

Chapter 16.35

CANBY INDUSTRIAL AREA OVERLAY (I-O) ZONE

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16.35.010 Purpose.

The purpose of the Canby Industrial Area Overlay (I-O) zone is to implement the design guidelines and standards of the Canby Industrial Area Master Plan (Master Plan):

- A. Provide efficient circulation and access;
- B. Allow flexibility in siting development, including a range of industrial and commercial/industrial land uses;
- C. Provide visual continuity for streetscapes and developments;
- D. Encourage durable, high quality building materials.

The zone is intended to ensure high-quality industrial development with a mix of employment types and uses. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.020 Applicability.

It is the policy of the City of Canby to apply the I-O zone to all lands within the Canby Pioneer Industrial Park Master Plan area and other areas determined by the City, as defined in the Industrial Area Master Plan. The Master Plan area generally includes the area bound by Highway 99E and 1st Avenue to the north, Mulino Road to the east, SE 13th Avenue to the south, and the Molalla Forest Logging Road Trail to the west. The I-O zone has the following affect with regard to other chapters of this ordinance:

- A. Incorporates the Canby Industrial Area Master Plan into Title 16. The Master Plans design guidelines, standards, and plan maps are hereby incorporated by reference.

- B. Permits land uses which are permitted by the underlying zone districts (C-M, M-1, M-2), with some exceptions.
- C. Replaces selected development standards contained in the C-M, M-1, and M-2 zones, for continuity and quality of site design within the Master Plan area.
- D. Utilizes the City's processes for development review, including land divisions, conditional uses, and design reviews. Provides a design review matrix (i.e., replacing the table in Chapter 16.49) which is tailored to the Master Plan area.
- E. Provides additional conditional use standards to ensure development compatibility.
- F. Lists uses that are prohibited outright due to incompatibility with the goals for the area. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.025 Pre-application review and conditions of approval

- A. A pre-application meeting with utility and service providers is required prior to any land use application, building permit application, or business license application in the I-O zone, unless this requirement is waived by the City Planner. The City Planner shall provide application forms for this purpose indicating all required information. The pre-application meeting shall allow utility and service providers to make a detailed assessment of the proposed use prior to forming a recommendation on approval. In addition, this meeting will allow the City to evaluate whether a Conditional Use Permit will be required.
- B. At the pre-application meeting, the City shall determine the need for a Hazardous Materials Management Plan. If required by the City, the applicant shall prepare a plan meeting the relevant sections of the Oregon Fire Code as determined by the City. The Plan shall allow utility and service providers to review the health and safety impacts of any proposed use and ensure an adequate plan will be in place to address those impacts prior to forming a recommendation on approval.
- C. The Planning Commission or City Council may impose conditions to protect public health and safety on any discretionary land use application. (Ord. 1057 section 2 [part], 2000; Ord. 1237, 2007)

16.35.030 Uses permitted outright.

Unless limited by sections 16.35.040 or 16.35.045, uses permitted outright in the C-M zone, M-1 zone, and M-2 zone are permitted outright in the I-O zone, subject to the respective zone district boundaries. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.040 Conditional uses.

Unless limited by subsection A below or section 16.35.045, conditional uses permitted in the C-M zone, M-1 zone, and M-2 zone are permitted as conditional uses in the I-O zone, subject to the respective zone district boundaries.

- A. Any proposed site development, change in use, land division, or other action that results in any of the following requires conditional use approval in the I-O zone:

1. Less than 3 employees per developed acre. For the purposes of this section only, “developed” means all areas used for buildings, landscaping, vehicle maneuvering and parking areas, outdoor storage, and other areas occupied by the use. For the purposes of this section only, employees means full-time equivalents unless the City specifically allows other interpretations;
 2. More than 60 acres total in I-O zoning that is occupied by a single use or business. For the purposes of this section, businesses classified in the same NAICS industry group (four-digit code) are considered to be in the same use. This section is intended to apply cumulatively to all properties in the zone;
 3. Utilization of any public service or utility to such an extent that the utility would not be able to supply all other uses projected in its current long-range plans;
 4. Uses requiring an H occupancy under the Oregon Structural Specialty Code;
 5. In any C-M zoning overlain by I-O zoning, any retail or commercial use with a building footprint exceeding 50,000 square feet;
 6. In any M-1 or M-2 zoning overlain by I-O zoning, any retail or commercial use not related to or supportive of the primary industrial use of the park; or
 7. In any M-1 or M-2 zoning overlain by I-O zoning, retail areas occupying more than 15% of the building footprint.
- B.** To approve a conditional use in the I-O zone, the Planning Commission shall find that each of the following additional criteria are either met, or can be met by observance of conditions, unless it is not applicable:
1. The proposed use is compatible with the industrial nature of the park and will have minimal negative impact on the development and use of surrounding properties;
 2. The proposed use does not pose a threat to public health or safety; and
 3. The proposed use is beneficial to the overall economic diversity and vitality of the City.

These criteria are in addition to those provided in Section 16.50.010. In all other aspects, the conditional use process shall be as specified in Chapter 16.50. (Ord 1008 section 1 [part], 1998, Ord. 1057 section 2 [part], 2000; Ord. 1237, 2007; Ord. 1514, 2019).

16.35.045 Prohibited uses.

The following uses are prohibited in the I-O zone:

- A.** Slaughter house;

- B.** Rendering, reduction, or distillation of, or manufacturing from, animals, fish and their by-products;
- C.** Auto, truck or motorcycle race track;
- D.** Auto, truck, or motorcycle wrecking or salvage yard;
- E.** Scrap metal storage and sales;
- F.** Reclamation or manufacturing of steel barrels or drums;
- G.** Dump or landfill, including rubbish, slag, organic materials, offal, or garbage in general;
- H.** Livestock feeding pen, other than those associated with existing agricultural uses;
- I.** Fireworks manufacturing or the manufacturing of ammunition or explosives;
- J.** Nuclear power plant or similar use;
- K.** Curing and storage of hides;
- L.** Incinerator, smelter, blast furnace, or coke oven;
- M.** Manufacture of oils, gasoline, or products made directly from petroleum, other oils, or tar products;
- N.** Fertilizer production;
- O.** Creosote production;
- P.** Insecticide production;
- Q.** Tire manufacturing;
- R.** Saw, shingle, or lumber mill; and
- S.** In any M-1 or M-2 zoning overlain by I-O zoning, commercial or retail uses over 50,000 square feet are prohibited.

This list should not be used to imply that any other use is permitted. (Ord. 1057 section 2 [part], 2000)

16.35.050 Development standards.

The following subsections indicate the required development standards of the I-O zone. These standards replace the standards of the C-M zone, M-1 zone, and M-2 zone, as follows:

- A.** Minimum lot area: none.
- B.** Minimum lot width and frontage: none.
- C.** Minimum yard requirements (measured from building foundation to right-of-way line):
 - 1.** Street yards(s): 20 feet for buildings up to 25 feet in height; 35 feet for buildings between 25 feet and 45 feet in height. Parking and internal drives (except curb cuts and entrance drives) are prohibited within the required 20 foot street yard.
 - 2.** Interior yard: 10 feet, except 20 feet where abutting a residential zone. Common-wall lot lines (attached buildings), and development which provide shared parking and circulation with abutting developments, are exempt from interior yard standards.
 - 3.** Rear yard: 10 feet, except 20 feet where abutting a residential zone. Common-wall lot lines (attached buildings), and development which provide shared parking and circulation with abutting developments, are exempt from interior yard standards.
- D.** Maximum building height: 45 feet.
- E.** Maximum lot coverage: 60 percent in the C-M zone; none in the M-1 and M-2 zones.
- F.** Street access (curb cuts) spacing shall be a minimum of 200 feet on designated parkway and collector streets.
- G.** Street right-of-way improvements shall be made in accordance with the Canby Transportation System Plan (TSP).
- H.** Building orientation standards. The following standards are intended to ensure direct, clear, and convenient pedestrian access:
 - 1.** Development in the M-1 zone and M-2 zone shall provide at least one public entrance facing the street. A direct pedestrian connection shall be provided between the primary building entrance and public sidewalk.
 - 2.** Developments within the C-M zone shall provide continuous, straight-line pedestrian connections between the street(s), buildings, and parking areas.

- I. Right-of-way plantings: Street trees and ground cover plantings shall be installed with development, as approved by the City. Shrubs are prohibited within the public right-of-way.
- J. Metal building exteriors are prohibited, except that the Planning Commission may approve architectural metal elements that accent and enhance the aesthetics of building entrances and office areas
- K. Lighting shall be required for all streets, sidewalks, and pedestrian ways. Applications for land division approval and site plan review shall include photometric plans.
- L. Shared access: The City may require the provision of shared access drives through the land division review process. Shared access drives are intended to maintain adequate driveway spacing and circulation along the designated Parkway and Collector streets.
- M. All landscaped areas shall be irrigated unless drought tolerant plants are installed and watered until well established and replaced in event of failure.
- N. Other regulations: The C-M zone, M-1 zone, and M-2 zone provide other applicable regulations related to vision clearance, Highway 99E sidewalk width, setback measurement, outside storage, and wireless/cellular tower certification.
- O. Open storage or “laydown yards” shall be screened by a six foot site-obscuring fence or hedge-type vegetation that would become a solid site obscuring barrier within three years of planting. (Ord. 1008 section 1[part], 1998; Ord. 1237, 2007; Ord. 1299, 2008; Ord. 1514, 2019)

16.35.060 Design guidelines.

The Industrial Area Master Plan provides design guidelines for reviewing development applications. The guidelines, which are incorporated into Table 16.35.040, encourage:

- A. Flexibility to align local streets based on parcelization and development requirements;
- B. Tree retention, planting of large (3-inch) caliper trees, and use of lawn/ground cover planting in front yard setbacks;
- C. Placement of buildings at or near the setback line;
- D. Placement of parking areas to the side or rear of buildings;
- E. Placement of smaller commercial buildings at or near the street;
- F. Building entries visible from the street with direct pedestrian connections;

G. Use of quality building materials;

H. Architectural detail to break up and articulate large surfaces and volumes, and to accentuate building entries; and

I. Open space retention and trail connections, as designated by the Master Plan. (Ord. 1008, section 1[part], 1998)

16.35.070 I-O Design review matrix.

The City uses the following matrix to evaluate compliance with the I-O design guidelines. The matrix substitutes for the general design review matrix provided in Chapter 16.49. Design review applications must comply with all other applicable provisions of Chapter 16.49, and achieve scores equal to or greater than the minimum acceptable scores in the matrix. (See Master Plan for illustrations.)

A. Exception: The City may reduce the minimum acceptable score(s) upon finding that certain provisions do not apply to a proposed development.

Industrial Overlay Design Review Matrix
Table 16.35.040

| CRITERIA | Possible Scores |
|--|-----------------|
| <u>Parking</u> | |
| Parking areas located to the side or rear of buildings as viewed from public right-of-way: <50% of parking spaces=0; 50%-75%=1; 75%-100%=2. | 0 1 2 |
| Increase minimum interior parking lot landscape over the base 15%: 15%-18%=0; 18%-22%=1; >22%=2. | 0 1 2 |
| Increase the base number of trees required by 16.49.120 (all landscape islands must contain 1 tree, 1 tree for every 40' along the required setback): 100%-105% of base requirement=0; 105%-110% of base requirement=1; >110%=2; (# of trees proposed/# of trees required x100=% of base requirement) | 0 1 2 |
| Number of parking spaces provided: (% of required minimum): >110%=0; 110%-105%=1; 105%-100%=2. See Table 16.10.050 for required parking. (# of spaces proposed/# of spaces required x100=% of required minimum) | 0 1 2 |
| Minimum Acceptable Score | 4 points |

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| <u>Transportation/Circulation</u> | |
| Design private, on-site pedestrian pathways: 6' painted ways=0; 6' brick/paver ways=1; 6' brick/paver & raised concrete ways=2 | 0 1 2 |
| Number of pedestrian connections between the street sidewalk and internal circulation system: One connection = 0 Two or more connections = 1 | 0 1 2 |
| Minimum Acceptable Score (some provisions may not apply) | 2points |

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| <u>Landscaping</u> | |
| Trees installed at 3 inch caliper: <25% of trees=0; 25%-50%=1; 50%-100%=2. | 0 1 2 |
| Usable outdoor amenity provided with development (e.g., water features, plazas, seating areas, and similar features): no=0; yes=1; yes and for public use =2. | 0 1 2 |
| Amount of grass (less grass is better) (% of total landscaped area)>50%=0; 25%-50%=1; <25%=2 | 0 1 2 |
| Minimum Acceptable Score | 3 points |

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| <u>Building Appearance and Orientation</u> | |
| Building orientation at or near the street: parking or drive separates building from street=0; at least 20% of elevation within 5 feet of minimum setback=1; at least 20% of elevation is at minimum setback=2. | 0 1 2 |
| Building entrances visible from the street: no=0; yes=1. | 0 1 |
| Buildings use quality materials: concrete, wood, or wood siding=0; concrete masonry, stucco, or similar material=1; brick or stone=2. | 0 1 2 |
| Articulation and/or detailing to break up large building surfaces and accentuate the building entrance(s): no=0; yes=2. | 0 2 |
| Minimum Acceptable Score | 4 points |