

AGENDA
CANBY PLANNING COMMISSION
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Monday, May 10, 2021
7:00 PM (Virtual Zoom Meeting)

Commissioner John Savory, Chair

Commissioner Larry Boatright, Vice Chair

Commissioner Jennifer Trundy

Commissioner Jeff Mills

Commissioner Michael Hutchinson

Commissioner Jason Padden

Commissioner James Hieb

1. CALL TO ORDER

- a. Invocation
- b. Pledge of Allegiance

2. CITIZEN INPUT ON NON-AGENDA ITEMS

This is an opportunity for audience members to address the Planning Commission on items not on the agenda. Each person will be given 3 minutes to speak. Staff and the Planning Commission will make every effort to respond to questions raised during citizens input before the meeting ends or as quickly as possible thereafter. ***If you would like to speak on non-agenda items, please send an email to PublicComments@canbyoregon.gov no later than 3:00 pm on May 10, 2021, and **provide your name, the topic you'd like to speak on, your phone number and your email address**. Once your information is received, you will be sent instructions for signing into Zoom. Commissioners and Staff will be attending this meeting virtually.

3. MINUTES – Planning Commission Minutes for April 12, 2021

4. NEW BUSINESS – None

5. PUBLIC HEARING To testify, please send **your name, phone number and email address** to PublicComments@canbyoregon.gov no later than 3:00 pm on the May 10, 2021. Once your information is received, you will be sent instructions for signing into Zoom. Commissioners and Staff will be attending this meeting virtually.

- a. To consider a proposal to approve and recommend approval of the Hemmerling Subdivision Project which contains four separate requests culminating into one proposal:
 - i. A request to recommend approval to the City Council for a Comprehensive Plan Map amendment to amend the designation of the subject property on the Comprehensive Plan Map from Low-Density Residential to (LDR) to Medium-Density Residential (MDR). **Hemmerling - [CPA 21-01]**
 - ii. A request to recommend approval to the City Council for a Zone Map amendment to amend the designation of the subject property from Low-Density Residential (R-1) to Medium Density Residential (R-1.5). **Hemmerling - [ZC 21-01]**
 - iii. A request to approve a subdivision of the ~ 3.17 acre property into 20 separate legal lots with associated public and private improvements. **Hemmerling - [SUB 21-02]**
 - iv. A request to approve a Major Variance to the building setbacks of the (R-1.5) Zone. **Hemmerling - [VAR 21-02]**

- b.** To consider a request to approve a 12-unit multifamily development in the High-Density Residential (R-2 Zone). **State Street (DR 21-04).**

6. FINAL DECISIONS –

- a.** Hemmerling (CPA 21-01 / ZC 21-01 / VAR 21-02 / SUB 21-02)
 - b.** State Street (DR 21-04).

7. ITEMS OF INTEREST/REPORT FROM PLANNING STAFF–

- a.** Next regularly scheduled Planning Commission meeting – Monday, May 24, 2021.
 - b.** Potential mini-trainings at the end of public hearings.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

9. ADJOURNMENT

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting at 503-266-7001. A copy of this agenda can be found on the City's web page www.canbyoregon.gov. City Council and Planning Commission Meetings are broadcast live and can be viewed on CTV Channel 5. For a schedule of the playback times, please call 503-263-6287.

PLANNING COMISSION
STATE STREET MULTIFAMILY DESIGN REVIEW (DR 21-04)
MAY 10, 2021 MEETING
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City of Canby

STAFF REPORT CITY FILE #: DR 21-04 STATE STREET MULTI-FAMILY PROJECT

HEARING DATE: May 10, 2021
STAFF REPORT DATE: April 30, 2021
TO: Planning Commission
STAFF: Erik Forsell, Associate Planner

Applicant Request

The applicant requests Planning Commission approval to develop two buildings with 12 residential units, totaling approximately 10,588 square feet on a 0.44-acre site. The proposed development will be accessed off of SW 3rd avenue by the means of an existing easement. Both buildings will be 3-stories in height, approximately 5,294.25 SF. The proposal is to have a total of six (6) two bedroom / two bathroom units and six (6) one bedroom / one bathroom units. Each individual multifamily structure will have a total of six (6) units with a mixture of one and two bedroom units.

STAFF RECOMMENDATION

Based on the applications submitted and the facts, findings, and conclusions of this report, staff recommends **Approval** of DR 21-04 pursuant to the **Conditions of Approval** identified in Section VI of this Staff Report.



Proposed Development
Area



PROPERTY/OWNER INFORMATION

Location:	No Situs – Directly Adjacent to 285 SW 3 rd Avenue
Tax Lots:	41E04BA00200 (Development Area) and #41E04BA00100 (Easement)
Size:	~ 0.44
Comprehensive Plan:	HDR – High Density Residential
Current Zoning:	R-2 – High Density Residential
Owner:	State Street Homes, Inc.
Applicant:	State Street Homes, Inc. – Brandon Gill
Application Type:	Site and Design Review (DR)
City File Number:	DR 21-04

EXHIBITS

- A. Land Use Application
- B. Application Narrative and Criteria Responses
- C. Applicant Diagrams (Site Plan, Landscape Plan, Elevations)
- D. Lot Line Adjustment – LLA 21-01
- E. Neighborhood Meeting
- F. City Engineer Comments
- G. Public Comments

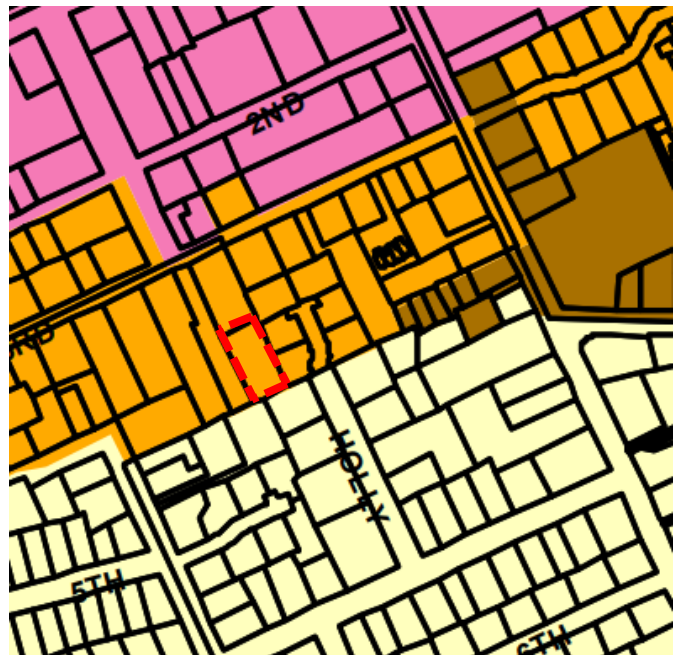
EXISTING CONDITIONS

The subject property is approximately 0.44 acres in size and rectangular in shape. The property contains an existing structure which is proposed to be demolished to accommodate the new proposed development. The property is largely grass with a few trees that are proposed for removal to accommodate the new development.

The subject property is zoned R-2 – High Density Residential. Refer to **Figure 1** for the official zoning of the subject property and surrounding area.

- R-1 Low Density Residential
- R-1.5 Medium Density Residential
- R-2 High Density Residential
- C-R Residential Commercial
- C-2 Highway Commercial

Figure 1 – Zoning Map



The site has no frontage on SW 3rd Avenue and is proposed to take access via an existing easement across Tax Lot 100 adjacent to the north. Refer to **Figure 2**, below for a description of the recently executed property line and easement boundary line adjustments. Refer to **Exhibit E** for more detail related to the Lot Line Adjustment.

Figure 3 – Surrounding Uses

Location	Zone	Uses
North	R-2 Property	Easement Area and Single Family Dwelling
South	R-1 Properties	Single Family Dwellings
East	R-2 Properties	Single Family Dwellings
West	R-2 Property	Single Family Dwelling

PROJECT OVERVIEW

The applicant is proposing to develop two buildings with 12 total residential units, approximately 10,588.5 square feet on a 0.44-acre site. The proposed development will be accessed off of SW 3rd avenue by the means of an existing easement. Both buildings will be 3-stories in height, approximately 5,294.25 SF, and each are composed of three (3) 2 bedroom / 2 bathroom units and three (3) 1 bedroom / 1 bathroom units – essentially creating 6 apartment units of different configuration per proposed structure.

The proposed development will have required improvements including: landscaping, parking, fire turnaround areas, stormwater facilities, street lighting, an improved access easement area and approach.

ANALYSIS AND FINDINGS**I. APPLICABLE CRITERIA**

Applicable criteria used in evaluating this application are listed in the following sections of the City of Canby's Land Development and Planning Ordinance:

- 16.08 General Provisions
- 16.10 Off-street Parking and Loading
- 16.20 R-2 High Density Residential Zone
- 16.42 Signs
- 16.43 Outdoor Lighting Standards
- 16.46 Access Limitations on Project Density
- 16.49 Site and Design Review
- 16.88 General Standards and Procedures
- 16.89 Application and Review Procedures

II. **FACTS AND FINDINGS**

The following analysis evaluates the proposed project's conformance with applicable approval criteria and other municipal code sections, as listed above in Section I. Sections of the Canby Municipal Code (CMC) are analyzed in the order that they appear in the code. Code language is provided in **bold type** and staff findings and response follow each applicable code section.

Section 16.08.070: Illegally Created Lots

As discussed in this section of the CMC, in no case shall a lot created in violation of state statute or City ordinance be considered as a lot of record for development purposes, until such violation has been legally remedied.

Finding 1: Lot Line Adjustment application City File # LLA 21-01 includes findings regarding the legal lot status of the subject property. See **Exhibit E** for more detail regarding the lot line adjustment.

Section 16.08.150: Traffic Impact Study

This section of the CMC outlines requirements for studying the transportation impacts of a proposed project.

Finding 2: Planning staff determined that a Transportation Impact Analysis (TIA)¹ is not required. This decision was based on the information provided by the project applicant and the factors identified in Subsection 16.08.150 (C). A traffic impact analysis is conducted typically with a change in zoning designation, land division, annexation or large square footage commercial, residential and industrial project.

Should the Planning Commission request a traffic study that would require continuing this hearing to a later date.

Chapter 16.10: Off-Street Parking and Loading

This chapter of the CMC identifies requirements for vehicular parking, bicycle parking, and loading facilities when new development occurs.

16.10.030 General Requirements

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)

Table 16.10.50

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 of ten or more units.

Finding 3: Chapter 16.10 identifies multifamily dwellings as a parking standard of 1.00 spaces per studio or 1-bedroom unit; 2.00 spaces per 2-bedroom or larger unit and, 1.00 additional space of guest parking per every five units. Additionally, the applicant is requesting a 10% reduction to the total parking count. This is described in greater detail in **Finding 4**.

Housing Type	Parking Required	Parking Provided
Six (2)-bedroom units	12 spaces	12 spaces
Six (1) bedroom units	6 spaces	6 spaces
Guest Parking	3 spaces	3 spaces
Total:	21	19 via 10% reduction

Finding 4: The applicant's proposal is to create 12 units on the subject property. The subject property is 0.44 acres in size. This meets the threshold above for residential density greater than 9 units per gross acres. Accordingly, the applicant may reduce the parking by 10%.

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.

Finding 5: Not applicable to this development proposal; the subject property is not in an industrial or commercial use.

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.**

Finding 6: The applicant is proposing five (5) compact stalls which is 26 percent of the total number of stalls. Staff finds this portion of the criteria is met. The stalls shall meet the above stated dimensions and marked with signage or on the surface itself to designate those stalls as 'compact parking only'.

- 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.

Finding 7: The applicant's plans demonstrate consistency with the requirements for standing and maneuvering vehicles. No areas of outdoor storage or non-required parking spaces are included in the applicant's proposal. Staff finds these criteria are met.

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.

Finding 8: The applicant is proposing a mixture of porous and non-porous materials for the surfacing of driveways and parking lots. The actual design of these areas must meet the standards of Canby Public Works. The applicant shall supply copies of manufactured specifications, engineer stormwater reports or other materials that demonstrate the functionality of the proposed LID and permeable surfacing as a condition of approval. Those documents shall also be provided during the pre-construction phase of this project to be verified by Canby Public Works and the City's consulting engineer.

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.**

Finding 9: The applicant is proposing to pave the full width of the driveway across Tax Lot 100 in the easement area to the subject property. Staff finds that these criteria are met.

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.

Finding 10: These standards are generally applied to commercial and industrial properties. To the extent that this section applies, it is further addressed in the Lighting Section of this staff report.

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.

Finding 11: These standards are met; no backing movement or other maneuvering will occur within a street right-of-way.

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.

Finding 12: These standards are met; no backing movement or other maneuvering will occur within a street right-of-way.

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.

Finding 13: According to the applicant's provided narrative and site plan diagrams, these standards will be met. ADA parking will be verified as part of the building permit review process with Clackamas County. Striping areas, parking bumpers and other devices used to prevent cars from encroaching into landscape and pedestrian areas will be verified through site visits by Canby planning staff.

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 scaled 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.

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

Finding 14: The proposed development and subject property will have direct access to SW 3rd Avenue via a 20-foot wide paved surface through a 26-foot wide access easement across 285 SW 3rd Avenue. Staff finds these criteria are met. As a condition of approval, the applicant shall supply a copy of the access and maintenance easement for both Tax Lot 41E04BA00200 and 41E04BA00100 which benefits tax lot 100. The easement shall be a permanent and binding lawful grant of access to the subject property. Staff finds these criteria can be met as conditioned.

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.

Finding 15: Staff finds the applicant's submitted plans demonstrate consistency with this criteria.

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.

Finding 16: The use of an access easement is slightly unusual for this project –typically most lots contain real physical access to a public street. This is not always the case but in this instance the subject property takes access via a private easement with an approach onto SW 3rd.

The code specifically states that sidewalks shall continue from ground floor entrances to the sidewalk or curb of the public street that provides the required access and egress. Staff interpret the code so that a sidewalk provides access to the public street—pedestrian interconnectivity. The 26' access easement does not include a designated sidewalk. Staff finds that the interconnection of public sidewalks is a necessary public benefit for future residents of the subject property. As a condition of approval, the applicant shall provide a sidewalk or designated pedestrian path within the easement area that provides real and physical access and separation from the travel surface path. This can be a mountable or "rollable" curb or at grade concrete sidewalk that is part of the travel surface.

This requirement also provides compliance with the Transportation System Plan (TSP) and Safe Route's to School; which among other requirements, necessitate paths for pedestrians and specifically children to have a safe walking path to the public interface for access to school bus stops or other mobility options.

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., leases or contracts shall be placed on permanent files with the city recorder.

Finding 17: The subject property does not have frontage along a public street; however, sidewalk reconstruction directly adjacent may be required near the new commercial approach onto SW 3rd Avenue. The details of this will be discussed during a pre-construction component of the approval process. As discussed above, in **Finding 16**, staff are requiring a condition to designate a separate sidewalk path with at-grade or mountable curbs to provide a designated walking route to the public streetscape.

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)

Finding 18: As mentioned above in **Finding 16**, staff recommend the inclusion of a marked and separate pedestrian access component to the easement area. Staff understand that the applicant is complying with Canby Fire District requests to provide 26-foot wide clear area for fire access. Staff recommend that the Planning Commission require a 5-foot rollable curb sidewalk surface or at-grade sidewalk that is clearly delineated as a pedestrian travel way. This could be part of the 20' wide travel surface or within the 26-foot wide private access easement. Staff believes this meets the Nolan/Dolan scrutiny for a nexus to the development and the rough proportionality of the development and the requirement. Safe pedestrian access is a paramount component to the Transportation System Plan and City of Canby's Development Code. If this property was on a public street these requirements would be placed on a similar development proposal.

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)

Finding 19: The proposed access easement has a minimum of 20-foot wide paved surfacing which surpasses the standards described above.

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: 2 accesses	20 feet 12 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.

Finding 20: The City Engineer has required the applicant construct a commercial approach that is consistent with Detail Drawing No. 104 to serve the access easement. This criteria can be met as conditioned.

Finding 21: Staff finds that the subject property's access meets the definition of 16.04.318 Lot, flag. A flag lot is a lot that does not meet minimum frontage requirements and where access to the public road is by a narrow, private right-of-way. (Ord. 1043 section 3, 2000). As such access requirements and setbacks are set forth by Chapter 16.64.100. However, staff recommend the Planning Commission impose an additional requirement to construct a mountable or "rollcurb" or at grade sidewalk within the travel surface itself or within the access easement. **See also Findings 16 through 19.**

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)

Finding 22:

The City Engineer has required a commercial driveway approach for the subject property's access easement. A 20-foot wide travel surface and 26-foot wide clear area is intended to provide adequate access to fire district standards which meets the commercial access standards. As this property only has access via an easement it is limited to where an approach can be placed. Staff find that the property's approach onto a public street is appropriate to the extent it is possible to mitigate distances from other private driveway approaches and public streets.

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	1 space per unit
Multi-family residential, seniors or with physical disabilities	4, or 1 space per 5 units, whichever is greater

Finding 23: The applicant's submitted plans include 12 total bicycle parking spaces which meet the style, location and dimension requirements set forth in the above criteria. Staff finds this criterion is met.

CHAPTER 16.20 – R-2 High Density Residential

16.20.010 Uses permitted outright.

Uses permitted outright in the R-2 zone shall be as follows:

D. Multi-family dwelling;

Finding 24: The subject property is zoned R-2. See **Figure 4 below**. The applicant is proposing a multi-family development project; this is an outright permitted use so long as it meets the density requirements and other development standards of the zone.

Figure 4 – Zoning Map



- R-1 Low Density Residential
- R-1.5 Medium Density Residential
- R-2 High Density Residential
- C-R Residential Commercial
- C-2 Highway Commercial

16.20.030 Development standards.

The following subsections indicate the required development standards of the R-2 zone:

A Minimum residential density: New development shall achieve a minimum density of 14 units per acre. Minimum density for a property is calculated by multiplying its area in acres (minus area required for street right-of-way and public park/open space areas) by the density standard. For example, 0.18 acres x 14 units/acre = minimum of 2.52 units. Decimals are rounded to the nearest

whole number (e.g., a minimum of 2.52 units becomes a minimum of 3 units). The Planning Commission may modify the density standard if it cannot be met due to existing lot dimensions, road patterns, or other site characteristics.

Finding 25: The subject property is approximately 0.44 acres; the applicant is proposing 12 units on the subject property which well exceeds the minimum density requirements – approximately 7 units would be required for this property. Staff finds this criterion is met. There is no maximum density standard for the R-2 zone which places density restrictions via other measures such as maximum height of structure, parking, impervious percentages and other means.

B. Townhouses with common wall construction must be placed on a maximum 3000 square foot lot in order to meet the density required in this section.

C. Minimum width and frontage: Twenty feet except that the Planning Commission may require additional width to ensure that all applicable access standards are met.

D. Minimum yard requirements:

Finding 26: The subject property meets the definition of a Flag Lot pursuant to CMC 16.04.318 *Lot, flag. A flag lot is a lot that does not meet minimum frontage requirements and where access to the public road is by a narrow, private right-of-way. (Ord. 1043 section 3, 2000).*

Finding 27: The applicant has met the normal setbacks despite the standards described for flag lots. Refer to **Figure 5** on the following page for a copy the applicant's preliminary site plan.

1. Street yard: twenty feet on side with driveway; fifteen feet for all other street sides; except that street yards may be reduced to ten feet for covered porches only. Street yards for multifamily development (3 or more units located on the same property) located adjacent and on the same side of the street to an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone shall establish a front yard setback that is within 5 feet of the front yard setback of the adjacent home in the R-1 or R-1.5 zone but shall not be less than 10 feet from the property line. This standard does not apply if the closest adjacent home has a front yard setback greater than 30 feet.

Finding 28: Staff finds that the applicant has met these standards. The subject property is not located adjacent to and on the same side of a street to an R-1 or R-1.5 zone.

2. Rear yard: all corner lots, ten feet single story or fifteen feet two-story; all other lots: fifteen feet single story or twenty feet two-story. One story building components must meet the single story setback requirements; two story building components must meet the two-story setback requirements;

Finding 29: Staff finds these standards are largely overridden by more restrictive standards found in Chapter 16.49 – Design Review. To the extent they apply, these standards are met.

3. Interior yard: seven feet, except as otherwise provided for zero-lot line housing.

Finding 30: Staff finds these standards are met.

4. Interior and rear yards may be reduced to three feet, or the width of any existing utility easement, whichever is greater, for detached accessory structures erected sixty feet or more from any street other than an alley. The height limitations noted in subsection D.2 below apply to such structures. Utility easements may only be reduced with the approval of all utility providers.

Finding 31: Not applicable to this development proposal.

5. Multifamily development (3 or more units on the same property) that is adjacent to an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone must provide a minimum 15-foot buffer area between the multifamily development and the R-1 or R-1.5 zoned property. Within this buffer the following applies (see figure 16.20-1):

a. Site obscuring landscaping shall be required. The Planning Commission may require retention of existing vegetation; installation of a 6-foot minimum height site-obscuring fence with shade trees planted a maximum of 30 feet on center; and/or other landscaping to provide visual buffering.

b. No active recreation areas (tot lots, swimming pools, etc.) shall be allowed within the 15-foot buffer (garden spaces shall not be considered active recreation areas);

Finding 32: Staff finds the applicant's site plan demonstrates consistency with these standards. As a condition of approval, site obscuring landscaping and/or fencing shall be provided along the perimeter of the enter property. The applicant's site plan demonstrates the placement of shade trees and other landscaping as a buffer to adjacent properties.

6. Infill standards may also apply. See CMC 16.20.030(D)(3) and CMC 16.21.050.

Finding 33: Staff finds that pursuant to CMC 16.05.255 this development proposal is not subject to the infill home standards.

E. Maximum building height and length:

1. Principal building: thirty-five feet.

Finding 34: Staff finds that the applicant's submitted elevations indicate structures that are 34 feet 11 inches in max height which is consistent with these standards. (Refer to Exhibit D for copies of the applicant's submitted structure elevations).

2. Detached accessory structure:

a. If located inside the allowed building footprint for the principal building, a detached accessory structure may be up to twenty-two feet tall, as measured to the highest point of the roof.

b. If located outside the allowed building footprint for the principal building, a detached accessory structure is subject to a step-up height standard, and is allowed outright only if it meets this standard. The structure shall not exceed eight feet tall, as measured to the highest point of the roof, at a distance of three feet from the property line. The structure may increase in height by one foot vertically for every one foot horizontally away from the three foot line, up to the maximum height of twenty-two feet.

c. A conditional use permit is required to locate the structure outside of the allowed building footprint for the principal building in violation of the step-up height standard.

d. Detached accessory structures over twenty-two feet tall are not permitted.

Finding 35: No accessory structures are proposed with this development project. Should accessory structures be proposed at a later date they will be evaluated on their merits against the code.

3. Maximum building height for multifamily developments abutting an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone shall not exceed a building height greater than one foot for each foot of distance from the R-1 and/or R-1.5 property line.

Finding 36: Refer to **Figure 6** for a copy of the applicant's site plan. The structure closest to the R-1 property line adjacent south is setback over 35-feet from that property line. The structure is slightly less than 35-feet tall. Staff finds that the applicant's proposal meets these standards.

4. Maximum building length shall be 120 feet.

Finding 37: The proposed structures are 54-feet wide; staff finds this length standard is met.

F. The maximum amount of impervious surface allowed in the R-2 zone shall be 70 percent of the lot area.

1. Impervious surface includes all surface areas that create a barrier to or hinder the entry of water into the soil in comparison with natural conditions prior to development. Impervious surfaces includes, but are not limited to, buildings, parking areas, driveways, roads, sidewalks, patios, packed earth, and oiled surfaces. Open, uncovered retention/detention facilities, green roofs, and permeable surfacing materials shall not be considered impervious surfaces. Roof surfaces are also considered 'pervious' when 100% of the annual average roof runoff is captured and reused on-site for irrigation or approved interior uses.

2. To limit impervious surface, alternative surfacing materials may be used.



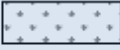


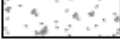
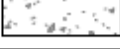
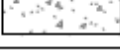
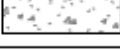
Alternative surfacing includes, but is not limited to paving blocks, turf block, pervious concrete, and porous asphalt. Other similar approved materials are encouraged. Utilization

of alternative surfacing methods shall be subject to review and approval by the City Public Works Department for compliance with other applicable regulations and development standards. Maintenance of alternative surfacing materials located on private property are the responsibility of the property owner.

Finding 38: Staff finds that the applicant has met the impervious standards for the zone based on the submitted plans and table below in **Figure 5 and 7**. Further discussion regarding Low Impact Development (LID) standards and landscaping is included in the design review section of this report.

Figure 5 – Impervious / Pervious Percentage

SITE CALCULATIONS AND LEGEND:

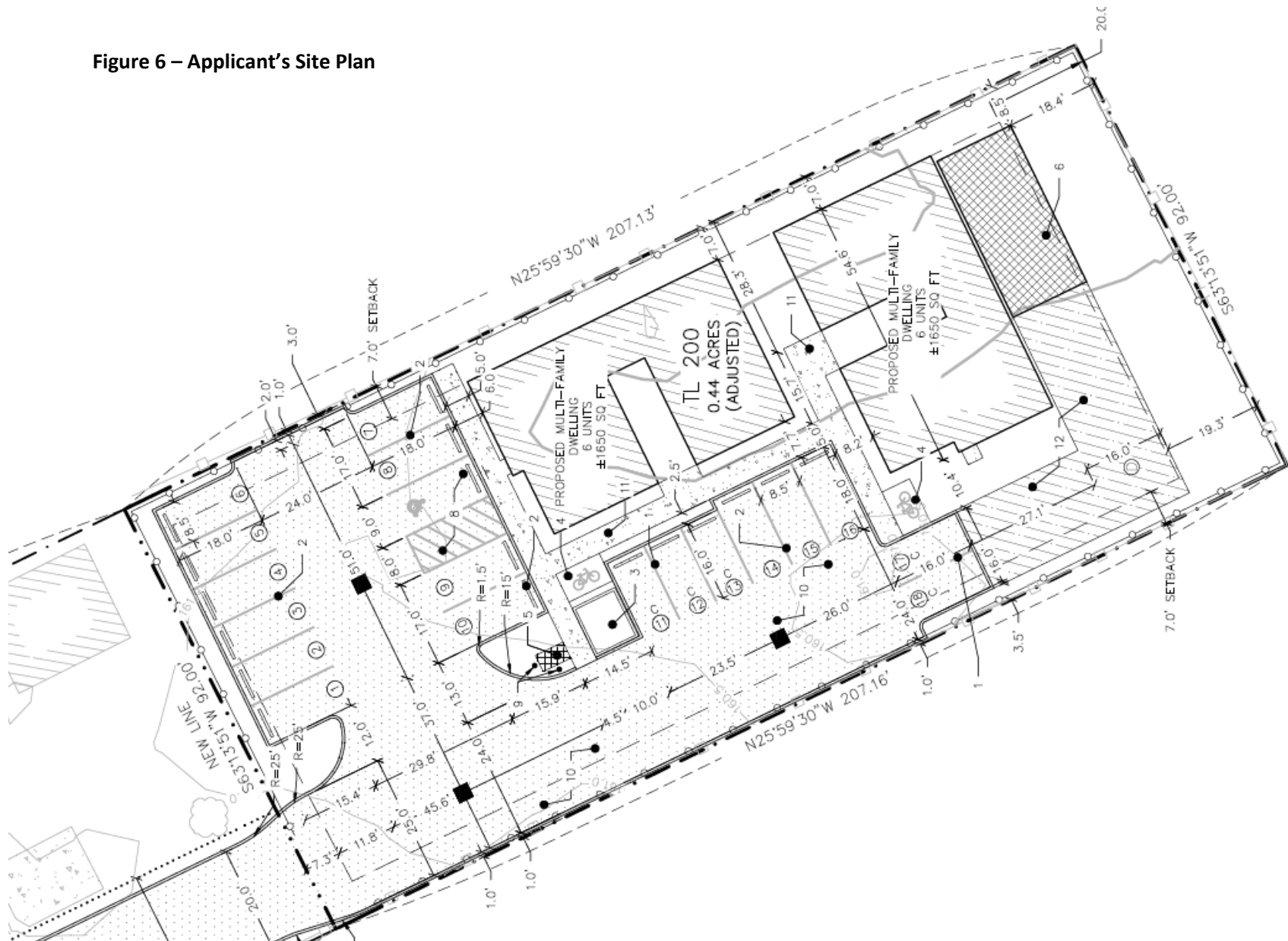
<u>SITE ELEMENT DESCRIPTION:</u>	<u>LEGEND:</u>	<u>AREA: (sf)</u>	<u>PERCENTAGE: (%)</u>
BUILDINGS:		3,529.50 sf	18.52 %
BUILDINGS OVERHANG ABOVE:			
LANDSCAPING:		6,099.94 sf	32.01 %
ASPHALT PAVING:		4,804.11 sf	25.21 %
POROUS ASPHALT PAVING:		2,973.68 sf	15.61 %
ACCESSORY STRUCTURES		213.06 sf	1.12 %
CONCRETE SIDEWALKS:		1026.37 sf	5.39 %
CONCRETE PAVING & CURBS:		257.41 sf	1.35 %
CONCRETE PATIOS		151.67 sf	0.80 %
TOTALS:		19,055.74 sf	100.0 %

G. Other regulations:

4. Multi-family developments exceeding ten units shall provide 150 square feet of recreation space per dwelling unit. Recreation spaces shall be no less than 1,500 square feet in size.

Finding 39: The applicant is proposing 1,800 square feet of recreation space in the south and southwest portion of the site. This area is outside of the 15-foot buffer from the R-1 Zone adjacent. See **Figures 6 and 7** below for more information. Staff finds this criterion is met.

Figure 6 – Applicant's Site Plan



CHAPTER 16.42 – Signs

Finding 40: The applicant is not proposing any signs at this time. These criteria are not applicable to the development proposal. Should signs be proposed at a later date those signs shall comply with the applicable components of CMC 16.42.

CHAPTER 16.43 – Outdoor Lighting Standards

16.43.030 Applicability.

The outdoor lighting standards in this section apply to the following:

A. New uses, buildings, and major additions or modifications:

1. For all proposed new land uses, developments, buildings, and structures that require a building permit, all outdoor lighting fixtures shall meet the requirements of this Code.
2. All building additions or modifications of fifty (50) percent or greater in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or cumulative additions, shall meet the requirements of this Code for the entire property, including previously installed and any new outdoor lighting.

B. Minor additions. Additions or modifications of less than fifty (50) percent to existing uses, in terms of additional dwelling units, gross floor area, or parking spaces, shall meet the requirements of this Code with regard to shielding and lamp type for all new lighting.

Finding 41: The proposed development is subject to the outdoor light standards of this chapter; additional discussion is found below.

16.43.040 Lighting Zones.

A. Zoning districts designated for residential uses (R-1, R-1.5 and R-2) are designated Lighting Zone One (LZ 1). All other zoning districts are designated Lighting Zone Two (LZ 2).

B. The designated Lighting Zone of a parcel or project shall determine the limitations for lighting as specified in this ordinance.

Finding 42: The subject property is subject to Light Zone One (LZ 1).

16.43.070 Luminaire Lamp Lumens, Shielding, and Installation Requirements.

A. All outdoor lighting shall comply with the limits to lamp wattage and the shielding requirements in Table 16.43.070 per the applicable Lighting Zone. These limits are the upper limits. Good lighting design will usually result in lower limits.

B. The city may accept a photometric test report, lighting plan, demonstration or sample, or other satisfactory confirmation that the luminaire meets the requirements of the shielding classification.

C. Such shielded fixtures must be constructed and installed in such a manner that all light emitted by the fixture complies with the specification given. This includes all the light emitted by the fixture, either directly from the lamp or by a diffusing element, or indirectly by reflection or refraction from any part of the fixture. Any structural part of the fixture providing this shielding must be permanently affixed.

D. All canopy lighting must be fully shielded. However, indirect upward light is permitted under an opaque canopy provided that no lamp or vertical element of a lens or diffuser is visible from beyond the canopy and such that no direct upward light is emitted beyond the opaque canopy.

E. Landscape features shall be used to block vehicle headlight trespass while vehicles are at an external point of service (i.e. drive-thru aisle).

F. All facade lighting must be restricted to the facade surface. The margins of the facade shall not be illuminated. Light trespass is prohibited.

Table 16.43.070 – Luminaire Maximum Lumens and Required Shielding

Lighting Zone	Fully Shielded	Shielded	Partly Shielded	Unshielded (Shielding is highly encouraged. Light trespass is prohibited.)
LZ 1	2600 lumens or less	800 lumens or less	None Permitted	Low voltage landscape lighting and temporary holiday lighting.
LZ 2	7800 lumens or less	1600 lumens or less	800 lumens or less	Landscape and facade lighting 1600 lumens or less; ornamental lights of 800 lumens or less.

Finding 43: Given the proximity to other homes and the height of the structures, special consideration shall be applied when reviewing the lighting criteria as part of the building permit submittal. The applicant states that all installed lighting will meet the above requirements.

Specifications of the lighting fixtures have not been provided but will be required with the building permit submittals along with an overall lighting plan and specification sheets for the lamps themselves. Staff finds these criteria can be met as conditioned.

16.43.080 Height Limits.

Pole and surface-mounted luminaires under this section must conform with Section 16.43.070.

A. Lighting mounted onto poles or any structures intended primarily for mounting of lighting shall not exceed a mounting height of 40% of the horizontal distance of the light pole from the property line, nor a maximum height according to Table 16.43.080, whichever is lower. The following exceptions apply:

1. Lighting for residential sports courts and pools shall not exceed 15 feet above court or pool deck surface.
2. Lights specifically for driveways, and then only at the intersection of the road providing access to the site, may be mounted at any distance relative to the property line, but may not exceed the mounting height listed in Table 16.43.080.
3. Mounting heights greater than 40% of the horizontal distance to the property line

but no greater than permitted by Table 16.43.080 may be used provided that the luminaire is side-shielded toward the property line.

4. Landscape lighting installed in a tree. See the Definitions section.

5. Street and bicycle path lights.

B. Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than 4 feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 40% of the horizontal distance of the light from the property line, whichever is less. The following exceptions apply:

1. Lighting attached to single family residences shall not exceed the height of the eave. Lighting for driveways shall conform to Table 16.43.080.

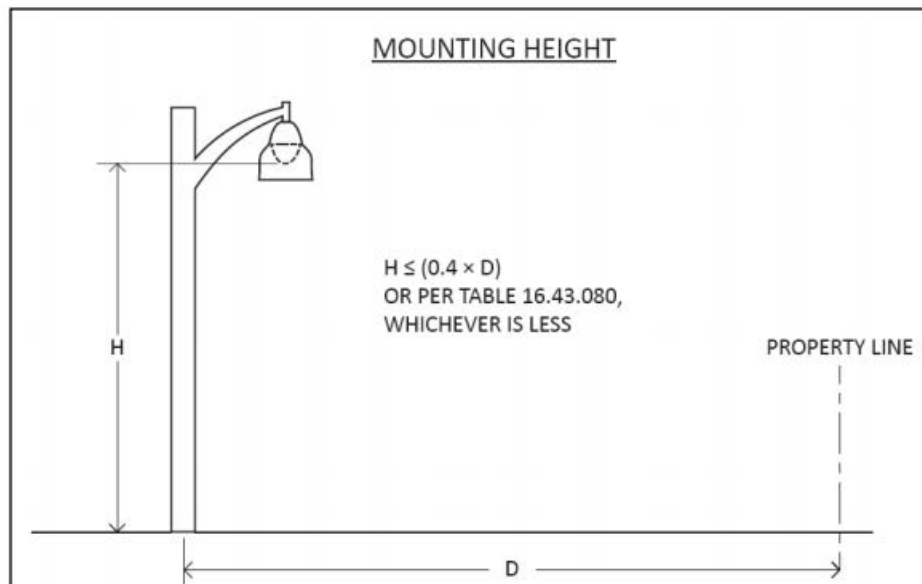
2. Lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated regardless of horizontal distance to property line.

3. For buildings less than 40 feet to the property line, including canopies or overhangs onto the sidewalk or public right of way, luminaires may be mounted to the vertical facade or the underside of canopies at 16 feet or less.

4. The top exterior deck of parking garages should be treated as normal pole mounted lighting rather than as lights mounted to buildings. The lights on the outside edges of such a deck must be side shielded to the property line

Table 16.43.080 – Maximum Lighting Mounting Height in Feet

Lighting Zone	Lighting for Driveways, Parking and Transit	Lighting for Walkways, Plazas and other Pedestrian Areas	All Other Lighting
LZ 1	35.0	18.0	8.0
LZ 2	37.5	18.0	15.0



Finding 44: Given the proximity to other homes and the height of the structures, special consideration shall be applied when reviewing the lighting criteria as part of the building permit submittal. The applicant states that they will be installing lighting that meets the above requirements.

Specifications of the lighting fixtures have not been provided but will be required with the building permit submittals along with an overall lighting plan and specification sheets for the lamps themselves. Staff finds these criteria can be met as conditioned.

16.43.110 Lighting Plan Required

A lighting plan shall be submitted with the development or building permit application and shall include:

- A. A site plan showing the location of all buildings and building heights, parking, and pedestrian areas.
- B. The location and height (above grade) of all proposed and existing luminaires on the subject property.
- C. Luminaire details including type and lumens of each lamp, shielding and cutoff information, and a copy of the manufacturer's specification sheet for each luminaire.
- D. Control descriptions including type of control (time, motion sensor, etc.), the luminaire to be controlled by each control type, and the control schedule when applicable.
- E. Any additional information necessary to demonstrate compliance with the standards in this section. (Ord.1338, 2010)

Finding 45: As mentioned above in **Findings 43 and 44**, a lighting plan describing compliance with Chapter 16.43 will be evaluated at the time of building permit submittal. As conditioned, staff finds these criteria can be met.

CHAPTER 16.49 – SITE AND DESIGN REVIEW

16.49.035 Application for Site and Design Review

A. For site and design review projects in the Downtown Canby Overlay Zone (DCO), applicants may choose one of the following two processes:

1. Type II – If the applicant meets all applicable site and design review standards set forth in Chapters 16.41(Downtown Canby Overlay Zone) and 16.49; the applicant shall submit a Type II application for approval pursuant to the approval criteria set forth in 16.49.040.A; or
2. Type III – If the applicant proposes the use of alternative methods or materials to meet the intent of the site and design review standards set forth in Chapter 16.41.070, the applicant shall submit a Type III application for approval pursuant to the approval criteria set forth in 16.49.040.B. The applicant must still meet all applicable requirements of Chapter 16.49.

B. All other projects subject to site and design review approval pursuant to Section 16.49.030 are subject to the Type III procedural requirements set forth in Chapter 16.89. The applicant shall submit a Type III application for approval pursuant to the approval criteria set forth in 16.49.040. (Ord.1296, 2008)

Finding 46: The subject property is not within the Downtown Canby Overlay Zone and therefore must pursue a Type III process. The proposal is subject to the standards and criteria found in CMC 16.49.040(B).

16.49.40 Criteria and standards

B. In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:

1. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable city ordinances insofar as the location, height and appearance of the proposed development are involved; and
2. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
3. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
4. The proposed development incorporates the use of LID best management practices whenever feasible based on site and soil conditions. LID best management practices include, but are not limited to, minimizing impervious surfaces, designing on-site LID stormwater management facilities, and retaining native vegetation.
5. The Board shall, in making its determination of compliance with this Ordinances, shall use the matrix in Table 16.49.040 to determine compatibility unless this matrix is superseded by another matrix applicable to a specific zone or zones under this title.

An application is considered to be compatible with the standards of Table 16.49.040 if the following conditions are met:

- a. The development accumulates a minimum of 60 percent of the total possible number of points from the list of design criteria in Table 16.49.040; and
- b. At least 10 percent of the points used to comply with (a) above must be from the list of LID Elements in Table 16.49.040.

6. Street lights installation may be required on any public street or roadway as part of the Design Review Application.

D. In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the INTENT of the design review standards set forth in this ordinance.

E. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this ordinance. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.

F. The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.

G. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Chapter 12.32, the city Tree ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.32. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review. (Ord. 848, Part III, section 2, 1991; Ord. 955 section 24 & 25, 1996; Ord.1237, 2007, Ord.1296, 2008; Ord. 1338, 2010; Ord. 1514, 2019)

Finding 47: The above standards are general guidance for the Design Board (Planning Commission) to consider when reviewing a design review application.

Table 16.49.040 Site Design Review Menu

As part of Site and Design Review, the following menu shall be used as part of the review. In order to “pass” this table 60% of total possible points shall be earned, 10% of the total possible points must be from LID element

Finding 48: The tables on the following pages are the scoring matrix for the design review. Green boxes indicate staff verified points towards the total requirement. The table found in CMC 16.21.070 replaces the table in 16.49.040.

Design Criteria	Possible Points				
Parking	0	1	2	3	4
Screening of parking and/or loading facilities from public right-of-way	Not screened	Partially screened	Fully screened	Points = 5	
Parking lot lighting provided	No	Yes	-		
Parking location (behind building is best)	Front	Side	Behind		
Number of parking spaces provided (% of minimum required)	>120%	101-120%	100%		
Tree Retention	0	1	2	3	4
Percentage of trees retained	<10%	10-50%	51-75%	Points = 1	
Replacement of trees removed	<50%	≥50%	-		
Building Orientation to the Street	0	1	2	3	4
Primary entrances face the street	Not street-facing	Entrance breezeway faces street	All entrances face the street	Points = 2	
Building Orientation to the Street, cont.	0	1	2	3	4
Site's frontage has buildings within 25 feet of front lot line. (Full points may be given when courtyards are adjacent to the frontage.)	0-25% of street frontage	26-50% of street frontage	≥51% of street frontage	Points = 1	
Screening of Storage Areas and Utility Boxes	0	1	2	3	4
Trash storage is screened from view by solid wood fence, masonry wall or landscaping.	No	Yes	-	Points = 5	
Trash storage is located away from adjacent property lines.	0 - 10 feet from adjacent property	11 - 25 feet from adjacent property	>25 feet from adjacent property		
Utility equipment is screened from view.	Not screened	Partially screened	Fully screened		
Prevention of Monotonous and Incompatible Design	0	1	2	3	4
Horizontal length of all buildings is a maximum of 120 feet.	101 - 120 feet	81 - 100 feet	≤80 feet	Points = 3	
Roofs have a gable, hip or gambel form, minimum pitch of 3 to 12 with at least 6-inch overhang.	No	Yes	-		

Design Criteria	Possible Points				
A minimum of 15% of street façade areas contains windows or doors. All windows provide trim, recess, or other method of providing shadowing.	No	Yes	-	Points = 3	
Garages are located to minimize their visual impact.	Front of building	Side of building	Back of building		
Exterior design features include offsets, balconies, projections, window reveals, or similar elements to break up large building expanses.	Less than one design feature within every 30 feet of longest façade.	One design feature within every 30 feet of longest façade.	Two or more design features within every 30 feet of longest façade.		
Private Open Space and Landscaping	0	1	2	3	4
Private open space provided in addition to what is required for the base zone.	No additional open space.	Patios or balconies (at least 48 square feet) provided for 50% of units.	Patios or balconies (at least 48 square feet) provided for 51-100% of units.	Points = 2	
Number of non-required trees provided.	-	At least one tree per 500 square feet of landscaping.	-		
Private Open Space and Landscaping, cont.	0	1	2	3	4
Amount of grass (less grass is better) (% of total landscaped area)	>50%	25-50%	<25%	Points = 2	
Street and Block Framework	0	1	2	3	4
Multi-family developments 8 acres or larger are developed as a series of complete blocks bounded by a network of public or private streets with sidewalks and street trees.	No blocks or network.	10-50% of units are along a street with sidewalks, street trees, and on-street parking.	51-100% of units are along a street with sidewalks, street trees, and on-street parking.	Points = 2	

Low Impact Development (LID)	0	1	2	3	4
Use of pervious paving materials (% of total paved area)	<10%	-	10-50%	51-75%	>75%
Provision of park or open space area for public use	None	-	Open Space(Generally not for public use)	-	Park (public or privately owned for public use)
Use of drought tolerant species in landscaping (% of total plants)	<25% drought tolerant	-	25-50% drought tolerant	51-75% drought tolerant	>75% drought tolerant
Design Criteria	Possible Points				
Provision of additional interior parking lot landscaping (% of minimum required)	100%	101-110%	111-120%	>120%	-
Provision of an eco-roof or rooftop garden (% of total roof area)	<10%	-	-	Points = 15	
Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)	<10%	-	-		
Disconnecting downspouts from city stormwater facilities	None	Some downspouts disconnected	All downspouts disconnected		
Shared parking with adjacent uses or public parking structure (% of total required parking spaces)	None	<50%	≥50%		
Provision of rain gardens/bioretenention areas for stormwater runoff (% of total landscaped area)	None	-	10-50%		

Finding 49: Staff finds that the applicant passes the test by acquiring 39 of 65 available for 60% of the points available with 15 coming from LID elements. Staff notes that this development is relatively unusual in that it does not have public facing frontage which makes one section of points impossible to evaluate. Additionally, according to the applicant's elevation plans, the buildings are oriented to the private street infrastructure which scores two points not one. Staff finds that the applicant has incorporated design elements, layout, parking and other components that are addressing the design elements satisfactorily. Given the unusual circumstances of the property and a clear design path staff provided by the applicant, staff recommend approval of the design review aspect of the table. The Director and the Planning Commission have authority to waive requirements that are stated in the design review standards and to review the intent of the code pursuant to CMC 16.21.060 and 16.49.040 (D).

Finding 50: Staff finds that specific directions are included to contemplate evaluation of hosing cost any types as part of the review. 'Middle Housing' is a significant component of the State's direction on provisions for additional housing types; refer to 16.49.040 (F):

The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The

Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.

16.49.050 Conditions placed on site and design review approvals.

A. A site and design review approval may include restrictions and conditions. These restrictions and conditions shall be reasonably conceived to:

- 1. Protect the public from the potentially deleterious effects of the proposal; and/or**
- 2. Fulfill the need for services created, increased or in part attributable to the proposal; and/or**
- 3. Further the implementation of the requirements of the Canby Municipal Code.**

B. The following types of conditions may be contemplated, and the listing below is intended to be illustrative only and not to be construed as a limitation of the authority granted by this section.

- 1. Development Schedule.** A reasonable time schedule may be placed on construction activities associated with the proposed development, or any portion thereof.
- 2. Dedications, Reservation.** Dedication or reservation of land, or fee in lieu thereof for park, open space purposes, rights-of-way, bicycle or pedestrian paths, green way, riverbank or easements; the conveyance of title or easements to a homeowners' association.
- 3. Construction and Maintenance Guarantees.** Security from the property owners in such an amount that will assure compliance with approval granted.
- 4. Plan Modification.** Changes in the design or intensity of the proposed development, or in proposed construction methods or practices, necessary to assure compliance with this Ordinance.
- 5. Off-Site Improvements.** Improvements in public facilities, including public utilities, not located on the project site where necessary to assure adequate capacity and where service demand will be created or increased by the proposed development. The costs of such improvements may be paid for in full while allowing for recovery of costs from users on other development sites, or they may be pro-rated to the proposed development in proportion to the service demand projected to be created on increases by the project. If determined appropriate by the city based on specific site conditions, off-site roadway improvements may be required to accommodate bicycle and pedestrian travel consistent with the TSP and applicable sections of this code.
- 6. Other Approvals.** Evaluation, inspections or approval by other agencies, jurisdictions, public utilities or qualified consultants may be required for all or any part of the proposed development.
- 7. Access Limitation.** The number, location and design of street accesses to a proposed development may be limited or specified where necessary to maintain the capacity

of streets to carry traffic safely, provided that sufficient access to the development is maintained.

8. Screening. The Planning Commission may require additional screening with landscaping, decorative fencing, decorative walls, or other means in Order to screen outdoor storage areas, rooftop/ground mechanical equipment, garbage/recycling areas, or other visual clutter. (Ord.. 890 section 44, 1993; Ord.. 848, Part III, section 3, 1991; 1340, 2011)

Finding 51: The above criteria are intended for the Planning Commission as a guide for imposing additional conditions as deemed appropriate.

16.49.060 Time limit on approval.

Site and Design Review Board approvals shall be void after twelve (12) months unless:

A. A building permit has been issued and substantial construction pursuant thereto has taken place, as defined by the state Uniform Building Code; or

B. The Planning Department finds that there have been no changes in any Ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. (Ord. 848, Part III, section 4, 1091)

Finding 52: As a condition of approval, the building permits must be issued and substantial construction conducted within twelve months of the final decision for DR 21-04 – State Street.

16.49.065 Bicycle and pedestrian facilities.

Developments coming under design review shall meet the following standards:

A. The internal walkway system shall be extended to the boundaries of the property to adjoining properties developed or zoned for commercial, public, or multi-family uses. The walkway shall connect to an existing walkway system on adjoining property or be located so as to provide for development of a logical connection in the future when the adjoining property is developed or redeveloped.

B. On-site facilities shall be provided to accommodate safe and convenient pedestrian and bicycle access within new subdivisions, multi-family developments, planned development, shopping centers, and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers. Residential developments shall include streets with sidewalks and access ways.

Finding 53: As mentioned previously in this report, staff believe there is a responsibility to provide some demarcation of pedestrian access along the private access easement. Staff discussed this item with Canby Fire District and a different material such as concrete, bricks, pavers or striping delineating the pedestrian portion of the paved access surface is appropriate or providing a zone for pedestrians to walk in and out of the property to the public street infrastructure. This improvement could be a gentle roll curb or at-grade cement which indicates a pedestrian path. In addition staff find that a privately installed 'Stop Sign' with striped 'Stop' shall be placed at the egress point of the approach onto SW 3rd Avenue. Staff finds that there is a sufficient nexus and rough proportionality between the code, the development and the condition in this instance

to include this improvement within the private access easement.

C. For new office parks and commercial development:

1. At least one sidewalk connection between the proposed development and each abutting commercial or office property shall be provided. One connection shall also be provided to each neighborhood.
2. Walkways shall be provided to the street for every 300 feet of developed frontage.
3. Walkways shall be direct with minimal driveway crossings.
4. Walkways shall be linked to the internal circulation of the building.
5. Walkways shall be at least five feet wide and shall be raised, or have different paving materials when crossing driveways or other vehicle maneuvering areas.

Finding 54: These criteria are largely intended for commercial projects and office type land uses. To the extent that the criteria apply, the proposed and existing development at the subject property have linked internal circulation, striping in maneuvering areas.

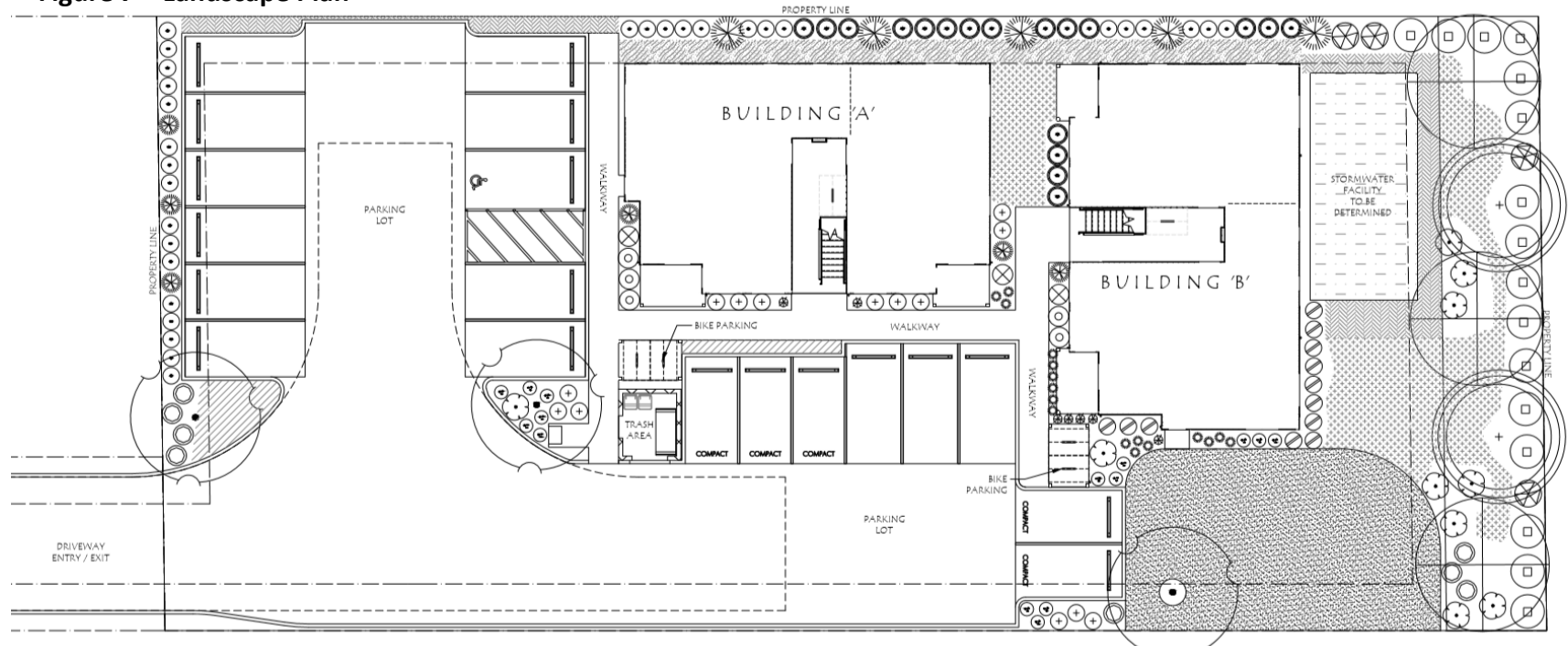
D. Use of permeable surfacing materials for walkways is encouraged whenever site and soil conditions make it feasible. Permeable surfacing includes, but is not limited to, paving blocks, turf blocks, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards.

Finding 55: The applicant is not proposing permeable materials for walkways.

E. Developments that abut the Molalla Forest Road multi-use path shall provide a pedestrian/bicycle access to the path. The city may determine the development to be exempt from this standard if there is an existing or planned access to the path within 300 feet of the development. (Ord. 1043 section 3, 2000; Ord. 1339, 2010; Ord. 1340, 2011; Ord. 1514, 2019)

Finding 56: Not applicable this development does not abut the Molalla Forest Road.

Figure 7 – Landscape Plan



16.49.080 General provisions for landscaping.

A. The standards set forth in this section are minimum standards for landscaping.

B. The purpose of these landscaping standards is to provide uniform standards for the development and maintenance of the landscaping of private property and public rights-of-way. The purpose of landscaping is to improve the livability of residential neighborhoods, enhance the customer attraction of commercial areas, increase property values, improve the compatibility of adjacent uses, provide visual separation and physical buffers between incompatible adjacent land uses, provide visual relief from the expanse of parking lots, screen undesirable views, contribute to the image and appeal of the overall community, and mitigate air and noise pollution.

These standards are also intended to facilitate Low Impact Development (LID) techniques through the retention of existing native vegetation and mature, healthy trees, to the extent feasible. Additional LID related goals of this chapter are to: reduce erosion and storm water runoff; preserve and promote urban wildlife habitats; reduce the amount of carbon dioxide in the air; shade and reduce the temperature of adjacent waterways; and enhance the streetscapes along the city's public rights-of-way with an emphasis on trees and LID stormwater facilities.

C. The minimum area requirement for landscaping for developments coming under design review shall be the percentage of the total land area to be developed as follows. Parking lot landscaping area is included in calculating the following landscape areas:

- 1. Fifteen (15) percent for all industrial and commercial zones (except the Downtown-Commercial zone, but including the Commercial-Residential zone).**
- 2. Seven and one-half (7.5) percent for the Downtown-Commercial zone.**
- 3. Thirty (30) percent for all residential zones**

D. LID stormwater management facilities, such as rain gardens and bioretention areas, may be counted toward the minimum landscaping requirement when they are located on private property. LID facilities in the public right-of-way cannot be counted toward the minimum landscaping requirement. The integration of LID stormwater management facilities within required landscaping must be approved by the city and shall comply with the design and construction standards set forth in the Canby Public Works Design Standards.

Finding 57: The applicant has provided approximately 6,100 square feet or 32% of the subject property area that is landscaped. The applicant also has preliminary designs for a stormwater management facility and proposing porous asphalt for portions of the parking stalls. Staff finds that this meets the standard in 16.49.080(C)(3). **(Refer to Figure 7 for the applicant's landscape plan).**

E. Trees and other plant materials to be retained shall be identified on the landscape plan. The Site and Design Review Board encourages the retention, to the extent practicable, of existing healthy trees and vegetation.

Finding 58: The applicant has provided a landscape plan that demonstrates materials and vegetation that will be retained.

F. During the construction process:

1. The owner or the owner's agent shall provide above and below ground protection for existing trees and plant materials identified to remain.
2. Trees and plant materials identified for preservation shall be protected by chain link fencing placed around the tree, at the drip line.
3. If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist, nurseryman or landscape architect.
4. Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.
5. Where site conditions make necessary grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip line area, such grading, paving, trenching, boring, digging or similar encroachment shall only be permitted under the direction of a qualified arborist, nurseryman or landscape architect. Such direction must assure that the health needs of trees within the preserved area can be met.
6. Tree root ends shall not remain exposed.

G. Landscaping under preserved trees shall be compatible with the retention and health of said trees.

H. When it is necessary for a preserved tree to be moved in accordance with the Tree Ordinance, the landscaped area surrounding said tree or trees shall be maintained and replanted with trees which relate to the present landscape plan, or if there is no landscaping plan, then trees which are complimentary with existing, nearby landscape materials.

I. Any required landscaped area shall be designed, constructed, installed and maintained so that within three (3) years, the ground shall be covered by living grass or other plant material. (The foliage crown of trees shall not be used to meet this requirement.) A maximum of five percent of the landscaped area may be covered with bark chips, mulch, or other similar materials. A maximum of five percent of the landscaped area may be covered with rock, stones, walkways, or other similar material acceptable to the Board. Required sidewalks shall not be used to meet the landscaping requirements.

J. All trees and plant materials shall be healthy, disease-free, damage-free, well branched stock, characteristic of the species. The use of tree and plant species native to the Pacific Northwest is encouraged. Any new street tree planted must be included on the city's list of approved tree species.

K. Landscaping methods should be guided by the provisions of the most recent edition of the Sunset Western Garden Book or similar publication.

L. The following guidelines are suggested to insure the longevity and continued vigor of plant materials:

1. Select and site permanent landscape materials in such a manner as to produce a hardy and drought-resistant landscaped area.
2. Consider soil type and depth, spacing, exposure to sun and wind, slope and

contours of the site, building walls and overhangs, and compatibility with existing native vegetation preserved on the site or in the vicinity.

M. All plant growth in landscaped areas of developments shall be controlled by pruning, trimming or otherwise, so that:

1. It will not interfere with designated pedestrian or vehicular access; and
2. It will not constitute a traffic hazard because of reduced visibility.
3. It will not hinder solar access considerations.

N. After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.

O. All planting areas shall be graded to provide positive drainage.

P. Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways. (Ord.. 890 section 49, 1993; Ord.. 854 section 1,1991; Ord.. 848, Part IV, section 2, 1990; Ord.. 955 section 26, 1996; Ord. 1237, 2007; Ord.. 1338, 2010)

Finding 59: The criteria in Section 16.49.080(f) through (p) shall be observed by the applicant and property owner. As a condition of approval, the applicant shall implement the landscape plan in adherence with the criteria found in 16.490.080(f) through (p) above.

16.49.100 Landscaping installation and maintenance.

A. Except as allowed by subsection (2), all landscaping and exterior improvements required as part of the site and design review approval shall be completed prior to the issuance of any certificate of occupancy.

B. A temporary certificate of occupancy may be issued prior to the complete installation of all required landscaping and exterior improvements if security equal to 110 percent of the cost of the landscaping and exterior improvements, as determined by the Site and Design Review Board or City Planner, is filed with the city, assuring such installation within a time specified by the Board, but not to exceed six (6) months after occupancy. The applicant shall provide the cost estimates of landscaping materials and installation to the satisfaction of the Site and Design Review Board, City Planner, or city forester, prior to approval of the security. Security may consist of a faithful performance bond payable to the City of Canby, cash, certified check, time certificate of deposit, or assignment of a savings account; and the form shall meet with the approval of the City Attorney. If the installation of the landscaping or other exterior improvements is not completed within the period specified by the Board or City Planner, the security may be used by the city to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the city shall be returned. The final landscape and exterior improvement inspection shall be made prior to any security being returned. Any portion of the plan not installed, not installed properly, or not properly maintained shall cause the inspection to be postponed until the project is completed, or shall cause the security to be used by the city.

Finding 60: The applicant shall finalize all landscaping prior to the issuance of any certificate of occupancy. Should a temporary certificate of occupancy be required, the applicant shall meet the standards of 16.49.100(B). These requirements have been made conditions of approval.

C. All landscaping approved through the site and design review process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved by the Site and Design Review Board, unless later altered with Board approval. (Ord.. 890 section 47, 1993; Ord.. 848, Part IV, section 4, 1990.

Finding 61: The landscaping approved through this site design review process shall be continually maintained as needed. This has been made a condition of approval.

16.49.120 Parking lot landscaping standards.

A. General Provisions. In addition to the objectives stated in section 2 of this Ordinance, goals of parking lot standards are to create shaded areas in parking lots to reduce glare, enhance the visual environment, and encourage the use of LID practices. The design of the parking area shall be the responsibility of the developer and should consider visibility of signage, traffic circulation, comfortable pedestrian access, and aesthetics. Trees shall not be cited as a reason for applying for or granting a variance on placement of signs.

B. Application. Parking lot landscaping standards shall apply to any surface passenger vehicle parking area of ten (10) spaces or more, or to any paved vehicular use area 3,500 square feet or larger on the same tax lot or on contiguous tax lots under common ownership. Any paved vehicular area which is used specifically as a utility storage lot or a truck loading area shall be exempt from landscaping requirements within a parking lot.

C. Landscaping Within a Parking Lot.

1. Area within a parking lot shall include the paved parking and maneuvering area, as well as any area within ten (10) feet of any exterior face of curb surrounding the paved parking and maneuvering area.
2. Each interior landscaped area shall be a minimum of six (6) feet wide, unless the area is added to the required perimeter landscaping.
3. The use of LID best management practices in parking lots is encouraged whenever site and soil conditions make it feasible. Such practices include, but are not limited to, permeable surfacing materials, and integrating LID stormwater management facilities into the required landscaping areas.

Finding 62: The applicant's submitted narrative, site plan diagram, and landscape diagram indicate that the parking lot area is approximately 5,967 square feet and the interior landscape area is approximately 1,283 square feet. This nets approximately ~ 21% of parking lot landscape area. The required area for parking lot landscaping for this zone is 15% Staff finds that the applicant has provided sufficient landscaping in the parking lot area.

D. Computing Minimum Area Required to be Landscaped Within a Parking Lot. Minimum area required to be landscaped within a parking lot shall be as follows:

1. Fifteen (15) percent for all residential, industrial, and commercial zones
2. Five (5) percent for the Downtown-Commercial Zone for any off-street parking spaces provided.
3. Ten (10) percent for the Core Commercial (CC) sub-area of the Downtown Canby

Overlay Zone for any off-street parking spaces provided.

Finding 63: As mentioned above in **Finding 62**, the interior landscape parking area is approximately 1,283 square feet. This nets approximately ~ 21% of parking lot landscape area. Staff finds this criterion is met. The total landscaping provided is approximately ~ 32% of the subject property.

F. Criteria for Trees in Parking Lots. Deciduous, evergreen and/or shade trees shall meet the following criteria:

1. Reach a mature height of approximately forty (40) feet. Trees must be approximately two-inch (2") caliper at the time of planting.
2. Cast moderate to dense shade in summer.
3. Be long lived, i.e., live to be over approximately sixty (60) years.
4. Do well in an urban environment:
 - a. Be pollution tolerant; and
 - b. Be tolerant of direct and reflected heat.
5. Require little maintenance:
 - a. Be mechanically strong;
 - b. Be insect and disease resistant; and
 - c. Require little pruning.
6. Be resistant to drought conditions.
7. Be barren of fruit production.

Finding 64: As a general standard, all trees planted as part of the landscape plan shall meet these minimum requirements. These criteria for trees are made as condition of approval.

G. Perimeter of Parking and Loading Areas:

1. Screening of parking and loading areas is required. Within three (3) years of planting, screening shall be of such height and density as to shield vehicle headlights from head-on visibility.
2. In addition, one (1) deciduous, evergreen and/or shade tree shall be planted every forty (40) feet, minimum, along the required setback of the vehicular use area.

Finding 65: The applicant has indicated in submitted narratives and accompanying landscape plan the screening of parking and loading areas with plantings and trees. Staff finds this criterion is met.

H. Irrigation System or Available Water Supply Required. Landscaped areas shall be provided with automatic irrigation systems or a readily available water supply with at least one (1) outlet located within approximately 150 feet of all plant materials to be maintained. (Ord.. 890 section 49, 1993; Ord.. 848, Part IV, section 6, 1990, Ord. 1296, 2008; Ord.. 1338, 2010)

Finding 66: The applicant has indicated in the narrative that an irrigation system will be installed to provide water for landscaping. This requirement is a condition of approval.

IV. PUBLIC COMMENTS RECEIVED – Verbatim comments are attached as Exhibit G

- Karen Bourbonnais – Expressed concern regarding the parking and the amount of units but stated that they are not against the project itself.
- Jason Bristol – Expressed some interest in the fencing and what type of materials make the most sense.
- Robert and Sandra Salmonson – Concerns related to privacy and size of structure, fire truck turnaround, parking.
- Jennifer Driskill – A variety of concerns some of which are value based and are related to aesthetics, privacy, neighborhood compatibility, lighting, pedestrian safety, on and off street parking. The comments make direct findings to the criteria, which staff address below.
- “The development lot is surrounded by both R-2 and R-1 properties. Development standard 16.20.030, Section E, Item 3 States: “Maximum building height for multifamily developments abutting an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone shall not exceed a building height greater than one foot for each foot of distance from the R-1 and/or R-1.5 property line.” I believe that means that the proposed building needs to be 35' from the R-1 lot lines on Holly, and that the developer plan does not conform to that requirement.
 - **Staff Response:** According to the applicant’s submitted plan sets, the structures meet a 35-foot setback from the R-1 property line. There are two R-1 properties adjacent to the subject property which are south from the subject property.
- “Multi-family developments exceeding ten units shall provide 150 square feet of recreation space per dwelling unit. Recreation spaces shall be no less than 1,500 square feet in size.” Two 6 unit buildings, 12 units on the lot, seems like this should apply. I did not see anything to indicate inclusion of a 1,800 sq. ft. recreation space (12*150 sq. ft.).
 - **Staff Response:** The applicant’s plans appear to demonstrate consistency with these standards. Staff addressed this initially with the applicant during the completeness review of the project and deemed the application incomplete because the applicant was using outdoor balconies and patios as part of that space. Staff agrees that the applicant could provide a more clear indication of the active recreation space, but the plans appear to demonstrate a consolidated and active recreation space along the south and southwestern portions of the site. These areas are also outside of the 15-foot buffer required by the adjoining R-1 Zones.
- Development standards of 16.20.030, Section D, Item 2: Rear yard setback standards don't address buildings beyond two stories (20 ft.). While Section E, Item 3 appears to indicate the setback needs to be the height of the building (35 ft.), I think it's worth noting that the standards don't even anticipate buildings over two stories for R-2 nor the implications for the surrounding residents.

- **Staff Response:** The setback based on the height of the building is staff's understanding for accommodating structures that are over 2-stories in height. As such, a 27.5-foot structure would require a setback of 27.5-feet. Staff recognize that development does not always fit neatly within code and that conflicts can and will exist. At this time, it appears that because of the R-2 zone and the majority of the property surrounding the subject property is zoned R-2 that the setbacks meet the letter of the code.
- Adding a 26' driveway for these apartments is absolutely necessary for emergency vehicle access – but takes away 2-3 parking spots on 3rd Ave. The reality is that at least 5-6 additional cars will need street parking comes along with the one bedroom apartments. There are not many places left for those cars to fit in – it's always full at the Elm St end of 3rd Ave; there's only one side to park on 3rd Ave closer to Ivy St, and that area is full now as well.
 - **Staff Response:** A 26' wide access easement exceeds the code standards and is required for fire access. Access to property was granted via easement and must be lawfully given despite the impacts to on-street parking. The applicant has provided the amount of parking required by code.
- Both 3rd Ave and Grant should be considered arterial streets. Any building on this lot needs a Traffic Impact Study (TIS) completed during (non-pandemic) school months. Per 16.08.150, Section C, this project would meet all of the determination requirements, not least of all #5 for "Potential impacts to priority pedestrian and bicycle routes, including, but not limited to school routes...". The inevitable future increases to traffic on 99E, particularly should the proposed I205 tolling come to pass, must not be disregarded. Traffic on local streets, particularly arterial streets adjacent to Hwy 99, will certainly be notable. Ivy and Elm, flanking SE 3rd Ave on either side, may be further from the proposed site but are also relevant arterial routes.
 - **Staff Response:** Arterial streets are a functional classification determined by certain metrics in the Transportation System Plan (TSP) and other traffic engineering. Staff understand future changes may impact prior decisions but in this instance staff cannot make recommendations based on uncertainties in the future that may or may not be actualized. Staff have required as a condition of approval, to place demarcated pedestrian travel paths within the access easement for pedestrians entering and exiting the site. The City's Engineering Consultant has required a commercial approach from the access easement onto SW 3rd to adequately provide for site distance considerations for on and off loading onto the property. Staff is also requiring a posted stop sign and striped stop bar at the egress point of the private access easement.

Should the Planning Commission require an extensive Traffic Impact Study as part of this project, it may lead to not substantial changes to the existing levels of services on nearby roads. The Transportation Planning Rules found in the OAR only apply in certain situations, usually during larger scale developments, zone

changes, annexations and comprehensive plan amendments.

- I am concerned about the light pollution from the buildings and parking lot. Safety lighting alone will completely change the ambient level of light overnight. Being in a residential area, having a dark, quiet space at night is one of the things I cherish most. It makes me really sad my kid may not be able to lay in the back yard and enjoy the stars the way I can today. There will always be the honking light of LEDs on poles and tall buildings nearby, affecting us both outside and within the house behind curtains as well.
 - **Staff Response:** The applicant is required to submit a lighting plan that is consistent with the standards of the Canby Municipal Code, which is intended to reduce if not altogether eliminate light trespass and pollution. Should the Planning Commission impose additional conditions on lighting those could be evaluated during the hearing.

STAFF'S GENERAL RESPONSE TO COMMENTS

Staff recognize that new development that causes changes to neighborhoods can be difficult for existing landowners. As with many things in this world, one person's opinion on aesthetics or 'what is good' for the neighborhood or community may differ greatly from another person's opinions.

Staff strive to make objectively based assumptions and to make a critical review of a proposal versus the criteria. The R-2 zone has been in place for some time and some portions of the city are zoned R-2 to anticipate for and accommodate different types of housing products. To the extent possible, staff impose reasonable conditions to reduce impacts to neighbors and to accommodate development. Staff are limited to the evaluating projects on code and do not have ultimate flexibility provide through a more advanced design review process.

Should the Planning Commission impose additional conditions to further reduce impacts, that discretion is available to the Commission.

V. CONCLUSION

Staff has reviewed the applicant's narrative and submitted application materials and finds that the applications listed above conform to the applicable review criteria and standards, subject to the conditions of approval noted in Section VI of this Staff Report. Planning Staff recommends that the Planning Commission **APPROVE** design review application DR 21-04.

VI. CONDITIONS OF APPROVAL

Access:

1. The driveway access on SW 3rd Avenue shall be a commercial driveway approach and shall be constructed consistent with the City of Canby standard detail drawing No. 104.
2. The driveway approach on SW 3rd Avenue shall be a reconstructed to most current ADA guidelines.
3. The access width, surfacing and turnaround shall meet the approval of the Canby Fire District.

4. A demarcated 5-foot pedestrian walking surface shall be provide within the 20-foot paved area or within the 26-foot access easement area itself. The path shall be at grade and constructed of concrete, pavers, brick or other differentiated material from the asphalt vehicle travel surface.
5. The applicant shall provide a private stop sign at the egress point of the private access easement with a striped line stop bar that is consistent with Canby Public Work's Standards.

Public and Utility Improvements:

6. An 8-inch sanitary sewer shall be extended from SW 3rd Avenue to serve this development. The City will be responsible for the maintenance of the 8-inch line only. All the branched lateral maintenance and ownership shall be the responsibility of the development. The developer shall provide a blanket maintenance easement to the City of Canby over the entire width of the easement to enable the City to maintain the sewer line.
7. Any new water services shall be constructed in conformance with Canby Utility requirements.
8. Any new electrical connection, trenching or extension shall be conducted in conformance with DirectLink and Canby Utility.
9. Public improvements shall comply with all applicable City of Canby Public Works Design Standards. (Public Works / City Engineer).
10. All private storm drainage shall be disposed of onsite. A final drainage report shall be submitted with the final construction plans (Public Works / City Engineer).
11. No private storm drainage discharge shall be allowed to discharge into SW 3rd Avenue.

The applicant shall demonstrate how the storm runoff generated from the new impervious surfaces will be disposed. If drywells (UIC) are used as a means to discharge storm runoff, they must meet the following criteria:

- a. The UIC structures' location shall meet at least of the two conditions:
 - i. The vertical separation distance between the UIC and seasonal high groundwater is more than 2.5 feet, or
 - ii. The horizontal separation distance between the UIC and any water well is a minimum of 267 feet in accordance with the City of Canby Stormwater Master Plan, Appendix "C", *Groundwater Protectiveness Demonstration and Risk Prioritization for Underground Injection Control Devices*.

The storm water drainage report and design methodology shall be in conformance with the requirements as stated in Chapter 4 of the City of Canby Public Works Design Standards dated December 2019. (Public Works / City Engineer).

Project Design / Process:

12. The project shall substantially comply with the submitted narrative and plans. Any deviation from the plans may require additional land use review (Planning).
13. A narrative with accompanying materials shall be provided during the final certificate of occupancy process that demonstrates how the project is consistent with the conditions of

approval stated in this report (Planning).

14. A pre-construction conference request is required prior to the start of any improvement on the property. This includes review and redlines of all public and private utilities, landscaping, parking, and signage, lighting and building components. All redlines required by Public Works, the City Engineer or Planning Staff must be substantially addressed prior to the start of work (Planning).
15. An erosion control permit is required prior to any site disturbance and grading required for predevelopment phasing of the proposal (Planning).
16. All landscaping must meet the requirements of Chapter 16.49 for longevity, planting types, irrigation requirements and general coverage (Planning).
17. A lighting plan demonstrating compliance with Chapter 16.43 is required with the building permit submittal.
18. All proposed lighting shall meet the standards described in Chapter 16.43 and must have cut-off shielding and be installed as described in the manufactures specifications sheets.
19. The applicant shall work with Canby Utility and the Canby Public Works Department in order to provide the appropriate connections to all required utilities prior to site plan approval (Planning).

Legal Lot / Easement

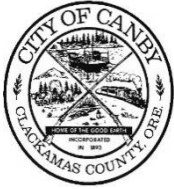
20. The applicant shall provide a copy of the recorded access easement that benefits Tax Lot 200 through 100 demonstrating permanent, non-revocable access. A maintenance agreement if established, shall be provided demonstrating the responsibilities of each party for repair and regular maintenance of the private driveway.
21. The developer/builder of the proposed buildings shall consult with Canby Disposal regarding final architectural plans and design considerations for solid waste pickup. (Canby Disposal)

Building Permits:

22. Pursuant to 16.49.060 Time limit on approval, Site and Design Review Board approvals shall be void after twelve (12) months unless: A building permit has been issued and substantial construction pursuant thereto has taken place, as defined by the state Uniform Building Code; or The Planning Department finds that there have been no changes in any Ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. (Ord. 848, Part III, section 4, 1091) (Planning).
23. The project applicant shall apply for a City of Canby Site Plan Permit, Clackamas County Building permits, and a City of Canby Erosion Control Permit prior to project construction (Planning).
24. Clackamas County Building Services will provide structural, electrical, plumbing, and mechanical plan review and inspection services (Planning).
25. The applicant shall submit sign applications to the City for any future signs. Proposed signs shall conform to provisions of Chapter 16.42 of the CMC and shall secure a building permit from Clackamas County Building Services prior to their installation if applicable (Planning).

Prior to Occupancy:

26. Prior to occupancy of the station, all landscaping plant material indicated on the submitted landscape plan shall either be installed and irrigated as proposed, or sufficient security (bonding, escrow, etc.) shall be provided pursuant to the provisions of CMC 16.49.100 (B). (Planning)
27. All parking striping, wheel stops, ADA space requirements and signage shall be installed (Planning).
28. All pedestrian infrastructure including sidewalks, pathways and striping shall be installed (Planning).



City of Canby
Planning Department
222 NE 2nd Avenue
PO Box 930
Canby, OR 97013
(503) 266-7001

LAND USE APPLICATION

SITE AND DESIGN REVIEW Type II Process Multifamily Design Review

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

☒ Applicant Name: State Street Homes Phone: (503) 954-1545
Address: 1233 NW Northrup St Ste 125 Email: katie@statestreet-homes.com
City/State: Portland, OR Zip: 97209

☐ Representative Name: Brandon Gill Phone: (503) 753-4492
Address: 1233 NW Northrup St Ste 125 Email: brandon@statestreet-homes.com
City/State: Portland, OR Zip: 97209

☐ Property Owner Name: Daniel J & Ashley M Starr Phone: (503) 887-7561 & (503) 327-3966
Signature: [Signature] [Signature] Email: starrd44@yahoo.com
Address: 285 SW 3rd Ave Email: ashleyborowczak@yahoo.com
City/State: Canby, OR Zip: 97013

☐ Property Owner Name: _____ Phone: _____
Signature: _____
Address: _____ Email: _____
City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations, including but not limited to CMC Chapter 16.49 Site and Design Review standards.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>0 SW 3rd Ave Canby, OR 97013</u>	<u>0.45 Acre</u>	<u>41E04BA00200</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Vacant</u>	<u>R-2</u>	<u>High density residential</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation
<u>10-Unit Multi-Family Housing</u>		
Describe the Proposed Development or Use of Subject Property		

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

SITE AND DESIGN REVIEW APPLICATION – TYPE II – INSTRUCTIONS

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email. Required application submittals include the following:

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- ☒ ☐ One (1) paper copy and one (1) electronic copy of this application packet. The City may request further information at any time before deeming the application complete.
- ☒ ☐ Payment of appropriate fees – cash or check only. Refer to the city's Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.
- ☒ ☐ **Please submit one (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT** for all property owners and all residents within 100 feet of the subject property. **If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to "Occupant."** A list of property owners may be obtained from a title insurance company or from the County Assessor's office.
- ☒ ☐ One (1) paper copy and one (1) electronic copy of the written, narrative statement describing the proposed development and detailing how it conforms with the Municipal Code and to the approval criteria, including the applicable Design Review Matrix, and availability and adequacy of public facilities and services. **Ask staff for applicable Municipal Code chapters and approval criteria.**
Applicable Code Criteria for this application includes:

- NA
- ☐ ☐ One (1) paper copy and one (1) electronic copy of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (payment must be received by the City before the traffic engineer will conduct or review a traffic impact study. Ask staff to determine if a TIS is required.

- NA
- ☐ ☐ One (1) paper copy and one (1) electronic copy of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and a list of attendees.

- ☒ ☐ One (1) paper copy and one (1) electronic copy of the minutes of the pre-application meeting.

- ☒ ☐ One (1) paper copy and one (1) electronic copy of either the recorded plat or the recorded deeds or land sales contracts that demonstrates how and when legal property lines were established and where the boundaries of the legal lot(s) of record are located. If the property is a lot or parcel created by plat, a copy of the recorded plat may be obtained from the Clackamas County Surveyor's office. If the property is a legal lot of record

created by recorded deed or land sales contract at a time when it was legal to configure property lines by deed or contract, then those recorded deeds may be obtained from the Clackamas County Office of the Clerk, or a Title Company can also assist you in researching and obtaining deeds.

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If the development is located in a Hazard ("H") Overlay Zone, submit One (1) paper copy and one (1) electronic copy of an affidavit signed by a licensed professional engineer that the proposed development will not result in significant impacts to fish, wildlife and open space resources of the community. If major site grading is proposed, or removal of any trees having trunks greater than six inches in diameter is proposed, then submit one (1) copy of a grading plan and/or tree-cutting plan.



One (1) paper copy and one (1) electronic copy a 11" x 17" proposed plans, printed to scale no smaller than 1"=50'. The plans shall include the following information:

- ☐ Vicinity Map. Vicinity map at a scale of 1"=400' showing the relationship of the project site to the existing street or road pattern.
- ☐ Site Plan-the following general information shall be included on the site plan:
 - ☐ Date, north arrow, and scale of drawing;
 - ☐ Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
 - ☐ Property lines (legal lot of record boundaries);
 - ☐ Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
 - ☐ Location of all jurisdictional wetlands or watercourses on or abutting the property;
 - ☐ Finished grading contour lines of site and abutting public ways;
 - ☐ Location of all existing structures, and whether or not they are to be retained with the proposed development;
 - ☐ Layout of all proposed structures, such as buildings, fences, signs, solid waste collection containers, mailboxes, exterior storage areas, and exterior mechanical and utility equipment;
 - ☐ Location of all proposed hardscape, including driveways, parking lots, compact cars and handicapped spaces, loading areas, bicycle paths, bicycle parking, sidewalks, and pedestrian ways;
 - ☐ Callouts to identify dimensions and distances between structures and other significant features, including property lines, yards and setbacks, building area, building height, lot area, impervious surface area, lot densities and parking areas;
 - ☐ Location of vision clearance areas at all proposed driveways and streets.
- ☐ Landscape Plan

The following general information shall be included on the landscape plan:

 - ☐ Layout and dimensions of all proposed areas of landscaping;
 - ☐ Proposed irrigation system;

- ☐ Types, sizes, and location of all plants to be used in the landscaping (can be a “palette” of possible plants to be used in specific areas for landscaping);
- ☐ Identification of any non-vegetative ground cover proposed, and dimensions of non-vegetative landscaped areas;
- ☐ Location and description of all existing trees on-site, and identification of each tree proposed for preservation and each tree proposed for removal;
- ☐ Location and description of all existing street trees in the street right-of-way abutting the property, and identification of each street tree proposed for preservation and each tree proposed for removal.
- ☐ Elevations Plan
 - The following general information shall be included on the elevations plan:
 - ☐ Profile elevations of all buildings and other proposed structures;
 - ☐ Profile of proposed screening for garbage containers and exterior storage areas;
 - ☐ Profile of proposed fencing.
- ☐ Sign Plan.
 - ☐ Location and profile drawings of all proposed exterior signage.
- ☐ Color and Materials Plan.
 - ☐ Colors and materials proposed for all buildings and other significant structures.

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- ☒ ☐ One (1) copy of a completed landscaping calculation form (see page 5)
- ☒ ☐ One (1) copy of a completed Design Review Matrix (see page 6)

Site Plan and Design Review - Written Statement

March 30th, 2021

New Multi-Family Development
0 SW 3rd Ave
Canby, OR
Zoned R-2, High Density Residential

The proposed project includes the development of two buildings with 12 residential units, approximately 10,588.5 square feet on a 0.44-acre site. The proposed development will be accessed off of 3rd avenue by the means of an existing easement. Both buildings will be 3-stories in height, approximately 5,294.25 SF, and each are composed of three (3) 2 bd / 2 ba units and three (3) 1 bd / 1 ba units. Outlined below is how the proposed project addresses all applicable approval criteria for a Site Plan and Design Review.

Site Plan and Design Review criteria:

- The proposed project meets all of the applicable standards within the city of Canby's Title 16 – Planning and Zoning Code, the following is a summary of all the applicable development standards for a Multi-Family Development within a R-2 (High Density Residential) zone

16.10 Off-Street Parking and Loading

- **16.10.30.D - Off-street parking spaces for dwellings shall be located on the same lot, or adjacent lot, with the dwelling unit. Parking spaces located within an on-site garage shall count towards the minimum parking requirement for residential uses.**
 - Off-street parking will be located on-site and not within an on-site garage
- **16.10.30.H.1 – The number of vehicular spaces required in Table 16.10.050 may be reduced by up to 10% if the residential density is greater than nine units per gross acre (limit parking to no less than one space per unit for multi-family structures).**
 - The overall density of the site is greater than nine units per acre with a total of 12 units for .44 acres, which equates to 27.3 units per acre, thus allowing a 10% reduction in the required minimum parking. As noted in 16.10.30.H.1, this reduction is limited to no less than one space per unit for multifamily structures.
- **16.10.50 – Parking Standards designated**
 - Per Table 16.10.050, one space per studio or 1-bedroom unit and two spaces per 2-bedroom or larger units is required. The proposed development proposes five (6) 2-bedroom units and five (6) 1-bedrooms units plus an additional 3 guest parking

stalls, resulting in a total of 21 parking stalls. Per 16.10.30.H.1, this requirement may be reduced up to 10%, requiring a minimum of 19 parking stalls. The proposed development meets this minimum parking requirements.

- **16.10.070.A.1 – Parking lot design shall comply with the dimensional standards set forth in Figure 1 of this section**
 - All proposed standard parking stalls meet the dimensional standards expressed in table 16.10.070; standard parking stalls are a minimum 8'-6" wide and 18'-0" deep with a 24'-0" wide access aisle.
- **16.10.070.A.2 – Parking stalls of eight feet in width and sixteen feet in length for compact vehicles may comprise up to a maximum of thirty percent of the total number of parking stalls.**
 - The development proposes 5 compact parking stalls, which make up 26% of the overall parking stalls provided.
- **16.10.070.A.3 – Areas used for standing or maneuvering of vehicles shall have a 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**
 - The development proposes paved asphalt, both standard and porous, for all vehicular movement and parking lots.
- **16.10.070.A.4 – The full width of driveways must be paved in accordance with (3) above.**
 - The developments parking lot and access aisles will all be paved in accordance with 16.10.070.A.3 above.
- **16.10.070.A.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**
 - Does not apply as the proposed parking is for a residential use.
- **16.10.070.A.6 – Groups of more than four 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**
 - The development complies with this standard as the parking spaces will not require any need to back up or maneuver within a street right-of-way.
- **16.10.070.A.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 proposed parking area, and access to said parking area, provides adequate flow for the expected traffic of the proposed use. The proposed development also provides fire truck access and the adequate turn-around necessary for a fire truck apparatus.
- **16.10.070.A.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**
 - All proposed parking stalls are provided with parking bumpers

- **16.10.070.A.9 – Accessible parking shall be provided, constructed, striped, signed and maintained as required by ORS 447.233 and all Oregon Structural Specialty Code Requirements**
 - One accessible parking stall is provided per the requirements of OSSC 1106.1. The proposed development provides one accessible van parking stall at 9'-0" wide with an 8'-0" access aisle.
- **16.10.070.B.3 – All ingress and egress shall connect directly with public streets**
 - The proposed development meets this requirement with access directly off of 3rd Avenue
- **16.10.070.B.4 – Vehicular access for residential uses shall be brought to within 50'-0" of the ground floor entrances or the ground floor landing of a stairway, ramp or elevator leading to dwelling units**
 - The proposed parking lot for the residents is within 50'-0" of all ground floor entrances
- **16.10.070.B.5 – Required sidewalks shall extend from the ground floor entrances or the ground floor landing of a stair, ramp, or elevator to the sidewalk or curb of the public street or streets that provide the required access and egress**
 - The proposed development provides sidewalk access from the ground floor entrances to the proposed parking lot and the proposed private drive that provides access to the development from 3rd avenue
- **16.10.100 – Bicycle parking shall be provided for all multi-family residential, institutional, commercial, and industrial uses**
 - The proposed development proposes ten (12) bicycle parking spaces (1 per unit). Two (2) bicycle parking stalls are provided underneath the stairs in the stairwell of each building, for a total of four (4) bicycle parking stalls provided within the building footprint. Eight (8) additional parking stalls are provided under a bike canopy immediately adjacent to both buildings. Each bicycle parking stall meets the minimum requirement and provides a 2'-0" wide x 6'-0" deep stall

16.20 R-2 High Density Residential Zone

- **16.20.10.D – Uses permitted outright in the R-2 ; Multi-family dwelling**
 - The proposed Multi-family development is permitted outright per zoning
- **16.20.030.A – Minimum residential density: New development shall achieve a minimum density of 14 units per acre.**
 - The proposed development meets the minimum residential density requirement. For a site of .35 acres, the minimum requirement would be 5 units. The proposed development exceeds this minimum by provided a total of 12 units
- **16.20.030.D.2 – Rear Yard: all corner lots, 10'-0" single story or 15'-0" two-story; all other lots: 15'-0" single story, or 20'-0" two-story**
 - The proposed development meets this requirement
- **16.20.030.D.3 – Interior Yard: 7'-0", except as otherwise provided for zero-lot line housing**
 - The proposed development meets this requirement
- **16.20.030.D.5 – Multifamily development (3 or more units on the same property) that is adjacent to an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone**

must provide a minimum 15'-0" buffer area between the multifamily development and the R-1 or R-1.5 zoned property

- The proposed development's rear yard is adjacent to a R-1 (Low Density Residential) zone, requiring a buffer zone. The proposed development does not propose any buildings or active recreation activities within the buffer zone
- **16.20.030.E.1 – Principal building: 35'-0"**
 - The proposed development proposes two (2) separate multifamily buildings. The height of both buildings will be 34'-11 ½"
- **16.20.030.E.3 – Maximum building height for multifamily developments abutting an R-1 (low density residential) or R-1.5 (Medium Density Residential) zone shall not exceed a building height greater than 1'-0" for each 1'-0" of distance from the R-1 and/or R-1.5 property line**
 - The proposed development meets this standard
- **16.20.030.E.4 – Maximum building length shall be 120'-0"**
 - The proposed development meets this standard as both buildings are only 54'-9" in length
- **16.20.030.F – Maximum amount of impervious surface allowed in the R-2 zone shall be 70% of the lot area**
 - The proposed development meets this standard. Impervious surfaces make up 52.39% of the total lot area
- **16.20.030.G.4 – Multifamily development exceeding 10 units shall provide 150 sf of recreation space per dwelling unit**
 - The proposed development exceeds 10 units, therefore, is required to provide 150 sf of recreational space per dwelling unit. This 1,800 sf of required open area is met with the use of open landscaping towards the South and Southwest portions of the site.

16.21 Residential Design Standards

- **16.21.070.A – For design review applications for multi-family dwellings (three or more units) or for development that contains 3 or more units on a single lot located in any zone, the menu in Table 16.21.070 shall apply. This menu replaces the general menu contained in Chapter 16.49 for such applications**
 - See attached exhibit A for the filled-out design matrix in Table 16.21.070 for how the proposed development passes
- **16.21.070.B – A design review application for multifamily dwellings shall be considered to be compatible if: a minimum of 60% of the total possible points from the Design Menu are accumulated for the whole development**
 - The proposed project earned 40 points in the attached exhibit A, thus passing the Design Menu

16.43 Outdoor Lighting Standards

- **16.43.060.A – All outdoor light sources, except street lights, shall be shielded or installed so that there is no direct line of sight between the light source or its reflection at a point 3'-0" or higher above the ground at the property line of the source**
 - All outdoor lighting affixed to the exterior of the building will be shielded
- **16.43.060.B – The following lighting systems are prohibited from being installed or used except by special use permit: aerial lasers, 'searchlight' style lights, and/or other very intense lighting, defined as having a light source exceeding 5200 lumens**
 - The proposed development does not propose any of the above lighting systems
- **16.43.070.A – All outdoor lighting shall comply with the limits to lamp wattage and the shielding requirements in Table 16.43.070 per the applicable Lighting Zone. These limits are the upper limits**
 - All outdoor lighting will comply with the limits listed in table 16.43.070.
- **16.43.080.A – Lighting mounted onto poles or any structures intended primarily for mounting of lighting shall not exceed a mounting height of 40% of the horizontal distance of the light pole from the property line, nor a maximum height according to Table 16.43.080, whichever is lower;**
 - Per exception 16.43.080.A.3, mounting heights greater than 40% of the horizontal distance to the property line but no greater than permitted by Table 16.43.080 may be used provided that the luminaire is side-shielded toward the property line, thus the proposed lighting for the parking area will be side-shielded and will be no more the 35'-0" in height.
- **16.43.080.B – Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than 4'-0" higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 40% of the horizontal distance of the light from the property line, whichever is less.**
 - Per exception 16.43.080.B.2, lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated regardless of horizontal distance to the property line. The only proposed façade lighting will be above the balcony/patio doors for each unit, said lighting will be face shielded and only illuminate the balcony/patio door and façade immediately below the light.
- **16.43.090 – Lighting Controls; the city strongly recommends the use of timers and/or motion detectors on outdoor lighting, and that the motion detectors be set to minimize unnecessary activation.**
 - All exterior lighting, limited to parking lot lighting, pathway lighting and stairway lighting, will be equipped with daylight sensors to ensure they are only operating when necessary. All balcony/patio lighting will be controlled by the unit tenants.
- **16.43.110 – A lighting plan shall be submitted with the development or building permit application**
 - A lighting plan will be submitted with the building permit submittal

16.49 Site and Design Review

- **16.49.030.A – The following projects require site and design review approval, except as exempted in B below; 16.49.030.A.1 – All new buildings**
 - The proposed new Multi-family development will undergo a Site and Design Review. This narrative further explains how the development meets all applicable

Site and Design guidelines in Chapter 16 of the Planning and Zoning Code for the City of Canby

- **16.49.065.A – The internal walkway system shall be extended to the boundaries of the property to adjoining properties developed or zoned for commercial, public, or multifamily uses. The walkway shall connect to an existing walkway system on adjoining property or be located so as to provide for development of a logical connection in the future when the adjoining property is developed or redeveloped.**
 - The adjacent properties are zoned residential, thus not requiring the internal walkway system to extend to the right-of-way or adjacent properties.
- **16.49.065.B – On-site facilities shall be provided to accommodate safe and convenient pedestrian and bicycle access within new subdivisions, multi-family developments, planned development, shopping centers, and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers. Residential developments shall include streets with sidewalks and accessways.**
 - The 185'-0" easement off of 3rd avenue is 26'-0" wide. Due to the need for a 26'-0" access and 20'-0" drive aisle for a fire apparatus, the development of sidewalks along this newly established private drive is not possible. However, the internal walkway system connecting the parking lot and bicycle enclosures to the buildings is made as safe and convenient to the pedestrian as possible.
- **16.49.065.D – Use of permeable surfacing materials for walkways is encouraged whenever site and soil conditions make it feasible. Permeable surfacing includes, but is not limited to, paving blocks, turf blocks, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards**
 - The proposed development will provide porous asphalt under all parking stalls, making up a total of 15.61% of the overall site, and 61.9% of the asphalt on-site.
- **16.49.070.A - The purpose of this section is to establish standards for landscaping within the City of Canby in order to enhance the environment and aesthetic quality of the city by encouraging the retention and protection of existing trees and requiring the planting of trees in new developments**
 - The proposed development will not be able to retain or protect any of the existing trees on-site, however, the new development will be planting a minimum of 8 trees that will replace over 50% of the 7 existing trees that are proposed to be removed
- **16.49.070.B - The purpose of this section is to establish standards for landscaping within the City of Canby in order to enhance the environment and aesthetic quality of the city by using trees and other landscaping materials to temper the effects to the sun, wind, noise and air pollution**
 - The proposed landscape plan will use a combination of plants/shrubbery/trees to help mitigate the effects of the sun, wind, noise and air pollution within the development.
- **16.49.070.C - The purpose of this section is to establish standards for landscaping within the City of Canby in order to enhance the environment and aesthetic quality of the city by using trees and other landscaping materials to define spaces and uses of the specific areas**
 - The proposed landscape plan will use a combination of plants/shrubbery/trees to further distinguish the private/public spaces within the site. Public spaces include the parking lot and private drive access while Private areas include the buffer zone towards the Southern edge of the property
- **16.49.080.C.1 – The minimum area requirement for landscaping for developments coming under review shall be the percentage of the total land area to be developed as follows.**

Parking lot landscaping area is including in calculating the following landscape areas: 30% for all residential zones

- The total proposed developed landscape area makes up 32.01% of the total site, thus satisfying this requirement
- *16.49.080.D – LID stormwater management facilities, such as rain gardens and bioretention areas, may be counted toward the minimum landscaping requirement when they are located on private property.*
 - The proposed development will use a rain garden to mitigate a portion of the building and sites run-off, this rain garden is factored into the 32.01% of site landscaping
- *16.49.080.E – Trees and other plant materials to be retained shall be identified on the landscape plan. The Site and Design Review Board encourages the retention, to the extent practical, of existing healthy trees and vegetation*
 - The proposed Landscape Plan identifies existing landscaping features that may or may not be retained.
- *16.49.080.F.1-6 – During the construction process: the owner or the owner's agent shall provide above and below ground protection for existing trees and plant materials identified to remain, trees and plant materials identified for preservation shall be protected by chain link fencing placed around the tree at the drip line.. etc.*
 - None of the existing trees will be preserved, thus the above requirements do not apply to the proposed development
- *16.49.080.G – Landscaping under preserved trees shall be compatible with the retention and health of said trees*
 - None of the existing trees will be preserved, thus the above requirements do not apply to the proposed development
- *16.49.080.H – When it is necessary for a preserved tree to be moved in accordance with the Tree Ordinance, the landscaped area surrounding said tree or trees shall be maintained and replanted with trees which relate to the present landscape plan, or if there is no landscaping plan, then trees which are complimentary with existing, nearby landscape materials*
 - None of the existing trees will be preserved, thus the above requirements do not apply to the proposed development
- *16.49.080.I – Any required landscaped area shall be designed, constructed, installed and maintained so that within three (3) years, the ground shall be covered by living grass or other plant material. (The foliage crown of trees shall not be used to meet this requirement) A maximum of 5% of the landscaped area may be covered with bark chips, mulch or other similar materials. A maximum of 5% of the landscaped area may be covered with rock, stones, walkways, or other similar material acceptable to the Board. Required sidewalks shall not be used to meet the landscaping requirements*
 - The landscaped areas are designed in accordance with the above requirements. Sidewalks are not counted towards the percentage of landscaped area calculated earlier in this narrative.
- *16.49.080.J – All trees and plant materials shall be healthy, disease-free, damage-free, well-branched stock, characteristics of the species. The use of tree and plant species native to the Pacific Northwest is encouraged. Any new street tree planted must be included on the city's list of approved tree species.*

- All new trees and plants will be healthy, disease-free, damage-free, and of a well-branched stock. All proposed tree and plant species are native to the Pacific Northwest
- **16.49.080.K – Landscaping methods should be guided by the provisions of the most recent edition of the Sunset Western Garden Book or similar publication**
 - The proposed landscaping methods are guided by the above requirements
- **16.49.080.L.1-2 – The following guidelines are suggested to insure the longevity and continued vigor of plant materials**
 - The trees, plants and landscape materials selected for the proposed development so as to provide a hardy and drought resistant landscaped area. Over 75% of the plant species selected are of drought-resistant species.
- **16.49.080.M.1-3 – All plant growth in landscape areas of developments shall be controlled by pruning, trimming or otherwise, so that it will not interfere with designated pedestrian or vehicular access, and it will not constitute a traffic hazard because of reduced visibility, and it will not hinder solar access considerations**
 - The landscaped area will be properly maintained by the developments management company to ensure that all landscaping will not hinder the pedestrian and vehicular circulation.
- **16.49.080.N – After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting**
 - The above standards will be met upon completion of the site grading
- **16.49.080.O – All planting areas shall be graded to provide positive drainage**
 - All landscaped areas will provide adequate drainage
- **16.49.080.P – Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways**
 - Both the private drive and parking lot areas will be protected by curbs to prohibit the landscaping materials from washing into them upon heavy rainfall. Subsequently, all sidewalks will be raised a couple inches above adjacent landscaped areas to further prohibit any landscaping material from washing over them upon heavy rainfall
- **16.49.090.A-E – Specifications for tree and plant materials**
 - All proposed trees, plants and landscaping materials will adhere to the requirements listed within 16.49.090.A-E
- **16.49.100.A – Landscaping Installation and Maintenance: Except as allowed by subsection (2), all landscaping and exterior improvements required as part of the site and design review approval shall be completed prior to the issuance of any certificate of occupancy**
 - All landscaping and exterior improvements will be completed before obtaining any certificate of occupancy for the multifamily buildings.
- **16.49.100.C – All landscaping approved through the site and design review process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved by the Site and Design Review Board, unless later altered with Board approval**
 - All landscaping will be continually maintained by the developments management company to the extent as approved by the Site and Design Review Board
- **16.49.110 – Landscaping area credit for preservation of existing trees and tree groves**
 - The provisions of 16.49.110 does not apply to the proposed development as none of the existing trees are proposed to be preserved

- **16.49.120.B – Application: Parking lot landscaping standards shall apply to any surface passenger vehicle parking area of ten (10) spaces or more, or to any paved vehicular use area 3,500 square feet or larger on the same tax lot or on contiguous tax lots under common ownership. Any paved vehicular area which is used specifically as a utility storage lot or a truck loading area shall be exempt from landscaping requirements within a parking lot**
 - The proposed development proposes two separate parking areas. The main parking area houses 11 parking stalls and has a 3,440.23 SF footprint, thus requiring parking lot landscaping. The secondary parking area provides 8 additional parking stalls and has a 2,527.97 SF footprint, thus not requiring any parking lot landscaping. However, parking lot landscaping is provided for both parking areas. Please see the Site and Design Review Type II – Landscaping Calculation Form attached
- **16.49.120.C.1 – Area within a parking lot shall include the paved parking and maneuvering area, as well as any area within ten (1) feet of any exterior face of curb surrounding the paved parking and maneuvering area**
 - The proposed overall square footage of landscaped area within 10'-0" of the two parking areas equates to 1,623.65 SF
- **16.49.120.D.1 – Minimum area required to be landscaped within a parking lot shall be 15% for all residential, industrial, and commercial zones**
 - The overall SF of the parking area required to provide landscaping is 3,440.23 SF which results in a minimum of 630.23 SF of parking lot landscaping
- **16.49.120.E – All parking areas with more than 16 spaces shall include landscape island to break up the parking area into rows of not more than 8 contiguous parking spaces**
 - The main parking area provides a total of 11 parking stalls, while the secondary parking area only provides 8, thus the above requirements do not apply
- **16.49.120.F – Deciduous, evergreen and/or shade trees in parking areas shall meet the criteria listed in 16.49.120.F.1-7**
 - All interior parking lot trees that are provided will adhere to the requirements listed in 16.49.120.F.1-7
- **16.49.120.G – Perimeter of Parking and Loading Areas: Screening of parking and loading areas is required. Within three (3) years of planting, screening shall be of such height and density as to shield vehicular use area**
 - The bulk of the perimeter around the parking area is screened from adjacent neighbors due to the placement of the buildings. The parking area will be screened from the R-2 property to the East and R-1 property to the South with shrubbery and a 6'-0" fence along the property line. The R-2 property to the West will be screened from the adjacent parking lot with a 6'-0" fence along the property line.
- **16.49.120.H – Landscaped areas shall be provided with automatic irrigation systems or a readily available water supply with at least one (1) outlet located within approximately 150'-0" of all plant materials to be maintained.**
 - An irrigation system will be provided for all landscaping

We believe that through the findings above, the proposed project meets all applicable Site and Design approval criteria for a Type II Site and Design Plan Review.

Sincerely,



Mercedes Butchas
Studio 3 Architecture, Inc
275 Court Street NE
Salem, Oregon 97301
mercedes@studio3architecture.com
503-390-6500

SITE AND DESIGN REVIEW –TYPE II – LANDSCAPING CALCULATION FORM

Site Areas

1. Building area	3,529.50	- Square footage of building footprints
2. Parking/hardscape	7,777.79	- Square footage of all sidewalks, parking, & maneuvering areas
3. Landscaped area	6,099.94	- Square footage of all landscaped areas
4. Total developed area	19,055.74	- Add lines 1, 2 and 3
5. Undeveloped area	0	- Square footage of any part of the site to be left undeveloped.
6. Total site area	19055.74	- Total square footage of site

Required Site Landscaping (Code 16.49.080)

7. Percent of landscaping required in Zoning District	30%	- Fill in the Appropriate Percentage: R-1, R-1.5, R-2 Zones: 30%; C-2, C-M, C-R, M-1, M-2 Zones: 15%; C-1 Zone: 7.5%
8. Required minimum square footage of landscaping	5,716.72	- Multiply line 4 and line 7
9. Proposed square footage of landscaping	6,099.94 / 32.01%	- Fill in value from line 3

Required Landscaping within a Parking Lot (Code 16.49.120(4))

Note: This section and the next apply only to projects with more than 10 parking spaces or 3,500 square feet of parking area

10. Zone	R2	- Fill in the Appropriate Zone and Percentage: C-1 Zone: 5%; Core Commercial sub-area of the Downtown Canby Overlay: 10%, except for parking lots with 10 or more spaces and two or more drive aisles: 50 square feet per parking space; All other zones: 15%.
11. Percent of required landscaping	15%	
12. Area of parking lot & hardscape	3,440.23 SF / 2,527.97 SF	- Fill in area of parking and maneuvering areas plus all paved surface within ten (10) feet of those areas.
13. Number of vehicle parking spaces	11 / 8	- For Core Commercial sub-area in the Downtown Canby Overlay only, fill in the total # of parking spaces on-site.
14. Required square footage of landscaping within 10 feet of parking lot	516.03 SF / 379.20 SF	- Multiply area of parking lot (line 12) by percent of required landscaping (line 11) -OR- for the CC sub-area in the Downtown Canby Overlay multiply line 13 by 50 square feet.
15. Proposed square footage of Landscaping within 10 feet of parking lot	655 SF / 628.25 SF	- Calculate the amount of landscaping proposed within 10 feet of all parking and maneuvering areas.

Parking Lot Tree Calculation

16. Number of parking spaces	11 / 8	- Total number of vehicle parking spaces
17. Area of parking lot & hardscape	3,440.23 SF / 2,527.97 SF	- Area from line 12
18. Number of parking spaces (line 16) divided by 8	2 / 1	- Round up to the nearest whole number
19. Area of parking lot area (line 17) divided by 2,800	2 / 1	- Round up to the nearest whole number
20. Number of required trees in parking lot	2 / 1	- Fill in the larger of row 18 and row 19
21. Number of trees provided within 10 feet of parking lot	2 / 2	- Fill in the number of proposed trees within 10 feet of parking and maneuvering areas.

Table 16.21.070 Multi-Family Design Menu

As part of review of multi-family developments, the following menu shall be used as part of the review. In order to “pass” this table 60% of total possible points shall be earned,
(10% of the total possible points must be from LID elements)

Design Criteria	Possible Points				
Parking	0	1	2	3	4
Screening of parking and/or loading facilities from public right-of-way	Not screened	Partially screened	Fully screened	-	-
Parking lot lighting provided	No	Yes	-	-	-
Parking location (behind building is best)	Front	Side	Behind	-	-
Number of parking spaces provided (% of minimum required)	>120%	101-120%	100%	-	-
Tree Retention	0	1	2	3	4
Percentage of trees retained	<10%	10-50%	51-75%	>75%	-
Replacement of trees removed	<50%	≥50%	-	-	-
Building Orientation to the Street	0	1	2	3	4
Primary entrances face the street	Not street-facing	Entrance breezeway faces street	All entrances face the street	-	-
Building Orientation to the Street, cont.	0	1	2	3	4
Site's frontage has buildings within 25 feet of front lot line. (Full points may be given when courtyards are adjacent to the frontage.)	0-25% of street frontage	26-50% of street frontage	≥51% of street frontage	-	-
Screening of Storage Areas and Utility Boxes	0	1	2	3	4
Trash storage is screened from view by solid wood fence, masonry wall or landscaping.	No	Yes	-	-	-
Trash storage is located away from adjacent property lines.	0 - 10 feet from adjacent property	11 - 25 feet from adjacent property	>25 feet from adjacent property	-	-
Utility equipment is screened from view.	Not screened	Partially screened	Fully screened	-	-
Prevention of Monotonous and Incompatible Design	0	1	2	3	4
Horizontal length of all buildings is a maximum of 120 feet.	101 - 120 feet	81 - 100 feet	≤80 feet	-	-
Roofs have a gable, hip or gambel form, minimum pitch of 3 to 12 with at least 6-inch overhang.	No	Yes	-	-	-

Design Criteria	Possible Points				
A minimum of 15% of street façade areas contains windows or doors. All windows provide trim, recess, or other method of providing shadowing.	No	Yes	-	-	-
Garages are located to minimize their visual impact.	Front of building	Side of building	Back of building	-	-
Exterior design features include offsets, balconies, projections, window reveals, or similar elements to break up large building expanses.	Less than one design feature within every 30 feet of longest façade.	One design feature within every 30 feet of longest façade.	Two or more design features within every 30 feet of longest façade.	-	-
Private Open Space and Landscaping	0	1	2	3	4
Private open space provided in addition to what is required for the base zone.	No additional open space.	Patios or balconies (at least 48 square feet) provided for 50% of units.	Patios or balconies (at least 48 square feet) provided for 51-100% of units.	Sport court, tot lot, pool or community room is provided.	-
Number of non-required trees provided.	-	At least one tree per 500 square feet of landscaping.	-	-	-
Private Open Space and Landscaping, cont.	0	1	2	3	4
Amount of grass (less grass is better) (% of total landscaped area)	>50%	25-50%	<25%	-	-
Street and Block Framework	0	1	2	3	4
Multi-family developments 8 acres or larger are developed as a series of complete blocks bounded by a network of public or private streets with sidewalks and street trees.	No blocks or network.	10-50% of units are along a street with sidewalks, street trees, and on-street parking.	51-100% of units are along a street with sidewalks, street trees, and on-street parking.	-	-
Low Impact Development (LID)	0	1	2	3	4
Use of pervious paving materials (% of total paved area)	<10%	-	10-50%	51-75%	>75%
Provision of park or open space area for public use	None	-	Open Space (Generally not for public use)	-	Park (public or privately owned for public use)
Use of drought tolerant species in landscaping (% of total plants)	<25% drought tolerant	-	25-50% drought tolerant	51-75% drought tolerant	>75% drought tolerant

Design Criteria	Possible Points				
Provision of additional interior parking lot landscaping (% of minimum required)	100%	101-110%	111-120%	>120%	-
Provision of an eco-roof or rooftop garden (% of total roof area)	<10%	-	-	10-50%	>50%
Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)	<10%	-	-	10-50%	>50%
Disconnecting downspouts from city stormwater facilities	None	Some downspouts disconnected	All downspouts disconnected	-	-
Shared parking with adjacent uses or public parking structure (% of total required parking spaces)	None	<50%	≥50%	-	-
Provision of rain gardens/bioretention areas for stormwater runoff (% of total landscaped area)	None	-	10-50%	51-75%	>75%
Total Possible Points= 67 60%=40 points (rounding down), 10%=7 points (rounding up)					

(Ord. 1338, 2010)

NEW MULTI FAMILY DEVELOPMENT

3RD AVENUE APARTMENTS

SITE PLAN REVIEW

0 SW 3RD AVENUE, CANBY OR

VICINITY MAP:



AERIAL PHOTO:



DRAWINGS LIST:

Sheet Number	Sheet Name	Current Revision	Current Revision Date
GENERAL DRAWINGS			
G0.01	COVER SHEET		
ARCHITECTURAL DRAWINGS			
C1	EXISTING CONDITIONS		
C2	SITE PLAN		
C3	PRELIMINARY GRADING		
ARCHITECTURAL DRAWINGS			
L1.1	PRELIMINARY PLANTING PLAN		
ARCHITECTURAL DRAWINGS			
A1.01	SITE PLAN - OVERALL		
A1.02	SITE PLAN		
A1.21-A	BLDG A - FLOOR PLAN - LEVEL 01		
A1.21-B	BLDG B - FLOOR PLAN - LEVEL 01		
A2.01-A	BLDG A - BLDG ELEVATIONS		
A2.02-A	BLDG A - BLDG ELEVATIONS		
A2.03-B	BLDG B - BLDG ELEVATIONS		
A2.04-B	BLDG B - BLDG ELEVATIONS		

SYMBOL LEGEND:

ELEVATION DATUM:	WINDOW TYPE:
ELEVATION F.F.E. ELEVATION DATUM LOCATION:	REFER TO WINDOW ELEVATIONS SHOWN ON DRAWINGS A5.1X
SECTION REFERENCE:	DOOR NUMBER:
FILLED ARROW DENOTES BUILDING SECTION OPEN ARROW DENOTES WALL SECTION/DETAIL DETAIL NUMBER SHEET NUMBER SIDE NOTE IF REQUIRED	DOOR SIZE OR NUMBER
ELEVATION REFERENCE:	PLAN NOTE DESIGNATION:
ELEVATION NUMBER OR DESIGNATION AS OCCURS SHEET NUMBER	PLAN OR SIDE NOTE NUMBER MARK OR DIAGONAL NOTE NUMBER REVISION NUMBER
DETAIL REFERENCE:	ROOM TITLE + NUMBER:
DETAIL NUMBER SHEET NUMBER SIDE NOTE IF REQUIRED DETAIL CUT LOCATION IF SHOWN	ROOM NAME ROOM NUMBER
	WALL TYPE MARK:
	WALL OR PARTITION CONSTRUCTION TYPE. SEE LEGEND.

PROJECT TEAM:

OWNER: State Street Homes, Inc. Brandon Gill 1233 NW Northrup St. #135 Portland, OR 97209 P: 503.954.8545 E: brandon@statestreet-homes.com	LANDSCAPE ENGINEER: Laura Antonson, RLA Laurus Designs 1012 Pine st. Silverton, OR 97381 P: 503.784.6494 E: laura@laurusdesigns.com
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E: gene@studio3architecture.com
W: www.studio3architecture.com

CIVIL ENGINEER & SURVEYOR:
Stuntzner Engineering & Forestry
Nick Blundon, P.E.
2318-B Pacific Avenue
Forest Grove OR 97116
P: 503.357.5717
E: nblundon@stuntzner.com

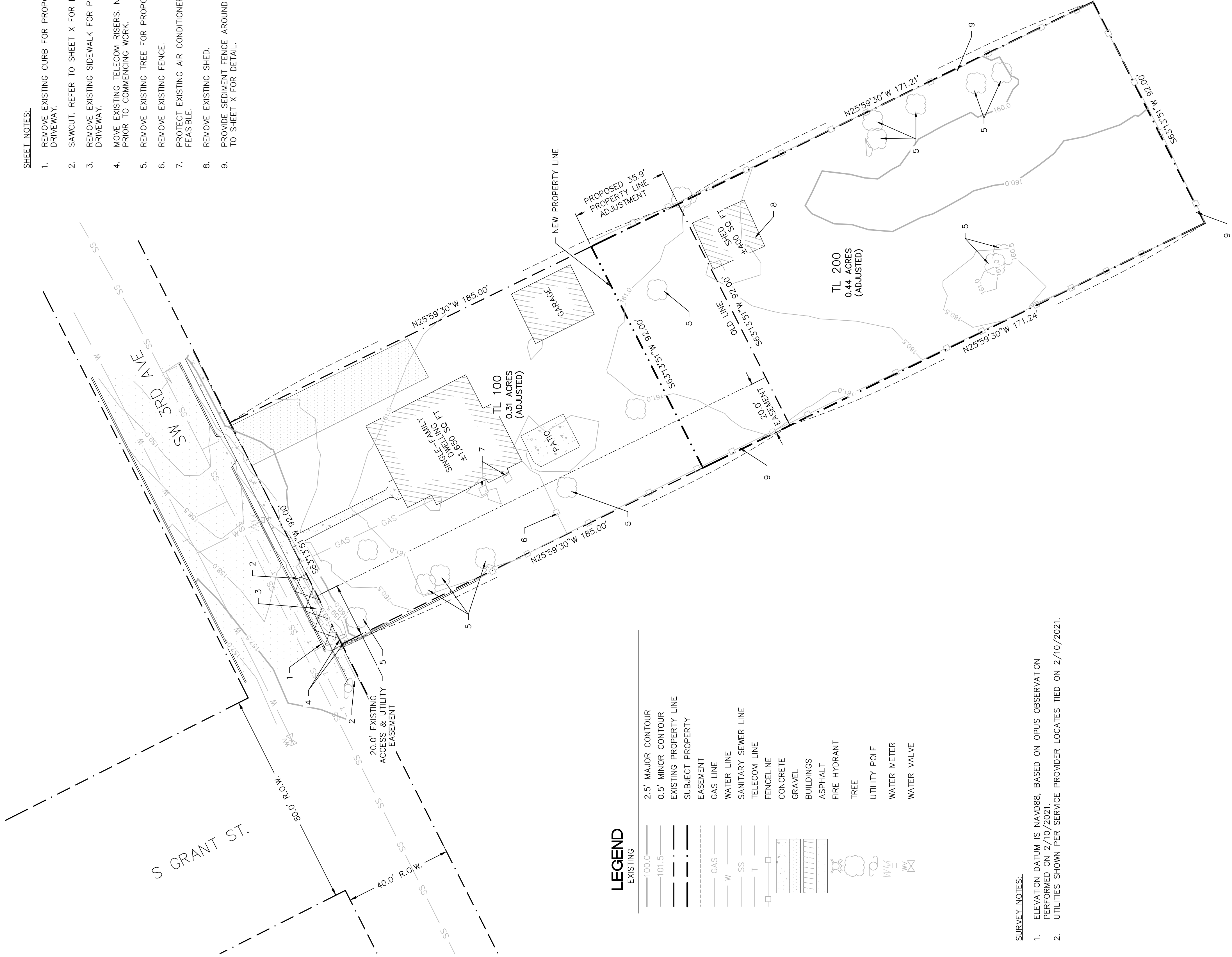
STUNTZNER ENGINEERING & FORESTRY MAKES NO REPRESENTATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UTILITIES. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH THE PROVISIONS OF ORS 757.542 TO 757.562 & 757.993. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE RESULTING FROM DISRUPTION OF SERVICE CAUSED BY CONSTRUCTION ACTIVITIES.

EXISTING CONDITIONS

TAX LOT 200 OF SEC. 32BA T4S, R1E, CLACKAMAS COUNTY, WILLAMETTE MERIDIAN
ADJACENT TO 285 S 3RD AVE, CANBY OR 97013
ZONE: R-2 (HIGH DENSITY RESIDENTIAL)



1. REMOVE EXISTING CURB FOR PROPOSED COMMERCIAL CONCRETE DRIVEWAY.
2. SAWCUT. REFER TO SHEET X FOR DETAILS.
3. REMOVE EXISTING SIDEWALK FOR PROPOSED COMMERCIAL CONCRETE DRIVEWAY.
4. MOVE EXISTING TELECOM RISERS. NOTIFY FRANCHISE UTILITY PURVEYOR PRIOR TO COMMENCING WORK.
5. REMOVE EXISTING TREE FOR PROPOSED ASPHALT DRIVEWAY.
6. REMOVE EXISTING FENCE.
7. PROTECT EXISTING AIR CONDITIONER UNITS TO THE MAXIMUM EXTENT FEASIBLE.
8. REMOVE EXISTING SHED.
9. PROVIDE SEDIMENT FENCE AROUND PERIMETER OF THE PROJECT. REFER TO SHEET X FOR DETAIL.



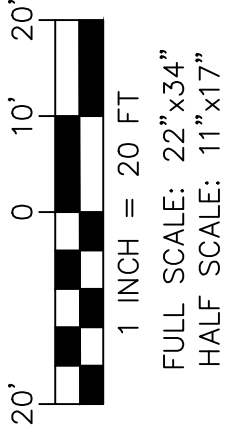
LEGEND

EXISTING

- | | |
|-------|------------------------|
| 100.0 | 2.5' MAJOR CONTOUR |
| 101.5 | 0.5' MINOR CONTOUR |
| --- | EXISTING PROPERTY LINE |
| --- | SUBJECT PROPERTY |
| --- | EASEMENT |
| --- | GAS LINE |
| W | WATER LINE |
| SS | SANITARY SEWER LINE |
| T | TELECOM LINE |
| □ | FENCE LINE |
| | CONCRETE |
| | GRAVEL |
| | BUILDINGS |
| | ASPHALT |
| | FIRE HYDRANT |
| | TREE |
| | UTILITY POLE |
| | WATER METER |
| | WATER VALVE |

SURVEY NOTES:

1. ELEVATION DATUM IS NAVD88, BASED ON OPUS OBSERVATION PERFORMED ON 2/10/2021.
2. UTILITIES SHOWN PER SERVICE PROVIDER LOCATES TIED ON 2/10/2021.



DESIGNED BY: NGB
DRAWN BY: SIE
CHECKED BY: NGB
DATE: 3/30/2021
REVISED:
JOB NAME: STATE ST. HOMES
JOB No.: 321013
SHEET 1 of 3



EXPIRES 12/31/21

DRAWN BY: SIE

CHECKED BY: NGB

REVISED:

JOB NAME: STATE ST. HOMES

JOB No.: 321013

SHEET 1 of 3



Stuntzner Engineering & Forestry, LLC

* COOS BAY * DALLAS *
ENGINEERING * LAND SURVEYING * FORESTRY
* FOREST GROVE * JUNCTION CITY *
PLANNING * WATER RIGHTS

E
* COOS BAY * DALLAS *
* FOREST GROVE * JUNCTION CITY *

2318-B PACIFIC AVENUE
FOREST GROVE, OREGON 97116

2318-B PACIFIC AVENUE
FOREST GROVE, OREGON 97116

SHEET 1 - EXISTING CONDITIONS

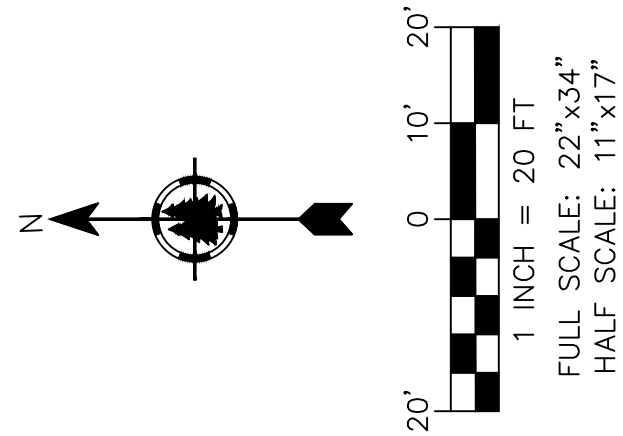
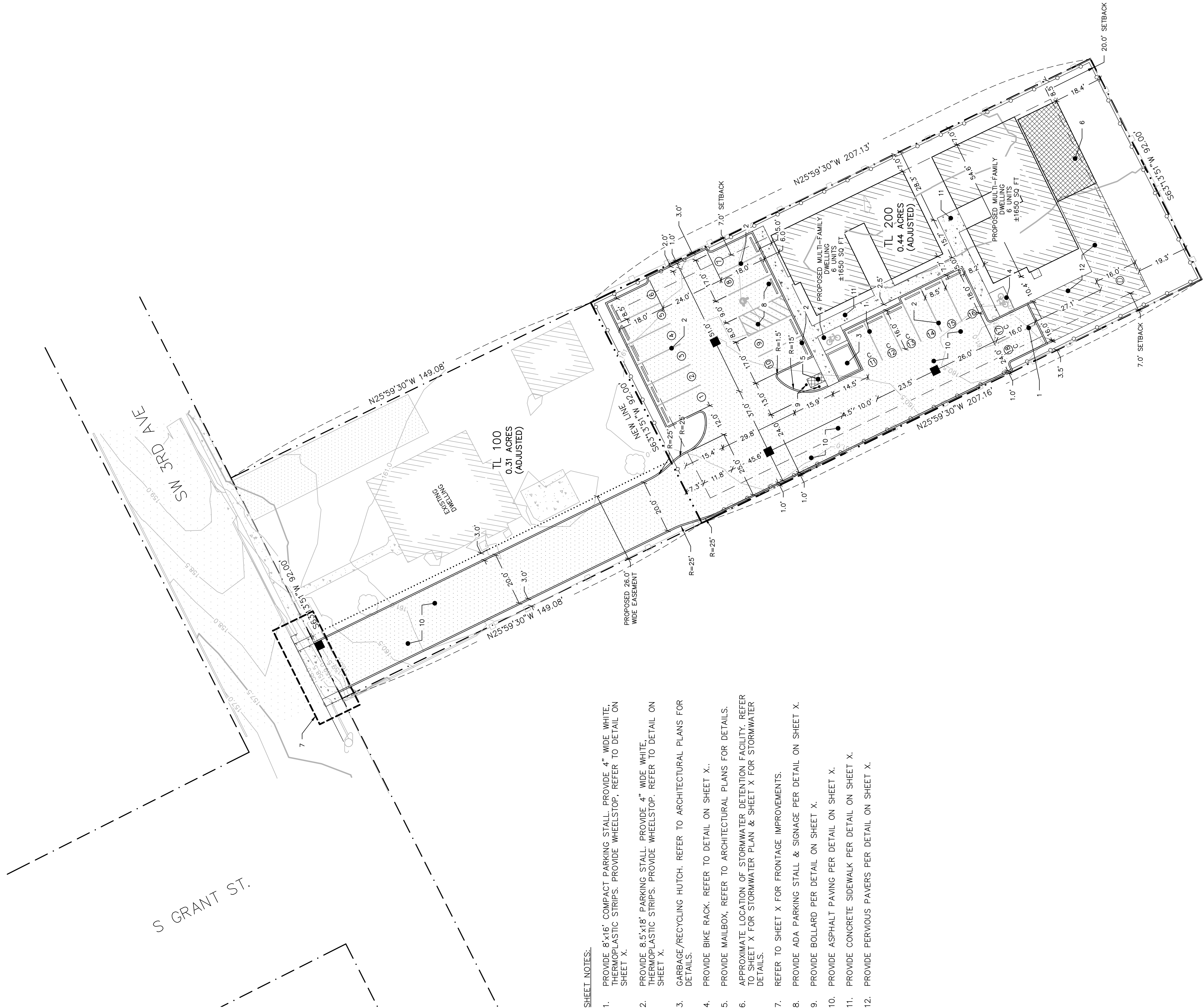
STATE STREET HOMES

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SITE PLAN

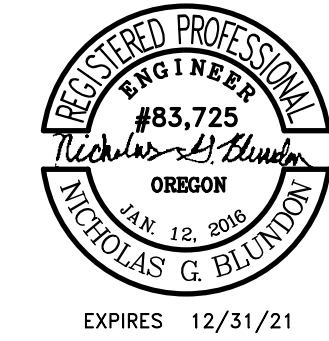
TAX LOT 200 OF SEC. 32BA T4S, R1E, CLACKAMAS COUNTY, WILLAMETTE MERIDIAN
ADJACENT TO 285 S 3RD AVE, CANBY OR 97013
ZONE: R-2 (HIGH DENSITY RESIDENTIAL)



SHEET NOTES:

1. PROVIDE 8'x16" COMPACT PARKING STALL. PROVIDE 4" WIDE WHITE THERMOPLASTIC STRIPS. PROVIDE WHEELSTOP. REFER TO DETAIL ON SHEET X.
2. PROVIDE 8.5'x18" PARKING STALL. PROVIDE 4" WIDE WHITE THERMOPLASTIC STRIPS. PROVIDE WHEELSTOP. REFER TO DETAIL ON SHEET X.
3. GARBAGE/RECYCLING HUTCH. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
4. PROVIDE BIKE RACK. REFER TO DETAIL ON SHEET X..
5. PROVIDE MAILBOX. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
6. APPROXIMATE LOCATION OF STORMWATER DETENTION FACILITY. REFER TO SHEET X FOR STORMWATER PLAN & SHEET X FOR STORMWATER DETAILS.
7. REFER TO SHEET X FOR FRONTAGE IMPROVEMENTS.
8. PROVIDE ADA PARKING STALL & SIGNAGE PER DETAIL ON SHEET X.
9. PROVIDE BOLLARD PER DETAIL ON SHEET X.
10. PROVIDE ASPHALT PAVING PER DETAIL ON SHEET X.
11. PROVIDE CONCRETE SIDEWALK PER DETAIL ON SHEET X.
12. PROVIDE PERVIOUS PAVERS PER DETAIL ON SHEET X.

DESIGNED BY: NGB	
DRAWN BY: SIE	
CHECKED BY: NGB	
DATE: 3/30/2021	
REVISED:	
JOB NAME: STATE ST. HOMES	
JOB No.: 321013	SHEET 2 of 3



Stuntzner
Engineering
& Forestry, LLC

2318-B PACIFIC AVENUE
FOREST GROVE, OREGON 97116

**Stuntzner Engineering
& Forestry, LLC**

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* FOREST GROVE * JUNCTION CITY *
PLANNING * WATER RIGHTS

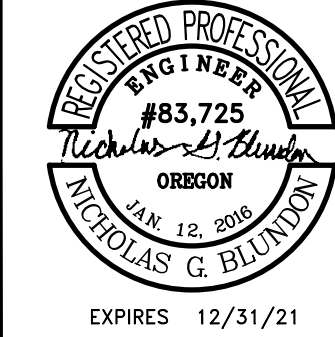
TEL: (503) 357-5717
FAX: (503) 357-5698


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SHEET 2 - SITE PLAN

STATE STREET HOMES
1233 NW NORTHUP ST #125
PORTLAND, OR 97209

STUNTZNER ENGINEERING & FORESTRY MAKES NO REPRESENTATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UTILITIES. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH THE PROVISIONS OF ORS 757.542 TO 757.562 & 757.993. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE RESULTING FROM DISRUPTION OF SERVICE CAUSED BY CONSTRUCTION ACTIVITIES.


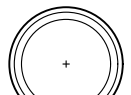
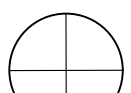
















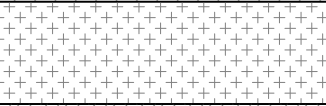

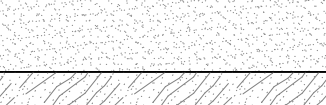
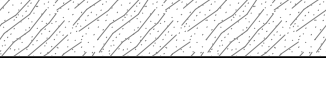
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 PLANNING • WATER RIGHTS
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 FAX: (503) 357-5698
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 FOREST GROVE, OREGON 97116

[illegible]

STATE STREET HOMES
1233 NW NORTHUP ST #125
PORTLAND, OR 97209

Preliminary Plant Legend

TREES	BOTANICAL / COMMON NAME
	Chamaecyparis nootkatensis "Jubilee" / Jubilee Weeping Nootka Cypress
	Fraxinus oxycarpa "Raywood" TM / Raywood Ash
	Tilia tomentosa "Sterling" / Sterling Silver Linden
	Zelkova serrata "Green Vase" / Green Vase Sawleaf Zelkova
SHRUBS	BOTANICAL / COMMON NAME
	Abelia x grandiflora "Kaleidoscope" / Glossy Abelia
	Caryopteris x clandonensis "Blue Mist" / Blue Mist Shrub
	Cistus x purpureus / Orchid Rockrose
	Euonymus japonicus / Japanese Spindle
	Euonymus japonicus "Green Spire" / Green Spire Euonymus
	Hibiscus syriacus "Lil Kim" / Rose of Sharon
	Ilex crenata "Sky Pencil" / Sky Pencil Japanese Holly
	Juniperus scopulorum "Skyrocket" / Skyrocket Juniper
	Nandina domestica "Tuscan Flame" / Tuscan Flame Heavenly Bamboo
	Potentilla fruticosa "Tangerine" / Tangerine Potentilla
	Sarcococca confusa / Sweetbox
	Spiraea japonica "Goldflame" / Spirea

GRASSES / PERENNIALS	BOTANICAL / COMMON NAME
	Festuca ovina glauca "Elijah Blue" / Elijah Blue Fescue
	Heemerocallis Spp. / Daylily
GROUND COVERS	BOTANICAL / COMMON NAME
	Arctostaphylos uva-ursi "Massachusetts" / Massachusetts Manzanita
	Fragaria vesca / Woodland Strawberry
	Genista lydia / Broom
	ProTime 769 / R&R Eco Turf Mix
	Rhus aromatica "Gro-Low" / Gro-Low Fragrant Sumac

Landscape Requirements:

- REQUIRED TREES
1 TREE PER 500 SF LANDSCAPE
6099.94 SF LANDSCAPE = 13 TREES
- PARKING LOT TREES
3 TREES WITHIN 10' OF PARKING AREAS
- SCREENING
SHADE TREES AND FENCE
- DROUGHT TOLERANT PLANTS
MORE THAN 75%
- LAWN AREA
1216 SF = 20%
- STORMWATER
AREA TO BE DETERMINED

General Notes:

1. DRAWINGS NOT FOR CONSTRUCTION.
2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN, AREA CALCULATIONS, AND COMMON AREAS.
3. SEE CIVIL DRAWINGS FOR GRADING PLAN AND STORMWATER INFORMATION.
4. PLANTS SELECTED FOR DROUGHT TOLERANCE.
5. PLANTS TO BE SIZED ACCORDING TO CANBY REQUIREMENTS FOR GENERAL PLANTING PLAN AND STORMWATER FACILITIES.
6. STORMWATER FACILITY AREA TO BE FINALIZED.
7. LANDSCAPE TO BE IRRIGATED BY AN AUTOMATIC UNDERGROUND SYSTEM.

Laurus
Designs, LLC



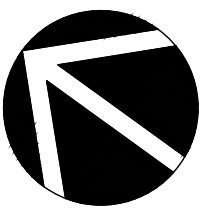
1012 Pine Street
Silverton, Oregon
503.784.6494

Canby
Apartments

SW 3rd Avenue
Canby, Oregon



PRELIMINARY
PLANTING
PLAN



SCALE: 1"=20'-0"
0' 10' 20' 40'
SCALE

March 29th, 2021

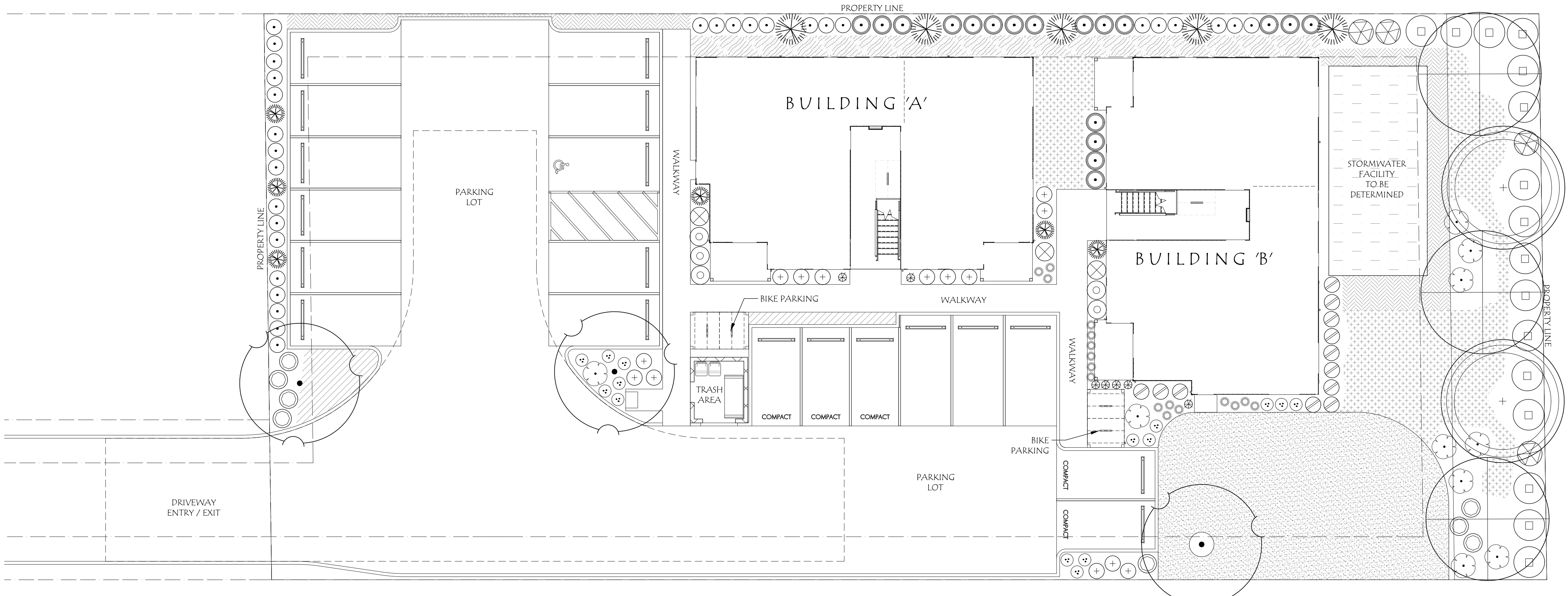
REVISIONS

#	DATE	NOTES	INITIALS

L1.1

SHEET 1 OF 1

PROJECT #: 1345R



SITE PLAN NOTES:

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES

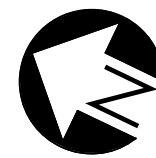
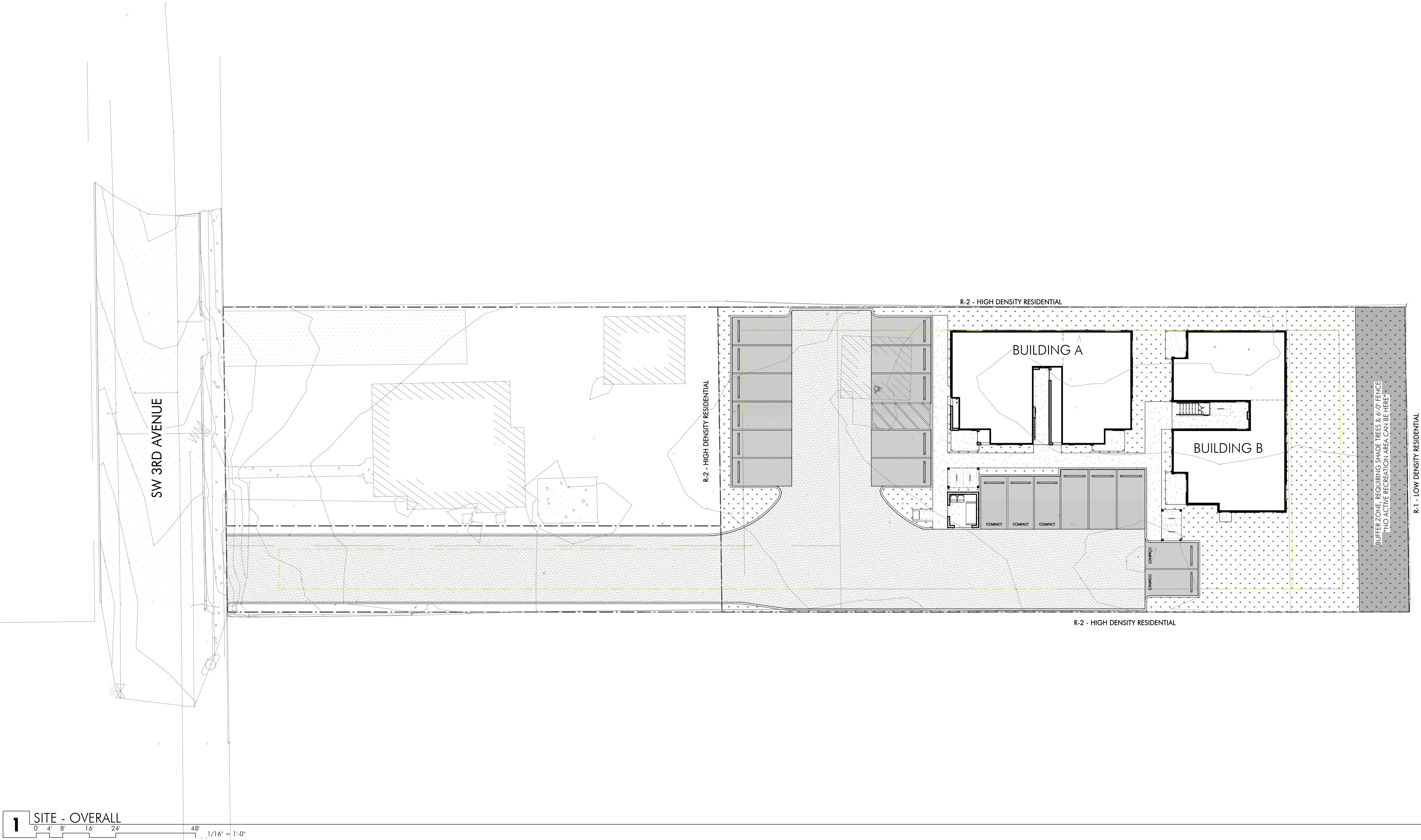
2. PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDING DURING CONSTRUCTION

3. EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN
4. REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES

5. JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL

6. SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS

7. SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING



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7. SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING

SITE CALCULATIONS AND LEGEND:

SITE ELEMENT DESCRIPTION:	LEGEND:	AREA: (sf)	PERCENTAGE: (%)
BUILDINGS:		3,529.50 sf	18.52 %
BUILDINGS OVERHANG ABOVE:			
LANDSCAPING:		6,099.94 sf	32.01 %
ASPHALT PAVING:		4,804.11 sf	25.21 %
POROUS ASPHALT PAVING:		2,973.68 sf	15.61 %
ACCESSORY STRUCTURES		213.06 sf	1.12 %
CONCRETE SIDEWALKS:		1026.37 sf	5.39 %
CONCRETE PAVING & CURBS:		257.41 sf	1.35 %
CONCRETE PATIOS		151.67 sf	0.80 %
TOTALS:		19,055.74 sf	100.0 %

SITE DEVELOPMENT:

SITE AREA: 19,055.74 sf = 0.4375 ac
ZONING: R2 HIGH DENSITY RESIDENTIAL
DENSITY: MIN. 14 UNITS PER ACRE = 5 UNITS
12 UNITS PROVIDED
SETBACKS: STREET YARD - 20'-0"
REAR YARD - 20'-0" (15'-0" BUFFER)
INTERIOR YARD - 7'-0"
BUILDING HEIGHT: MAX = 35'-0"
ADJACENT TO AN R-1 ZONE = 1'-0"
IN HEIGHT FOR EVERY 1'-0"
IN SETBACK
RECREATION AREA: >10 UNITS REQUIRES 150 sf OF REACRATIONAL AREA
12 UNITS PROVIDED,
REQUIRING 1,800 sf OF OPEN AREA, MET WITH PATIOS & LANDSCAPING
BUILDING AREAS:
• BLDG A: 5,294.25 sf
• BLDG B: 5,294.25 sf
OVERALL = 10,588.5 sf
PARKING:
• RESIDENTIAL USES:
1 SPACE PER 1 BD UNIT
2 SPACES PER 2 BD UNIT
1 VISITOR PER 5 UNITS
= 21 SPACES (THIS MAY BE REDUCED UP TO 10% PER 16.10.030.H.1)
19 PROVIDED
26% COMPACT
BIKE PARKING:
• RESIDENTIAL USES:
1 SPACE PER UNIT
= 12 SPACES
12 PROVIDED

SITE PLAN LEGEND:

- PROPERTY LINE
- SETBACK

SITE PLAN NOTES:

- 1 SIDE YARD

2 REAR YARD

3 PEDESTAL MOUNTED MAILBOX CLUSTER

4 RISER ROOM

5 EXTERIOR TRASH ENCLOSURE

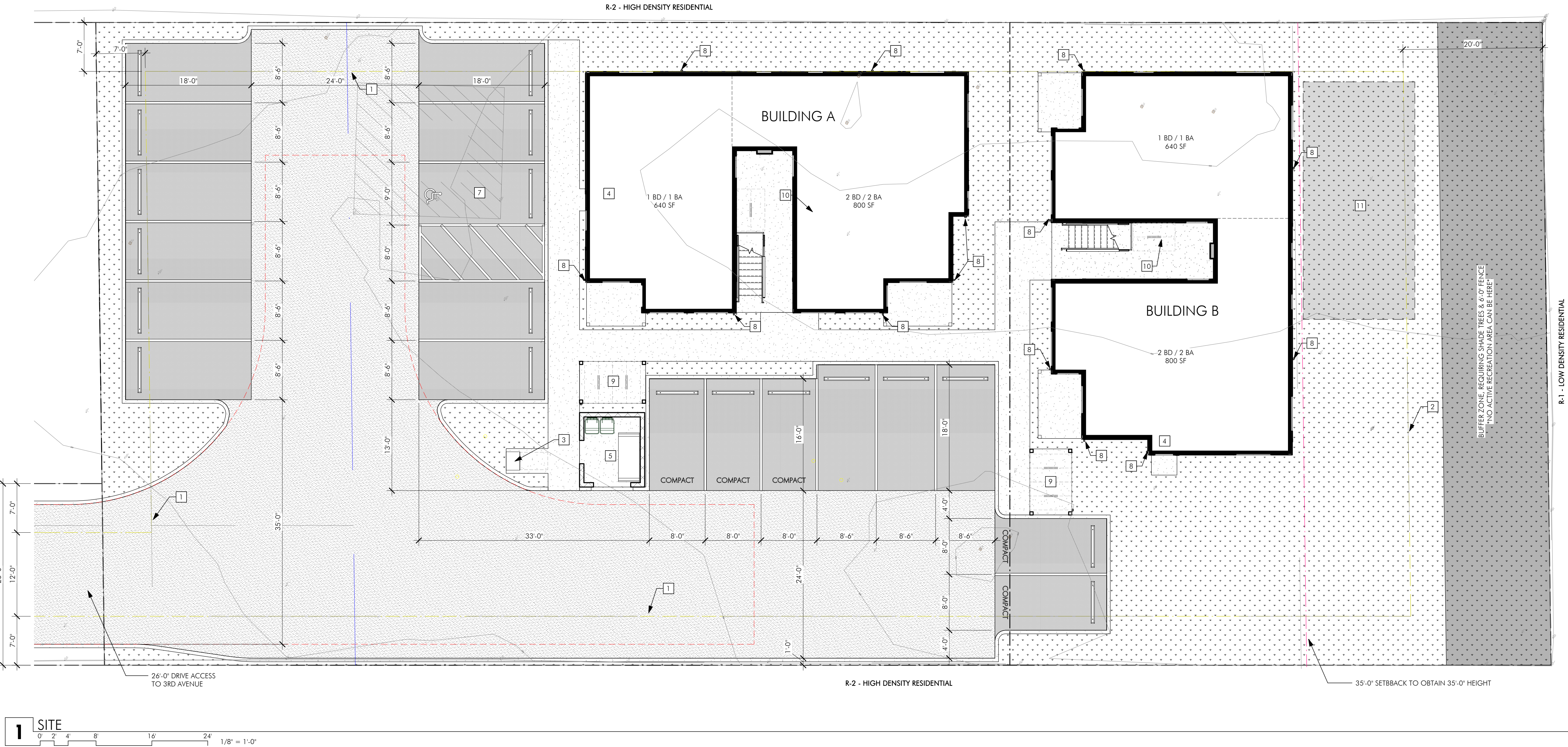
6 4" Ø PERFORATED FOOTING DRAIN SURROUNDED BY DRAIN ROCK AROUND ENTIRE PERIMETER OF BUILDING

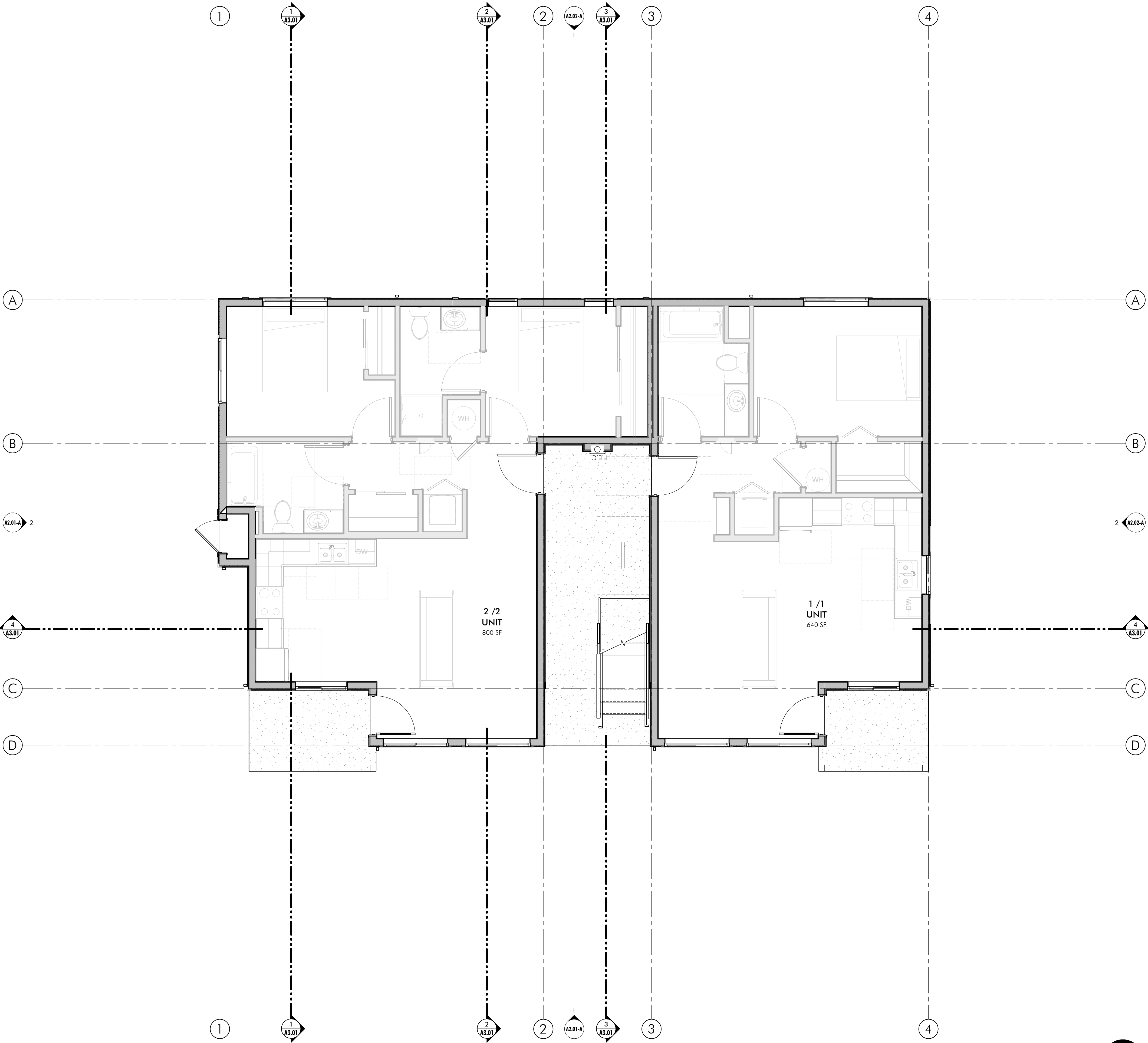
7 VAN ACCESSIBLE PARKING, PROVIDE SIGNAGE, TYP.
- 8 PRE-FINISHED METAL DOWNSPOUT

9 BIKE CANOPY

10 BIKE RACK

11 STORMWATER RETENTION, ~544 SF. SEE CIVIL





GENERAL PLAN NOTES:

1. GENERAL NOTES APPLY TO ALL DRAWINGS.

2. DRAWINGS ARE DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT OF ANY DISCREPANCIES IMMEDIATELY UPON DISCOVERY. OBTAIN CLARIFICATION OF DIMENSIONS OR DISCREPANCIES PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.

3. DIMENSIONS ARE TO FACE OF FRAMING. DIMENSIONS STATED AS CLEAR ARE TO FACE OF FINISH.

4. SEE WALL SECTIONS FOR DESCRIPTION OF EXTERIOR WALL MATERIALS.

5. ALL INTERIOR PARTITIONS TO RECEIVE GLASS FIBER INSULATION, FULL HEIGHT.

6. COORDINATE LOCATION OF RECESSED OR SEMI-RECESSED ITEMS TO AVOID BACK TO BACK INSTALLATION AND TO REDUCE NOISE TRANSFER THROUGH PARTITIONS.

7. INSTALL WALL BACKING FOR ALL WALL MOUNTED ITEMS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: DOOR STOPS, FIXTURES, WALL CABINETS, SHELVING, COUNTERS, TOILET ACCESSORIES, SECURITY EQUIPMENT, TACK BOARDS AND MARKER BOARDS, HAND RAILS AND WINDOW COVERING TRACKS.

8. SEPARATE AREAS IN WHICH WORK IS BEING CONDUCTED FROM OTHER AREAS THAT ARE STILL OCCUPIED.

A. PROVIDE, ERECT, AND MAINTAIN TEMPORARY DUSTPROOF PARTITIONS OF SUITABLE CONSTRUCTION IN LOCATIONS INDICATED ON DRAWINGS OR AS DIRECTED.
9. PROTECT EXISTING WORK TO REMAIN.

A. PREVENT MOVEMENT OF STRUCTURE; PROVIDE SHORING AND BRACING IF NECESSARY.

B. PERFORM CUTTING TO ACCOMPLISH REMOVALS NEATLY AND AS SPECIFIED FOR CUTTING NEW WORK.

C. REPAIR ADJACENT CONSTRUCTION AND FINISHES DAMAGED DURING REMOVAL WORK.

D. PATCH AS SPECIFIED FOR PATCHING NEW WORK.
10. REMOVE DEBRIS, JUNK, AND TRASH FROM SITE.
11. REMOVE FROM SITE ALL MATERIALS NOT TO BE REUSED ON SITE; DO NOT BURN OR BURY.
12. LEAVE SITE IN CLEAN CONDITION, READY FOR SUBSEQUENT WORK.
13. CLEAN UP SPILLAGE AND WIND-BLOWN DEBRIS FROM PUBLIC AND PRIVATE LANDS.
14. WORK SHOWN ON THESE DRAWINGS IS TO BE SUPPLIED, FURNISHED, CONSTRUCTED, INSTALLED ALL AS PER THE GENERAL CONDITIONS AND THE SPECIFICATIONS. EXCEPTIONS AS DESCRIBED BY THE FOLLOWING ABBREVIATIONS:

A. CFCI - CONTRACTOR FURNISHED - CONTRACTOR INSTALLED.

B. OFCI - OWNER FURNISHED - CONTRACTOR INSTALLED.

C. OFOI - OWNER FURNISHED - OWNER INSTALLED.

D. NIC OR N.I.C. - NOT IN CONTRACT OR NOT A PART OF THIS CONTRACT.

FLOOR PLAN NOTES:

- 1 SAMPLE PLAN NOTE

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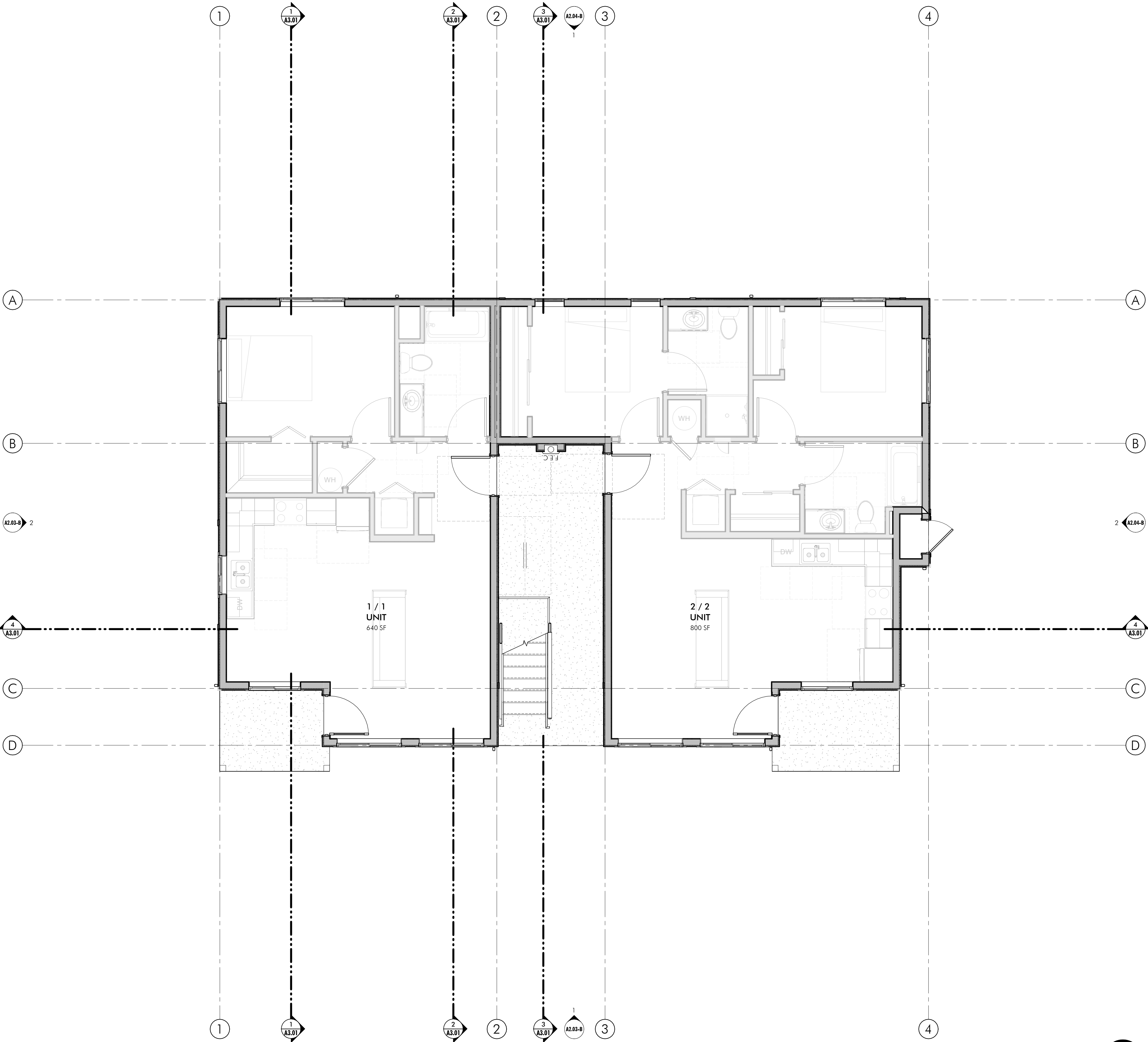
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PROJECT # 2021-012
DATE: 02/19/2021

REVISIONS

NEW MULTI-FAMILY DEVELOPMENT
3RD AVENUE APARTMENTS
CANBY, OREGON

SHEET:
A1.21-A
BLDG A - FLOOR PLAN
- LEVEL 01



1 BLDG B - LEVEL 01
0' 1' 2' 4' 8' 12' 1/4" = 1'-0"

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- 1 SAMPLE PLAN NOTE

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3

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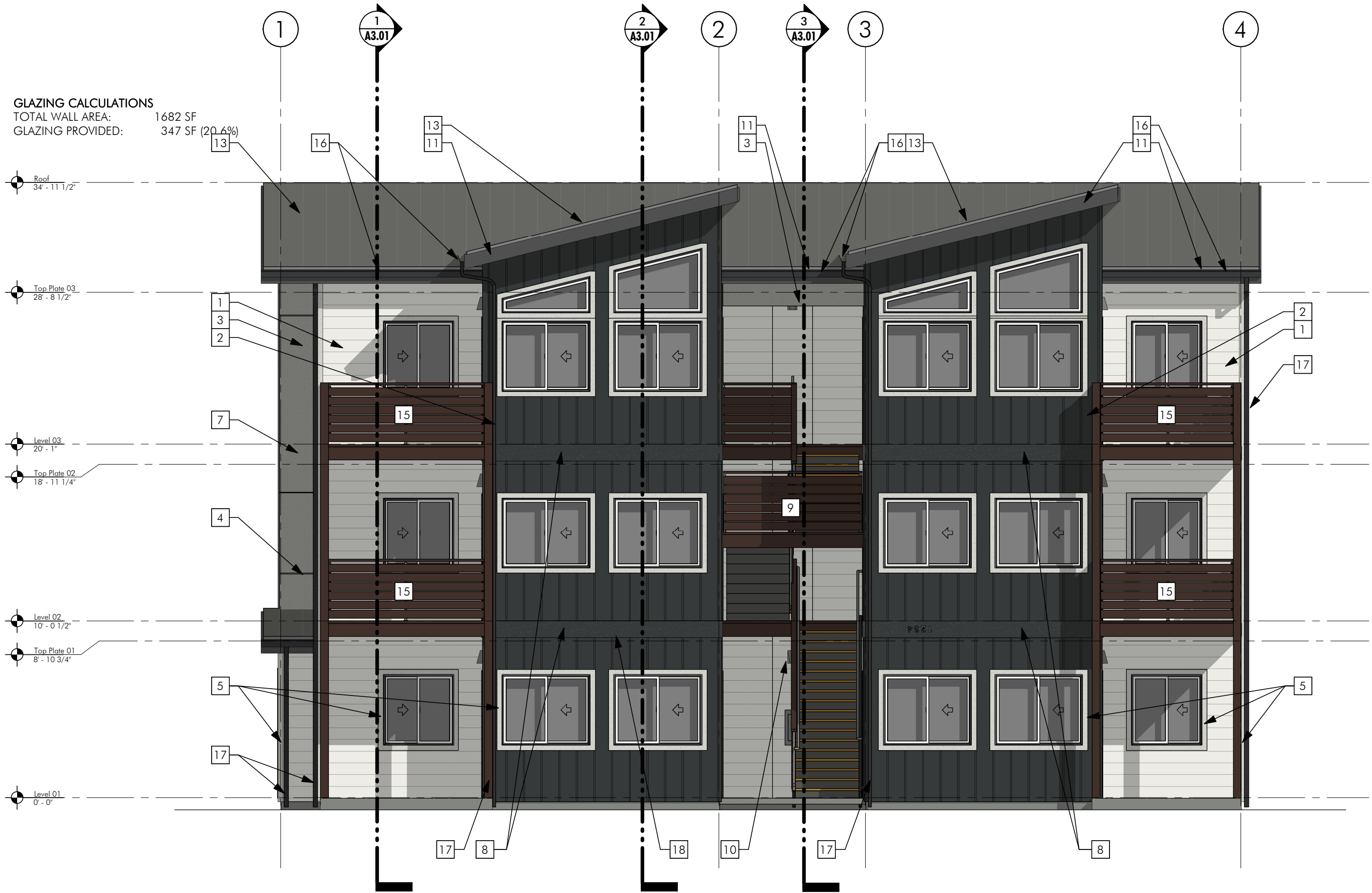
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PROJECT # 2021-012
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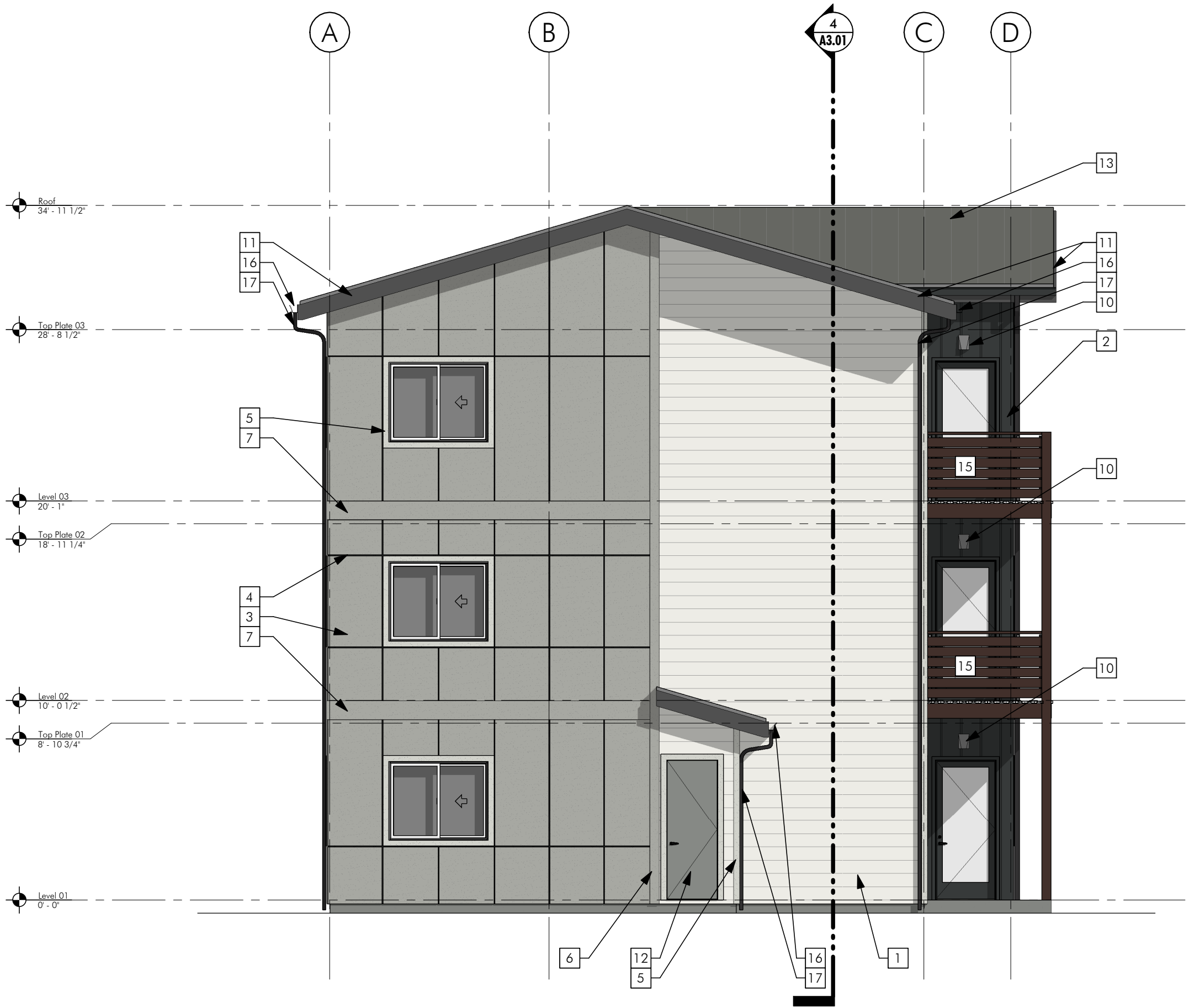
REVISIONS

NEW MULTI-FAMILY DEVELOPMENT
3RD AVENUE APARTMENTS
CANBY, OREGON

SHEET:
A1.21-B
BLDG B - FLOOR PLAN
- LEVEL 01



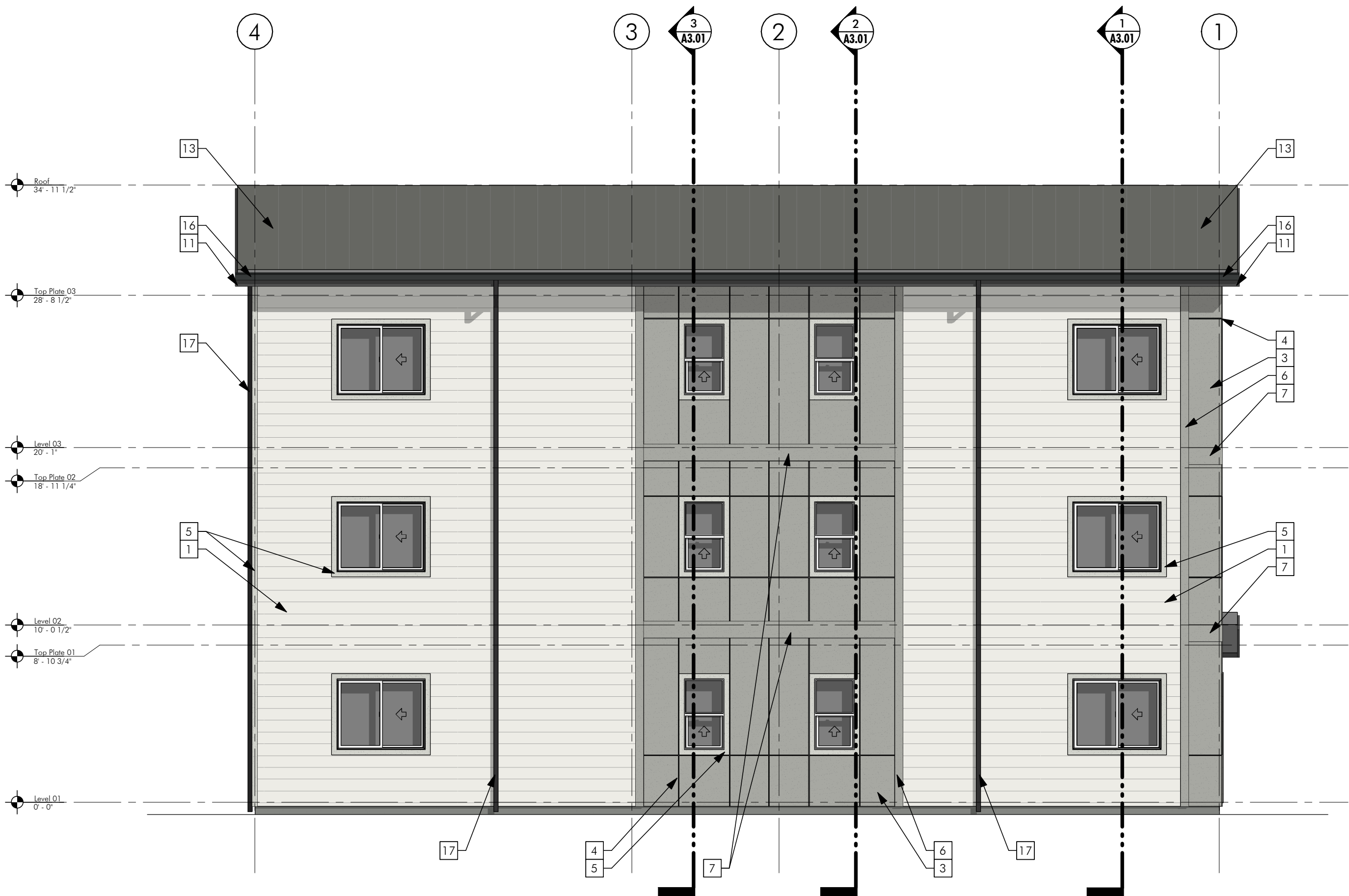
1 BLDG A - WEST ELEVATION



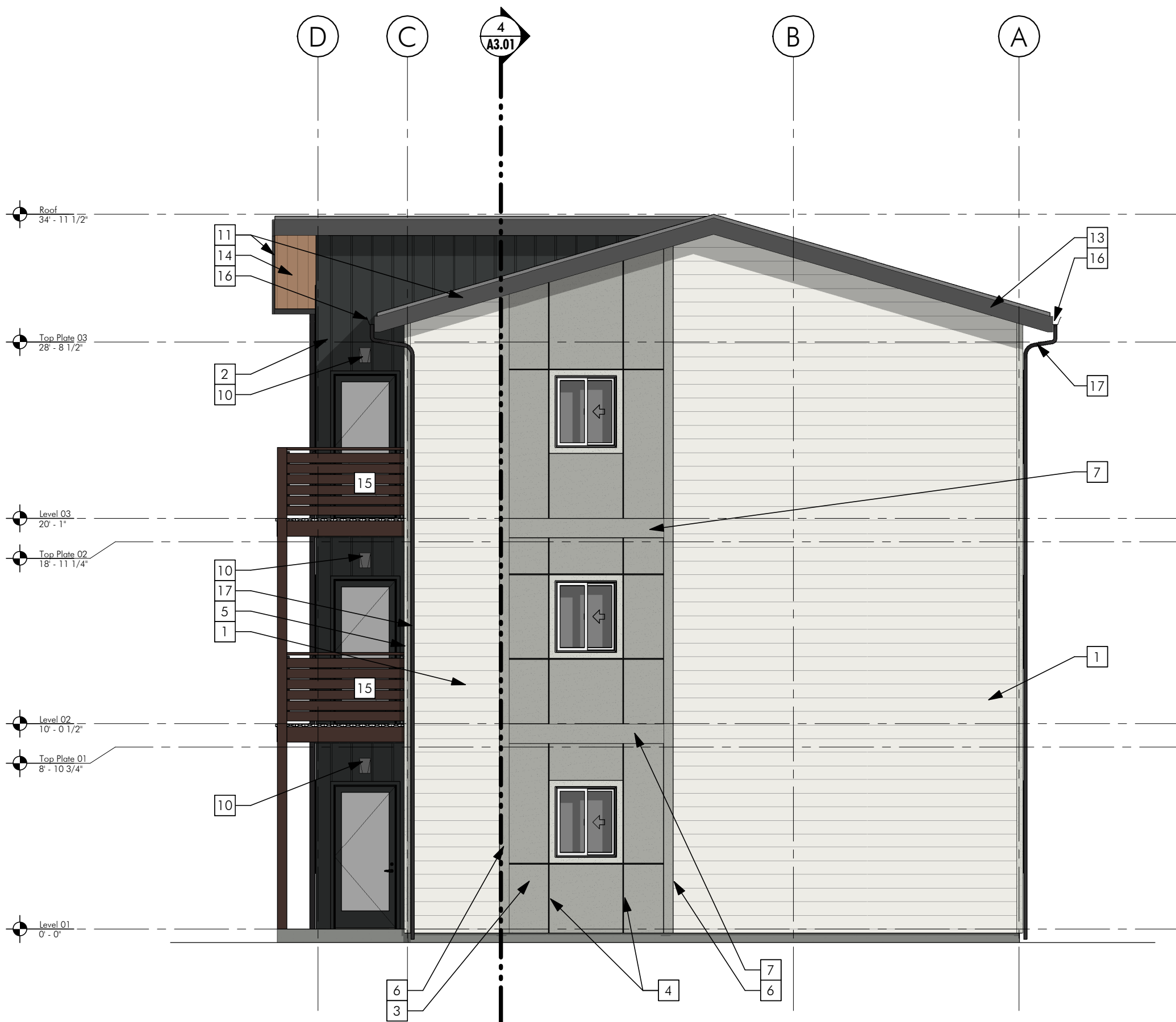
2 BLDG A - NORTH ELEVATION

ELEVATION KEYNOTES:

- 1 HORIZONTAL LAPPED FIBER CEMENT SIDING, 8" EXPOSURE, PRIMED AND PAINTED, COLOR: SILVERPOINTE, SW7653
- 2 VERTICAL FIBER CEMENT BOARD & BATT SIDING, PRIMED AND PAINTED, COLOR: GREENBLACK, SW6994
- 3 FIBER CEMENT PANEL SIDING, PRIMED AND PAINTED, COLOR: ATTITUDE GRAY, SW7060
- 4 1/2" REVEAL, TYP.
- 5 3 1/2" TRIM BOARD AT ALL LAPPED SIDING EXTERIOR CORNERS AND AROUND ALL OPENINGS, PRIMED AND PAINTED, COLOR: SILVERPOINTE, SW7653
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- 8 2" x 12" TRIM BOARD, PRIMED AND PAINTED, COLOR: GREENBLACK, SW6994
- 9 STAIR GUARDRAIL, SEE DETAIL -/-
- 10 WALL PACK LIGHT, SEE LIGHT SCHEDULE ON A6.01
- 11 2x10 WOOD FASCIA BOARD, PRIMED AND PAINTED, COLOR: GREENBLACK, SW6994
- 12 DOOR TO RISER ROOM, PROVIDE EXTERIOR SIGNAGE MOUNTED ADJACENT TO DOOR
- 13 12" STANDING SEAM METAL ROOF, BASIS OF DESIGN: AEP SPAN, COLOR: MIDNIGHT BRONZE
- 14 2x6 T&G WOOD SIDING
- 15 WOOD BALCONY. SEE DETAIL -/-
- 16 PREFINISHED METAL GUTTER, COLOR: BRONZE
- 17 PREFINISHED METAL DOWNSPOUT, COLOR: BRONZE
- 18 BUILDING ADDRESS NUMBER. NUMBERS SHALL CONTRAST WITH BACKGROUND AND BE A MINIMUM 4" IN HEIGHT AND A MINIMUM STROKE WIDTH OF 0.5 INCHES



1 BLDG A - EAST ELEVATION



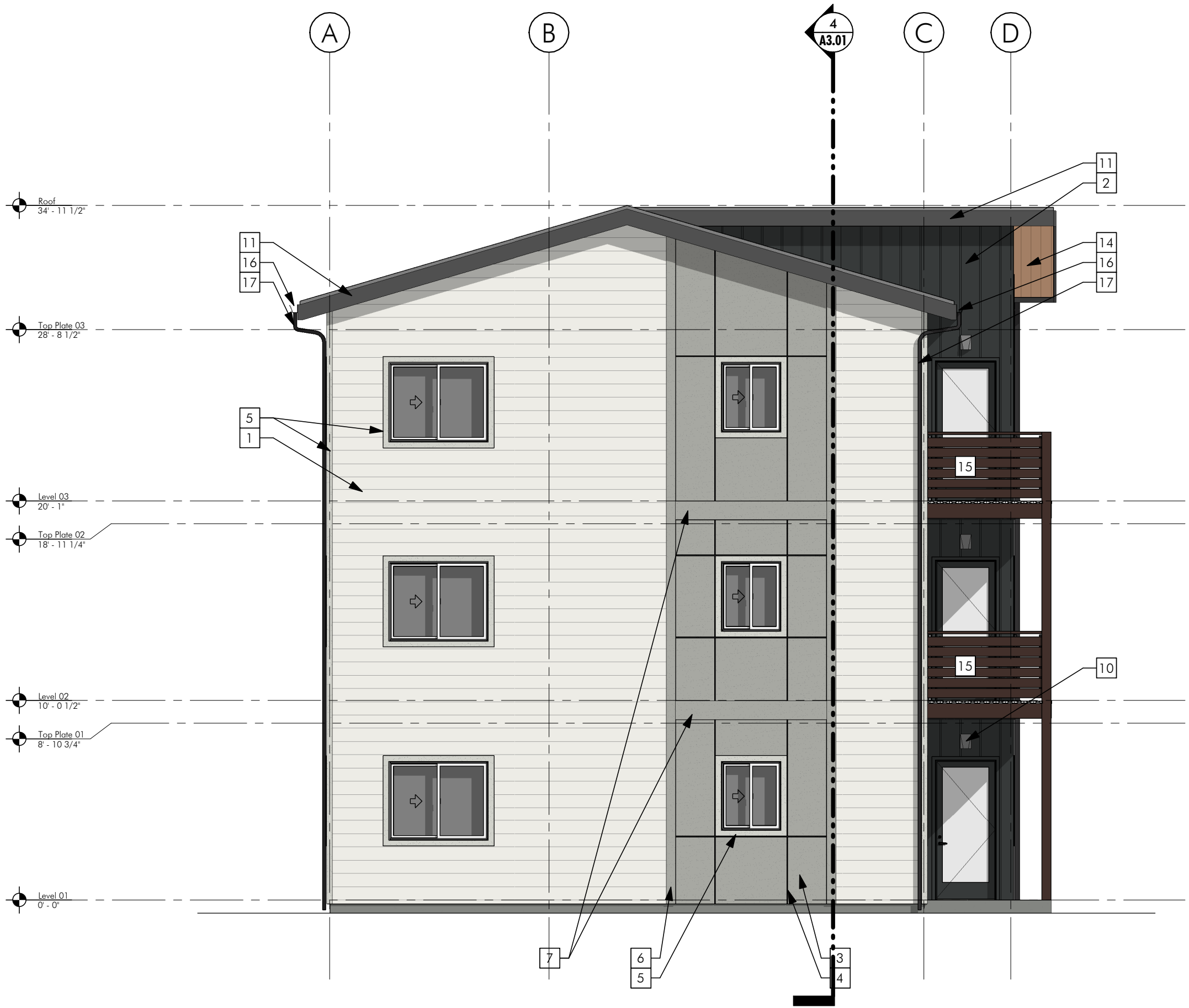
2 BLDG A - SOUTH ELEVATION

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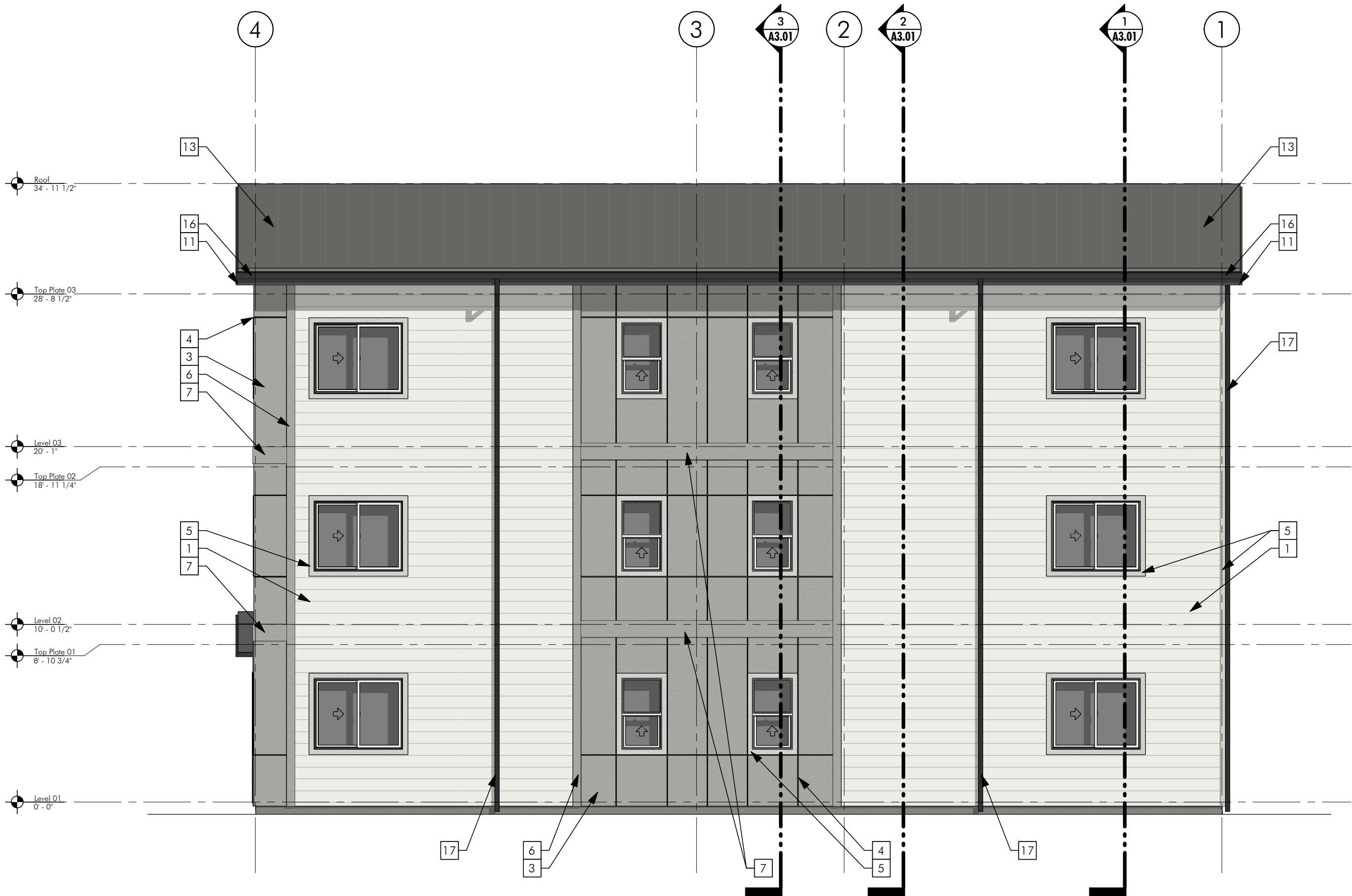


1 BLDG B - NORTH ELEVATION
0' 2' 4' 6' 8' 10' 16' 3/16" = 1'-0"

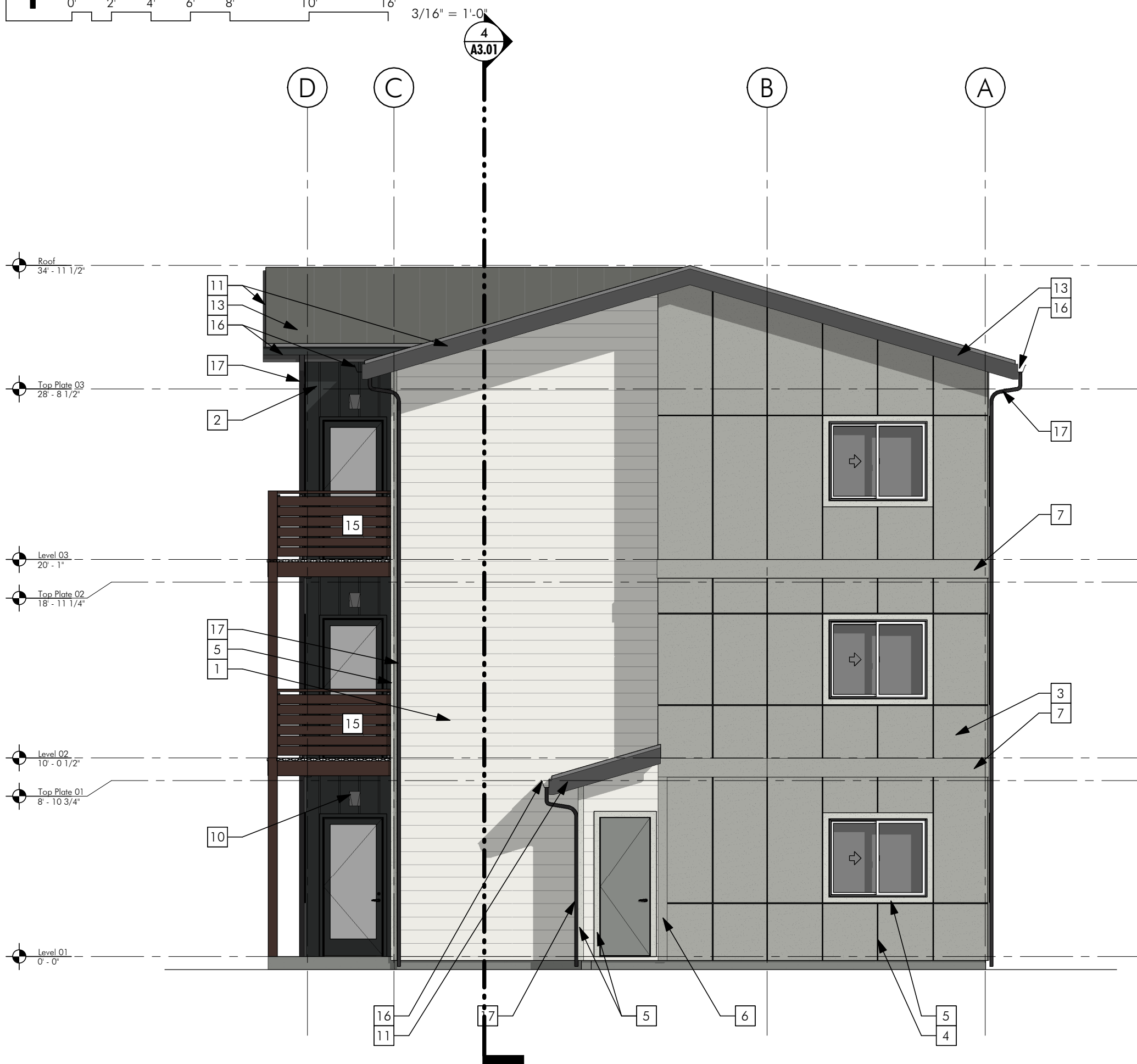


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1 BLDG B - SOUTH ELEVATION



2 BLDG B - WEST ELEVATION

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3

ARCHITECTURE
INCORPORATED

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SALEM, OR 97301-3442
P: 503.390.6500
www.studio3architecture.com

REGISTERED ARCHITECT
4449
JAMES G. POLANSKY
SALEM, OREGON
STATE OF OREGON

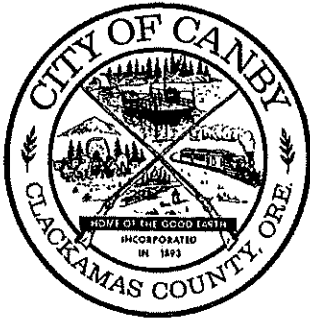
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PROJECT # 2021-012
DATE: 02/19/2021

REVISIONS

NEW MULTI-FAMILY DEVELOPMENT
3RD AVENUE APARTMENTS
CANBY, OREGON

SHEET:
A2.04-B
BLDG B - ELEVATIONS



City of Canby

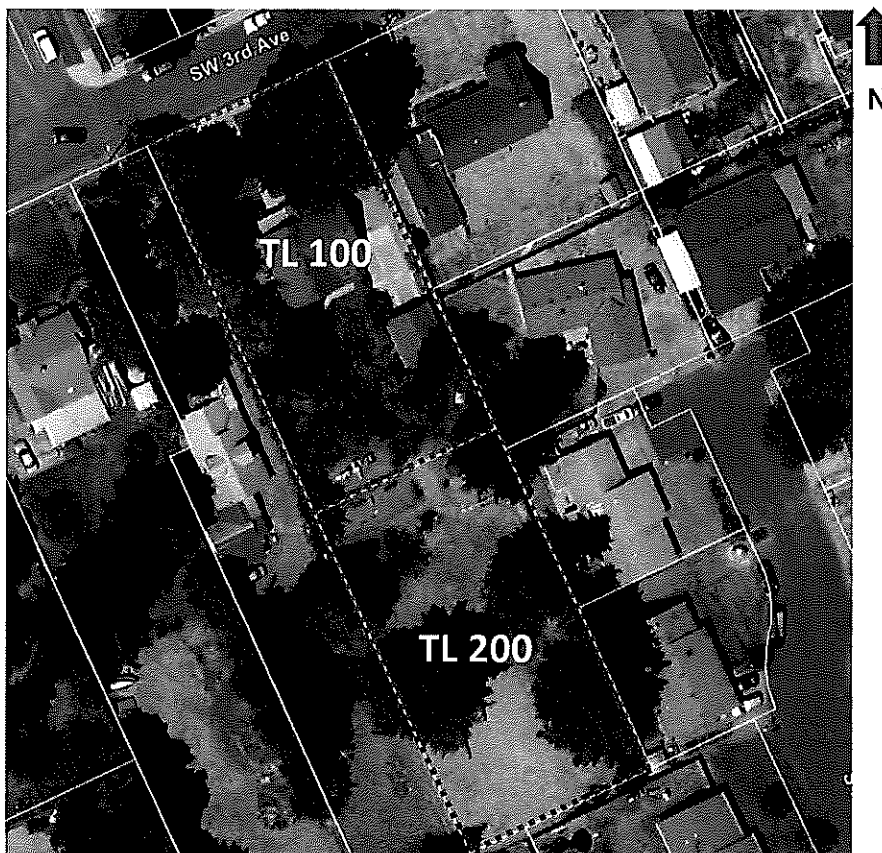
NOTICE OF DECISION

LOT LINE ADJUSTMENT
FILE #: LLA 21-02

DECISION DATE: March 5, 2021
TO: Stuntzner Engineering & Forestry, LLC
STAFF: Erik Forsell, Associate Planner

APPLICANT'S REQUEST

The applicant requests a single Lot Line Adjustment between Tax Lots 41E04BA00100 and 00200 to accommodate for future development on Tax Lot 00200. The applicant is also planning to redefine an existing 20-foot wide access easement that benefits Tax Lot 00200. The easement is recorded in Clackamas County Deeds and Records as Document No. 2015-017991.



DECISION

Based on the application submitted and the facts, findings, and conclusions found herein, staff **APPROVES** the Lot Line Adjustment with Conditions of Approval for City File # LLA 21-02. Conditions of Approval are as presented in *Section V* at the end of this report.

Property/Owner Information

Location	285 SW 3 rd Avenue via S. Grant Street
Tax Lot(s)	41E04BA00100 and 00200
Property Size	±0.39 and ±0.36 acres respectively
Comprehensive Plan	HDR – High Density Residential
Zoning	R-2 High Density Residential
Owner	Daniel and Ashley Starr
Applicant	Corey Woodruff – Stutzner Engineering & Forestry
Application Type	Lot Line Adjustment - Type II
City File Number(s)	LLA 21-02

I. EXISTING CONDITIONS:

The subject property is generally located at 285 SW 3rd Avenue and bounded by residential properties. Existing structures on site include a single-family residence and accessory structures.

II. APPLICABLE CRITERIA & FINDINGS

Applicable criteria used in evaluating this application are found in Chapter 16 of the *City of Canby's Land Development and Planning Ordinance* (Zoning Code) as follows:

- 16.08 General Provisions
- 16.16 R-2 High Density Residential
- 16.58 Lot Line Adjustment
- 16.89 Application and Review Procedures

III. CRITERIA SECTION 16.58.030 – REVIEW BY PLANNER AND ENGINEER

The City Planner and City Engineer shall review the proposed lot line adjustment and shall determine whether the following criteria have been met:

- A. Each of the remaining parcels and any structures located thereon shall be in full compliance with all regulations of this title, including the setback requirements of Division III. Except, however, that lot line adjustments are permitted on nonconforming lots and lots with nonconforming structures provided that the nonconforming lots and structures will be no less in conformity as a result of the lot line adjustment.**

Finding 1: The applicant has indicated in the submittal that the property line will bring all existing structures into compliance with the setbacks of the R-2 – High Density Residential zone found in Canby Municipal Code Chapter 16.20. An existing accessory structure on Tax Lot 200

which is proposed to be demolished will change from non-conformance with the setbacks to conforming to the setback standards of the R-2 zone. The existing garage on Tax Lot 100 is proposed to be 10 feet from the rear property line which meets the setback standards of the R-2 zone, specifically, Canby Municipal Code (CMC) 16.20.030(D)(2).

The R-2 Zone does not have a minimum parcel or lot size. That function is provided through density requirements pursuant to CMC 16.20.030(A). As this property line adjustment does not involve development for either Tax Lot 100 or 200, the necessity to analyze the change in property size is not applicable for a property line adjustment process.

Staff finds this request is consistent with the applicable standards of the *Ordinance*. Therefore, staff finds this criterion has been met.

B. No new lots or parcels will be created as a result of the lot line adjustment without receiving approval as a partition or subdivision.

Finding 2: Staff finds that no new lots are created as part of the boundary line adjustment. This criterion is met.

The applicant states in the application that no new lots or parcels will be created as a result of the lot line adjustment without first receiving approval as a partition or subdivision. Staff concur that approval shall be obtained prior to partitioning the subject site(s), and at this time no partition has been proposed. Therefore, staff finds this criterion has been met.

C. If the City Planner or city engineer deems it necessary to assure the accuracy of recorded information, a survey may be required of the applicant. Such a survey will be at the applicant's cost.

Finding 3: Staff finds that the requirements of ORS 92 take precedence in this process and that the requirements for surveying can be met as conditioned.

The proposed lot line adjustment was prepared by a licensed surveyor, and that if any additional information is needed, it will be provided as necessary. Oregon State Statutes, ORS 92.010(12) identifies lot line adjustments as: *"relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional or parcel."*

ORS 92.060(7) states: *"Except as provided in subsections (8) and (9) of this section, a property line adjustment must be surveyed and monumented in accordance with subsection (3) of this section and a survey, complying with ORS 209.250, must be filed with the county surveyor."*

As a condition of approval, a survey shall be prepared and recorded with Clackamas County Surveying and Deeds and Records. A copy of the recorded documents shall be provided to the City of Canby.

D. Lot line adjustments shall not be permitted where the result will be the creation of additional building sites in known hazardous locations or where the appropriate development or extension of public facilities will be impaired as a result.

Finding 4: Staff finds that there are no known or identified hazardous locations such as floodplain, wetlands, steep slopes or other geographical features on the properties that could be described as hazardous. Adequate public facilities are available for both properties as discussed in a Pre-Application Conference, City File PRA 21-02.

APPEAL PROCEDURE

Chapter 16.89 of the CMC provides that Type II applications be considered first by the Planning Director. If there is any doubt that the application conforms to City adopted land use policies and regulations the Planning Director must condition or deny the application. Anyone who disagrees with the Director's decision may request that the application be considered by the City of Canby Planning Commission after an appeal application and a public hearing. According to state law, the appeal "shall be raised with enough specificity so as to afford the governing body, Planning Commission, hearings body or hearings officer, and parties, an adequate opportunity to respond to each issue." A public hearing is held on appeals subject to the appellant paying a \$250 fee (appeal form available online and at the Planning Department). Request for consideration by the Planning Commission must be in writing and received within 10 days of the mailing date of the Notice of Decision and in this case received in the planning office, 222 NE 2nd Avenue, Canby, by 5:00 p.m. on Monday, March 15, 2021.

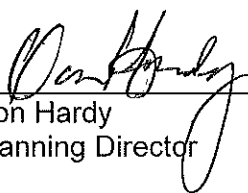
IV. PUBLIC/AGENCY COMMENTS

Notice of this application and opportunity to provide comment was mailed to owners and residents of lots within 100 feet of the subject property and to all applicable public agencies. Summary of any comments are included in the staff report, and complete public comments are part of the file. All comments from agencies and citizens will also be attached to the file electronically.

Three neighbors expressed concern over the property line adjustment. The neighbors' comments are attached as Exhibit C to this staff report. The comments focus largely on future development and not the property line adjustment itself. Future development cannot be a reason to deny an application for a property line adjustment and the criteria for a property line adjustment found in CMC 16.58 are the deciding language for approval or denial. Further opportunities for public involvement involving any future development if it occurs will be provided via public notice at a later date. Future development on the lots will be subject to city noticing, required permit review and will need to comply with zoning and city development standards. This decision is limited to the lot line adjustment. Staff does not believe the property line adjustment public comments received warrant a denial of the proposal. The application has met the approval criteria.

V. CONDITIONS OF APPROVAL:

1. The applicant shall meet the County Surveyor's procedure requirements for the adjustment survey and recording of deeds to receive the County's final implementation approval.
2. The applicant shall have the property surveyed, and the survey shall be filed with the Clackamas County Surveyor.
3. New Lot Line Adjustment Deeds shall be prepared and recorded with the Clackamas County Clerk. A copy of the new recorded deeds and survey implementing this boundary adjustment shall be provided to the Canby Planning Department.
4. The applicant is responsible for obtaining approval from utility providers for the relocation, vacation, and/or addition of public utility easements, if necessary. Easements must be recorded on the new deed.
6. Any driveway relocation or new driveway construction shall require a city Street Opening Permit (from Public Works) to verify compliance with vision clearance and driveway spacing standards.


Don Hardy
Planning Director

3/5/2021
Date

Exhibits:

- A. Preliminary Survey
- B. Vicinity Map
- C. Notice Comments Received

[illegible]

Erik Forsell

From: brittanyb at canby.com <brittanyb@canby.com>
Sent: Sunday, February 28, 2021 10:38 PM
To: PublicComments
Cc: Erik Forsell
Subject: Lot Line Adjustment, City File # LLA 21-02 Starr Lot Line Adjustment - 285 SW 3rd Avenue

Good Evening,

My name is Brittany Morrison and I live at 361 S Holly St. and I am writing in regards to the lot line adjustment mentioned above. I hope I'm sending this email in time as the papers I received mentioned two different dates that I needed to respond by, one page said no later than February, 26, 2021 and the other page said no later than March 3, 2021, but I also just received this letter a few days ago so I'm hoping it's actually the later date.

After reviewing the documents I received I want to make it known that I am not in support of this adjustment and I oppose of it 100%. I am aware that the property is currently up for sale and I understand that this is wanting to be done for "future planned development" as it was stated in the letter, however this is not satisfactory. Last summer we dealt with the noise of apartments being built on the other side of my neighbors properties (those living at 310 S Holly St. & 350 S Holly St.) and that was beyond loud during the process and is honestly an eyesore to look at now. It also takes away the privacy of their own backyards as the people living in the upper levels can look down into their backyards whenever they go outside.

When I bought my home in 2012 I bought it for the privacy and quiet that the dead end road gave me and, like my neighbors, I'd like to keep it that way as much as possible. I don't want to go out into my backyard and have people looking down into my yard, that completely negates the privacy of having a fenced backyard. I think you can understand and agree that there's not a privacy fence tall enough to prevent that if a multi-level, multi occupancy building is constructed behind my property.

Part of the beauty of Canby is the hometown feel, while not being too big or overcrowded. However, if we keep building apartments and duplexes right in the middle of town, that takes away that feeling and is unfair to the residents that moved here for that. Not to mention that we already have issues within the city that even though the city is growing, certain utilities are not addressed and upgraded with it, i.e. the horrendous taste and smell of the water that happens from spring through late fall. Adding more buildings for a bigger population while not addressing these concerns is completely counter productive to the end goals and is plainly unfair to the existing citizens of Canby.

I will say this, though. I am aware that my neighbors that received this letter also do not approve of this adjustment, however, if our wishes and concerns are disregarded and this lot line adjustment proceeds forward, I feel as though it is only fair to request that a high quality, durable and long lasting privacy fence (such as vinyl or something similar) be put up at the expense of those doing the construction/property adjustment(s) and also prior to any construction to try and help with noise and overall inconvenience that it will inevitably bring, both during construction and once it is completed.

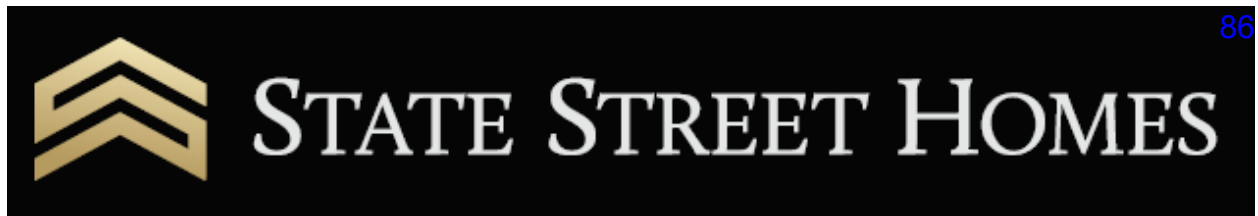
I truly hope you will take my concerns into consideration when making your decision. I understand that money ultimately rules the world we live in, however, I can only hope that you will see this from

Erik Forsell

From: Sandra Salmonson <sandyjaye57@gmail.com>
Sent: Tuesday, February 23, 2021 4:22 PM
To: PublicComments
Subject: Lot line adjustment #LLA 21-02 Starr Lot Line Adjustment

We live at 399 S Holly St. If this is to be zoned for high density housing we would like to keep some sort of privacy and would like to have them put up a privacy fence. Preferably something that would last like 6 ft tall white vinyl or a fast growing shrub. These apartments will look right into our living area if they are built. I would like to know how many of you would like this in your backyard staring in your home? Needless to say we are opposed to this.

Thank you
Sandra Salmonson
503 351 6156



Neighborhood Meeting - April 26, 2021, 6:00-7:00pm via Zoom

Regarding development of 0.45-acre lot, Parcel ID 41E04BA00200

SW 3rd Ave Canby, OR (land behind 285 SW 3rd Ave Canby, OR)

Invitations sent to residents and owners in a 500' radius

Participants:

<i>State Street Homes</i>	<i>Neighbors</i>
Mark Wilde, Principal	Jennifer Driskill - 249 SW 3 rd Ave
Brandon Gill, Principal	Douglas & Patsy Fifield - 299 SW 3 rd Ave
Kosta Fassilis, Principal	Maria & Carlos Valdez - 407 S Holly St
Katie Parano-Friesen, Project Coordinator	Sandra Salmonson - 399 S Holly St
	Brittany Morrison - 361 S Holly St
	Brian Nava - 310 S Holly
	David & Rhonda Shechtman - 431 SW 3 rd Ave
	Jason Bristol – owner, 203 SW 3 rd Ave

Mark provided an initial synopsis of the project and then invited an open floor for neighbors to ask questions and express concerns. We screen-shared a few pages of our site plan and elevations.

<i>Primary questions:</i>	<i>Concerns expressed:</i>
Fencing	Parking
Height of building	Noise
Tree removal	Fire apparatus access

Fencing

- We discussed the direction in which the units will face, where the windows will be, and where the outdoor patios will face.
 - The corner patios all face inside towards our parking lot, or Building A.
- We discussed the privacy fencing
 - Wood with tight panels for privacy.
 - 6' is the minimum
 - We can start putting up fencing once the excavation is done and driveway is in.

Height

- Neighbors expressed concerns about the 35' height of the building.
- We discussed another recent development on 3rd Ave adjacent to our property which is similar in height.
 - Mark and Brandon explained the building height is regulated by the code.
- Some neighbors expressed confusion regarding building of high-density housing in the middle of a primarily single-family residential neighborhood.
 - Mark and Brandon explained Canby has a very low vacancy rate and a lack of housing.
- We advised the neighbors that the subject property has been its R-2 zoning for many years.
 - We did not change the zoning.
 - Changing the zoning of land is a very extensive procedure
- This led to a discussion of the City of Canby master plan.
 - While State Street Homes can't comment on, or explain, the City's master plan, we did discuss with the neighbors how these Planning Commissions create plans that account for decades of growth, in which economics can drastically change. Where a large single-family home on a large lot makes sense now, decades from now this will change.
- Neighbors asked if this apartment would decrease their property value.
 - Mark explained that, generally speaking, good improvements often increases property value, especially in an up-and-coming community like Canby.
- Brian Nava lives adjacent to the above-referenced other 9-Unit development off 3rd Ave.
 - He agreed that the privacy fencing and sound barriers were the biggest improvements we could make to our plan, and said the new neighbors were nice people.

Rents

- Neighbors asked about proposed rent amounts, which have not been decided.
- We build a quality product to attract mid-range rents, approximately 1100-1300 to 1400-1800.
- We also explained that we will be retaining the property, as owners, and have an in-house property management company.
- This allows us to have the maximum amount of control to oversee our property locally.

Tree-removal

- Mark discussed landscaping.
- Some trees which fall in the footprint of the building will have to be removed but we will attempt to retain as many as possible.
 - We will trim up the trees we retain.
- Mark suggested privacy growth like arborvitae and a Green Barrier to help alleviate some of the sound and privacy concerns.
- We shared the initial landscaping plans via screen-share, and discussed the recreational area, which will be near the stormwater retention facility, at the rear of our property.
- Patsy Fifield expressed concern about the large trees abutting her property where our driveway will go.
 - We explained we can remove those trees without impeding her driveway access or trespassing on her property.

Parking

- Concerns about excessive street parking was brought up.
- Jenni Driskill explained 3rd Ave is a route kids often use to walk to the high school so visibility is important.
- Canby has some more strict parking requirements for developments, than other cities.
 - We do meet their code requirements.
 - We acknowledge the Canby community is car dependent, but we believe this to be plenty of parking for our residents.
 - We have other multi-family communities in other similar sized secondary markets so we have experience with providing adequate parking.

- There is also one bicycle spot provided per unit.
- Jason Bristol asked about our parking surface and Mark believes it will be impervious.
 - Mark explained to everyone what pervious vs impervious parking means.

Fire Safety

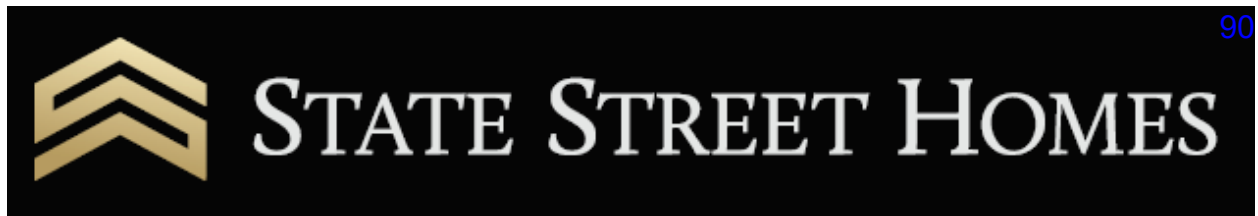
- We discussed the 26' wide driveway and fire apparatus hammer-head turn around for fire safety.
- Mark confirmed the 26' has been surveyed and measured.
- These buildings may be fire sprinklered as well, we're not sure yet.
- There may or may not be pedestrian access and/or room for plantings along the 26' driveway.

History

- The history of the property was discussed briefly.
- The previous owners, Dan & Ashley Starr, have been working on its development since 2018.
 - The property was advertised for sale touting "High Density" for a while before we became involved.
- Jason Bristol pointed out the development should come as no surprise to anyone, however some neighbor expressed surprise, as they have lived in their homes for 20+ years with a vacant lot behind them.
- We explained the city is not required to notify them of the height or details of our project.
 - That is our job as developers, which is the purpose of holding this meeting.

Finish

- Permitting takes a few months and construction maybe eight months so no tenants will be moving in for at least a year.
- Final design has not necessarily been completed.
- Mark requested everyone is who is interested in receiving notifications from us directly, please send in their email address to him to be added to our distribution list.
- We understood the primary concerns were privacy and noise and we appreciated their valuable input.



April 8, 2021

NOTICE OF NEIGHBORHOOD MEETING

Hello,

State Street Homes is a small local builder of high-quality homes in Oregon. We make it a priority to gather feedback from our most valued neighbors.

You are invited to attend a Zoom meeting regarding a proposed project in your neighborhood.

The property is located behind 285 SW 3rd Ave, Parcel ID Number 41E04BA00200.

The proposed project includes the development of two buildings with 12 residential units, approximately 10,588 square feet on a 0.44-acre site. The proposed development will be accessed off of 3rd avenue by the means of an existing easement. Both buildings will be 3-stories in height, approximately 5,294.25 sf, and each are composed of three 2 bed, 2 bath units and three 1 bed, 1 bath units.

Date: April 26, 2021

Time: 6:00PM

Zoom Invitation: <http://bit.ly/SSHcanby>

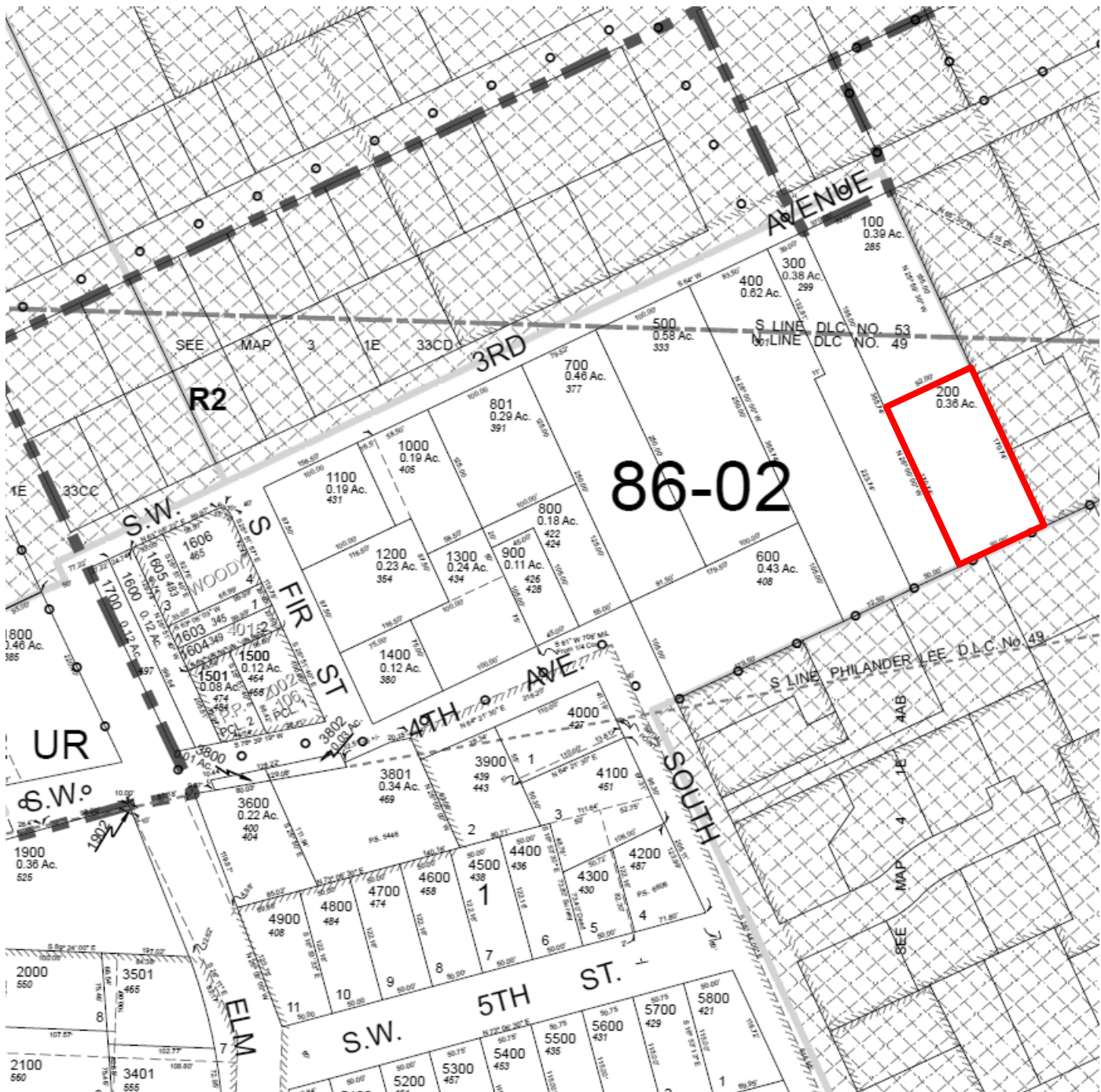
Meeting ID: 938 4522 1917

Passcode: CANBY

If you have any questions please contact us at (503) 954-1545 or mark@statestreet-homes.com

Thank you!

State Street Homes




**CURRAN-McLEOD, INC.
CONSULTING ENGINEERS**6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

April 22, 2021

MEMORANDUM

TO: Erik Forsell
City of Canby Planning Department

FROM: Hassan Ibrahim, P.E. 
Curran-McLeod, Inc.

RE: **CITY OF CANBY**
3RD AVENUE APARTMENTS

We have reviewed the submitted preliminary plans on the above referenced project and have the following comments:

1. The driveway access on 3rd Avenue shall be a “commercial” driveway approach shall be constructed consistent with the City of Canby standard detail dwg no. 104.
2. The driveway approach on 3rd Avenue shall be reconstructed to most current ADA guidelines.
3. An 8” public sanitary sewer shall be extended from 3rd Avenue to serve this development. The City will be responsible for the maintenance of the 8” line only. All the branched laterals maintenance and ownership will be the responsibility of this development. The developer shall provide a blanket maintenance easement to the City of Canby over the entire width of the easement to enable the City to maintain the sanitary sewer main line.
4. An erosion control permit will be required from the City of Canby prior to any on-site disturbance.
5. All private storm drainage discharge shall be disposed on-site, the design methodology shall be in conformance with the City of Canby, June 2012 Public Works Standards. No private runoff will be allowed to discharge into 3rd Avenue.
6. The access width, surfacing and turnaround shall meet the approval of Canby Fire District.

Should you have any questions or need additional information, please let me know.

Good Afternoon,

Looking at this proposed project, I would like to bring up the current concerns I have brought to the City's attention through the Public Safety Committee, in regards to parking in this neighborhood, pointing out specially Enterprise Rental using public parking for their business use. (S. Grant St.; SW 2nd Ave.; SW 3rd Ave.)

Adding 12 more dwellings in the middle of this area is another consideration to an already congested neighborhood. I am not against the building of dwellings, but I am opposed to the number of proposed units being considered.

Sincerely,

Karen Bourbonnais

289 S Grant St.

Sent from my iPad

Hi Mark,

Thank you for sharing your project on Zoom. It is obvious your team spent a lot of time working out the details to maximize units and meet code. Great work!

I do have one request. Will you please consider building a metal fence with plastic slats instead of wood that you propose? Reasons for this request:

- It will up the appearance of quality to match that of the similar apartment project at 205 SW 3rd Ave and help set a standard for future developments in this neighborhood.
- Fence maintenance will be minimal for many years to come. This is important on a commercial project like yours especially with multiple neighbors and ownerships.
- Metal fences are more difficult to climb. This is an exceptionally large block and I have seen people cut through yards and climb fences for a "short cut."

Thank you for your consideration and good luck with your project,

Jason

RE: Comments for Application #DR 21-04 – State Street Multi-Family

To Whom It May Concern,

I am strongly opposed to the proposed development. Two 35 ft, 3 story apartment buildings looming over a neighborhood of single family homes and yards is antithetical to everything that residents of Canby value about their homes and community. While this lot is zoned R-2, an attempt to infill 12 units only makes sense for an area in decline. Everything nearby has well maintained single family houses – many with owners invested in restoring classic features. It will be a very, very long time (if ever) before nearby land parcels alone are valuable enough to justify removing the single family homes on them today for development. As such these massive apartments would be an out of place anomaly for decades, likely longer. The loss of roughly 10 100 ft+ old growth trees to accommodate the project further erodes the neighborhood aesthetic and makes privacy concerns even more pressing.

Building apartments at this height and density will destroy a collective sense of safety and privacy within our homes, while adding a significant (and literal) traffic safety threat to hundreds of local kids who go to school each day on foot or by bike. The third floor residents in particular will have a near panoramic view of the city, and views into not only the yards, but also windows, of homes far beyond their immediate vicinity. Homeowners will have a never ending rotation of renters that can see into bedrooms, bathrooms, and more. This feels predatory and serves no one but the landowners and developer. It's not reasonable that an extensive swath of a neighborhood would have to close off views in multiple rooms of their homes and not feel comfortable in their yards. Six foot fences can't compete with buildings that size – and we all already have them anyway. There has always been a reasonable sense of privacy here and sunlight is extremely important to mental health. The proposed density of 12 units is double the minimum required for the .44 Acre lot (6.16 units rounds down) and is quite excessive.

Both 3rd Ave and Grant should be considered arterial streets. Any building on this lot needs a Traffic Impact Study (TIS) completed during (non-pandemic) school months. Per 16.08.150, Section C, this project would meet all of the determination requirements, not least of all #5 for “Potential impacts to priority pedestrian and bicycle routes, including, but not limited to school routes...”. The inevitable future increases to traffic on 99E, particularly should the proposed I205 tolling come to pass, must not be disregarded. Traffic on local streets, particularly arterial streets adjacent to Hwy 99, will certainly be notable. Ivy and Elm, flanking SE 3rd Ave on either side, may be further from the proposed site but are also relevant arterial routes.

The neighborhood meeting hosted by State Street Homes via Zoom on 4/26/21 only briefly showed parts of the building plan on the screen. As of 4/30/21 and the deadline for inclusion in publicly distributed packet materials, State Street has not distributed any of the plan information via email as was promised to interested parties at the meeting. To the best of my recollection of brief glimpses of their plan, I believe the following City Standards are all applicable. This is a limited and partial list due to time constraints, but a cursory review immediately raised these concerns:

The development lot is surrounded by both R-2 and R-1 properties.

Development standard 16.20.030, Section E, Item 3 States:

“Maximum building height for multifamily developments abutting an R-1 (Low Density Residential) or R-1.5 (Medium Density Residential) zone shall not exceed a building height greater than one foot for each foot of distance from the R-1 and/or R-1.5 property line.” I believe that means that the proposed building needs to be 35' from the R-1 lot lines on Holly, and that the developer plan does not conform to that requirement.

Development standards of 16.20.030, Section G, Item 4:

"Multi-family developments exceeding ten units shall provide 150 square feet of recreation space per dwelling unit. Recreation spaces shall be no less than 1,500 square feet in size." Two 6 unit buildings, 12 units on the lot, seems like this should apply. I did not see anything to indicate inclusion of an 1,800 sq ft recreation space (12*150 sq ft).

Development standards of 16.20.030, Section F:

"The maximum amount of impervious surface allowed in the R-2 zone shall be 70 percent of the lot area." This was not addressed and needs to be confirmed given the percentage of typically impervious areas in the proposal.

Development standards of 16.20.030, Section D, Item 2:

Rear yard setback standards don't address buildings beyond two stories (20 ft). While Section E, Item 3 appears to indicate the setback needs to be the height of the building (35 ft), I think it's worth noting that the standards don't even anticipate buildings over two stories for R-2 nor the implications for the surrounding residents.

I am concerned about the light pollution from the buildings and parking lot. Safety lighting alone will completely change the ambient level of light overnight. Being in a residential area, having a dark, quiet space at night is one of the things I cherish most. It makes me really sad my kid may not be able to lay in the back yard and enjoy the stars the way I can today. There will always be the honking light of LEDs on poles and tall buildings nearby, affecting us both outside and within the house behind curtains as well.

Regarding the neighborhood streets – this can easily turn on-street parking into a blood sport. While compared to municipalities that do absolutely nothing to include parking we are "better off", the reality is that the mandated 2 parking spaces per two bedroom and 1 space per one bedroom unit is still woefully inadequate in practice. Canby is a bedroom community. We do not have easy access to mass transit yet. Very few residents work here in the city, and exceedingly few renters paying the stated \$1400/mo rate for a one bedroom apartment will be living and paying for that alone. This area of Canby does not have overflow lot options like the Dahlia downtown.

Consider that the 8 unit apartments behind 203 SW 3rd were built with the same parking standards. This much smaller project had four 2 bedroom and four 1 bedroom units. Each of the units currently has two cars, and at one point there was a renter with 4 cars. Residents have repeatedly had their driveways blocked where they could not get to work - and this is an ongoing issue when the streets are not totally full.

Adding a 26' driveway for these apartments is absolutely necessary for emergency vehicle access – but takes away 2-3 parking spots on 3rd Ave. The reality is that at least 5-6 additional cars will need street parking comes along with the one bedroom apartments. There are not many places left for those cars to fit in – it's always full at the Elm St end of 3rd Ave; there's only one side to park on 3rd Ave closer to Ivy St, and that area is full now as well.

The Enterprise Rent-A-Car on Grant does not have a lot and has to park its fleet on the street. There are no alternative street parking areas nearby for them either. If/when they can't continue to operate their business, they may very well elect to leave town. Since COVID, the streets have been more open – Enterprise, like most rental companies, sold off much of it's fleet, and we have all forgone visitors in the interest of safety. But the situation today is not reflective of what we will see returning in the coming months, and that is without additional competition from new rental residents.

Permanently filling up both sides of 3rd Ave with vehicles is problematic on many levels. Any street with cars

parked on both sides prevents more than one vehicle from driving down the road and effectively turns it into a one-way street. This has been the case at the corner of Elm and 3rd Ave for some time. Often there are little pockets further up 3rd Ave that allow one car to pull over and let opposing traffic through. Losing currently available parking near Grant St to a driveway for apartments on 3rd, plus the 5-6 extra apartment resident cars needing space will keep the street full on both sides most of the time. The visibility turning on and off of Grant becomes even more dangerous for drivers and pedestrians. Cars already tend to speed down 3rd because it's a through street with no stops from the high school to Ivy. The 3rd Ave driveway for the apartments would be offset from Grant, so that any vehicle leaving it would be pulling out just as other cars with severely limited visibility have gone through an intersection or made a turn.

No one moves to Canby wanting to live in a neighborhood where visitors have nowhere in walking distance to park. No one ever wants to live in an area where cars pack both sides of the streets, everyone has difficulty driving through and we all have to play chicken with one another just to make it to our homes. No one wants to have to be afraid of backing out of their driveway every day (if they are fortunate enough to even have one!) because they can't see around a wall of parked cars. No one anywhere appreciates not being able to put their trash bins out for collection because there's nowhere to put them. I have always had faith that Canby's decision makers want to protect this place we are proud to call home, and not let it fall victim to these issues. I sincerely hope the planning commission does not create these irreversible problems unnecessarily.

My family chose Canby because we love this community. We chose Canby because it isn't all clusters of "premium" homes where we were all peering in one another's windows. We chose Canby because we couldn't stomach being in one of our many metro neighbor cities where everyone needs cars but no one can ever visit because there is nowhere to park. We chose our specific home in Canby because we adore its craftsmanship and can stay in it far into our old age, and that is what we intend to do.

The lot behind 285 SW 3rd is the only undeveloped residential lot in this area. This 12 unit proposal is not the right project for that lot, for every reason in the book – from the technical to the practical – that density is far too much for that location and street access. It would be terrible for SE Canby and the larger community. Even if you disagree with my concerns about parking, all future R-2 development will keep compounding existing issues to the point where it is undeniable everything I've stated is true. And we can never go back.

We don't have to make the same poor development choices that we see happening so often nearby. Please don't enable the destruction of a neighborhood we all love dearly just so a few people who don't live here can cash in now.

Sincerely,
Jennifer Driskill and Family

I am writing to voice my concerns about the apartments being built at 285 SW3rd Ave. I live at 399 S Holly which is directly behind the .44 acres. I would like to know how you can fit two 3 story apartment buildings on .44 of an acre. How many other 3 story apartments are there in canby that are among single family dwellings? We are concerned that the apartments will look directly into our home and there will be zero privacy. What are the plans for privacy? How will fire trucks turn around in there? Where will the parking be? Have you considered that most families own 2 cars? It seems ridiculous that a 3 story building be placed among single family dwellings. What will happen with the giant fir trees on the lot? 3rd avenue is already a narrow street with folks parking on both sides of the street. I also feel that the apartments will bring down our property values. I would like to ask if any of you would like a 3 story apartment building in your backyard? I feel like this was already decided on before the neighbors were notified. No where in your letter address the fact that they are planning on building 3 story apartments. That is very misleading.

Thank you

Robert and Sandra Salmonson

399 S Holly St

503-351-6156