

RESOLUTION NO. CCCLVI

A RESOLUTION AMENDING THE COMPREHENSIVE PLAN OF THE CITY
OF CANBY

WHEREAS, the City of Canby adopted its Comprehensive Plan (Resolution No. 352) on January 25, 1984, following years of work by City staff, consultants, citizens, and officials on the contents of that Plan; and

WHEREAS, it later was discovered that the Plan, as adopted, contained several mapping errors which could only be corrected after conducting additional public hearings to determine whether the subject properties should be rezoned or have their Land Use Map designations altered; and

WHEREAS, a public hearing was conducted before the Canby Planning Commission on March 12, 1984, after which the Commission voted to recommend that the Land Use Map be amended for all of the properties in #1, below; and

WHEREAS, City staff and consultant were contacted by LCDC staff after the Comprehensive Plan was adopted and requested to make further amendments in order to assure LCDC's acknowledgement of the Plan. Such amendments having been most appropriately handled by amending the section of the Plan labeled "Areas of Special Concern"; and

WHEREAS, a public hearing was conducted before the Canby Planning Commission on April 9, 1984, after which the Commission voted to recommend the amendment of the "Areas of Special Concern" to include the areas shown on the attached map (exhibit "A"); and

WHEREAS, the Canby City Council did review the record of the Planning Commission in these matters and did accept the findings of fact and recommendations of the Commission.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

Section 1. The findings of fact of the Planning Commission are adopted and the Land Use Map of the Comprehensive Plan is amended to indicate that the following tax lots are designated for High Density Residential use:

- A) T3S, R1E, Section 33CC: Tax Lots 7100, 7200, 7300, 7400, and 7500.
- B) T3S, R1E, Section 33CD: Tax Lots 3800, 3900, 4000, 4100, 4200, 4300, 4400, 4500, 4600, 4700, 4800, 4900, 5000, 5100, 5200, 5400, and 6600.

C) T3S, R1E, Section 33DC: Tax Lots 6601 and 6602.

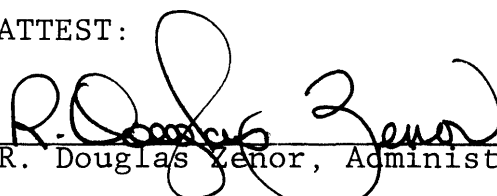
Section 2. The text and map of the "Areas of Special Concern" are amended as shown in the attached Exhibit "A."

Section 3. The Mayor and City Recorder are instructed to sign this Resolution, make the necessary changes to the official Land Use Map and promptly file those changes with the State Land Conservation and Development Commission as part of the City's request for acknowledgement of compliance.

ADOPTED by the Canby City Council this 18th day of April, 1984.


William Pulver, Council President and
Acting Mayor

ATTEST:


R. Douglas Zenor, Administrator/Recorder

of land use regulations. By identifying these areas on a map to be used in conjunction with the Land Use Map, such special regulations can be delineated in the Comprehensive Plan without the necessity of making Zoning Ordinance revisions for each special area.

After the adoption of the Comprehensive Plan and Land Development/Planning Ordinance in January, 1984, L.C.D.C. staff requested that additional work be done to assure that sites which are planned for eventual densities and intensities of development beyond those allowed by present zoning are protected from incompatible development during the interim. A number of new Areas of Special Concern have been added to those originally adopted in order to accomplish this.

All of the various Areas of Special Concern have characteristics which necessitate unique treatment rather than conventional development to minimum standards set by present zoning. Some of the areas presently lack full urban services of the sort necessary to support the density or intensity of development which is planned to eventually occur. Other areas are presently developed in a certain manner which conflicts with the planned use of the site (e.g., single family dwellings in an area designated for eventual commercial use). In such cases it is proper to leave the present Low Density Residential Zoning intact as a "holding pattern" until a thorough "redevelopment" of the area is undertaken. In other locations upzoning is appropriate as soon as any increased development is undertaken. Finally, there are some locations requiring special design considerations to assure that development, or redevelopment, is appropriate. It is the City's intention to use the upzoning process to implement the Comprehensive Plan in all cases where upzoning is indicated on the Land Use Map. In some cases, the upzoning could happen in the very near future. In other cases, it may be years before all required physical improvements are adequate to serve the subject properties. The City will continue to rely on the upzoning process as a means of assuring that improvements are made in a timely fashion. At the same time, all of these sites will continue to be protected from development which would preclude their eventual use as shown on the Land Use Map.

POLICY NO. 6: CANBY SHALL RECOGNIZE THE UNIQUE CHARACTER OF CERTAIN AREAS AND WILL UTILIZE THE FOLLOWING SPECIAL REQUIREMENTS, IN CONJUNCTION WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT AND PLANNING ORDINANCE, IN GUIDING THE USE AND DEVELOPMENT OF THESE UNIQUE AREAS.

IMPLEMENTATION MEASURES:

A) A map of "Areas of Special Concern" is included at the back of this Plan Element. That map is to be regarded as having the full force and effect of the Land Use Map in determining appropriate land uses and levels of development. Development proposals, even those that appear to conform with existing zoning, will be considered to conform with the Comprehensive Plan only if they meet the requirements imposed here.

B) Specific characteristics of the Areas of Special Concern are as follows:

1. Area "A" is significant because of its location on Highway 99-E, at a main entry to the city. This site has long been zoned for industrial development but has remained vacant because of topographic constraints, lack of state highway access, and limited rail access. With the installation of traffic signals at the intersection of Highway 99-E and S.W. Berg Parkway, the opportunity for major access improvements to the site can be seen. It now appears that commercial development would better utilize this area, but with a large adjacent area designated for industrial development it would seem most reasonable to allow either light industrial or general commercial development (provided that any commercial development utilize the signalized intersection for access to Highway 99-E). The development of area "A" is expected to have an impact on access to area "B," which is adjacent. Area "A" has been rezoned C-M.
 2. Area "B" is designated for Heavy Industrial use on the Land Use Map. It is unique because of its location within an old aggregate removal site, with special access, water and sewer service, and drainage concerns which result from its physical condition and location. Areas "B" will be upzoned to M-2 when all public facilities are available to serve the area and access problems have been resolved.
 3. Area "C" includes all of the property shown on the Land Use Map within the "Residential-Commercial" category and having frontage on S. Ivy Street. Ever-increasing traffic on S. Ivy Street necessitates special treatment for access, especially where commercial or multi-family residential development occurs. The site plan review process shall be used to assure that strict adherence to parking and access requirements are maintained. Portions of this area which have already been zoned R-2 and developed residentially will be allowed to remain in R-2 zoning. C-R zoning has begun to be used as individual applications for zone changes have been processed. There is no reason to attempt to hasten this transition process because residential uses can eventually be converted to mixed residential/commercial use.
 4. Area "D" is significant because of its location separating industrial, multiple-family residential, and single family residential areas. Originally intended as a "buffer strip" between conflicting uses, the site remains in private ownership with no known development plans. In order to assure that the development of the site does not conflict with surrounding uses, a review of any proposed design will be necessary. To assure maximum yield to the owner, without creating any undue hardships for residents, M-1/PUD zoning has been applied to the site.
 5. Area "E" is significant because of its preponderance of extremely deep lots with resulting access constraints. Density of development remains extremely low because of poor access. As a means of opening this area up to increased development, while solving the
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access problem at the same time, planned unit developments using looped, one-way access roads are encouraged. Such one-way roads will be at least 20 feet in width, with parking restricted to one side and sidewalks required on one side only. They shall be private roads, but the city shall be guaranteed that the roads are maintained or work performed at the owners expense. The Land Use Map designates the area for Medium Density Residential use with appropriate zoning to remain R-1 until a specific proposal is made for R-1.5/PUD zoning.

6. Area "F" consists of a relatively narrow strip of land along the west side of N. Maple Street, north of 22nd Avenue. This land was included within the city's urban growth boundary to allow for the eventual widening of N. Maple Street, which is presently a half street. It has been identified as an area of special concern because the city may need to allow special development techniques to maximize density while still requiring adequate buffers to minimize conflicts with adjacent agricultural activities. The improvement of N. Maple Street to full width is a major city concern because of the potential for increased development in the area, particularly within the Country Club. Development along the street must also allow for streets to eventually be constructed intersecting N. Maple Street from the west. R-1/PUD zoning will be applied to this area at the time of annexation.
 7. Area "G" is similar to area "A" in many respects. Located south of Highway 99-E along S. Pine Street, it too has potential for either commercial or industrial development. Commercial uses will be limited to "heavy" commercial activities which are closely related to industrial activities or larger shopping centers based around a department store of the sort which can be expected to draw from a regional market area. It is recognized that the Land Use Map contains sufficient area for commercial uses of all sorts other than larger department store complex types. By designating this area for special treatment this problem should be resolved, while providing safe highway access and minimizing conflicts with the railroad. The extension of S. Pine Street to connect with Township Road will be a high priority regardless of the specific nature of development in the area. Upon annexation area "G" could be zoned either M-1 or C-M, depending upon the nature of the development proposed.
 8. Area "H" consists of a single piece of highway frontage property with an existing service station and an older single family dwelling. The property is oddly shaped and has several hundred feet of frontage along S. Pine Street, an unimproved public road. Eventual commercial development of the site is appropriate and is probably inevitable, but should be conditioned upon the dedication of property and improvements to S. Pine Street. C-M zoning of the site will be regarded as a prerequisite of any further development.
 9. Area "I" is a large area of a single ownership which includes property both inside and outside the City limits. It is presently in
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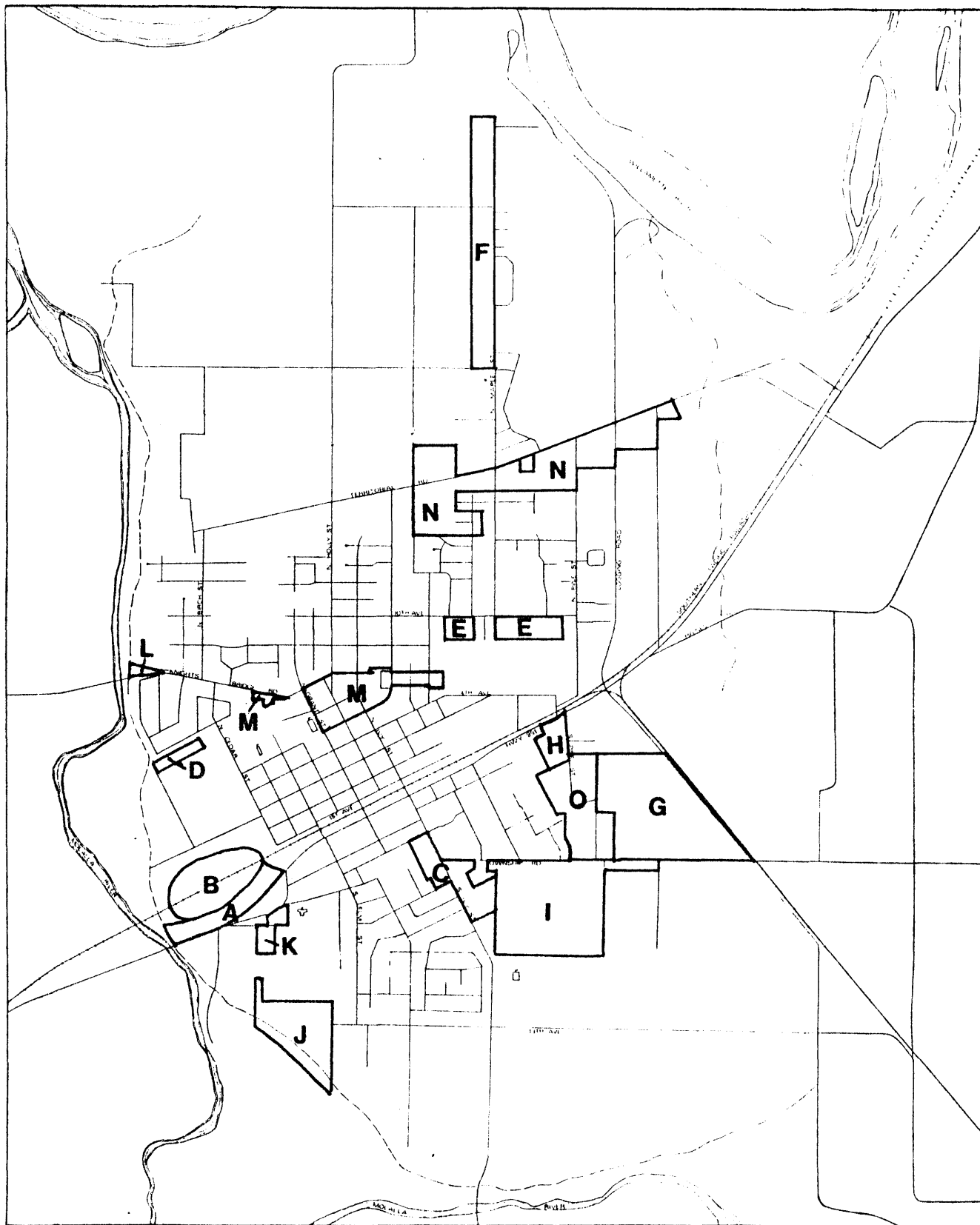
agricultural use with only one single family dwelling. Planned eventual development of the property includes both medium and high density designations. Immediate development of the site is prevented because of the lack of public sewer service to the property and the need for significant improvements to S.E. Township Road between this property and S. Ivy Street. The zoning of area "I" should be changed to R-1.5 and R-2 when sewer service is available and road improvements made. No additional residential development, beyond the one single family dwelling per lot, will be allowed to occur without upzoning of the property. Annexation of the easterly portion of this area will be subject to the same requirements and will result in automatic upzoning. It should be noted that area "I" was originally designated for primarily low density residential development. Its proposed density was increased partly to assist the developer in providing affordable housing in spite of the costs of physical improvements which will be needed.

10. Area "J" is a single ownership located between a developing residential neighborhood on the east and an established commercial and industrial area to the west. It is an Area of Special Concern because it is directly in the path of a planned major street extension to connect S.W. 13th Avenue and S.W. Berg Parkway. Development of the property should be limited to one single family dwelling per lot unless appropriate street dedications and street improvements are made. Upzoning will be made a condition of approval of any development proposal.
 11. Area "K" is an area of older dwelling units, some of which are now in disrepair. The area is planned for eventual commercial use but presently remains zoned R-1. A thorough redevelopment of area "K" appears to be needed. In the meantime, the R-1 zoning serves as an effective "holding pattern" where no new development is likely to occur. C-2 zoning will be required as a condition of any significant development proposal in the area.
 12. Area "L" is a small triangular shaped piece of property with potential development limitations due to steeply sloping west and south sides and lack of present sewer service. Proper site planning and some financial investment should mitigate both problems at some point in the future. Until that time development will be limited to a single family dwelling. Any further development will require the prior upzoning to R-1.5.
 13. Area "M" is a developed neighborhood of single family dwellings on conventional City lots. It is planned for eventual redevelopment to more of a multiple family and duplex character. The existing developed nature of the area obviates any need for an immediate zone change at this time. Any proposals for new development or redevelopment of the area, other than for one single family dwelling per lot, will require prior upzoning to R-2.
 14. Area "N" consists of a wide strip of property bordering N.E. Territorial Road. It includes properties which are planned for medium
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density residential use and properties planned for high density residential use. Present development in the area includes apartments, condominiums, single family dwellings, and vacant lots. Present zoning includes some R-2 areas and a predominance of R-1 areas. Street dedications and, in some cases, street improvements are needed to make some of the properties suitable for higher density development. New developments, other than one single family dwelling per lot, will require prior upzoning to either R-1.5 or R-2, as appropriate.

15. Area "0" includes several ownerships which are partially within the City limits and partially outside. All of area "0" is adjacent to S. Pine Street, an unimproved public road with a right-of-way of only twenty (20) feet. City sewer service is not yet available to the area. Presently zoned R-1, the area is anticipated to eventually be developed to higher residential densities. Development of area "0" could actually be connected with either the residential properties to its west or the area planned for industrial development to the east. In either case, area "0" will play an important part in the eventual improvement of S. Pine Street and the related public sewer improvements.

C) In each of the examples listed above where one single family dwelling per lot is to be allowed prior to upzoning, the City will review the plot plans of such dwelling units and set such conditions regarding building setbacks or orientation as may be necessary to assure that future higher densities or intensities of development will not be precluded because of such building placement.



CITY OF CANBY AREAS OF SPECIAL CONCERN

