

Chapter 16.78

CONDOMINIUM PROJECT INVOLVING NEW CONSTRUCTION OF SIX OR FEWER UNITS

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16.78.010 Generally.

In that the new construction of small condominium projects is expected to have no adverse impacts on the appropriate growth and development of the city, the regulations set out in this chapter shall apply to such projects involving six or fewer units on a single parcel. (Ord. 740 section 10.5.70[part], 1984)

16.78.020 Application – filing information.

Application procedures shall be as described in Chapter 16.89. (Ord. 740 section 10.5.70(A), 1984; Ord. 1080, 2001)

16.78.030 Standards designated.

The following standards shall apply to all condominium projects involving the new construction of six or fewer units:

- A.** All utilities shall be separated on a unit-to-unit basis, except in cases where the units are to be in multi-story structures where some of the units will not have ground floors, in which case the utilities shall be separated as much as possible from one unit to the next. The developer shall present plans for utility separation to the city engineer, utility board manager, Canby Telephone Association manager and, if warranted, an appropriate official of the Northwest Natural Gas Company.
- B.** Applicants shall be responsible for compliance with all applicable city, county and state regulations governing the construction, platting and sale of condominium units.
- C.** Improvement requirements for small condominium projects shall be the same as those which would be required for a subdivision of the property. These shall include:

1. Curb, gutter and sidewalk construction to city standards;
2. Installation and extension of utilities;

3. Street improvements adjacent to site;
4. Dedication of right-of-way sufficient to allow for the widening or expansion of the street;
5. Filing of a waiver of the right to remonstrate against any future public facility or utility improvements which would benefit the property. (Ord. 740 section 10.5.70(B), 1984)

16.78.040 Review by City Planner.

- A. The City Planner shall review the information submitted by the applicant and shall determine whether it meets the requirements of this and other applicable ordinances. Upon completion of this review, the City Planner shall notify the applicant in writing of the required conditions to be met prior to sale or occupancy of the units.
- B. If modifications to the project are necessary to assure compliance with the applicable regulations, the City Planner shall notify the applicant of such modifications.
- C. Included with the written notification from the City Planner will be one copy of the proposed plot plan labeled "tentatively approved," or "tentatively denied" and marking any modification or corrections which may be necessary. (Ord. 740 section 10.5.70(C), 1984)

16.78.050 Responsibilities of applicant.

- A. The applicant shall be responsible for compliance with all applicable requirements prior to sale or occupancy of the units. This shall include the following final procedures as well as compliance with the basic standards of this and other applicable ordinances.
- B. The developer shall file with the City Planner a reproducible copy (Mylar or sepia) of the recorded plat of the development.
- C. Included with the copy of the plat will be copies of the by-laws of the owners' association and any contracts, covenants, restrictions or waivers of remonstrance recorded for the property. (Ord. 740 section 10.5.70(D), 1984)

16.78.060 Conversion to condominium.

Proposals to convert existing rentals or leased property to condominium ownership shall comply with the requirements of section 16.70.030, regardless of the number of units involved. Applicants intending to utilize the provisions of this chapter must file the appropriate application and receive written approval from the City Planner prior to receipt of a certificate of occupancy for the units. (Ord. 740 section 10.5.70 (E), 1984)