

## RESOLUTION NO. 466

### **A RESOLUTION TO AMEND THE COMPREHENSIVE PLAN OF THE CITY OF CANBY TO INCLUDE TAX LOT 100 OF TAX MAP 3-1E-27C (CONSISTING OF APPROXIMATELY 7.8 ACRES) FOR LOW DENSITY RESIDENTIAL LAND USE**

WHEREAS, the Comprehensive Plan Amendment was adopted by the Canby City Council on January 25, 1984, by Resolution No. 352; and

WHEREAS, Wayne Scott, a property owner in Canby, filed an application for a Comprehensive Plan Amendment on October 29, 1990; and

WHEREAS, the Canby Planning Commission considered the proposed amendment at a public hearing on December 10, 1990 and, after concluding the hearing and considering the required standards and criteria, voted to recommend that the City Council approve the application and amend the Comprehensive Plan; and

WHEREAS, the State Department of Land Conservation and Development was notified of the proposed amendment on November 6, 1990, and they did not respond to this notification; and

WHEREAS, the Canby City Council considered the proposed amendment on January 16, 1991, after posting the required notices; and

WHEREAS, the City Council accepted the findings and conclusions of the Planning Commission as the attached Exhibit "A".


NOW, THEREFORE, IT IS HEREBY RESOLVED that the Comprehensive Plan of the City of Canby is amended as follows:

1. All references to Tax Lot 100 of Tax Map 3-1E-27C shall be designated Low Density Residential (R-1).

ADOPTED by the Canby City Council at a regular meeting thereof this 16th day of January, 1991.

  
Shawn P. Carroll, Mayor

ATTEST:

  
Marilyn K. Perkett, City Recorder

**BEFORE THE PLANNING COMMISSION  
OF THE  
CITY OF CANBY**

<b>A REQUEST FOR APPROVAL TO)</b>	<b>FINDINGS, CONCLUSIONS &amp; ORDER</b>
<b>AMEND THE COMPREHENSIVE )</b>	<b>CPA 90-02</b>
<b>PLAN )</b>	<b>(Wayne Scott)</b>

**NATURE OF APPLICATION**

The applicant, Wayne Scott, is requesting approval to amend the Comprehensive Plan to propose Tax Lot 100 of Tax Map 3-1E-27C for Low Density Residential Land Use, rather than Light Industrial Land Use. The site is located northwest of Highway 99E, between Redwood and Territorial and comprises 7.8 acres.

**HEARINGS**

The Planning Commission held a public hearing and considered this application at its meeting of December 10, 1990.

**CRITERIA AND STANDARDS**

This is a quasi-judicial land use application. It is a single parcel affecting a limited area. In judging whether a quasi-judicial plan amendment shall be approved, the Planning Commission and City Council shall consider:

- A. The remainder of the Comprehensive Plan of the City, as well as the plans and policies of the County, State or any local school or service districts which may be affected by the amendment.

- B. Whether all required public facilities and services exist, or will be provided concurrent with the anticipated development of the area.

## **CONCLUSION**

The Planning Commission concludes that CPA 90-02 complies with all applicable criteria for approving a Comprehensive Plan Amendment.

## **FINDINGS AND REASONS**

The Planning Commission incorporates the November 30, 1990 staff report on CPA 90-02 as support for its decision, supplemented by the following:

1. Testimony by staff and representatives of the applicant.
2. The Commission's deliberations, which included the following issues:
  - a. The Commission considered the staff report and reviewed applicable Comprehensive Plan considerations as well as other plans. The Commission considered the staff report wherein the State DLCD representative, Jim Sitzman, had stated to the staff that the State had no concerns about this proposal to amend the Comprehensive Plan map since this was not considered a "prime" industrial site and the City of Canby is not short of industrial land at this time. He said this is a "local" decision.
  - b. The Commission discussed that public service facilities to service the area are available or will become available when needed. It was discussed that sewer and water facilities are available in Territorial and can be extended to service the site.
  - c. The Commission discussed the concern of an adjacent landowner that his access, which is across the railroad, could, at some time in the future, be eliminated by

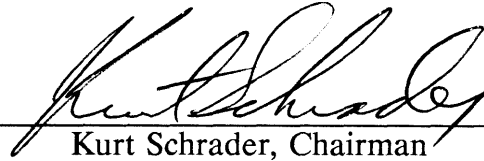
the railroad. The adjacent landowner was concerned he would have to access through adjacent property. The Commission agreed that this concern would be considered as a part of the subdivision process.

## **ORDER**

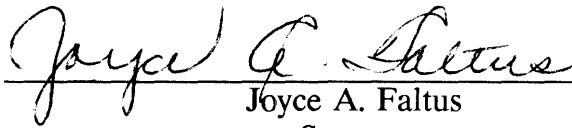
IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby to recommend approval of CPA 90-02 to the CANBY CITY COUNCIL.

I CERTIFY THAT THIS ORDER was presented to and APPROVED for recommendation to the Canby City Council by the Planning Commission of the City of Canby.

DATED this 14th day of January, 1991.



Kurt Schrader, Chairman  
Canby Planning Commission



Joyce A. Faltus  
Secretary

**ATTEST:**

**ORAL DECISION - December 10, 1990**

AYES: Schrader, Westcott, Fenske, Mihata, Bear, Zieg, Wiegand

NOES: None

ABSTAIN: None

ABSENT: None

**WRITTEN DECISION - January 14, 1991**

AYES: Schrader, Bear, Mihata, Zieg, Westcott, Fenske

NOES: None

ABSTAIN: None

ABSENT: Wiegand