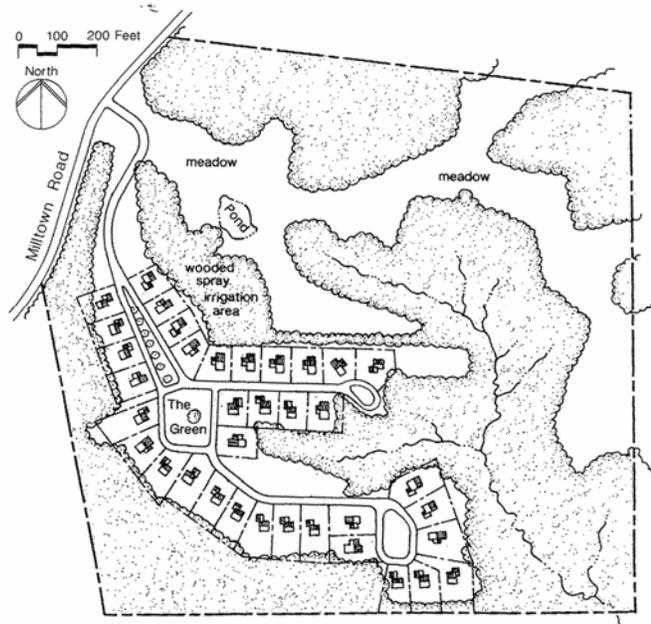
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Figure 5-8. Land Division without Clustering



(For illustration only)

Figure 5-9. Land Division with Bonus Housing Cluster



(For illustration only)