

1/8/18

Bryan Brown and City Council:

I have concerns with the development of homes at the end of the Maple St.

1. The road is not wide enough for the traffic that goes up and down there now. Adding more houses and not widening the road to the 34 feet of a standard road will create a safety problem. There has not been a pedestrian study done as far as I know. This road is also listed as the Tour Canby Loop (Golden Loop) around Canby. With all the people that use this route, it is not considered to be low volume. These people should be notified that their lives may be in danger if they use Maple St. for the walking loop (i.e. Sign saying that). The study should be done in the spring and summer when the pedestrian traffic is at its peak, and not in winter.
2. The road was not up to code when installed (18 ft.) for a dead end road 16.46.010,B. The proposed road widening to 25 ft. still does not meet the requirements of 34 ft. The road needs to be built to code before the work on the lots, and Maple St. improved to the correct width from Territorial Rd. to 34th with the extra traffic that will be traveling on the road.
3. How did the property owner get a permit to fill in a WETLANDS AREA? Filling in this area (6') has affected the runoff into the houses on 34th Street. Who will be flooded when the Molalla River floods again, now that the water has no place to go except into the houses and not into the wetlands? Who will be sued since there is no wetland to take the water over flow, the city? contractor?

I have elected you the council to serve and protect the people of Canby, and you should look into this matter. Can you say that you have walked this loop in Canby?

Sincerely yours,

Scott Smith
2700 N Maple Ct.
Canby, OR 97013

RECEIVED
JAN 10 2018
CITY OF CANBY

Date: Wednesday, January 10, 2018

To: Canby City Council

From: Arthur & Virginia Hall

Subject: Appeal of Planning Commission's approval of the Seven Acres application SUB-05

The Seven Acres development request should be a "**decision point**" for the city council. **Canby should no longer allow developments with exceptions to safety rules; in order to, expedite development.**

This development, as approved by the planning commission, does not provide adequate safety for our Canby residents, visitors, pets, utility employees, and farm workers.

Seven Acres Development should not be approved until North Maple Street is widened to 34 feet with a West side sidewalk. Legal standards and guidelines for streets serving this many homes and the activities of the "logging road park" and the "golf course" must be followed.

Before approving the SUB-05 Seven Acres Project, please require North Maple St. be widened and paved to legal standards from NE Territorial RD. to the Seven Acres development.

Respectfully submitted,



Arthur S. Hall, DVM and Virginia Z. Hall

845 NE 34th Place

Canby, OR 97013

CITY OF CANBY - COMMENT FORM

If you are unable to attend the Public Hearing, you may submit written comments on this form or in a letter. Please send comments to the City of Canby Planning Department:

By mail: Planning Department, PO Box 930, Canby, OR 97013

In person: Planning Department at 222 NE 2nd Ave, 2nd floor

E-mail: PublicComments@canbyoregon.com

Written comments to be included in Council packet are due by January 3, 2017.

Written and oral comments can be submitted up to the time of the Public Hearing and may also be delivered in person during the Public Hearing on January 17, 2018

Application: Appeal of Planning Commission's Approval of The Seven Acres Subdivision application - SUB 17-05.

COMMENTS:

PLEASE
SEE
ATTACHED

CITIZEN NAME: JOHN GUNTER

ADDRESS: 930 N.E. 34TH PL CANBY

EMAIL: ranjogune@canby.com DATE: JAN 10, 2018

AGENCY COMMENTS:

Please check one box and fill in your Name/Agency/Date below:

- ☐ Adequate Public Services (of your agency) are available
- ☐ Adequate Public Services will become available through the development
- ☐ Conditions are needed, as indicated
- ☐ Adequate public services are not available and will not become available
- ☐ No Comments

Please submit all comments by email to:

PublicComments@canbyoregon.gov

Thank You!

NAME: _____ AGENCY: _____

DATE: _____

1. The safety of pedestrians and bicyclists who use North Maple St as it concerns the proposed subdivision has not been adequately researched and addressed. The data used by both the cities and the applicants traffic engineers was collected on a Tuesday in February of 2015. Data collected and this time cannot represent the conditions that exist on Maple St. in the busy summer months. The current design calls for 2 different configurations of pedestrian/bicycle areas. The first calls for a 5 ft wide asphalt path separated from the street by a 6 ft wide area of grass/natural ground. This forces both pedestrians and bikers to share the same 5 ft of pavement if they choose to not use the street. The second area has a 4 ft wide designated pedestrian/bicycle area as apart of the paved street section on the western most side of the street. This configuration separates the users from the automobile traffic with a white line. I cannot find either of these designs in the standards for street design which should disqualify either option as a solution to the pedestrian safety issue. Both of these configurations seem to be inherently dangerous. These designs also raise additional questions such as who will maintain the area between the paved street and the 5 ft wide path, how will the farmers access the fields, and who will keep the pathways clean and suitable for use by pedestrians?
2. The use of the logging road as an emergency access for this subdivision is problematic. The surface of the bike bath is only 10 ft wide. This path is heavily used by both walkers and bikers most day lite hours as well as some night and early morning hours. As is it not currently designated an emergency access the North Maple Neighborhood, it should not be designated as the emergency access to the proposed subdivision without further study and the development of guidelines for its use (ie. Signage).
3. The placement of imported fill on the subject project over the last 25 years. Has significantly changed the topography of he site. As it now stands the is approximately 8 ft of fall from the northwest corner to the south and east. This condition creates the potential for drainage overflow on to the adjacent properties to the south of the project. This issue as well as the impact of the imported fill on the subsurface water flow need to be studied further. Ideally the measures required to mitigate the issues described above would be installed prior to construction of any homes.

CITY OF CANBY - COMMENT FORM

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Application: Appeal of Planning Commission's Approval of The Seven Acres Subdivision application - SUB 17-05.

COMMENTS:

Dear City Council Members,

This letter is to state my full approval of the appeal filed against the Seven Acres Subdivision. I testified at the Planning Commission hearing as to how this has already affected my property. Mr. Sprague was given an open ended permit to fill that area many years ago. Behind my home... The property in question has been raised about four feet higher than my property where they connect. We were forced to have a sump pump hard-wired into our crawl space to protect our home since the water now comes into our yard and home! Historically water has always taken the least line of resistance... and that is directed at my property due to his fill over the last 20 years. Our rights and safety have been violated and it will only get worse since the drainage on the property is totally ineffective! My husband and I really wanted to attend this meeting on 1-17-18 but unavoidably must be out of town. Thank you for hearing my request to deny this application to prevent further harm.

CITIZEN NAME: Linda Geddes

ADDRESS: 740 NE 34 PL Canby, 97013

EMAIL: linda@geddesfield.com DATE: 1-12-18

AGENCY COMMENTS:

Please check one box and fill in your Name/Agency/Date below:

- ☐ Adequate Public Services (of your agency) are available
☐ Adequate Public Services will become available through the development
☐ Conditions are needed, as indicated
☐ Adequate public services are not available and will not become available
☐ No Comments

Please submit all comments by email to:

PublicComments@canbyoregon.gov

Thank You!

NAME: _____ AGENCY: _____

DATE: _____

Attached is a photo of some of the problem!



Canby City Council
222 NE 2nd Avenue
Canby OR 97013

Dear Councilor:

We have lived on 34th Place for almost forty years. It has been a wonderful decision for a place and community to live, to raise children, and to retire. We are part of the development immediately south of the property considered in Seven Acres or SUB 17-05. We would like to join in the appeal letter of November 27, 2017.

(1) Pedestrians and Bicyclists safety: The safety of those walking and biking along Maple Street are disregarded with this development the way it is written. The foot/bike traffic on N. Maple has grown with the implementation of the walking path from a logging road. This is with the help of Canby sponsored biking, walking, running events. Of particular concern are the dark days with the morning and evening transportation, which meets people walking dogs and jogging,

To consider building a 22-house development at N. Maple, the road leading into and out of it should be of legal requirements for a residential road with pedestrian traffic. This does not include using a sidewalk as part of the width of the road. It is the time to do things right and not after someone has been hit.

(2) Emergency access plan: The traffic down N. Maple and the increase parking on 34th Street has made the walking path (emergency access road, in this appeal), more populated at all times of the day and night, particularly during the warmer months. Thus, there is not room on the walking path for people to get out of the way if an emergency vehicle was coming. There is also the matter of the time it takes unlocking the gates to make this real emergency access counter productive.

(3) Wetlands and site Drainage Issues: Water and sump pumps have been a part of our house and maintenance since we moved here. With the Flood of 1996, we were told that flood waters would come from the river at the north/northeast points of the Seven Acres property. With this new development and the concrete, the storm water and other runoff water drainage can increase the water under and around our house. This will definitely be a nuisance for us.

Sincerely,
Gary and Gay Kuykendall

From: [Brian Hodson](#)
To: [rlangridge.save](#)
Subject: RE: Citizen Concerns/ Eco Park
Date: Monday, January 15, 2018 11:36:16 PM

Mr. Langridge,

Thank you for writing us about the Subdivision appeal. I am sharing this with our City Recorder who will make sure this is included in the minutes of the meeting and part of the record.

Brian D. Hodson
Mayor
City of Canby, Oregon
"The Garden Spot"

From: rlangridge.save [rlangridge@canby.com]
Sent: Friday, January 12, 2018 1:16 PM
To: Tracie Heidt; Sarah Spoon; Greg Parker; hensley@canbyoregon.gov; Tyler Smith; Tim Dale; Brian Hodson
Subject: Citizen Concerns/ Eco Park

Canby has been my home for over 30 years. I am contacting you as I have great concern over the planned SUB 17-05 Maple Street Development for multiple reasons. The 7 Acre Development will have a large impact on the surrounding neighborhoods and the Community of Canby as a whole. The Planning Department and Commission seems to be thinking in terms of one development at a time and not the cumulative effect of impact on Wetland, Wildlife, Neighborhoods, Infrastructure, or the City Comprehensive Plan .

There have been 3 major decisions made in the last month and a half that will impact North Canby in drastic ways. The Director of The Oregon Wetlands Conservancy shared with me her concern of that exact scenario. One of her goals is to bring awareness to this problem. One development encroaching on the natural habitat of the Willamette in one area of the city might look benign or manageable, but put several back to back, and you have irreversible damage to the Ecosystem and the Wildlife living there.

The State of Oregon Conservation Strategy has a major focus on “**Barriers to Animal Movement**” (oregonconservationstrategy.org). The location of this development with the planned 22 homes and proposed fencing, will pinch the access to the River Greenway. It will obstruct an important movement corridor for all wildlife. This property used to serve as a major Migratory stop for geese every year until the Wetland was filled in, natural Wetland plants were taken out, and the habitat destroyed. The Migratory Geese also lost habitat with the The Faist Farm Development. This year, 100's of Geese returned to find a resting area they have known for years, gone.

With the Statewide Planning Goal #5: Open Spaces, Scenic and Historic Areas, and Natural Resources, this 7 acres sits right in the prime portion of contributing to this goal or detracting away from that goal.

The Emerald Necklace Concept from the Canby Park and Recreation Master Plan that was developed by the 2000 Community Forum will be compromised. The Development will impede the area set aside by National and Oregon Agencies for Conservation and Public Enjoyment. In this Master Plan, it states the importance of this Concept should not be overlooked. With the published popularity of Eco Park and the Molalla Logging Road Trail, the approach to the Willamette River is the highlight of this trail system. A fenced development will defeat the Open Space effect of a treasured portion of Canby's Park System and affect the Natural Habitat.

In one map from the citizen Planned Park Development, the 7 acre parcel was projected to serve as parking and bathroom facilities to fill a need for Eco Park and the projected expansion of the Emerald Necklace encircling the City. More parking is needed as popularity of this site grows and the expansion of the trail increases. There should have been a Proposed Development Sign put on the park side of the proposed development, as many regular walkers, bikers, and park patrons would have had a great interest in this project and should have had a voice.

The other consideration is the Historical significance of this area of Canby. The Logging Road is significant, but there are other sites close to this site that are relevant. The historical locations of Shank's Landing and Buchman's Landing sit between the Canby Ferry and the end of the Eco Park/Logging Road Trail. With the richness of the Commerce and River use in Canby's early days, there should be investigation of relevance and possible future designation.

The **Emerald Necklace Concept** is more than a desirable goal. It will be a standard that sets us apart from other cities. The Willamette Wayside, Eco Park partnering areas and the connecting to Molalla State Park will provide not just Park Space, it will be an Oregon Tourism Destination.

Elan Langridge
1947 N. Maple Street
Canby, Oregon

*Attached is the TPL original article from their Media Room concerning the Eco Park land and the intent of our City in acquiring this treasure.

- [How we work](#)
- [Blog](#)
- [Media room](#)

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Land Acquired For Canby Waterfront Park (OR)

June 14, 2002

Oregon

CANBY, OREGON, 6/14/02 - In 1967, former Oregon Governor Tom McCall said, "We must be astute enough to see that preservation is far easier than correction, perceptive enough to realize that in the Willamette River we still have more to preserve than to correct, and bold enough to act accordingly." Thirty-five years later, with sprawl and development encroaching from every corner, that vision to protect the Willamette River, a recently designated "American Heritage River," and the land that surround it is more relevant than ever.

At the end of last month, the Trust for Public Land (TPL) conveyed a 15-acre stretch of waterfront property along the Willamette River to the City of Canby, marking the successful completion of efforts to acquire and convert a 22-acre former log-loading industrial site into a waterfront park. In March 2001, TPL helped the city acquire the first 7.5 acres. In December, TPL stepped in and purchased the remaining 15-acre parcel, holding it off the market until the City could secure funding.

State Representative Kurt Schrader said, "With no cost to tax payers, we just added almost 100 acres of parkland and wildlife habitat to our local community's recreation plan." Schrader added, "Partnering between the Trust for Public Land, Oregon

Department of Fish and Wildlife, Oregon Department of State Parks, BPA, and City of Canby is an outstanding example of the way good government should be working to improve our quality of life."

Once threatened with the development of four riverfront mansions, the property will now be incorporated into the Molalla River Pathway, a recreation trail that links the residential and commercial neighborhoods of the City of Canby with their rural landscape, and will provide nearly a half-mile of river frontage for public access. In addition, preservation of the property helps safeguard a vital migratory corridor of listed chinook salmon and steelhead trout.

Canby mayor Terry Prince calls the property the "Crown Jewel" of the cherished "Emerald Necklace" trail system that will eventually encircle the city.

"This is a tremendous deal for the public and for wildlife preservation," said Mayor Prince. "The maintenance needs for such property are low, while the public benefit is high. With our city growing so fast we need to jump on every opportunity to acquire and retain greenspace and especially riverfront property for ourselves and our future generations."

The riparian habitat on the property will serve as an expansion of the adjacent outdoor classroom at Eco Park operated by the City. The river frontage, within the National Marine Fisheries Service's critical migratory corridor for recently listed chinook salmon and steelhead trout runs, will augment existing green spaces in the area, including the adjacent 75-acre Fish Eddy property which is being transferred from Oregon State Parks to the City of Canby.

Funding for the project was provided by the City of Canby, Oregon State Parks Measure 66 local grant program, Bonneville Power Administration and Oregon Department of Fish and Wildlife's Wildlife Habitat Mitigation Program.

The Trust for Public Land is a private, nonprofit land conservation organization that works across the nation to conserve land for people. Founded in 1972, TPL specializes in

conservation real estate, applying its expertise in negotiation, public finance and law to protect land for public use. Working with private landowners, communities and government agencies, TPL's Northwest Region has helped protect more than 240,000 acres in Washington, Oregon, Alaska, Montana and Idaho for people to enjoy as parks, playgrounds, community gardens, historic landmarks and wilderness lands.

PUBLIC RECORDS LEGAL DISCLOSURE

This email is a public record of the City of Canby, Oregon, and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.



M E M O R A N D U M

DATE: *Prepared: January 17, 2018 for January 17, 2018 Council Appeal Hearing*

TO: *Mayor and City Council*

FROM: *Bryan Brown, Canby Planning Director*

THROUGH: *Rick Robinson & Joseph Lindsay*

RE: *Appeal (File No. APP 17-02) of Planning Commission Decision for application (SUB 17-05) –Seven Acres Subdivision by Canby Development LLC at 3500 N Maple Street.*

Background: On January 12, 2018, the City received a letter from the Oregon Department of Fish and Wildlife (ODFW) indicating their concern that the city may have undertaken or approved activities in the past and that more such activities are being considered for approval which will not comply with provisions of the Canby Landing Conservation Easement which was accepted on the land purchased by the City for park use in 2002. (See attached ODFW January 10, 2018 letter and attached Canby Landing Conservation Easement).

Discussion: City staff will work with ODFW to correct non-compliance issues should they exist with the provisions of the Canby Landing Conservation Easement provisions on City owned land along the Mollala Forest Logging Trail. The issue pointed out in the letter is existing and need not be related to the proposed Seven Acre Subdivision with appropriate steps taken to assure that compliance is met with approval of the new subdivision.

Appeal & Council Action: Should a motion be made to deny the appeal and uphold approval of the Seven Acre Subdivision, staff recommends the City Council include an additional condition of approval requiring the applicant of the subdivision to comply with the provisions of the Canby Landing Conservation Easement, unless a use or activity is expressly permitted and approved in writing by the Grantee (ODFW) to occur within the easement area.

With this assurance, staff believes concerns on moving forward with the subdivision at this time satisfactorily respects the concerns raised in ODFW's letter. Staff also believes the development can satisfactorily move forward with no development, construction, or unauthorized use within the conservation easement area except for: specifically allowed use of the Mollala Forest Recreational Trail as an alternative emergency only means of access within the adjacent proximity of the subdivision if ever necessary, and in the planned allowable use of previous existing storm easement that crosses the Mollala Forest Logging Trail to the existing outfall at the Willamette River to primarily provide protection during times of severe flooding on and adjacent to the proposed Seven Acre Subdivision.

Attachments:

- ODFW January 10, 2010 Letter and Canby Landing Conservation Easement
- Exhibit 1 & 2 Pages missing from ODWF's Recorded Easement
- Map Illustrating the Location of the Conservation Easement Plotted out from the Conservation Easement legal description provided in the recorded document



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Office of the Director

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6044

FAX (503) 947-6042

odfw.com

January 10, 2018

City Council and
Planning Commission
City of Canby
222 NE 2nd Avenue
Canby, Oregon 97013

Re: CANBY LANDING CONSERVATION EASEMENT

Dear City Council and Planning Commission,

On May 28, 2002, the City of Canby executed the CANBY LANDING CONSERVATION EASEMENT, a copy of which is attached hereto, granting to the Oregon Department of Fish and Wildlife (ODFW) conservation rights over certain lands owned by the City. The City purchased the lands for \$900,000, of which \$400,000 was provided by the City of Canby, \$250,000 by the Oregon Parks and Recreation Department (OPRD), and \$250,000 by the Bonneville Power Administration (BPA) through ODFW as part of the Willamette Basin mitigation program. The funding from BPA/ODFW was conditioned on the grant of easement.

It has been brought to the attention of ODFW that the city has undertaken or approved certain activities in the easement area which appear to be in direct violation of the terms of this easement and that more such activities are currently being considered for approval.

The easement states that:

“Grantor (The City of Canby) will perpetually preserve the conservation values of the Property” (paragraph 1) and that “any use of the Property which may impair or interfere with the conservation values, unless expressly permitted in this conservation easement, the management plan, or approved in writing by Grantee (ODFW) is expressly prohibited” (paragraph 4).

Prohibited activities include, among other things:

- “Construction. Except for construction needed to facilitate implementing the approved management plan, all construction, improvements and/or other man-made modifications such as buildings, structures, fences, **and roads** are prohibited.”

- “Land Surface Alteration. Any...alteration of the land surface is prohibited, unless it is part of the management plan approved by the Grantee.”

Under paragraph 8 of the easement, “Grantee shall provide written notice to Grantor if Grantee determines that Grantor is in violation of this conservation easement, or that a violation is threatened”.

Grantee has recently been made aware that the Grantor constructed, or authorized construction of, a paved roadway on the easement property between NE 34th Place and the paved pedestrian pathway running down the middle of the old Mollala Forest Logging Road to service a two-lot property subdivision at the end of NE 34th Place. Grantee has further been made aware that Grantor may be considering approving a development application which would include additional paving of a roadway on the easement property between the pedestrian pathway and a development referred to as “The Seven Acres”. The paved pedestrian pathway takes up approximately 20 feet in what appears to be the center of the 50 foot wide roadway. The roadway construction at NE 34th Place has occurred in the formerly unimproved area between the paved pathway and the private property to the west of the easement area. It is the Grantee’s understanding that providing emergency access to the Seven Acres development from the pathway would require similar roadway construction. The Grantee believes that these roadways (regardless of their length or purpose) are clearly not permitted under the agreement.

Furthermore, in neither of these cases did Grantor notify Grantee of the proposed activity, which is required under paragraph 5 of the easement agreement. Such notification would have been required *even if the activities were permissible under the agreement*, which Grantee believes they are not.

ODFW does not take a position on the merits of private real estate development, nor does it wish to interfere or become involved in any way with the rights of the City of Canby to approve (or deny) such developments. However, ODFW does take very seriously its obligations to preserve and protect conservation easements which have been obtained to provide scenic, educational, and recreational benefits to the citizens of the State of Oregon. To that end, the Grantee requests that the City of Canby, prior to undertaking or allowing any further development in the easement area, provide ODFW with all pertinent information (including maps) clearly identifying any existing or proposed encroachments (of any type whatsoever) into the easement area and explaining in detail how these encroachments are in accordance with the terms of the conservation easement. This request specifically applies to the 34th Place development and the Seven Acres proposal, but would also include any other currently proposed or future activities in the easement area. Corrective action to cure the said existing violation and to ensure that there are no further violations of the easement is hereby requested.

Please provide the requested information to Richard Duncan, ODFW Realty Specialist at the address on the letterhead or via email at Richard.D.Duncan@State.OR.US.

Thank you,



Cameron Smith
Deputy Director for Administration
Oregon Department of Fish and Wildlife

Cc: Sandra Fife, Fish and Wildlife Project Manager, Bonneville Power Administration



May 28, 2002

GRANT AGREEMENT

This grant agreement is between the Oregon Department of Fish and Wildlife ("ODFW") and City of Canby ("Grantee") in consideration of the mutual covenants contained herein.

A. Recitals

Whereas Grantee intends to purchase approximately 15 acres of land abutting the Willamette River in Clackamas County, Oregon as more particularly described in Exhibit A, ("the Property").

Whereas Grantee will fund part of the purchase with \$400,000 from the Grantee's Parks Development Fund and Sewer Construction Reserve. 400,000

Whereas the Oregon State Parks and Recreation Department will contribute \$250,000 to the purchase price through the Measure 66 Local Share parks program. 250,000

Whereas the Bonneville Power Administration (BPA) has contributed \$250,000 to the purchase price through the Northwest Power Planning Council's fish and wildlife program and the BPA-funded ODFW Willamette Basin mitigation program. 250,000

Whereas Grantee will grant a permanent conservation easement to ODFW to ensure that the uses of the property are consistent with the BPA Habitat Mitigation program and complementary conservation programs administered by ODFW. \$ 900,000

Now therefore Grantee and ODFW enter into this grant agreement.

B. Grant Award

ODFW hereby agrees to provide funds to Grantee in the amount of \$250,000.00 on the terms specified in this agreement for the purpose of contributing toward funding the acquisition of fee simple title to the Property. 250,000

C. Funding Conditions

As a condition for the disbursement and use of Board funds, the Grantee agrees to the following:

- (1) The \$250,000.00 in grant funds from ODFW will be used exclusively toward the purchase of fee simple title to the Property, and to secure transfer of title to the Property to Grantee.
- (2) Grantee will grant ODFW a perpetual conservation easement over the Property in the form shown in Exhibit B.
- (3) ODFW grant funds will be disbursed to Grantee upon written approval by ODFW of:
 - (a) the title report showing the condition of title of the Property (including any exceptions listed therein); and
 - (b) the form of deed to the Property in which title will be held by Grantee.
- (4) This commitment of funds by ODFW will be rescinded if transfer of fee simple title to Grantee has not occurred on or before July 1, 2002.

D. Effective Date; Term of Agreement

This agreement shall become effective upon execution by both parties. Execution may be made by facsimile and in counterparts, with conforming originals provided to ODFW within seven (7) days of the date of facsimile. This agreement shall remain in effect for a term of one year from its effective date.

E. Accounting for Funds Distributed

The Grantee shall account for funds distributed by ODFW using generally accepted accounting practices. The Grantee further agrees to make such accounting records available to ODFW, the Oregon Secretary of State's Office, or their employees, agents, and independent contractors upon request.

F. Amendments

Any amendment to this agreement must be mutually agreed to in writing by both parties.

G. Assignment

The Grantee shall not assign or transfer its interest in this agreement without prior written approval from ODFW.

H. Termination

This agreement may be terminated only:

- (1) At any time by mutual written consent of both parties; or
- (2) Upon written notice to Grantee by ODFW of the Grantee's failure to perform any provision of this agreement

J. Compliance With Applicable Law

The Grantee shall comply with all federal, state, and local laws and ordinances applicable to the performance of its duties under this agreement.

K. Tax Compliance Certification

The individual signing on behalf of the Grantee hereby certifies and swears under penalty of perjury that s/he is authorized to act on behalf of Grantee, has authority and knowledge regarding Grantee's payment of taxes, and to the best of her/his knowledge, Grantee is not in violation of any Oregon tax laws.

Project Manager for the Grantee:

City of Canby ODFW
Beth Saul
Director - Parks
182 N. Holly, Canby, OR 97013
(503) 266-4021
Phone

/

/

/

Project Manager for ODFW:

Greg Sieglitz
7118 NE Vandenberg Ave.
Cervallis, OR 97330
(541) 757-4186
Phone

THIS AGREEMENT, INCLUDING ALL MATERIALS INCORPORATED HERE BY REFERENCE, CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES ON THIS SUBJECT. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HERE REGARDING THIS AGREEMENT. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS AGREEMENT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH PARTIES. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE, SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THE FAILURE OF THE BOARD TO ENFORCE ANY PROVISION OF THIS AGREEMENT SHALL NOT CONSTITUTE A WAIVER BY THE BOARD OF THAT OR ANY OTHER PROVISION. GRANTEE, BY EXECUTING THIS AGREEMENT, HEREBY ACKNOWLEDGES THAT GRANTEE HAS READ THIS AGREEMENT, UNDERSTANDS IT AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

AGREED:

FOR THE GRANTEE:

Terry L. Prince
Terry L. Prince Mayor

5/28/02
Date

FOR ODFW:

C. Wayne Rawlins
C. Wayne Rawlins, Business Services/Realty
Manager

5-24-02
Date

APPROVED FOR LEGAL SUFFICIENCY:

William R. Cook
Assistant Attorney General,
Oregon Department of Justice

6/3/02
Date

GENC0214

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After recording please return document to:
Realty Section
Oregon Department of Fish and Wildlife
P.O. Box 59
Portland, Oregon 97207

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JOHN KAUFFMAN, COUNTY CLERK

2002-051



\$71

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05/30/2002 11:25:00

D-E Cnt=1 Stn=3 BEVERLY

\$50.00 \$11.00 \$10.00

**CANBY LANDING
CONSERVATION EASEMENT**

DATE:

PARTIES: City of Canby, Oregon Grantor

182 North Holly
Canby, OR 97013

State of Oregon Grantee

Department of Fish and Wildlife
Realty Section
2501 SW 1st Avenue
Portland, OR 97207

THIS CONSERVATION EASEMENT is entered into this 20th day of May, 2002, by and between the City of Canby, hereinafter called Grantor, and the State of Oregon, by and through its Department of Fish and Wildlife, hereinafter called Grantee.

WITNESSETH:

WHEREAS, the Grantor is an Oregon municipal corporation, and

WHEREAS Grantor is the sole owner in fee simple of certain real property described in Exhibit A (hereinafter referred to as "the Property") and

WHEREAS the Property possesses natural, scenic, educational, recreational, and fish and wildlife values (collectively called "conservation values") of great importance to Grantee and to the citizens of the State of Oregon; and

WHEREAS, Grantee has publicized and held public meetings in compliance with ORS 271.735 and has thereafter determined that acquiring a conservation easement is in the public interest; and

WHEREAS, Grantee desires to acquire this conservation easement pursuant to a Memorandum of Agreement and Intergovernmental Contract with the Bonneville Power Administration (BPA) which the parties hereto agree constitute a clearly delineated federal and state conservation policy that will yield

FIDELITY NATIONAL TITLE CO. 01-1101830

significant public benefit including mitigation credit to the BPA for existing hydro-electric facilities in the Willamette Basin, and

WHEREAS, Grantor intends to convey to Grantee the right to preserve and protect the conservation values of the Property in perpetuity; and

WHEREAS, Grantee agrees by accepting this grant to honor the intentions of Grantor stated herein and to preserve and protect in perpetuity the conservation values of the Property; and

WHEREAS, Grantee and Grantor agree to collaborate in drafting and executing a management plan, which plan shall take effect upon its approval by Grantee and BPA. The management plan shall highlight the goals and objectives for managing the Property. The management plan shall govern management of the Property. The management plan shall be substantially completed within eighteen months of the acquiring the Property.

NOW, THEREFORE, in consideration of the mutual promises, terms, conditions, restrictions and undertakings herein set forth, Grantor hereby voluntarily grants and conveys to the Grantee a conservation easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth.

1. **Obligations of Grantor:** Grantor, its successors and assigns, will perpetually preserve the conservation values of the Property, protecting its predominantly natural, scenic, forested, and open space condition. Specifically, Grantor shall protect the woodlands and open spaces. Any use of the Property which may impair or interfere with the conservation values, unless expressly permitted in this conservation easement, the management plan, or approved in writing by Grantee, is expressly prohibited

2. **Specific Conservation Values:** The Grantor and Grantee have identified the following specific conservation values that are to be preserved and protected under this easement including, but not limited to:

- a) Significant and valued natural habitat in which fish, wildlife, plants or a similar ecosystem thrive in a natural state.
- b) A natural area that contributes to the ecological viability of nearby local parks.
- c) A scenic landscape and natural character which would be impaired by residential or commercial development of the Property.
- d) Sustainable and biologically diverse habitat for vegetation, birds, fish and terrestrial animals.

- e) Preserving the Property enables Grantor to integrate the conservation values with other neighboring lands.
- f) Both the Department of Fish and Wildlife and the City of Canby recognize the importance of the Property as an ecological and scenic resource.

3. **Permitted Uses:** Grantor retains all ownership rights which are not expressly restricted by this conservation easement. Grantor may utilize the Property for educational and natural resources purposes and programs consistent with the management plan developed by the parties and approved by Grantee. Public access shall be allowed on the Property and will be regulated in accordance with the management plan. Grantor retains the right to convey, sell, mortgage, bequeath or donate the Property upon written approval of Grantee, which approval shall not be unreasonably withheld. Any conveyance will remain subject to the terms and conditions of this conservation easement and the subsequent interest holder will be bound by terms and conditions of this conservation easement.

4. **Prohibited Actions:** Any use of the Property which may impair or interfere with the conservation values, unless expressly permitted in this conservation easement, the management plan, or approved in writing by Grantee, is expressly prohibited. By way of example, but not by way of limitation, the following activities and uses are explicitly prohibited:

- a) Division. Any division, partition or subdivision of the Property is prohibited.
- b) Commercial Activities. Commercial or industrial activity is prohibited.
- c) Construction. Except for construction needed to facilitate implementing the approved management plan, all construction, improvements and/or other man-made modifications such as buildings, structures, fences, and roads are prohibited.
- d) Vegetation Management. Any cutting or planting of trees or vegetation is prohibited except as part of the approved management plan.
- e) Land Surface Alteration. Any mining, quarry, gravel extraction or alteration of the land surface is prohibited, unless it is part of the management plan approved by Grantee.
- f) Dumping. Waste and unsightly or offensive materials are not allowed and may not be accumulated on the Property.
- g) Water Courses. Natural watercourses, lakeshores, wetlands or other water bodies may not be altered unless such alteration has been approved in advance by Grantee.
- h) Off-Road Vehicles. Except for emergency vehicles and vehicles needed to facilitate implementing an approved management plan, motorized off-road vehicles such as

snowmobiles, dune buggies, all-terrain vehicles and motorcycles may not be operated on the Property, except on roads open to the public.

- i) Firearms. No shooting of firearms, guns, rifles for professional or recreational purposes on or from the Property is allowed.
- j) Hazardous Materials. Except as part of an approved management plan, no application of herbicides, pesticides, or fertilizer will be allowed.
- k) Billboards. Billboards and signs are prohibited except that signs may be displayed to state:
 - The name and address of the Property;
 - The owner's name;
 - The area protected by this conservation easement;
 - Prohibition of any unauthorized entry or use;
 - Information relevant to conserving the Property and important natural, scenic, or cultural resources.
 - Signs shall be aesthetically compatible with the area in which they are displayed and may be made of any material consistent with City low-maintenance requirements.
- l) Introduction of animals: No domestic or exotic animals of any kind may be released on the Property with the exception of grazing or other animals that may be used as a habitat management tool under the management plan. Dogs, horses, and other domesticated animals must remain under close control of their master or handler.

5. Notice of Intention to Undertake Certain Permitted Actions: Grantors shall notify Grantee prior to undertaking the permitted activities, as provided in paragraph 3 above, to ensure that the activities in question are designed and carried out in a manner consistent with the purpose of this easement. No notice is required where the activity in question is part of an approved management plan. Whenever notice is required it shall be provided in writing not less than 30 days prior to the date the party intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity. Notice shall be given to the Grantee as set forth in Section 11 below.

6. Grantee's Right of Entry and Inspection: Upon at least 48 hours prior notice to Grantor, Grantee shall have the right, in a reasonable manner, and at reasonable times, to enter and inspect The Property to determine compliance with this conservation easement. Upon at least 48 hours prior notice to Grantor, Grantee shall have the right, in a reasonable manner, and at reasonable times, to enter the Property for the

purposes of restoration, enhancement, and maintenance. Right of entry under this paragraph may not be used to remedy violations set forth in paragraph 8 below.

7. Force Majeure and Other Limitations of Liability: Grantor shall not be responsible for, nor in violation of this easement because of, modifications to the Property resulting from causes beyond Grantor's control; examples include but are not limited to: unintentional fires, storms, and natural earth movement. In addition, Grantor shall not be responsible for the adverse results of any good faith, well-intentioned action taken by Grantor in response to an emergency; provided, Grantor notifies Grantee of the emergency and Grantor's response within 96 hours.

8. Remedies: Grantee shall have the following remedies in the event of violation of the conservation easement by Grantor, or its successors in interest and subsequent owners of the Property.

a. Notice and Demand. If Grantee determines that Grantor is in violation of this conservation easement, or that a violation is threatened, Grantee shall provide written notice to Grantor unless the violation constitutes potential immediate and irreparable harm to the Property and/or the conservation values and prior notice is not possible or practicable. The written notice will identify the violation and request corrective action to cure the violation or to restore the Property.

b. Commencement of Action. Grantee may bring an action in law or in equity to enforce the terms of the conservation easement as follows:

1. Immediately where Grantee in its good faith discretion believes the violation may result in immediate and material injury or damage to the Property or the conservation values.
2. In all other cases, 28 days after the earlier of i) the mailing or ii) the receipt of the notice described in Section 8 (a) above.

c. Specific Remedies. Without limitation, Grantee may enjoin the violation through injunctive relief, seek specific performance, declaratory relief, restitution, reimbursement of expenses or an order compelling restoration of the Property. If the court determines that Grantor has failed to comply with this conservation easement, then Grantor also agrees to reimburse all reasonable costs and attorney fees incurred by Grantee in seeking to enforce this Agreement. If the court determines that Grantor has complied with this conservation easement, then Grantee also agrees

to reimburse all reasonable costs and attorney fees incurred by Grantor in seeking to enforce this Agreement.

d. **Cumulative Remedies.** The preceding remedies of Grantee are cumulative and in addition to any other remedies available at law. Any, or all, of the remedies may be invoked by Grantee if there is an actual or threatened violation of this conservation easement.

e. **Delay in Enforcement.** A delay in enforcement shall not be construed as a waiver of Grantee's right to enforce the terms of this conservation easement.

f. **BPA enforcement.** Grantor and Grantee agree that BPA, its successors and assigns, shall have the right, but not the obligation, to enforce any and all terms of this conservation easement as a third party beneficiary with all the rights accorded such beneficiaries under ORS 271.715 to 271.795, Conservation and Highway Scenic Preservation Easements and any other applicable law.

9. Rights of Action Against Third Parties: Grantee may bring any action it deems necessary or prudent against third parties if, in its good faith judgment, it believes such third parties actions may impair the conservation values identified above.

10. Indemnification: Subject to the limits of the Oregon Tort Claims Act, each party agrees to defend, indemnify, and hold harmless the other, its officers, agents and employees, from and against all suits, actions or claims of any character, and all liabilities or cost, including attorneys' fees and other costs resulting from any negligent act, error, or omission of the party or its officers, agents, or other employees. No party shall be responsible for the negligence of the other party, its officers, agents, or employees.

11. Notices: For purposes of this agreement, notices may be provided to either party, by personal delivery or by mailing by First Class Mail a written notice to that party at the address shown at the top of this agreement, or at such other address as a party may instruct by notice given the other pursuant to this paragraph. Service will be complete upon the earlier of delivery or 2 business days after depositing the properly addressed notice with the U.S. Postal Service with sufficient postage.

12. Assignment: Grantee may assign its rights under this conservation easement to any person or entity that now or in the future may be entitled to hold such rights under ORS 271.715.

13. **Severability:** If any portion of this conservation easement is determined to be invalid, the remaining provisions will remain in force.

14. **Successors:** This conservation easement is perpetual and is binding upon, and inures to the benefit of the parties to this agreement and their successors in interest. The rights granted are for the benefit of its property adjacent to the Property. All subsequent owners of The Property are bound to all provisions of this conservation easement to the same extent as the current property owner.

15. **Modification:** This conservation easement may not be modified, changed, amended, deleted, or eliminated without the express written consent of both parties, their heirs, successors or assigns.

16. **Oregon Law:** This conservation easement will be construed in accordance with Oregon Law.

17. **Liberal Construction:** This conservation easement shall be liberally construed in favor of maintaining the conservation values of the Property.

CITY OF CANBY

Terry L Prince
by
Mayor
title
5-28-02
date

STATE OF OREGON BY AND THROUGH
ITS DEPARTMENT OF FISH AND
WILDLIFE

CD [Signature]
by
Business Services/Realty Manager
title
5-24-02
date

STATE OF OREGON, ATTORNEY
GENERAL'S OFFICE

William R. Cook
by
Assistant Attorney General
title
5/21/02
date

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State of Ore
County of Clatsop

On this 28 day of May, 2002, before me personally appeared Terry L Prince who being duly sworn stated that ~~he~~ she is the Mayor of the City of Canby, and acknowledged the foregoing instrument to be the voluntary act of the City of Canby, and that ~~he~~ she executed the foregoing instrument on behalf of said entity.



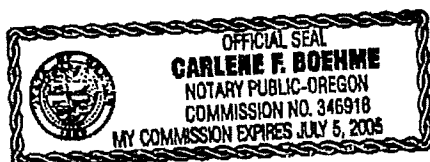
Sharon Tranel

Notary Public for Oregon

My Commission Expires: 5/25/2002

STATE OF OREGON
County of Multnomah

On this 24 day of May, 2002, before me personally appeared C Wayne Rawlin's who being duly sworn stated that he/she is the Business Svcs/Realty Mgr of the Department of Fish and Wildlife, and acknowledged the foregoing instrument to be the voluntary act of the Department of Fish and Wildlife, and that he/she executed the foregoing instrument on behalf of said state agency, acting on behalf of the State of Oregon.



Carlene F Boehme

Notary Public for Oregon

My Commission Expires: 7-5-05

EXHIBIT A
TO
CANBY LANDING
CONSERVATION EASEMENT

LEGAL DESCRIPTION

Legal Description for Conservation Easement

A portion of Government Lots 9 and 10 of Section 21, and a portion of Government Lot 8, of the Southwest Quarter of Section 22, Township 3 South, Range 1 East, of the Willamette Meridian, Clackamas County, Oregon, and more particularly described as follows:

Beginning at a point marked by a 5/8 inch Iron Rod, with a Yellow Plastic Cap marked "Riverside Eng" on the Northeasterly right-of-way line of Molalla Forest Road which point bears North 00°00'00" East 846.35 feet, South 44°31'39" East 426.45 feet, South 37°31'56" East 277.73 feet and North 59°27'47" East 25.00 feet from the Southwest corner of Section 22, Township 3 South, Range 1 East, said point being on the arc of a 1165.21 foot radius curve; thence Northwest along the arc of said curve (the chord of which bears North 37°31'56" West 283.82 feet) 284.52 feet; thence North 44°31'39" West 519.23 feet along said Northeasterly line to the most Northerly line of a tract of land as described in Document No. 77-20343 Clackamas County, Oregon Deed Records; thence North 45°00'00" East 92.95 feet along said Northerly line to the ordinary highwater line of the Willamette River; thence Northwest along said ordinary highwater line as follows: North 34°31'42" West 160.13 feet; North 10°53'37" West 34.02 feet; North 39°34'28" West 108.47 feet; North 31°28'28" West 58.87 feet; North 59°15'09" West 76.82 feet; North 44°00'20" West 204.45 feet; North 32°23'20" West 116.72 feet; North 28°01'45" West 189.47 feet; North 26°08'17" West 201.28 feet; North 16°44'13" West 242.37 feet; North 19°47'27" West 283.63 feet; North 18°33'30" West 255.15 feet; North 26°00'36" East 37.64 feet; North 25°48'35" West 64.26 feet; North 17°31'55" West 150.67 feet; North 27°09'55" West 171.97 feet; and North 24°47'33" West 188.34 feet to the Westerly boundary of the land conveyed to Ostrander Railway and Timber Company by deed Book 236 Page 535, Clackamas County, Oregon Deed Records; thence along said Westerly boundary line South 08°18'05" West 1030.66 feet to a 1 inch Iron Pipe; thence South 45°36'49" East 198.68 feet to the Westerly right-of-way line of Molalla Forest Road and being on the arc of a 362.03 foot radius curve to the left; thence along the arc of said curve (the chord of which bears South 34°55'37" East 134.31 feet) 135.09 feet; thence South 45°37'00" East 580.17 feet to the beginning of a 520.61 foot radius curve to the right; thence along the arc of said curve (the chord of which bears South 39°05'20" East 118.37 feet) 118.63 feet; thence South 32°33'40" East 319.18 feet to the beginning of a 597.96 foot radius curve left; thence along the arc of said curve (the chord of which bears South 38°32'39" East 124.66 feet) 124.89 feet; thence South 44°31'39" East 799.50 feet to the beginning of a 1115.21 foot radius curve to the right; thence along the arc of said curve (the chord of which bears South 37°31'56" East 271.64 feet) 272.31 feet; thence North 59°27'47" East 50.00 feet to the point of beginning.

RECORDED IN CLACKAMAS COUNTY
JOHN KAUFFMAN, COUNTY CLERK

2002-050786



\$41.00

00302626200200507860040046

05/30/2002 11:25:00 AM

D-D Cnt=1 Stn=3 BEVERLY
\$20.00 \$11.00 \$10.00

4/4
RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON

20
GRANTOR'S NAME
The Trust for Public Land

10,
GRANTEE'S NAME
City of Canby

SEND TAX STATEMENTS TO:
City of Canby
182 N. Holly
Canby, OR 97013

AFTER RECORDING RETURN TO:
City of Canby
182 N. Holly
Canby, OR 97013

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

The Trust for Public Land, a California nonprofit public benefit corporation, Grantor, conveys and warrants to

City of Canby, a municipal Corporation, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon,

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

Subject to and excepting:

As Per Exhibit Two Attached Hereto And By Reference Made A Part Hereof.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$900,000.00 (See ORS 93.030)

DATED: February 27, 2002

The Trust for Public Land

By:

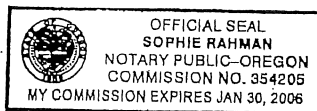
Robert B. Betcone, Jr.
Associate Regional Counsel

STATE OF OREGON
COUNTY OF Multnomah

This instrument was acknowledged before me on

May 14, 2002
by Robert B. Betcone Jr.
as Associate Regional Counsel
of The Trust for Public Land

Sophie Rahman
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: Jan 30, 2006



354205
JAN 30, 2006

Legal Description for Conservation Easement

A portion of Government Lots 9 and 10 of Section 21, and a portion of Government Lot 8, of the Southwest Quarter of Section 22, Township 3 South, Range 1 East, of the Willamette Meridian, Clackamas County, Oregon, and more particularly described as follows:

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EXHIBIT ONE

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TOGETHER WITH an easement for ingress and egress as disclosed in that certain Warranty Deed to The Trust for Public Land, a nonprofit California public benefit corporation, recorded March 27, 2001, as Recorder's No. 2001-020557, said easement is located upon, over and across that portion of the land known as Molalla Forest Road, being a portion of the property conveyed to the City of Canby by Deed recorded March 27, 2001, Recorder's No. 2001-020558.

Acceptance of Warranty Deed

City of Canby, a municipal corporation, hereby accepts a Statutory Warranty Deed from The Trust for Public Land conveying fee title to the property currently known as tax account number 00769065. Attachment to the Statutory Warranty Deed dated February 27, 2002.

Dated this 29th May, 2002,

City of Canby, a municipal corporation

By: John Kelly
John Kelly, City Attorney

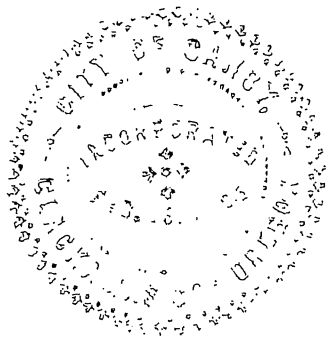


Exhibit Two

Any adverse claim based upon the assertion that:

- a. Said land or any part thereof is now or at any time has been below the highest of the high watermarks of the Willamette River, in the event the boundary of said river has been artificially raised or is now or at any time has been below the high watermark, if said river is in its natural state.
- b. Some portion of said land has been created by artificial means or has accreted to such portion so created.
- c. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Willamette River, or has been formed by accretion to any such portion.

Rights of upper and lower riparian owners in and to the use of the waters and the natural flow thereof.

Conditions, restrictions and reservations, as contained in the various contracts and permits affecting bridges, viaducts, structures, roads, and a reservation of right to use and cross that portion of the Molalla Forest Road as contained in Deeds granted by Ostrander Railway and Timber Company, a Washington corporation, recorded January 5, 1946 in Book 358, Page 92 and March 14, 1946 in Book 362, Page 529.

Matters contained in that certain document entitled "Agreement and Quitclaim Deed", dated March 1, 1966, by and between Weyerhaeuser Company, Crown Zellerbach Corporation, Grace C. Goudy, Trustee, Collins Foundation, Country Club Estates, Inc. Elmer R. Goudy and United States National Bank of Oregon, Executor, recorded April 26, 1967, Book 689, Page 101.

Reference is made to said document for full particulars.

Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to:	Portland General Electric
Purpose:	Transmission lines, together with guys, anchors, transmission wires, insulators, and crossarms
Recorded:	July 28, 1967, Book 694, Page 133
Affects:	Exact location can not be determined

Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to:	City of Canby
Purpose:	Sanitary sewer pressure line and an underground electric power line
Recorded:	February 28, 1974, Recorder's No. 74 5004
Affects:	A portion in boundary of Molalla Forest Road

The following unrecorded items that are disclosed on the Statutory Warranty Deed, recorded February 2, 1993 as Fee No. 93 07601:

- a. License by City of Canby to Crown Zellerbach dated October 4, 1978 for increased road radius adjacent to Territorial Road. (JR File No. P-C-138)
- b. Ten foot Easement for sewer to the City of Canby dated September 11, 1974. (JR Sale No. 174)
- c. Ten foot Easement for sewer and power to Portland General Electric dated May 4, 1953. (JR Sale No. 73)
- d. Sewer Crossing under Molalla Forest Road to the City of Canby dated December 18, 1978. (JR Sale No. 198)
- e. License for underground water line to Willamette Valley Country Club dated March 15, 1977. (JR File No. R-W-151)

Terms and provisions of various U.S. Army Corps of Engineer's Permits, as disclosed on the Statutory Warranty Deed, recorded February 2, 1993, as Fee No. 93 07601.

Terms and provisions of Oregon Division of State Lands Permit No. 1186 dated July 2, 1973, as disclosed on the Statutory Warranty Deed recorded February 2, 1993, as Fee No. 93 07601

PROPERTY LINE ADJUSTMENT FILE NO. Z0840-00-PLA

CURVE TABLE

NO.	RADIUS	CENTRAL ANGLE	TANGENT	ARC LENGTH	CHORD	BEARING
12	362.03'	21°22'46"	68.34'	135.08'	134.31'	S34°55'37"E
13	520.61'	13°03'20"	50.57'	118.63'	118.37'	S39°05'20"E

APPROVAL:

CLACKAMAS COUNTY PLANNING FILE NO. Z0840-00-PLA

BY: *Walter Schmitt*

DATE: *March 15, 2000*

CLACKAMAS COUNTY PLANNING DEPARTMENT

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO SHOW THE PROPERTY LINE ADJUSTMENT OF THE COMMON BOUNDARY LINE AS IN DOCUMENT NO. 93-07601, "PARCEL 1" AND DOCUMENT NO. 77-20343 LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN AND CLACKAMAS COUNTY, OREGON, TO CREATE A 15.37 ACRE TRACT AND A 6.39 ACRE TRACT AS ALLOWED BY THE CLACKAMAS COUNTY PROPERTY LINE ADJUSTMENT FILE NO. Z0840-00-PLA.

THE BASIS OF BEARING IS THE SEGMENT OF THE WESTERLY LINE OF THE MOLALLA FOREST ROAD AS SHOWN ON THIS PAGE, TAKEN FROM P.S. 27277.

MONUMENTS FOUND OR SET IN P.S. 27277 WERE HELD FOR THE MOST WESTERLY SOUTH LINE, THE WEST RIGHT-OF-WAY OF MOLALLA FOREST ROAD, AND THE MOST EASTERLY SOUTH LINE.

THE WEST LINE WAS ESTABLISHED HOLDING TO THE FOUND MONUMENTS AT Δ AND Δ AND EXTENDING THE LINE IN A NORTHEASTERLY DIRECTION INTERSECTING WITH THE RIGHT BANK ORDINARY HIGH WATER LINE OF THE WILLAMETTE RIVER.

IN ACCORDANCE WITH THE MAP PREPARED BY THE OREGON DIVISION OF STATE LANDS TITLED "WILLAMETTE RIVER PUBLIC LANDS UNDER THE JURISDICTION OF OREGON STATE LAND BOARD" SHEET 11 OF 57 IT MAY BE POSSIBLE TO CLAIM OWNERSHIP OUT TO THE ORDINARY HIGH WATER LINE OF THE RIVER HOWEVER, FOR THE PURPOSE OF THE SURVEY AND THE COMPUTATION OF AREA WE HELD TO THE ORDINARY HIGH WATER LINE.

MONUMENT LIST

- Δ 5/8" IRON ROD SHOWN ON P.S. 15846, (FIELD)
- Δ 5/8" IRON ROD SHOWN ON P.S. 15846, (FIELD)
- Δ 5/8" IRON ROD SHOWN ON P.S. 15846, (FIELD)
- Δ 5/8" IRON ROD SHOWN ON P.S. 15846, (FIELD)
- Δ 1" IRON PIPE WITH 2" ALUMINUM CAP "PROPERTY CORNER", FROM ROAD SURVEY PLOT B-2-1, PAGE 5 OF 36, 0.30' A.G. (FIELD FOR CORNER)
- Δ 1" IRON PIPE WITH 2" ALUMINUM CAP WITH "X" MARKED IN TOP FROM ROAD SURVEY PLOT B-2-1, PAGE 5 OF 36, 0.30' A.G. (FIELD FOR CORNER)

REFERENCES:

- () = DEED RECORD DATA RECORDED IN DOCUMENT NO. 93-07601 OF THE DEED RECORDS OF CLACKAMAS COUNTY, OREGON.
- PLOT B-2-1, SHEET 5 OF 35, (ROAD SURVEY)
- P.S. 27277, P.S. 15846, P.S. 14607, P.S. 7582
- UNRECORDED SURVEY BY JOHN E. HOLLINGSWORTH, OREGON STATE PARKS [O.S.P.] JUNE 2, 1978.
- SUBDIVISION PLAT NO. 2092 "COUNTRY CLUB ESTATES ANNEX NO. 3"
- SUBDIVISION PLAT NO. 3304 "MANOR ON THE GREEN"

DEED REFERENCES:

- DEED BOOK 358 PAGE 92, BOOK 368 PAGE 33, BOOK 370 PAGE 197, BOOK 377 PAGE 429
- DOCUMENT NO. 5-72-26256, 74-24334, 77-20343, 93-07601, 95-019135

UNLESS OTHERWISE NOTED FOUND MONUMENTS ARE IN GOOD CONDITION, AT OR WITHIN 2' OF THE SURFACE OF THE GROUND AND HAVING NO IDENTIFIABLE MARKINGS.

PREPARED FOR AND AT THE REQUEST OF
CAPPALE BROTHERS
FOREST PRODUCTS

REGISTERED PROFESSIONAL LAND SURVEYOR CAPPALE BROTHERS 2840 S. RAY GARY, OREGON 97130	DATE: 12/13/00	EXPIRATION: 12/31/02
RIVERSIDE ENGINEERING CO. 950 TURNER RD. SE. P.O. BOX 3687 PALM BEACH, FLORIDA 33480 PHONE 561-856-6862		

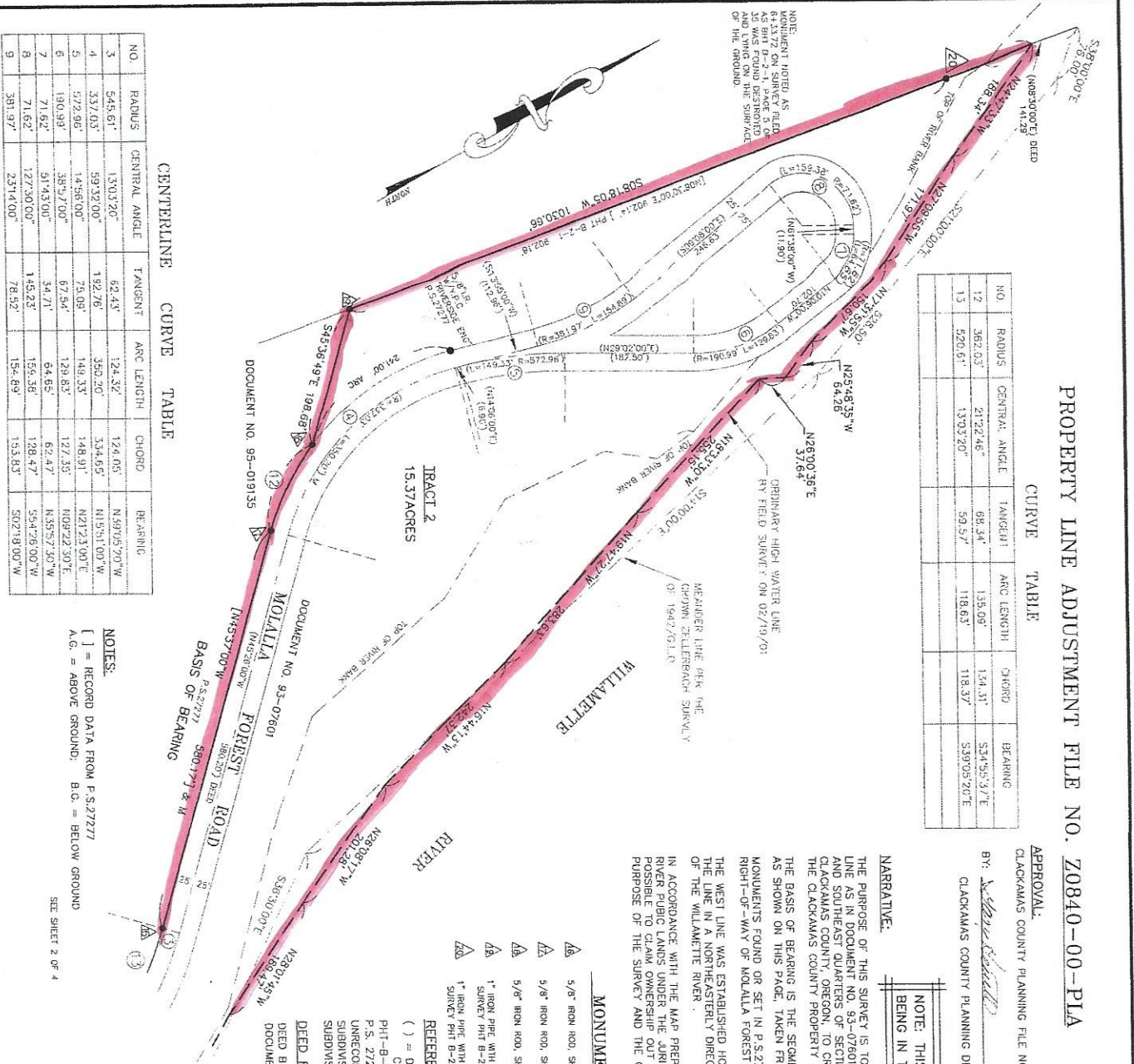
CENTERLINE CURVE TABLE

NO.	RADIUS	CENTRAL ANGLE	TANGENT	ARC LENGTH	CHORD	BEARING
3	545.61'	13°03'20"	92.43'	124.32'	124.05'	N59°55'20"W
4	333.03'	59°33'00"	192.76'	356.20'	334.65'	N15°31'00"W
5	577.96'	14°36'00"	75.09'	149.33'	148.91'	N21°23'00"E
6	130.99'	38°57'00"	67.54'	129.83'	127.35'	N08°22'30"E
7	71.62'	91°43'00"	34.71'	64.65'	62.47'	N45°57'30"W
8	71.62'	127°30'00"	145.23'	156.36'	128.47'	S54°26'00"W
9	381.97'	23°14'00"	78.52'	156.69'	153.83'	S02°18'00"W

NOTES:

- [] = RECORD DATA FROM P.S. 27277
- A.G. = ABOVE GROUND; B.G. = BELOW GROUND

SEE SHEET 2 OF 4



SHEET 2 OF 4

△	5/6" IRON ROD WITH 2, 1/2" ALUMINUM CAP, PROPERTY CORNER, FROM ROAD SURVEY PH-B-2-1, PAGE 5 OF 35, 0.40' A.C. (FIELD FOR LINE)
△	5/6" IRON ROD WITH 2, 1/2" ALUMINUM CAP, PROPERTY CORNER, FROM ROAD SURVEY PH-B-2-1, PAGE 5 OF 35, 1.00' A.C. (SEE DETAIL, FIELD FOR LINE)
△	5/8" IRON ROD WITH 2, 1/2" ALUMINUM CAP, PROPERTY CORNER, FROM ROAD SURVEY PH-B-2-1, PAGE 5 OF 35, 3.55' NE OF LNE. (SEE DETAIL, (NOT HELD)
△	5/8" IRON ROD WITH 2, 1/2" ALUMINUM CAP, PROPERTY CORNER, FROM ROAD SURVEY PH-B-2-1, PAGE 5 OF 35, (FIELD FOR LINE)
△	1" IRON PIPE WITH NER HEAD, FROM ROAD SURVEY PH-B-2-1, PAGE 5 OF 35, 0.40' NE OF 0.40' A.C. (NOT HELD)
△	5/8" IRON ROD WITH ALUMINUM CAP, ZAROSINSKI-TATONE PE 3915, SUBDIVISION 2092, 0.35' NE OF LINE, 0.60' A.C. (NOT HELD)
△	5/8" IRON ROD, SHOWN ON SUBDIVISION 2092, 0.20' A.C. (HELD)
△	5/8" IRON ROD, SUBDIVISION 2092, BEIN, 2.20' SW OF LINE (NOT HELD)
△	5/8" IRON ROD, SHOWN ON P.S. 15946, (HELD)

CENTERLINE CURVE TABLE

NO.	MODULUS	CENTRAL ANGLE	TANGENT	ARC LENGTH	CHORD	DEADING
1	1140.21°	44.36.36"	44.61.69"	987.65	985.41	N27.13.31°W
2	572.96°	1157.98"	60.05	119.45	119.45	N38.37.39°W
3	545.61°	1307.20"	62.43	124.32	124.05	N39.05.20°W

CURVE TABLE

NO.	RADIUS	CENTRAL ANGLE	PAIGMENT	ARC LENGTH	CHORD	BEARING
13	530.61'	139.370°	59.57'	118.63'	118.57'	S.39.05.20"E
14	591.96'	119.737°	62.67'	124.89'	124.66'	S.38.32.39"E
18	1155.21'	135.972°	136.84'	272.31'	271.64'	S.37.31.56"E
17	1165.21'	135.972°	144.97'	284.52'	283.82'	N.37.31.56"W

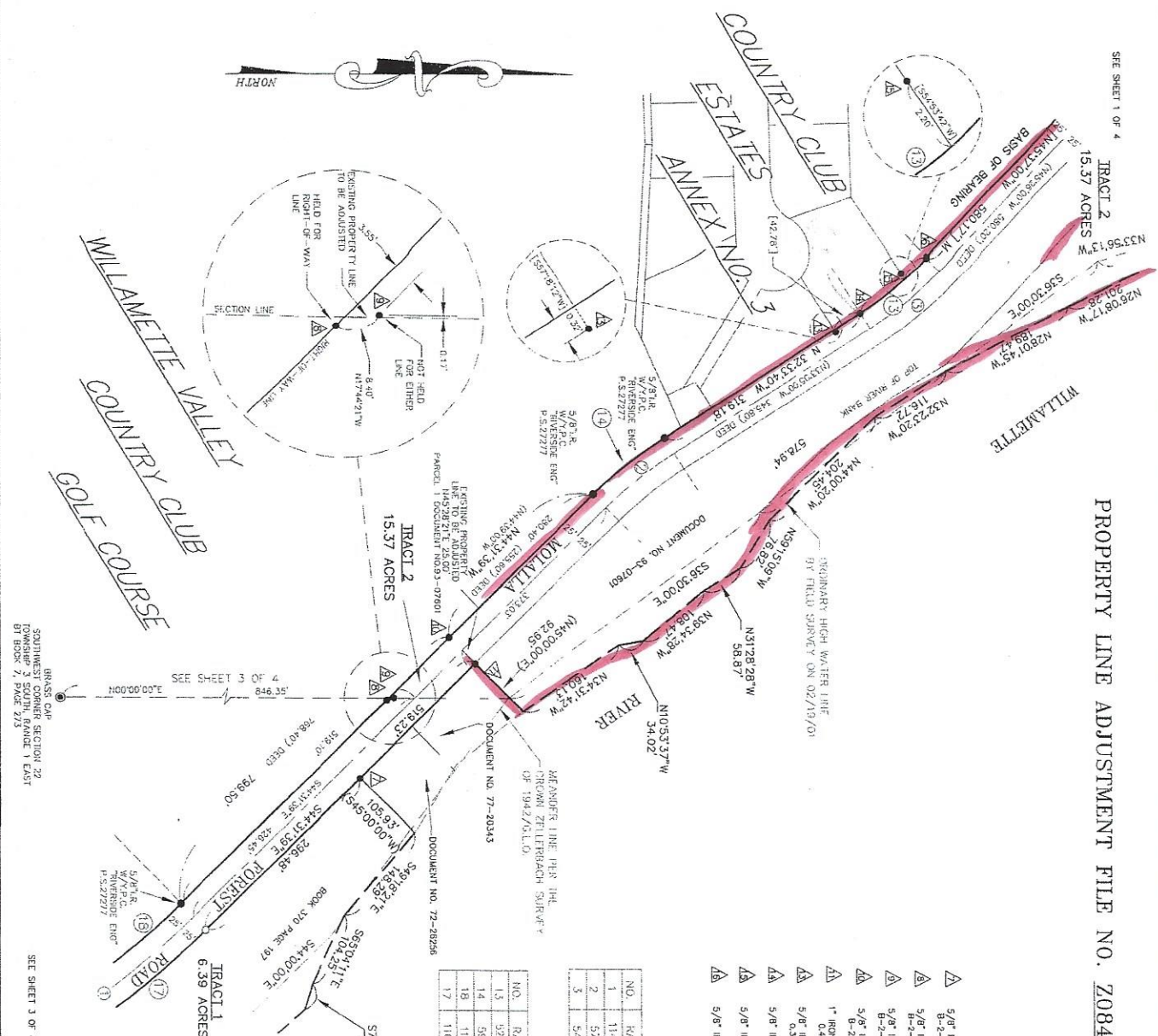
2"E
NOTES:

[] = RECORD DATA FROM P.S.27277

() = RECORD DATA FROM DOCUMENT NO.93--0760

A.G. = ABOVE GROUND; B.G. = BELOW GROUND

UNLESS OTHERWISE NOTED FOUND MONUMENTS ARE IN GOOD CONDITION, AT OR WITHIN 2" OF THE SURFACE OF THE GROUND AND HAVING NO IDENTIFIABLE MARKINGS.



SOUTHWEST CORNER SECTION 22
TOWNSHIP 3 SOUTH, RANGE 1 EAST

SEE SHEET 3 OF 4

EXPIRATION 12/31/02

[illegible]



Kati Gault <katigault@gmail.com>

RE: SUB 17-05 Maple Street Improvements

1 message

Hassan Ibrahim <hai@curran-mcleod.com>

Mon, Jan 15, 2018 at 6:50 AM

To: Kati Gault <katigault@gmail.com>, Bryan Brown <BrownB@canbyoregon.gov>

Cc: Doug Sprague <dougs@canbyex.com>, "Jerry Nelzen(nelzenj@canbyoregon.gov)" <nelzenj@canbyoregon.gov>

Hello everyone,

N Maple Street shall be improved to 34' wide paved local street as part of the future development of the farmed property to the west and not as part of this development. This development should provide a minimum 20' paved surface and parking on one side for a minimum of 28' wide street.

Regards,

Hassan Ibrahim, P.E.
CURRAN-McLEOD, INC.
6655 SW Hampton St, Ste. 210
Portland, OR 97223
Tel: 503-684-3478
Fax: 503-624-8247
Cell: 503-807-2737
email: hai@curran-mcleod.com

From: Kati Gault [mailto:katigault@gmail.com]**Sent:** Friday, January 12, 2018 3:38 PM**To:** Hassan Ibrahim <hai@curran-mcleod.com>; Bryan Brown <BrownB@canbyoregon.gov>**Cc:** Doug Sprague <dougs@canbyex.com>; Jerry Nelzen(nelzenj@canbyoregon.gov) <nelzenj@canbyoregon.gov>**Subject:** Re: SUB 17-05 Maple Street Improvements

Thank you Hassan.

Bryan, could you authorize Hassan to respond to the clarifying email below? Thank you.

Hassan,

To clarify, with the proposed development the ADT on Maple will be greater than 500 trips per day, however since Maple is an off-site Street there is no city criteria that requires the proposed development to improve off-site streets to a full local street standard of 34'. Please confirm you agree.

The development is only required to build half Street improvements per public works standard 2.207 to a minimum of 20' wide. In order to meet this standard and still allow parking to remain the street will be paved to a minimum of 28' to allow 20' travel lane and 7' parking lane. With the proposed improvements this standard will be met, please confirm you agree.

Thank you,

Kati Gault

On Tue, Jan 9, 2018 at 6:01 AM, Hassan Ibrahim <hai@curran-mcleod.com> wrote:

Hi Katie,

N. Maple is classified by the City TSP as a local street, local streets can have two different paved width based on the average daily traffic (ADT) per day. If the ADT is less than 500 vehicles per day, then the street can be 28 feet paved width. My recollection is that N Maple Street currently under 500 vehicles per day until the west side of the road develops then the street width will be upgraded to 34 feet in width.

I hope this answers your question...

Regards,

Hassan Ibrahim, P.E.
CURRAN-McLEOD, INC.
[6655 SW Hampton St, Ste. 210](mailto:hai@curran-mcleod.com)
Portland, OR 97223
Tel: 503-684-3478
Fax: 503-624-8247
Cell: 503-807-2737
email: hai@curran-mcleod.com

From: Kati Gault [mailto:katigault@gmail.com]
Sent: Monday, January 08, 2018 3:33 PM
To: Hassan Ibrahim <hai@curran-mcleod.com>
Cc: Doug Sprague <dougs@canbyex.com>
Subject: SUB 17-05 Maple Street Improvements

Hassan,

As you and Doug discussed, attached is the plan for SUB17-05 that shows the North Maple Street improvements as approved in the subdivision final order by the City of Canby Planning Commission November 13, 2017.

Can you respond to this email to confirm these proposed Maple street improvements meet the City local street design standards?

Thank you,

Kati Gault

[503-318-8191](tel:503-318-8191)

From: John Middleton john@ztecengineers.com
Subject: Re: SUB 17-05 Supplemental Brief.pdf
Date: Jan 17, 2018 at 8:56:48 AM
Cc: dougs@canbyex.com dougs@canbyex.co, Corey Westermann
coreyw@canbyex.com, mrobinson@schwabe.com, Kati Gmail
katigault@gmail.com, hai@curran-mcleod.com

Hassan,

You are probably aware of the issue with a conservation easement over the bike path area next to the proposed subdivision.

Our current plan is to construct connections to the public storm line that runs through this area and to the public sewer manhole adjacent to the pump station next to the bike path. We plan to extend lines from these connections, adjacent to the bike path, to provide services to the subdivision and improved storm service to Montecucco Farm.

I believe it is possible to construct these public service lines through this area, even with the recently revealed presence of a conservation easement over the area. It will require the approval of both the City of Canby and the easement holder, Oregon Dept. of Fish and Wildlife.

Should we be unable to obtain approval from both entities to construct these improvements we plan to obtain public storm and sanitary sewer services from the existing public storm and sanitary sewers in 34th Pl. providing services to the subdivision and farm through existing right of way and easements.

John Middleton

ZTEC Engineers

On 1/16/2018 6:27 PM, Kati Gmail wrote:

Hi John,

You may be aware from Chris That we received notice at 5 AM this morning that the neighbors are arguing our proposed subdivision is in violation of a conservation easement to ODF&W on the logging road. And ODF&W Has sent a letter to the city about this violation.

We spoke with city staff this afternoon and the city attorney and they are going to continue to recommend approval with a condition that we comply with the terms of the conservation easement or obtain an exception from ODF&W to build our proposed improvements including storm and sanitary. If ODF&W doesn't approve the exception we'll need to reroute storm and sanitary through 34th in existing right-of-way and easements.

Can you send an email to Hassan and copy those on this email and Mike Robinson (mrobinson@schwabe.com) and tell Hassan that: our proposed subdivision has acceptable alternative storm and sewer alignments that can be constructed to city standards by taking our storm and sewer down 34th through existing right-of-way and easements without constructing additional improvements in the conservation easement.

We would like to have this statement or something along these lines in the record from you to Hassan so council knows that we have viable alternatives. Can you send that for us first thing in the morning? Please call Doug or I if you have any questions.

Kati

Principle 1: Respect natural features

The main focus of this principle is maintaining the ecological integrity of significant natural areas while restoring and enhancing areas that lack such integrity. Participants during the three community workshops indicated that the top priority for the future use of the property should be respecting the existing natural features on the Willamette Wayside properties.

The maintenance and enhancement of natural areas can be accomplished by the removing invasive species, planting additional native species, and creating low-impact recreation opportunities while restoring terrestrial and aquatic habitat areas within the property. Structures and recreational amenities should be constructed in locations that do not diminish or impair the significant natural features the property. Significant natural areas include: Willow Creek wetland, Willow Creek, Willamette River riparian habitat, oak woodland, and other native vegetative communities of highest ecological value (Map 2-3 in Chapter 2 shows the location of significant natural areas).

During the community workshops, participants made specific suggestions about respecting natural features on the site:

- Maintain and restore the Willow Creek wetland and riparian areas;
- Remove invasive species and encourage the growth of native species;
- Allow only passive (low-impact) recreation – only emergency, city park, and Willamette Country Club maintenance vehicles should be allowed access to the property;
- Ensure that recreational uses do not interfere with natural qualities and wildlife habitat;
- Remove the culverts on the property from Willow Creek to improve the connection to the Willamette River.

Principle 2: Create destinations and strengthen connectivity

This principle seeks to integrate “destinations” with the unique features of the Willamette Wayside properties. Destinations can serve as attractions for visitors and to direct use to specific areas on the site. In short, destinations provide visitors with reasons to use the site. Given the size of the Willamette Wayside properties, creating both internal and external connections will be essential in creating destinations.

Onsite connectivity involves linking together the various locations on the property. A multi-use trail system will provide this connectivity throughout the Willamette Wayside properties. Offsite connectivity is consistent with the City’s Emerald Necklace concept of linking parks

City will develop parking areas on the property as warranted by park use.

The second issue connected to enhancing and controlling access for all transportation modes is limiting private automobile access on the property. Although adequate parking will be provided, the safety of park users and surrounding residents requires that automobiles not be allowed beyond designated parking areas. Bollards will be located at all trail entrances to the property to restrict all private automobiles. City maintenance and emergency vehicles will be able to remove the bollards at each location for full access to the property.

The remaining accessibility issue discussed during the workshop was compliance with the Americans with Disabilities Act (ADA). In the development of the properties the City will comply with ADA where appropriate. The old logging road and a portion of the trail through the Fish Eddy will be ADA compliant. Parking lots, restrooms, and some of the picnic areas will also be ADA compliant.

During the series of community workshops, participants made specific suggestions about strengthening connectivity, which are as follows:

- Ensure compliance with ADA;
- Provide adequate parking;
- Design parking areas in a manner that minimizes negative impacts to significant natural areas;
- Regulate access points to provide safety for pedestrians, joggers, and bicyclists;
- Minimize direct access to the Willamette River;
- Design the trail system to minimize direct access to the significant natural areas of highest ecological value.

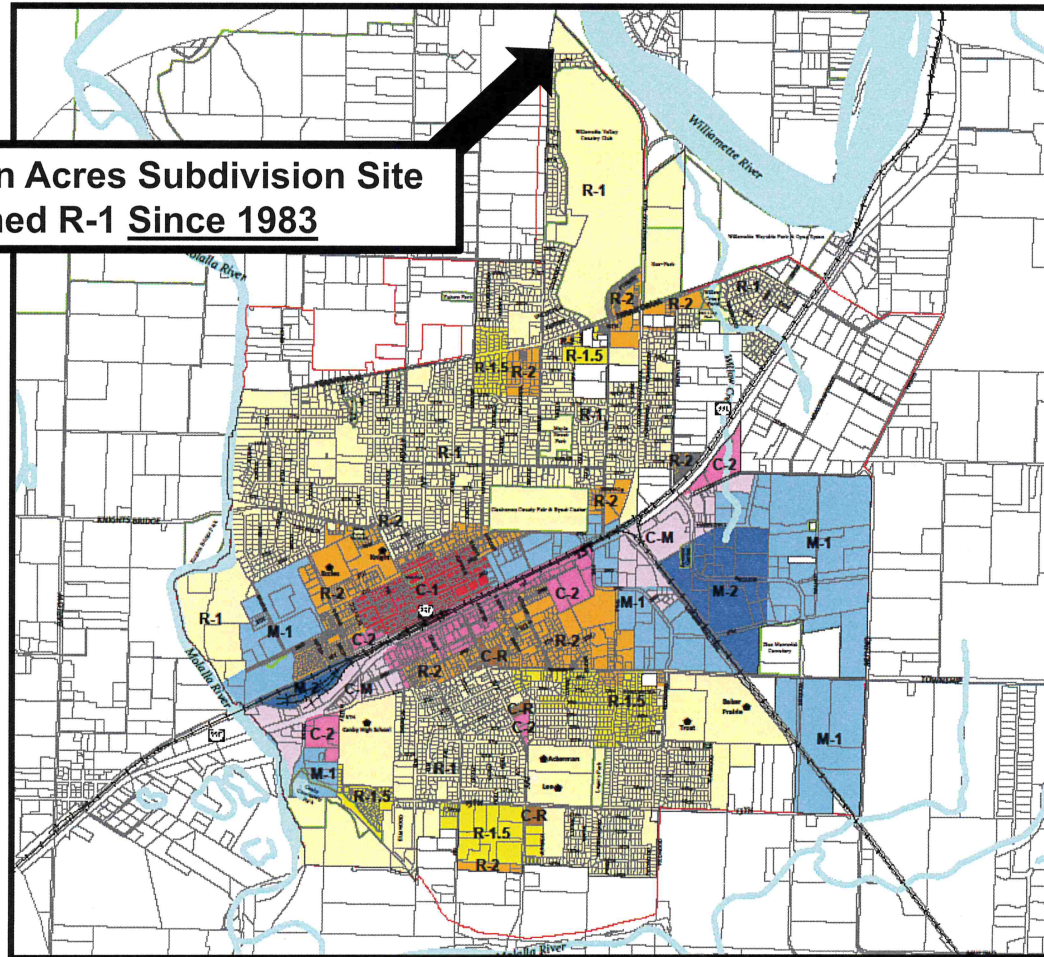
Principle 4: Create a safe place to recreate

This principle is split into two safety areas: (1) park users should be safe while recreating on the property; and (2) the park should be developed to maximize the safety of adjacent property and property owners. Safety was a theme discussed by participants throughout the community workshops.

The City conducted a liability assessment of the property to assess all potential hazards (Appendix C). New structures will be designed and located to maximize safety. Rules will be clearly posted at all entrances and danger signs will be located next to any structure that is deemed a potential hazard.

The park should be developed to maximize the safety of adjacent property and property owners. The City will enforce hours of operation and private automobile access will be restricted to designated areas at

**The Seven Acres Subdivision Site
Zoned R-1 Since 1983**



City of Canby Zoning Map

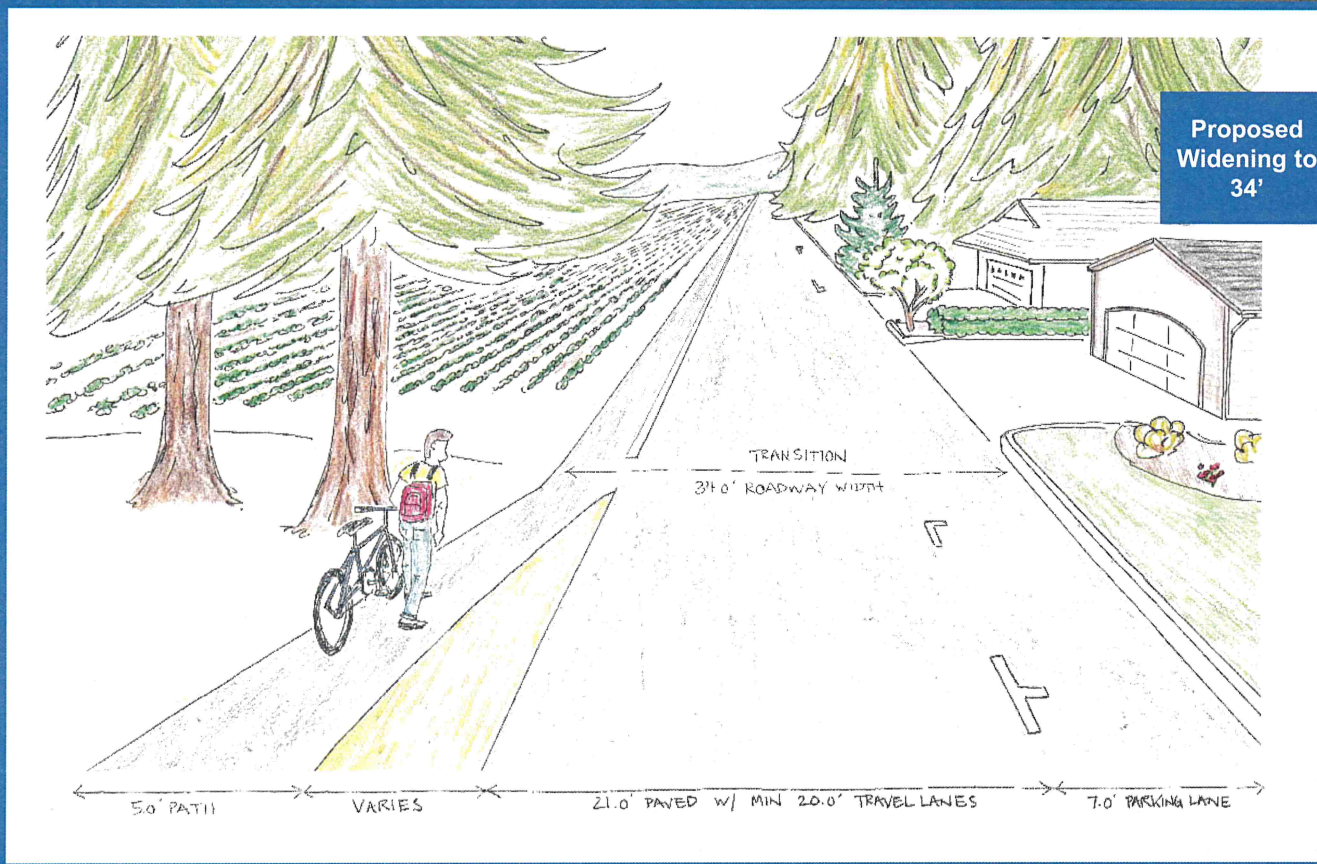


0 0.25 0.5 1 Miles

January 2014

The information depicted on this map is for general reference only. The City of Canby cannot accept any responsibility for errors, omissions, or positional accuracy. However, notification of errors would be appreciated.





Proposed
Widening to
34'

Proposed
Widening to 28'
Roadway and
Separated 5'
Asphalt Path

(see following slide for
rendering)

The Seven
Acres
Subdivision

Willamette Valley
Country Club
Club House



NE 34th Pl

N Maple St

N Maple St
NE 23rd Ave



Proposed
Widening
to 28'
Roadway
and
Separated
5' Asphalt
Path

The Seven
Acres
Subdivision

Proposed
Widening to
34'

(see previous slide for
rendering)

Willamette Valley
Country Club
Club House



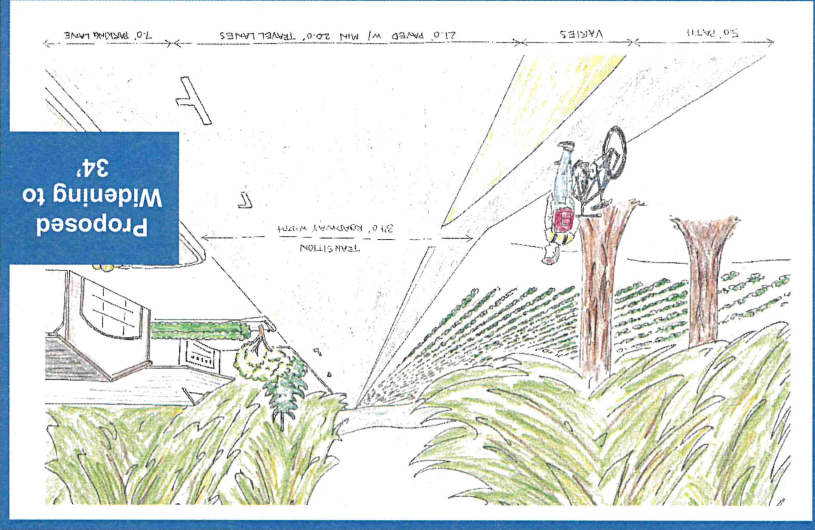
Estimated
Proportional Share
Req'd (per DKS)

\$91,378

VS.

Estimated Cost of
Improvements
Approved by
Planning
Commission

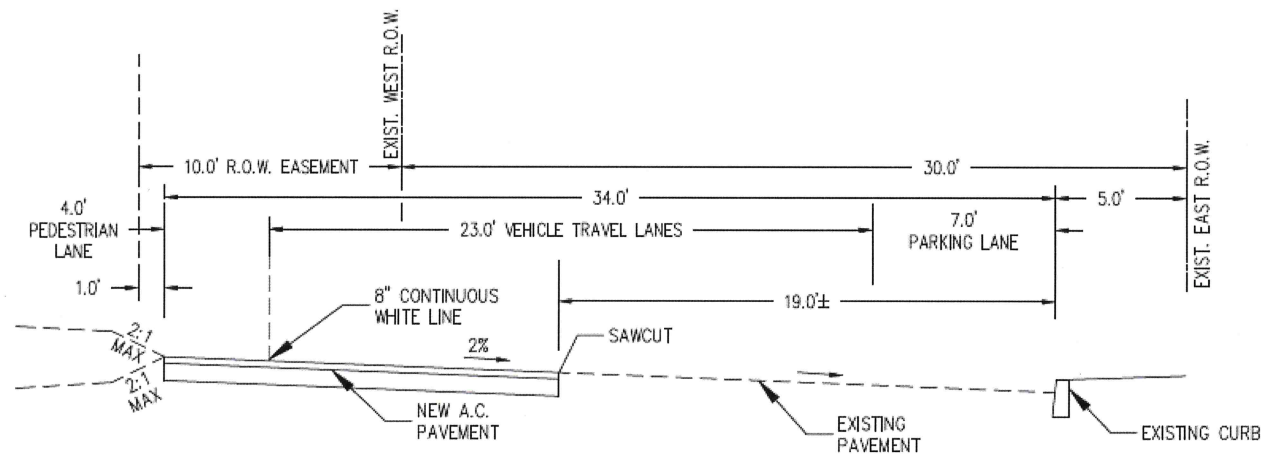
\$235,936



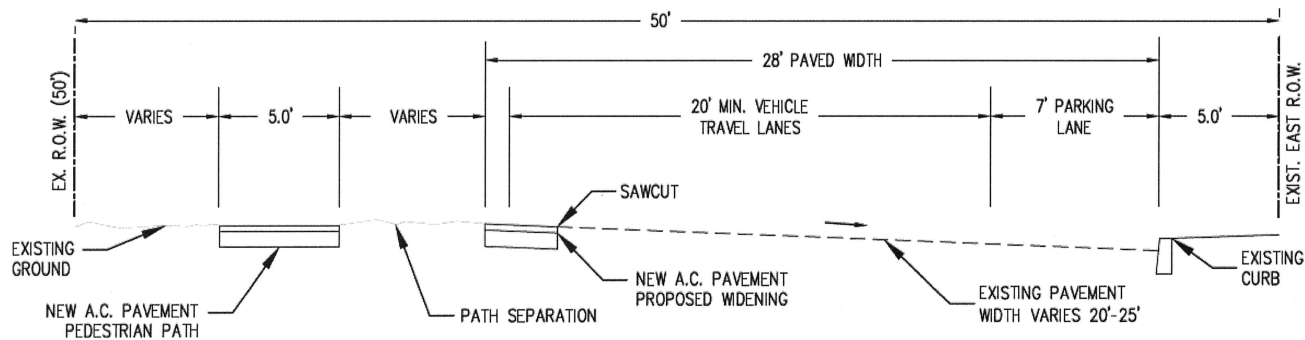
The Seven Acres Subdivision

Community Benefits

- Maple Street Widening to correct existing deficiencies and enhance pedestrian safety on one of the most walked streets in Canby
- Provides a pedestrian connection to the Logging Road trail
- Provides new home sites in one of the most beautiful, quiet areas of town. Similar lots are not currently available elsewhere inside the city limits
- Fulfills housing needs in our community
- Provides secondary emergency vehicle access for not only the proposed development but the existing homes on N. Maple Street and Willamette Valley Country Club
- Eliminates the current fire code violation while allowing parking on the east side of Maple to remain



TYPICAL SECTION B-B



TYPICAL SECTION A-A



CANBY CITY COUNCIL MEETING

WEDNESDAY, JANUARY 17, 2018

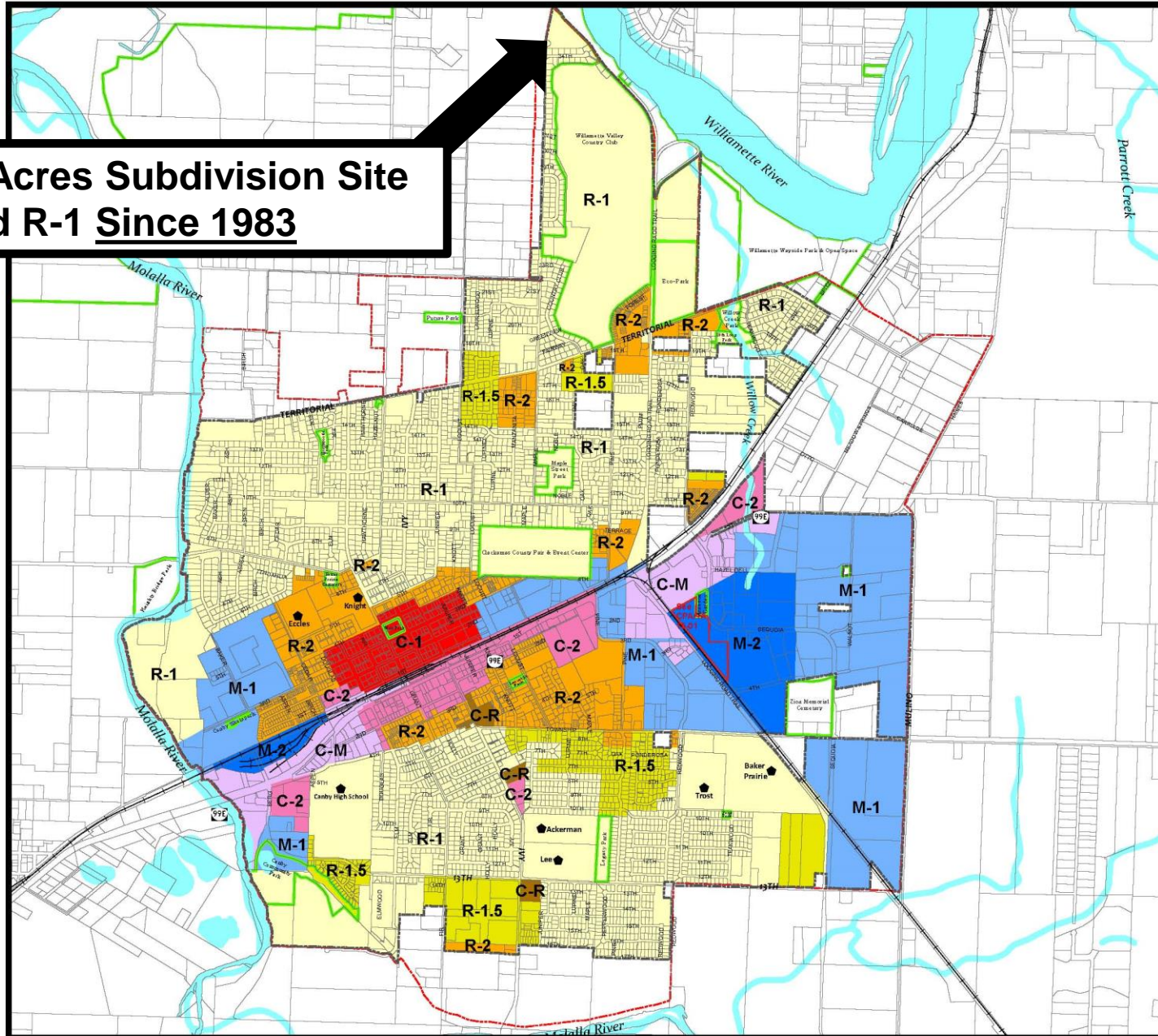
The Seven Acres Subdivision

Proposed Site Plan



**The Seven Acres Subdivision Site
Zoned R-1 Since 1983**

City of Canby Zoning Map



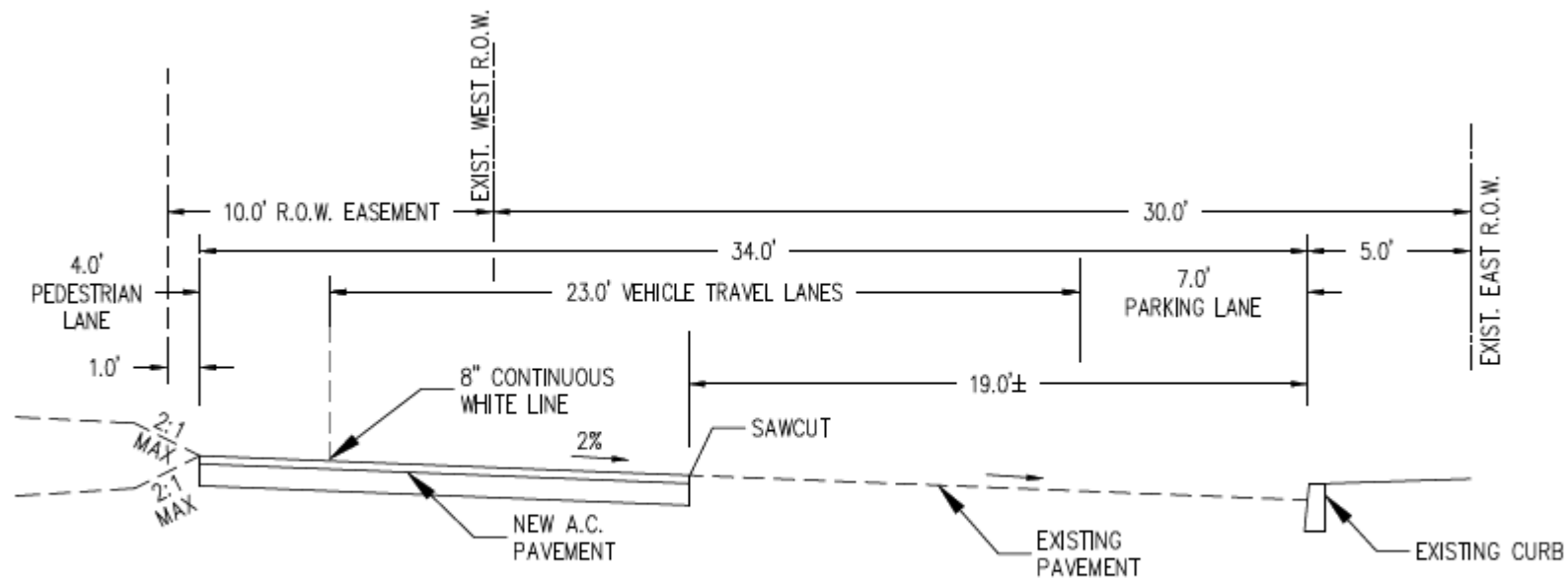
- City Limits
- Urban Growth Boundary
- Parks
- R-1 Low Density Residential
- R-1.5 Medium Density Residential
- R-2 High Density Residential
- C-R Residential Commercial
- C-1 Downtown Commercial
- C-2 Highway Commercial
- C-M Commercial Manufacturing
- M-1 Light Industrial
- M-2 Heavy Industrial

0 0.25 0.5 1 Miles

July 2016

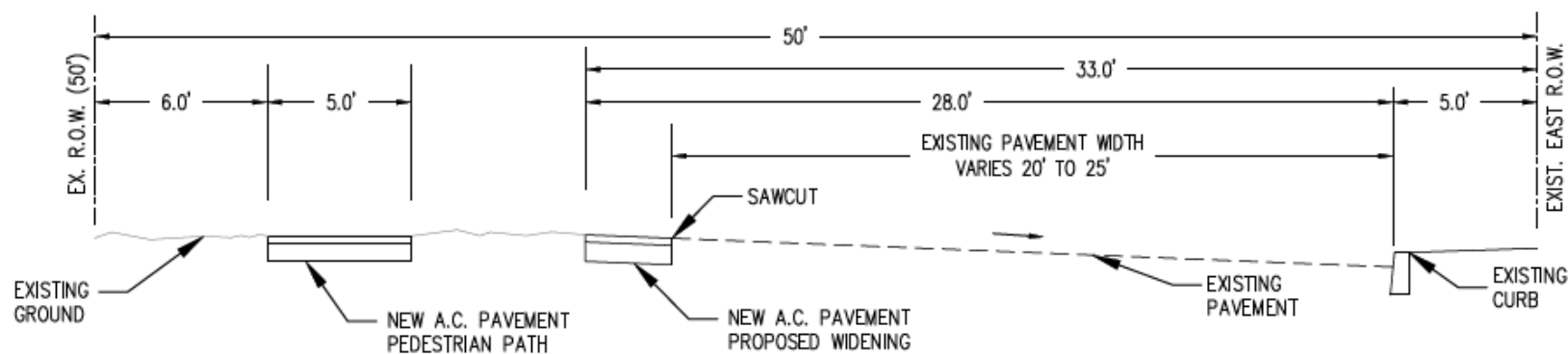


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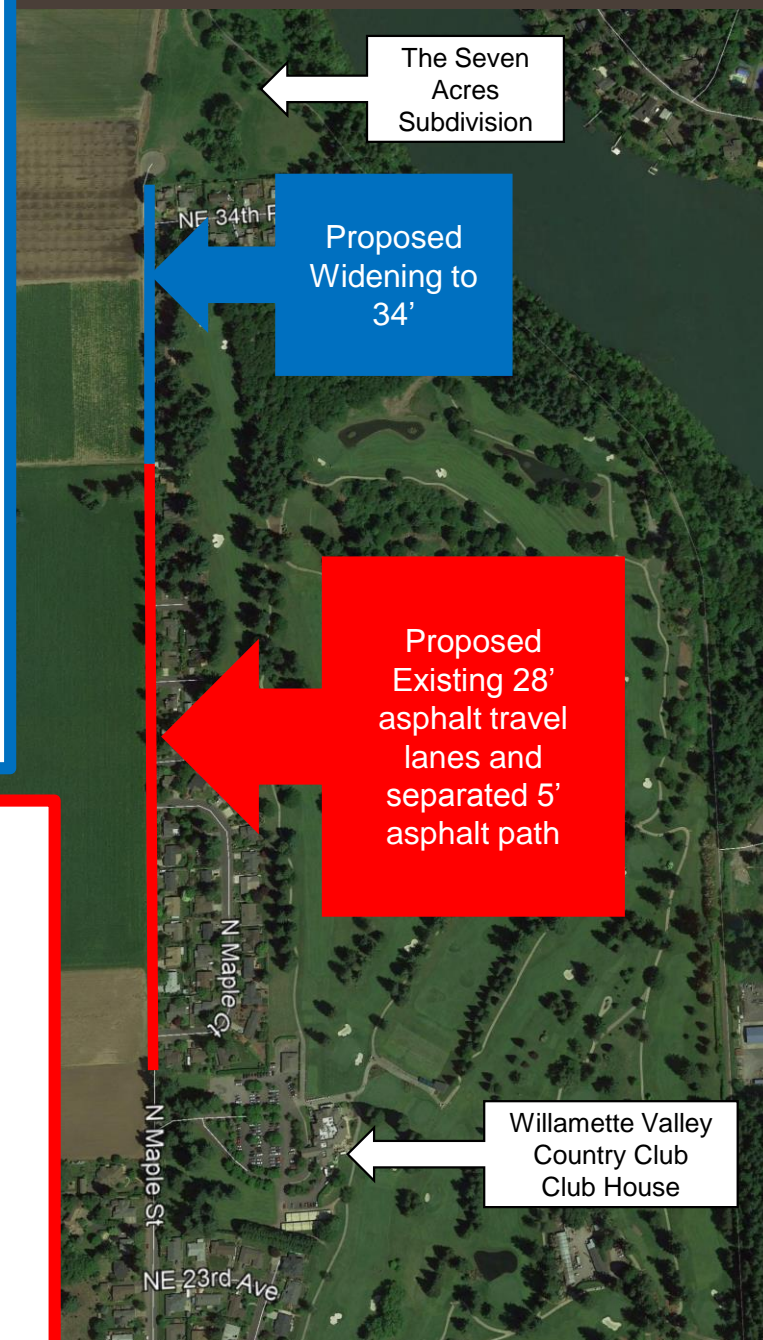
TYPICAL SECTION B-B

SCALE: 1"=5'



TYPICAL SECTION A-A

SCALE: 1"=5'



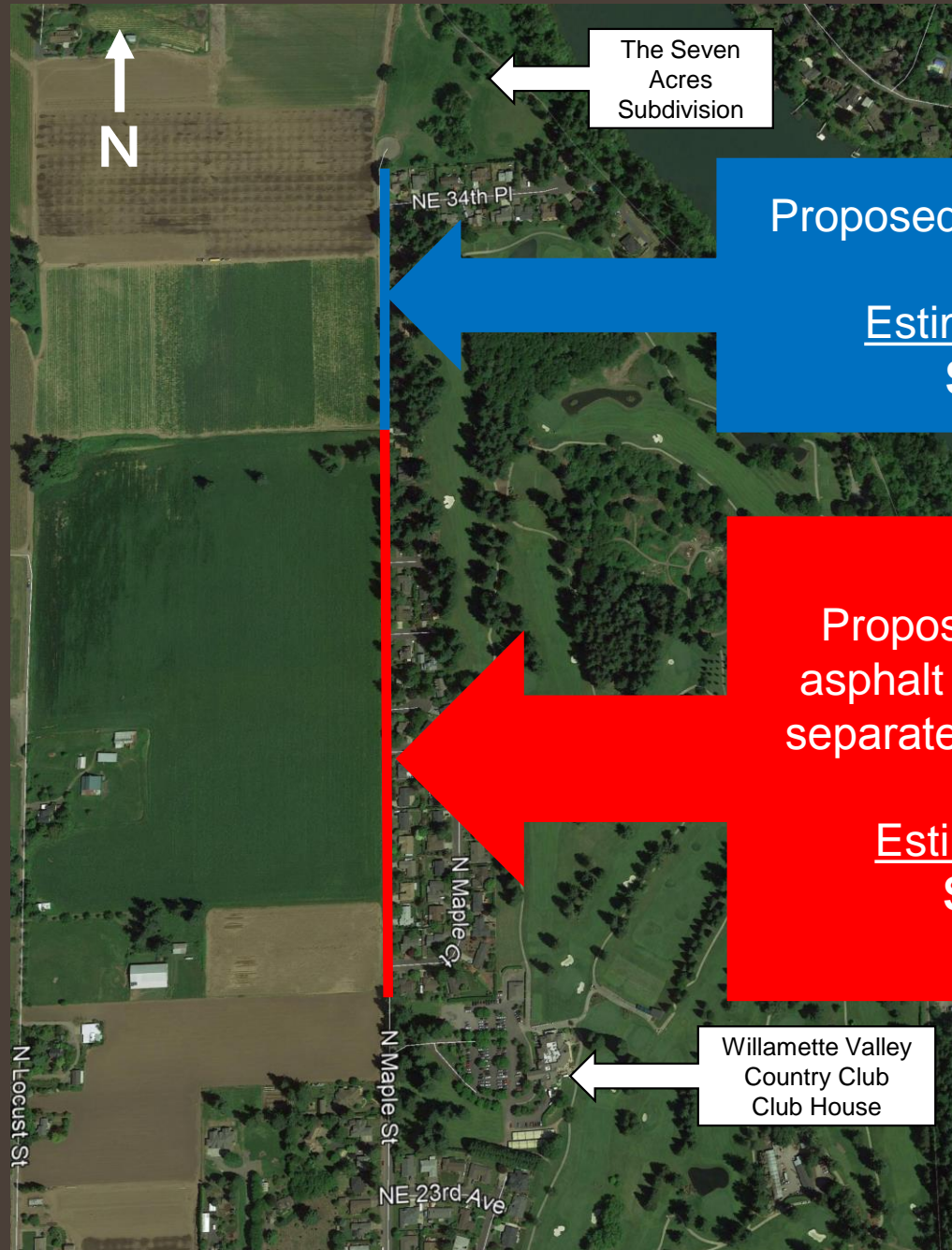
Estimated Proportional
Share Req'd (per DKS)

\$91,378

vs.

Actual Proportional
Share Proposed

\$235,936

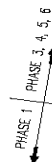


Estimated Value
\$91,684

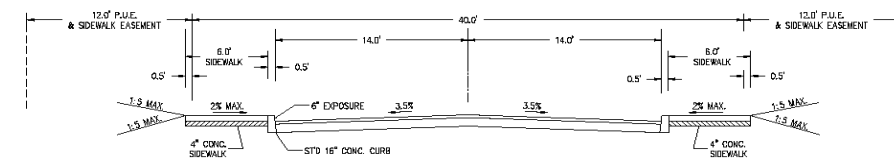
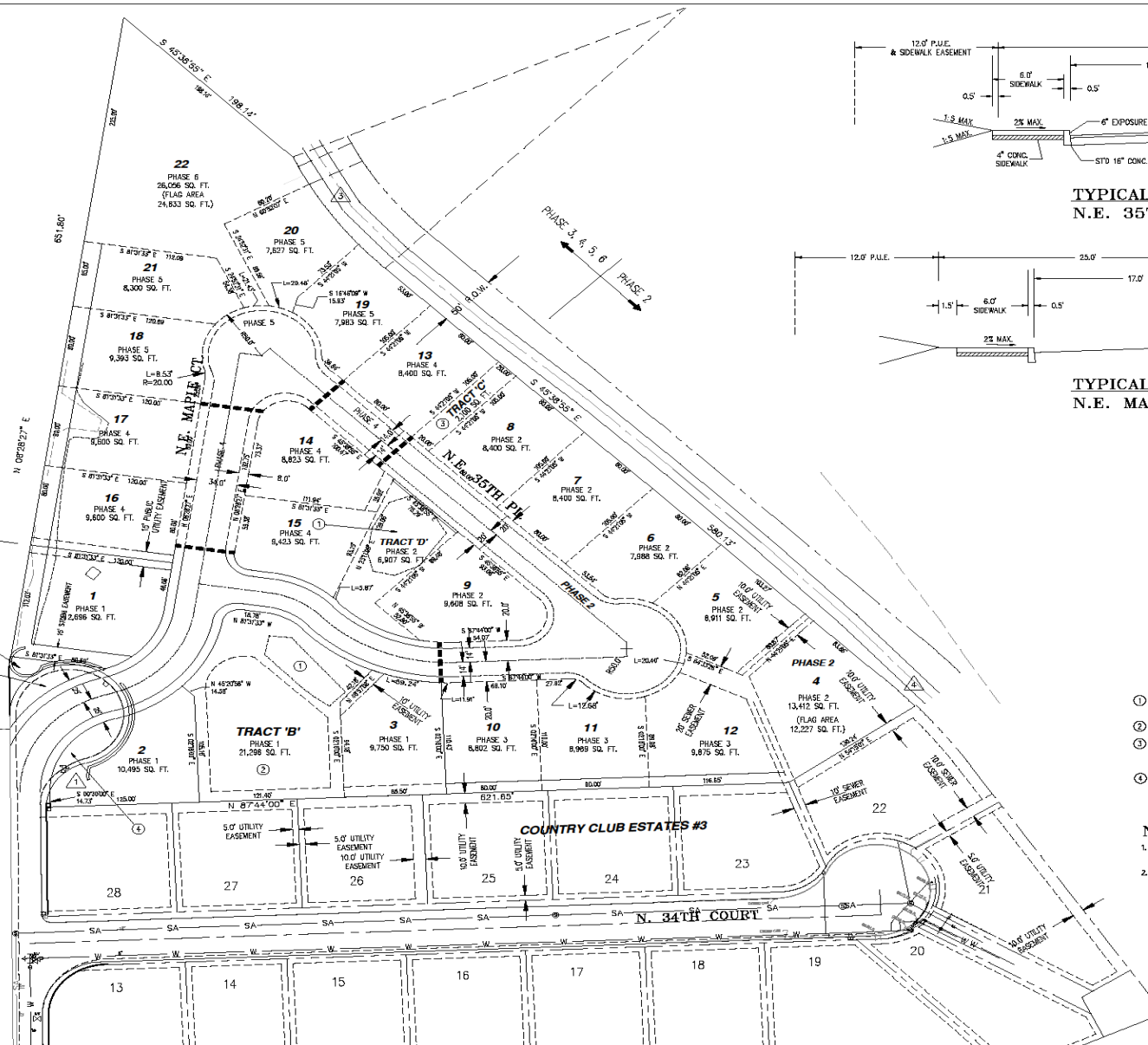
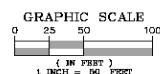
Proposed Existing 28' asphalt travel lanes and separated 5' asphalt path

Estimated Value
\$144,252

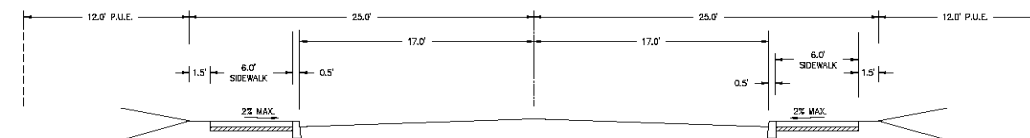
— SA —	EXISTING SEWER
— ST —	EXISTING STORM
— W —	EXISTING WATER
— G —	EXISTING GAS
— P —	EXISTING POWER
— F —	EXISTING FENCE
	EXISTING SPOT ELEVATION
	EXISTING CONCRETE SIDEWALK
	EXISTING CONTOUR
	EXISTING FIRE HYDRANT
CS □	EXISTING CATCH BASIN
⊗	EXISTING STORM MANHOLE
⊗	EXISTING SANITARY MANHOLE
⊗	EXISTING LIGHT POLE
⊗	EXISTING POWER POLE
WV ⊗	EXISTING WATER VALVE
WM ⊗	EXISTING WATER METER
WM ⊗	EXISTING GAS METER
⊗	EXISTING GAS VALVE
⊗	EXISTING TREE
	TEST PIT LOCATED PER PROVIDED GEOTECHNICAL



TRACT 'A' - LANDSCAPE, SIGN TRACT
TRACT 'B' - WETLAND & STORMWATER
MANAGEMENT TRACT
TRACT 'C' - PUBLIC WALKWAY TRACT
TRACT 'D' - WETLAND & STORMWATER
MANAGEMENT TRACT



TYPICAL SECTION
N.E. 35TH PL.



TYPICAL SECTION
N.E. MAPLE CT.

- ① WETLAND AREA PER BOUNDARY LOCATED NOV. 2014.
AREA TO BE PROTECTED.
- ② AREA FOR STORM RUNOFF TREATMENT, DETENTION.
- ③ TRACT "C" 20' EMERGENCY VEHICLE ACCESS &
PEDESTRIAN ACCESS. 12' WIDE PAVED DRIVEWAY.
TO BE INSTALLED WITH PHASES 2, 3, 4 OR 5.
- ④ EXISTING CUL-DE-SAC R.O.W. TO BE VACATED.

PHASE 1: LOTS 1, 2, 3, TRACTS A & B, AND FRONTAGE STREET.

PHASE 2: LOTS 4, 5, 6, 7, 8, 9, AND TRACTS C & D AND FRONTAGE STREET.

* PHASE 3: LOTS 10, 11, 12.

PHASE 4: LOTS 13, 14, 15, 16, 17, AND FRONTAGE STREET.

PHASE 5: LOTS 18, 19, 20 & 21 AND CUL-DE-SAC STREET.

PHASE 6: LOT 22

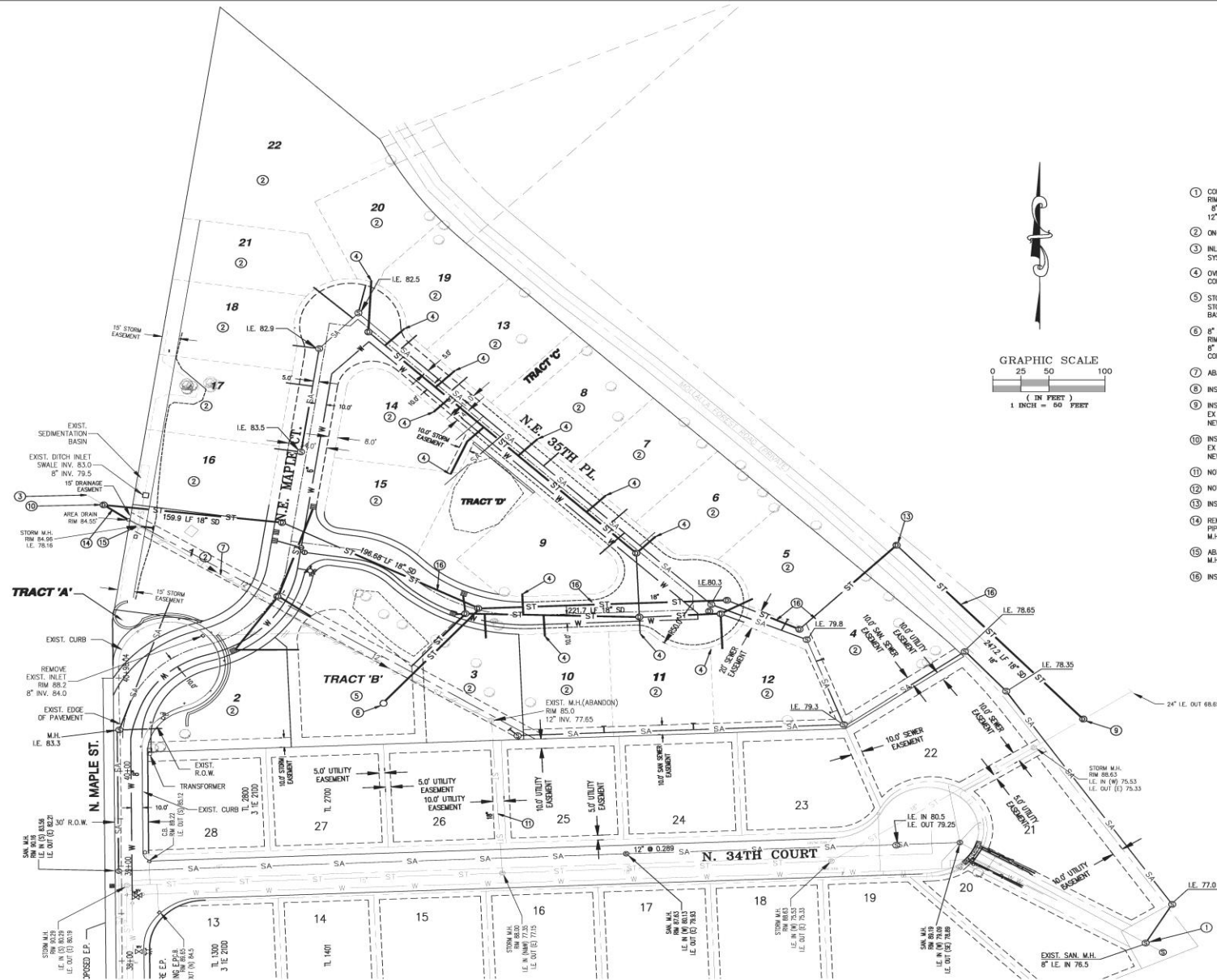
* NOTE:

1. PHASE 6 MAY BE CONSTRUCTED OUT OF SEQUENCE BUT NOT EARLIER THAN PHASE 1.

1. CONTOURS PER 2014 SURVEY BY OTHERS, UPDATED WITH ZTEC TOPO.
2. DESIGNATED WETLAND AREA, DENSELY WOODED. NOT ALL INDIVIDUAL TREES IDENTIFIED.

PHASED 22 LOT SUBDIVISION

[illegible]



- ① CONNECT TO EXIST. SAN. M.H. RM=84.93
8" I.E. IN 76.5
12" I.E. OUT 75.73
- ② ON-SITE STORM TREATMENT FACILITY EACH LOT.
- ③ INLET FROM FARM FIELD TILE REMOVE SLT IN EXISTING SYSTEM TO 20' UPSTREAM OF EXISTING M.H.
- ④ OVERFLOW FROM ON-SITE STORM TREATMENT FACILITY CONNECT TO STORMWATER COLLECTION SYSTEM.
- ⑤ STORMWATER DETENTION/TREATMENT BASIN. 2' MAX. STORAGE DEPTH, 3:1 SIDE SLOPES, 1' MIN. FREEBOARD. BASE E.L. 82.0
- ⑥ 8" DIA. OVERFLOW STANDPIPE RM 84.0
8" I.E. 79.0
CONNECT TO NEW STORMLINE.
- ⑦ ABANDON EXISTING 12" STORM LINE
- ⑧ INSTALL 18" PVC STORM LINE
- ⑨ INSTALL NEW WATER QUALITY M.H. EX 24" I.E. = APPROX 70.53
NEW 18" I.E. IN = 78.19
- ⑩ INSTALL NEW MANHOLE OVER EXISTING FARM FIELD TILE EX 12" I.E. 78.29
NEW 8" I.E. OUT 78.19
- ⑪ NOT USED
- ⑫ NOT USED
- ⑬ INSTALL NEW STORM M.H.
- ⑭ REMOVE AND REPLACE EXISTING PIPE WITH NEW 18" PIPE SO THAT EXISTING AREA DRAIN PLOWS TO NEW M.H.
- ⑮ ABANDON PIPE BETWEEN AREA DRAIN AND EXISTING M.H.
- ⑯ INSTALL NEW 18" PVC STORM LINE, S=0.26%

SYM	REVISION	BY	APPROVED	DATE

DRAWN BY	JHH	DATE	3-11-15
CHECKED BY	JM		

ZTec ENGINEERS INC.
 3880 S.E. 8TH AVE., SUITE 280, PORTLAND, OR. 97202
 PHONE: (503) 235-8795
 FAX: (503) 233-7889
 EMAIL: ztec@ztengineers.com

SUBTITLE: PRELIMINARY SITE UTILITIES PLAN
 TITLE: FOR: DOUG SPRAGUE
 7 ACRE SITE
 N. MAPLE ST., CANBY, OR

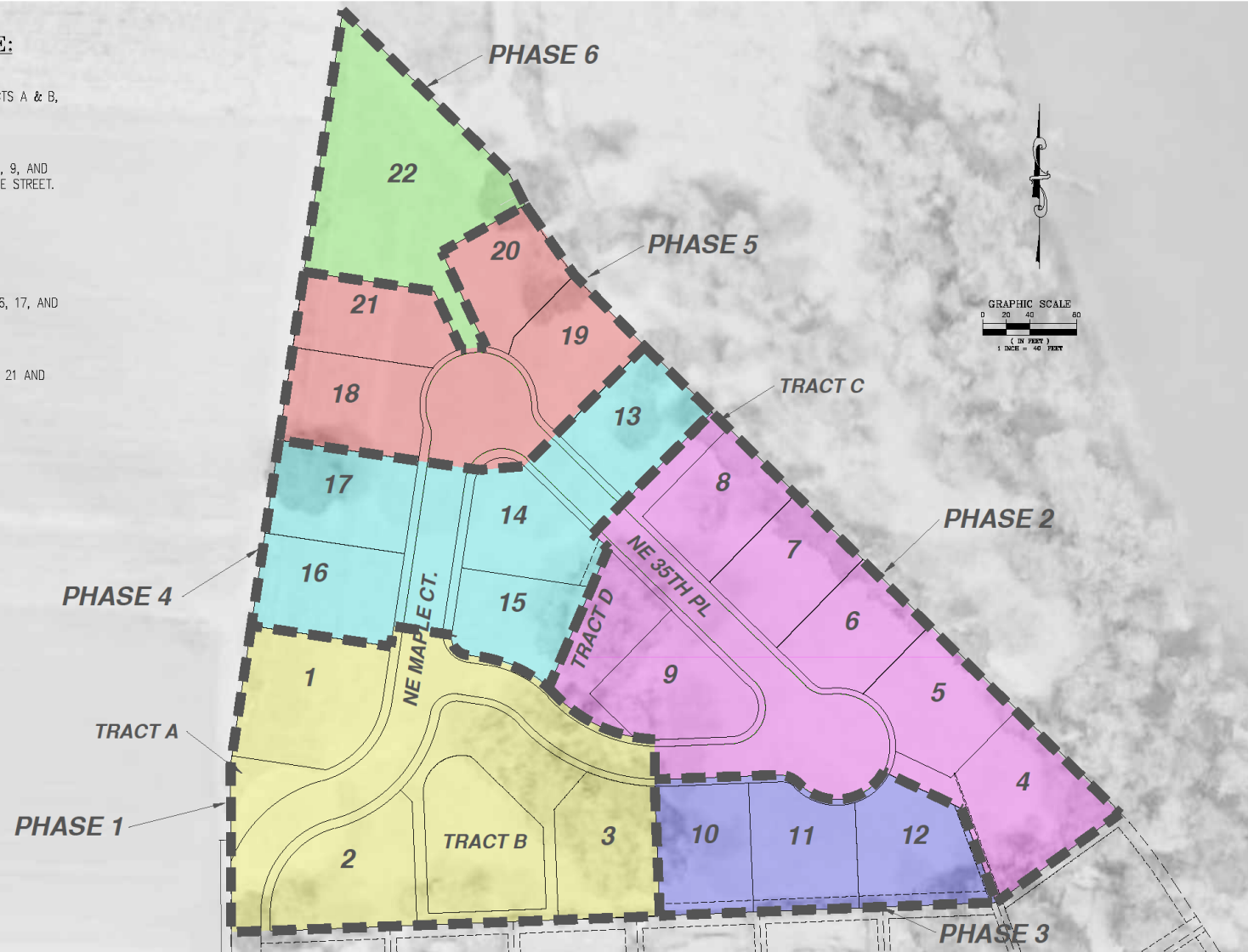
SHEET NO.: Y704-1
 DRAWING NO.: Y7041C1
 SCALE: 1"=50'
 SHEET: **C3**

PHASING SEQUENCE:

- PHASE 1: LOTS 1, 2, 3, TRACTS A & B, AND FRONTAGE STREET.
- PHASE 2: LOTS 4, 5, 6, 7, 8, 9, AND TRACTS C & D AND FRONTAGE STREET.
- PHASE 3: LOTS 10, 11, 12.
- PHASE 4: LOTS 13, 14, 15, 16, 17, AND FRONTAGE STREET.
- PHASE 5: LOTS 18, 19, 20 & 21 AND CUL-DE-SAC STREET.
- PHASE 6: LOT 22

*** NOTE:**

1. PHASE 6 MAY BE CONSTRUCTED OUT OF SEQUENCE BUT NOT EARLIER THAN PHASE 1.



REV	REVISION	BY	APPROVED	DATE	DRAWN BY	CHECKED	DATE	PROJECT	TITLE	DATE	SCALE	REMARKS
					CHW		08/18/17		PHASING EXHIBIT			
									7 ACRE SITE			
									N. MAPLE ST. CANBY, OR			

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Flood Insurance Study (FIS) report that accompanies the FIS. Users should be aware that BFEs shown on this map represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIS for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.5' North American Vertical Datum of 1988 (NAVD 88). Users of this FIS should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIS.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Universal Transverse Mercator (UTM) zone 18. The horizontal datum was NAD83. CRS1983 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FISs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIS.

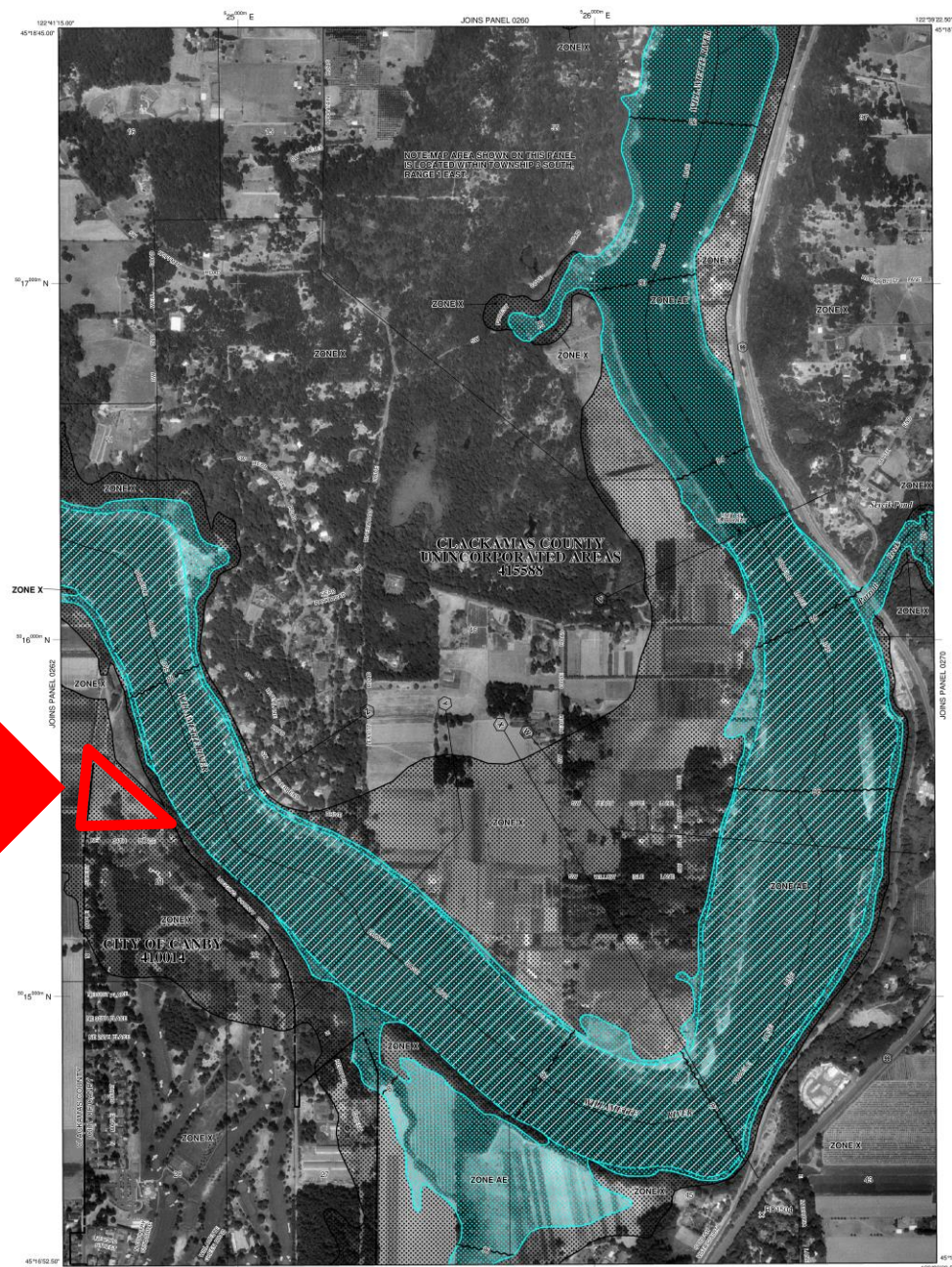
Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOLA, NING152
National Geodetic Survey
SIOC-1, #0007
1315 East-West Highway
Silver Spring, MD 20910-3282

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIS was derived from multiple sources. High resolution color orthophotos produced by Metrick & Co., Phoenix, Inc., and Clear Water Services covered portions of the county. USGS Digital Quadrangles at a scale of 1:25000 or less dated 6/20/94 covered the remainder of the county.

This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIS for this jurisdiction. The floodplains shown on this map are based on the stream channel configurations shown on the previous FIS. The floodplains shown on this map are based on the stream channel configurations shown on the previous FIS. The floodplains shown on this map are based on the stream channel configurations shown on the previous FIS.



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include zones A, AE, AH, AO, AR, AV, and VE. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevation determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevation determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of shallow fast flooding, velocities are determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently abandoned. Zone AR indicates that the former flood control system is being removed to provide protection from the 1% annual chance flood.
- ZONE AV** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevation determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevation determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevation determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot, or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% annual chance floodplain boundary

0.2% annual chance floodplain boundary

Floodway boundary

Zone D boundary

CBRS and OPA boundary

Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities

Base Flood Elevation line and value; elevation in feet

Base Flood Elevation value where uniform within zone; elevation in feet

Referenced to the North American Vertical Datum of 1988 (NAVD 88)

Cross section line

Traverse line

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)

100-meter Universal Transverse Mercator grid ticks; zone 18

5000-foot grid ticks; Oregon State Plane coordinate system, north zone (FIPS/ZONE 3611), Lambert Conformal Conic

Bench mark (see explanation in Notes to Users section of the FIS report)

State Map

MAP REPOSITORIES

Refer to Map Repositories Map on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP

JUNE 17, 2008

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-658-6825.

MAP SCALE 1" = 500'

250 0 100 500 METERS

150 0 150 300 FEET

PANEL 0266D

FIRM

FLOOD INSURANCE RATE MAP

CLACKAMAS COUNTY,

OREGON

AND INCORPORATED AREAS

PANEL 266 OF 1175

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY NUMBER PANEL SUFFIX

CLACKAMAS COUNTY 410008 0266 D

CANY, CITY OF 410014 0266 D

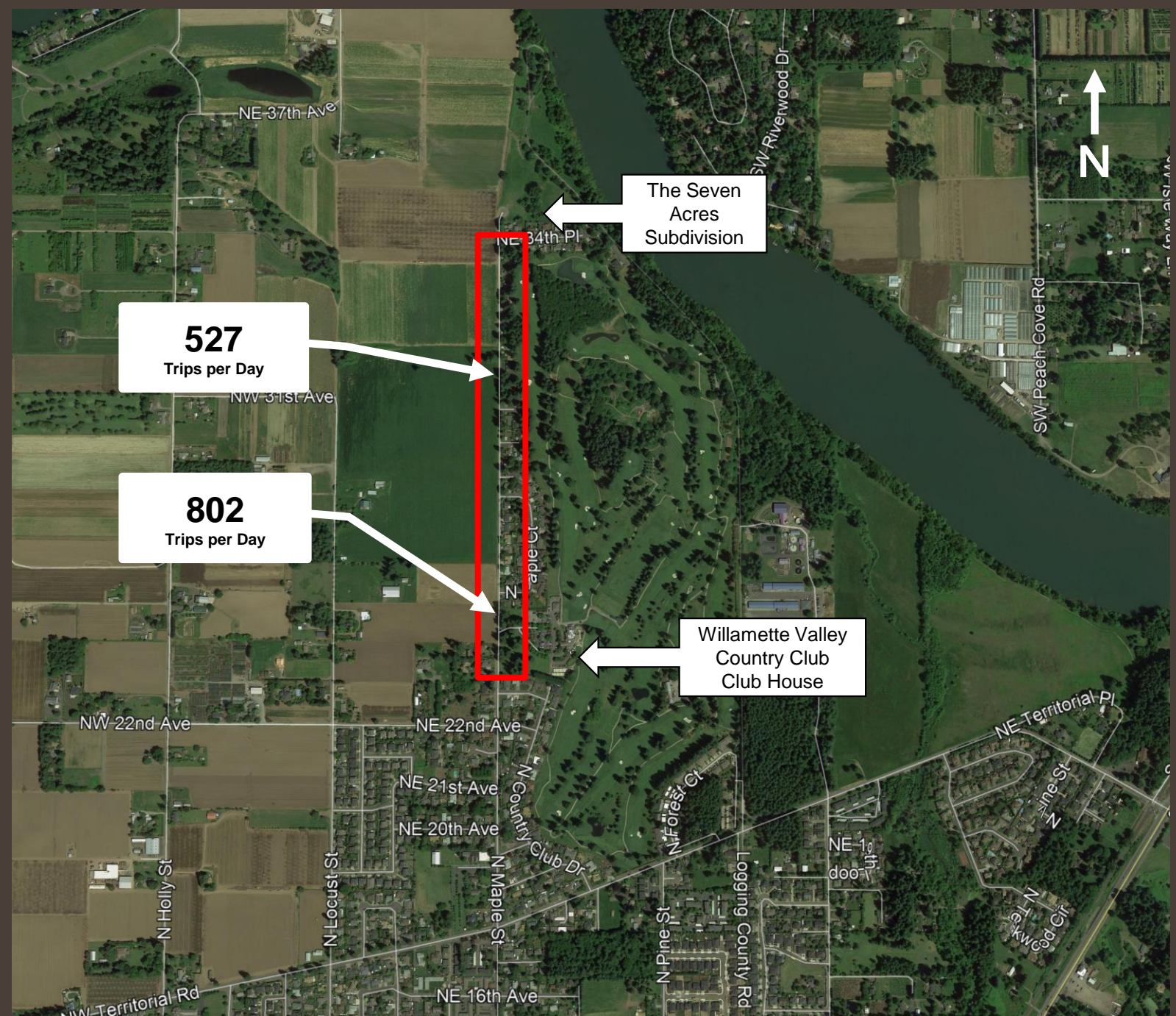
MAP NUMBER 41005C0266D

EFFECTIVE DATE JUNE 17, 2008

Federal Emergency Management Agency

Maple Street Trips w/ Proposed Seven Acres Subdivision

Trip Comparison



N Maple St at
NE 20th Ave



N Maple St at Country Club Drive



3100 N Maple
St



3100 N MAPLE
ST



3300 Block of N Maple St



City of Canby

Willamette Wayside Properties Master Plan

2004



Willamette Wayside Properties Master Plan

Final Report

Prepared for:

City of Canby
182 N. Holly Street
Canby, Oregon 97403

Prepared by:

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August 2004



Special Thanks & Acknowledgements

The Community Planning Workshop would like to thank the following individuals for their assistance in the production of the report. City Staff: Matilda Deas and Beth Saul; Advisory Committee Members: Ron Campbell, Kathy Shinn, Ron Wright, Jeff Snyder, Leonard Walker, Tom Ferrin, Peggy Sigler, Mark Triebwasser, Bob Trappe, Esther Nelson, and Julie Smith.

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Jerry Diethelm – UO Dept. of Landscape Architecture

Community Planning Workshop is affiliated with the Department of Planning, Public Policy and Management at the University of Oregon.

Executive Summary

In 2001 and 2002, the City of Canby acquired two properties, the Log Boom and Fish Eddy properties, collectively referred to as the Willamette Wayside properties. The City acquired the Willamette Wayside properties to provide additional park and open space amenities for Canby residents. Together, these properties total approximately 100 acres and extend 5,000 feet along the south shore of the Willamette River, north of the city-limits and Urban Growth Boundary (UGB).

The purpose of the Willamette Wayside properties Master Plan is to create a unified vision for the Willamette Wayside properties; the Plan is intended to guide future development and management efforts over the next 20 years. The Master Plan identifies the type, location, cost, and timing of improvements made to the Willamette Wayside properties and describes strategies for operating and maintaining the site.

Methods

The master planning process consisted of several steps including both community input and technical analysis. The planning process started after the completion of the *Scoping Report: City of Canby Willamette Wayside Properties* (2003) and included four community workshops that addressed various issues related to the properties. Technical steps included preparing a site inventory, conceptual designs, cost estimates, a plan for on-going management, and funding strategies.

Guiding Principles

Establishing a planning framework is an essential step in the master planning process. That framework is contained in seven “guiding principles” articulated by the plan. The guiding principles are intended to recognize the unique features and opportunities presented by the Willamette Wayside properties and to create a balance between development and preservation of open space and natural features. In short, the guiding principles establish both a vision for future development (which is manifest in the Master Plan) as well as a framework for development and use. The guiding principles include:

1. Respect natural features
2. Strengthen connectivity
3. Enhance and control access
4. Create a safe place to recreate

5. Foster educational opportunities
6. Develop recreational opportunities
7. Secure funding sources

Conceptual Plan

A central component of the Willamette Wayside Master Plan is a conceptual design for the future use and development of the Willamette Wayside properties. The conceptual design presented is consistent with the framework provided by the guiding principles and serves to guide the development and restoration of the Willamette Wayside properties over the next 20-years. The plan describes all of the improvements proposed for the properties and generally depicts where each will be located. In short, the Conceptual Plan establishes a graphical and narrative road map of future use and development on the Willamette Wayside properties. The Capital Improvement Program, Operations and Maintenance Plan, and Funding Strategies found in the subsequent chapters provide the additional information necessary for implementing this concept.

The Conceptual Plan does not represent the final design or exact location of the proposed improvements. It is intended simply as a concept and general vision for the future use and development of the Willamette Wayside properties. The City of Canby will reopen the planning process to additional community involvement for the specific siting and development of each improvement. Figure S-1 shows the conceptual plan.

The conceptual plan will be implemented in three phases:

- *Phase 1: Creating Destinations.* The emphasis of Phase 1 is on creating “destinations” and some of the support facilities necessary to access them. These are high priority, short-term improvements proposed for the first five years of development. The destinations provide visitors with a variety of recreational opportunities including picnic areas, river viewing areas, and a network of trails. The first phase also includes some restoration activities in the most significant natural areas.
- *Phase 2: Enhancement.* Phase 2 focuses on the “enhancement” of improvements and activities undertaken in the previous phase. These are medium priority improvements that are proposed during a second five-year period after Phase 1.
- *Phase 3: Long-Term Vision.* Phase 3 emphasizes the creation of a “long-term vision” for the use and development of the Willamette Wayside properties. This phase includes long-term restoration and enhancement of significant natural areas and connecting the Willamette Wayside properties to other parks. These improvements are proposed for a ten-year period after Phase 2.

Conceptual Plan



Capital Improvement Program

The Conceptual Plan provides a broad vision for the future development of the Willamette Wayside properties. However, the actual implementation of the proposed improvements requires more detailed information, which is presented in this chapter in the form of a Capital Improvement Program (CIP). The purpose of the CIP is to provide the City of Canby with a capital-budgeting tool that identifies cost-estimates, potential funding sources, and prioritizes the proposed Willamette Wayside capital improvements. Table S-1 provides a general list of the capital improvements proposed during each of the three development phases.

Table S-1. Capital Improvements in Each Development Phase

Phase 1: Fiscal Years 2005-2010		Phase 2: Fiscal Years 2010-2015		Phase 3: Fiscal Years 2015-2025	
ID Code	Improvement	ID Code	Improvement	ID Code	Improvement
T1	Hard surface trail, Log Boom	RR1	Restroom, Log Boom Picnic Area	BW	Boardwalk, Fish Eddy
T2	Soft surface - multi-use trails, located throughout	RR2	Restroom 2, Fish Eddy Picnic Area	FB	Foot Bridge, Willow Creek
T3	Compacted gravel path, Fish Eddy	RR3	Restroom 3, Eco Park	A	New Acquisition, Three Sisters Ranch and Log Boom South Extension
P1	Picnic Area, Log Boom	B1	Access Improvements, Eco Park Entrance	T5	Soft surface trail, between Eco Park and Fish Eddy
P2	Picnic Area, Fish Eddy	B2	Access Improvements, Fish Eddy Entrance	T6	Compacted Gravel Trail, Parking Area to Log Boom Trail
RV1	River Viewing Station 1	S	Interpretive and Educational Signage	T7	Soft surface trail, Parking Area to Log Boom Trail
RV2	River Viewing Station 2	RV5	Viewing Point 5	PA2	Develop Parking Area, Three Sisters Ranch
RV3	River Viewing Station 3	VB1	Vegetative Buffer, Log Boom Neighborhood	PA3	Develop Parking Area, Log Boom South Extension
RV4	River Viewing Station 4	VB2	Vegetative Buffer, Wastewater Treatment Facility		
PA1	Enhance Existing Parking Area, Eco Park	T4	New Footpath to Viewing Point 5		

Phase 1 improvements are estimated to be between \$83,500 and \$109,700; Phase 2 between \$70,800 and \$89,680; and Phase 3 between \$89,320 and \$124,320. The total estimated cost of all capital improvements is estimated at \$243,620 to \$323,700.

Funding strategies

The City of Canby should use a combination of funding sources to implement the capital improvements and maintenance and operation activities proposed in this Master Plan. The strategies focus on funding sources not currently utilized by the City. The recommended funding strategies include donations, volunteers, partnerships, grants, and land trusts. These strategies are a collection of funding sources from federal, state, local, and private organizations (i.e. foundations, donations, corporate, etc.).

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Chapter 1

Introduction

The City of Canby is located in north Willamette Valley within Clackamas County, about 25 miles south of Portland and 30 miles north of Salem. Canby is a family-oriented town experiencing rapid growth: Canby's population grew by approximately 40% from 1990 to 2000,¹ slightly more than twice the population growth rate for Oregon. Home to approximately 13,000 people in 2002, Canby has much to offer culturally and recreationally, such as the Clackamas County Fair and Rodeo, a variety of parks and open space areas, and access to the Willamette and Molalla Rivers.

Residents take pride in Canby's system of parks and open space areas. The parks add to the city's quality of life by providing opportunities for recreation, wildlife viewing, and other leisure activities. The City of Canby has invested considerable effort in developing its park and open space system over the past decade. The city made park planning a priority as its park and open space system began to decline from age and heavy use.² The City has sought to improve existing parks, acquire land for new parks, and develop a unified vision for the entire park and open space system to retain a high quality of life.

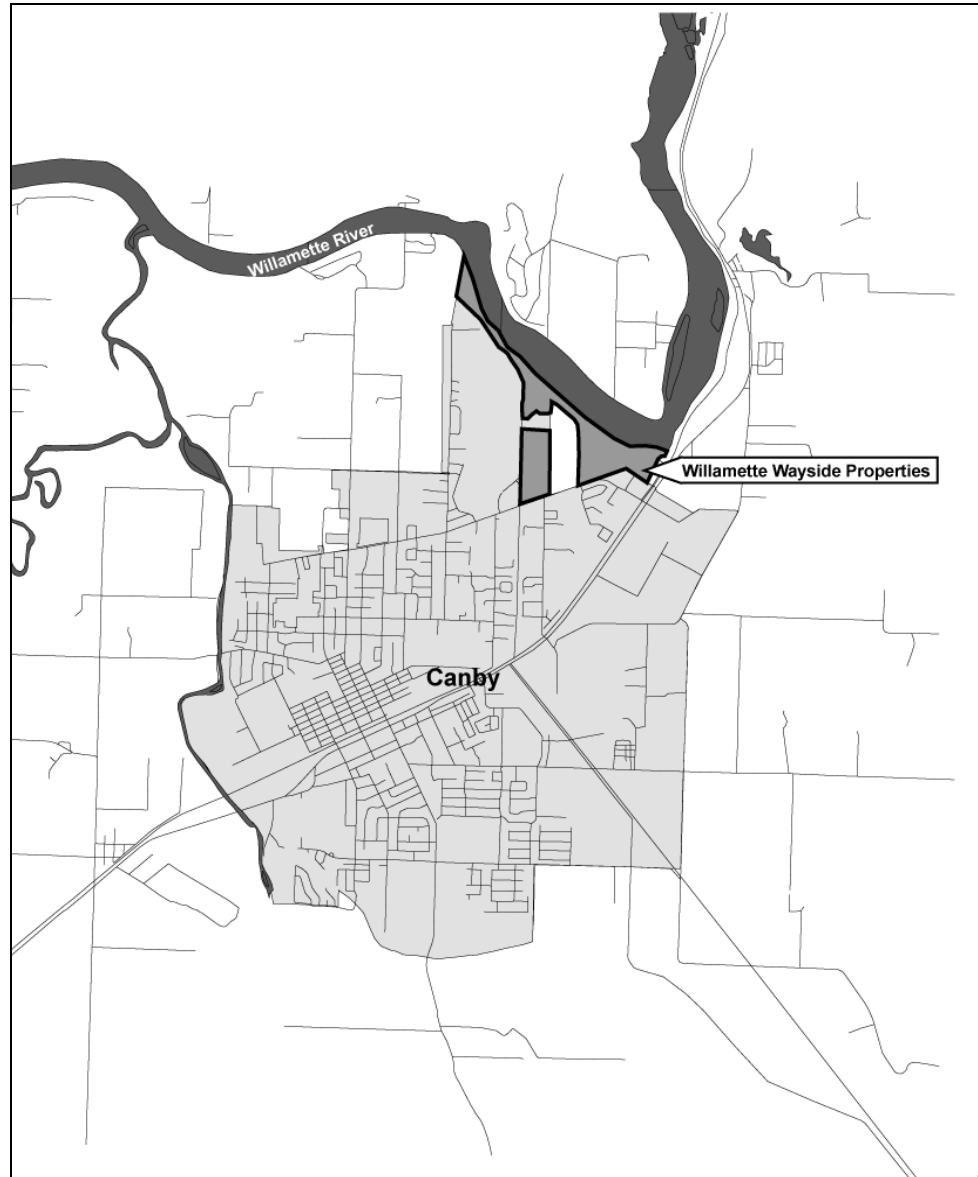
Willamette Wayside Properties

In surveys and interviews conducted for the City's *Park and Recreation Master Plan Update* (2000) and the *Canby Park and Open Space Acquisition Plan* (2002), city residents indicated that it is important to link parks to neighborhoods, schools and other public facilities. The *Acquisition Plan* identifies the Willamette Wayside properties (see Map 1-1, Local Vicinity) as an ideal site to link to other city-owned sites and connect the City's park and trail system to the Willamette River. These linkages are consistent with the "Emerald Necklace" concept described in the *Acquisition Plan*. The "Emerald Necklace" represents Canby's long-term vision of a series of parkland and trail connectors that would surround the entire city. Integrating the Willamette Wayside properties into its park and open space system is a significant step towards creating Canby's "Emerald Necklace."

¹ *City of Canby Park and Recreation Master Plan Update, 2000.*

² *City of Canby Park and Open Space Land Acquisition Plan, 2002.*

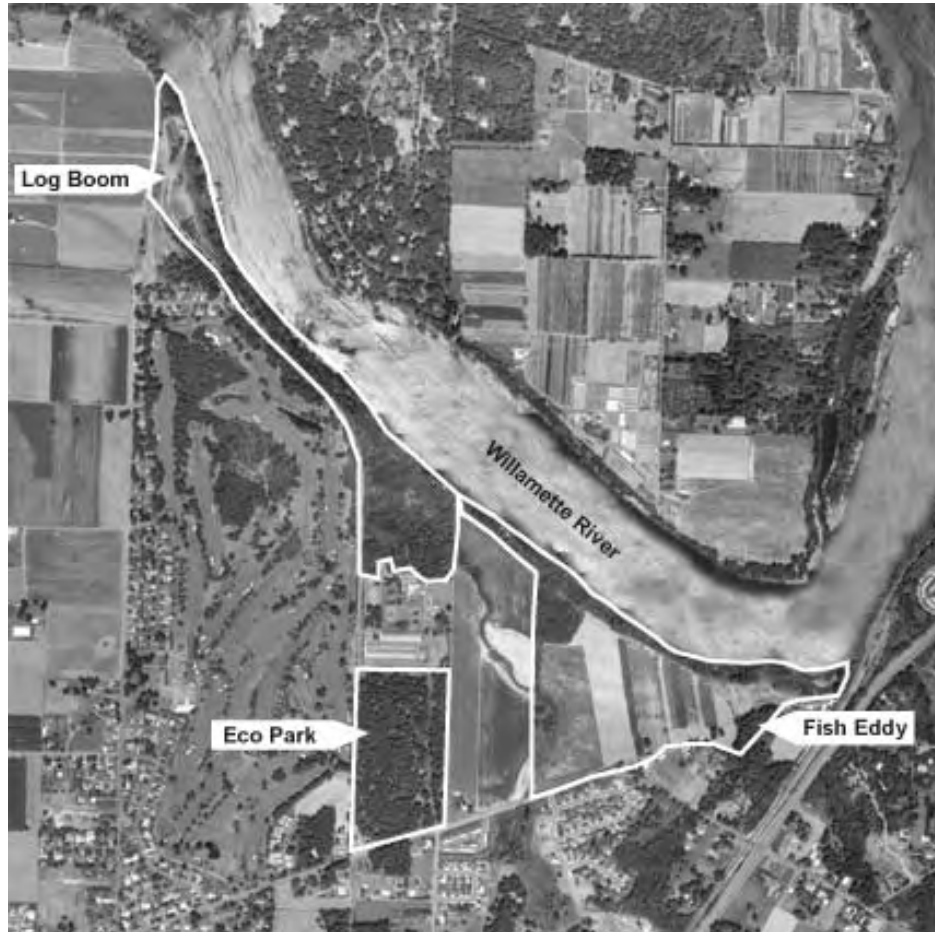
Map 1-1. Site Location



Source. City of Canby

In 2001 and 2002, the City of Canby acquired two properties, the Log Boom and Fish Eddy properties, collectively referred to as the Willamette Wayside properties (see Map 1-2, Willamette Wayside Properties). The City acquired the Willamette Wayside properties to provide additional park and open space amenities for Canby residents. Together, these properties total approximately 100 acres and extend 5,000 feet along the south shore of the Willamette River, north of the city-limits and Urban Growth Boundary (UGB).

Map 1-2. Willamette Wayside Properties



Source. City of Canby.

The City of Canby acquired the Willamette Wayside properties in three phases. In 2001, the City purchased a piece of the Log Boom property with city park development funds matched by a local grant from the State of Oregon Parks and Recreation Department. In 2002, the City acquired the remaining portions of the Log Boom property through partnerships with the Trust for Public Land, the Bonneville Power Administration, the State of Oregon Parks and Recreation Department, and the Oregon Department of Fish and Wildlife. The partnerships resulted in grants totaling \$500,000, which the City matched with \$400,000 of park development funds to complete the acquisition of the 20-acre Log Boom property. In 2002, the Oregon Parks and Recreation Department donated 80-acre Fish Eddy property to the City for use as a parkland and open space area.

Log Boom

The “Log Boom” property received this name because it contains an old log boom structure historically used for storing and transporting logs. Logs not processed locally were transported from the Molalla River Basin in the Cascades to the Log Boom, where they were assembled

into log rafts to be floated down the Willamette River to mills in Oregon City.³

The Log Boom property is a narrow strip of land approximately 20 acres in size. Map 1-2 shows that the Log Boom property is bordered by the Willamette River to the north; the City of Canby sewage treatment facility to the south; the Fish Eddy property to the east; and a variety of uses to the west, including private farmland, developed and undeveloped residential properties, and the Willamette Valley Country Club. The Log Boom also contains the old logging road, once used for transporting lumber.

Fish Eddy

The Fish Eddy property consists of approximately 80 acres of city-owned land, part of which is leased for agricultural purposes. It is bounded by the Willamette River to the north; U.S. Highway 99E to the south; private property owners to the east; and the Three Sister's Ranch to the west (see Map 1-2). Willow Creek drains through the property and may facilitate a future stormwater pond system.

Eco Park

Eco Park is a heavily forested, 19-acre park site situated in between the Old Logging Road and the service road to the City Shops, north of Territorial Road. Eco Park is being considered in this Master Plan because its close proximity to the Willamette Wayside properties make it an ideal location for providing park amenities and support facilities. Eco Park also contains some existing facilities including an asphalt parking lot and connection to the old logging road that can service users of the Willamette Wayside properties.

Purpose of the Master Plan

The purpose of the Willamette Wayside properties Master Plan is to create a unified vision for the Willamette Wayside properties; the Plan is intended to guide future development and management efforts over the next 20 years. The Master Plan identifies the type, location, cost, and timing of improvements made to the Willamette Wayside properties and describes strategies for operating and maintaining the site.

Planning for the Willamette Wayside

Cities plan for parks and open space to create and maintain livable communities. Parks and open space provide communities with a variety of resources and opportunities that contribute to a higher quality of life and a healthier environment. These include passive and active recreation, and preservation of open space, wildlife habitat,

³ Sigler, Peggy.

environmentally sensitive land, and historic, cultural, and natural resources. Parks and open space also serve as retreats from the grind of everyday life and also as informal gathering places for communities—drawing residents together and creating a sense of cohesiveness. Open space provides scenic vistas, wildlife protection, and the handling of stormwater runoff.

The Master Plan for the Willamette Wayside properties used a site-specific planning process to identify future uses and development of the properties and to plan for future connections consistent with the Emerald Necklace concept; however the master planning process also considered the Willamette Wayside properties in relationship to adjacent properties, the city, and the region.

The City's purchase agreement with the Oregon Parks and Recreation Department for the Fish Eddy property requires the completion of a master plan for the site. The Master Plan includes both the Fish Eddy and Log Boom properties because the two properties combined provide more significant opportunities for recreation and open space preservation. Some of these opportunities include:

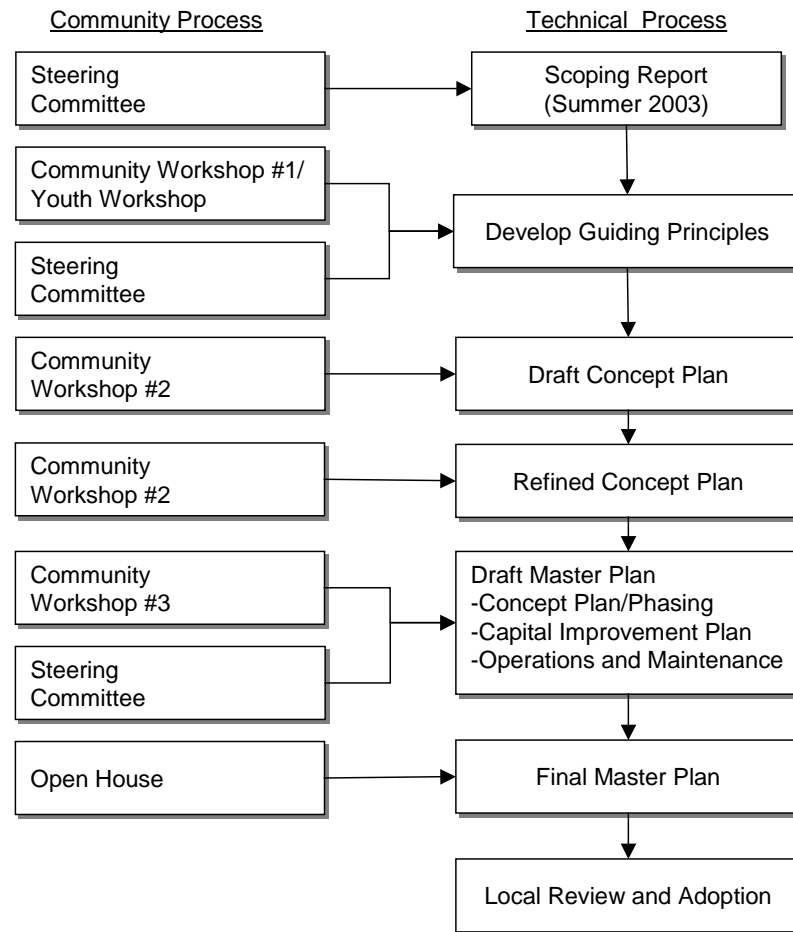
- Scenic views of the Willamette River
- Protecting critical habitat areas
- Historical and cultural education of past logging operations
- Improving the connectivity of the city's park and open space system
- Recreational activities
- Stormwater management

In short, the Master Plan is intended to articulate a long-term vision for the Willamette Wayside properties and identify strategies to achieve that vision.

Steps in the Master Planning Process

The master planning process consisted of several steps including both community input and technical analysis. The planning process started after the completion of the *Scoping Report: City of Canby Willamette Wayside Properties* (2003) and included four community workshops that addressed various issues related to the properties (see Appendix A). Technical steps included preparing a site inventory, conceptual designs, cost estimates, a plan for on-going management, and funding strategies. Figure 1-1 summarizes the steps in the master planning process.

Figure 1-1. Willamette Wayside Properties Master Planning Process



Community Involvement

The City of Canby placed a strong emphasis on community involvement in developing the Master Plan. Figure 1-1 shows that the community involvement strategy used in the development of the Master Plan included both community workshops meetings with the project Steering Committee.

Community Workshops

CPW facilitated four community workshops and one youth workshop. Community workshop participants included Canby residents and Canby high school students. Input from the community workshops guided the development of the Master Plan. A detailed summary of each workshop is included in Appendix B.

Steering Committee

The Steering Committee included stakeholders representing various interests related to the Willamette Wayside properties. This included city staff, employees from other public agencies, and a number of local residents. The Committee met twice during the master planning

process. The first meeting was used to collect any new information or outstanding issues since completion of the *Scoping Report*, initial suggestions for capital improvements, and a discussion of the next steps involved in the process. The second meeting was used to collect feedback on the draft Conceptual Plan and a variety of management issues.

Organization of the Wayside Master Plan

The remainder of the Master Plan is organized as follows:

Chapter 2: Site Inventory –describes and analyzes the topography and hydrology, types of vegetation, wildlife, critical natural areas, restrictive landscapes, and infrastructure that exist on the Willamette Wayside Properties. The Site Inventory also analyzes vegetation that once existed on the properties.

Chapter 3: Guiding Principles – presents a set of principles, derived from the community workshops, which provided a framework for developing the conceptual plan and capital improvement program.

Chapter 4: Conceptual Plan –contains a series of conceptual drawings that show proposed improvements and use of the property over a 20-year period.

Chapter 5: Capital Improvement Program (CIP) – identifies priority improvements and provides cost estimates and target completion dates.

Chapter 6: Operations and Maintenance Plan – specifies staffing requirements and costs associated with the on-going operation and maintenance of the property.

Chapter 7: Funding Strategies – recommends methods for funding the proposed improvements with emphasis on the continual operation and maintenance as well as restoration activities.

This report also has several appendices:

Appendix A: Scoping Report: City of Canby Willamette Wayside Properties – provides baseline data and identifies key issues for the City to consider in preparing a Master Plan for the Willamette Wayside properties.

Appendix B: Community Involvement Summaries – provides detailed accounts of each community workshop and meeting with the Steering Committee and the Canby Parks and Recreation Board.

Appendix C: Liability Assessment – includes an assessment of potential liabilities tied to the use and development of the

Willamette Wayside properties and makes recommendations on how the City should address potential liabilities.

Appendix D: Potential Funding Sources – contains a listing of funding sources available to the City.

Chapter 2

Site Context and Inventory

The Willamette Wayside properties are a valuable amenity for the City of Canby and the surrounding area. This Willamette Wayside Master Plan is key element in the extensive effort the City has undertaken over the past decade to plan for its park and open space system. Because of the extensive natural systems on the site, the Master Plan involved developing a balance between proposed amenities and existing natural and physical features on the properties. This chapter summarizes the site inventory presented in the *Scoping Report*, completed in October 2003 (Appendix A). The chapter reviews the context of park planning related to the Willamette Wayside properties, the regional connections between the properties and other City amenities, and the existing natural and physical context of the properties.

Policy Context: Canby Park Plans

The City of Canby has taken a number of steps to plan for a park and open space system that accommodates the recreational needs of the residents and ensures their continued high quality of life. The Willamette Wayside Master Plan builds from a number of planning documents that guide development of the City's park and open space system:

- *Canby Parks and Recreation Master Plan (1991)* – this plan provides a vision and specific guidance for the use and development of its park and open space system.
- *Canby Parks and Recreation Master Plan Update (1997)* – the City conducted the 1997 update to better reflect the recreational needs and priorities of the community. Individual sections of the 1997 *Parks Master Plan* were again updated by the University of Oregon's Community Planning Workshop in 2000.
- *Canby Parks and Open Space Acquisition Plan (2002)* – identifies parkland acquisition priorities and land acquisition strategies. The *Acquisition Plan* identifies the Wayside properties as an ideal site to link to other city-owned sites and Molalla River State Park (the "Emerald Necklace").

In summary, the City has invested a lot of resources in planning for its park and open space system. Moreover, the *Acquisition Plan* identified opportunities for land acquisition north of the present urban growth boundary (UGB) extending to the Willamette River. The Log Boom property was one of the sites targeted for acquisition. The City has since added the Willamette Wayside properties to its existing land

inventory and is now working site into a system-wide network to better serve city residents.

The *Park and Open Space Acquisition Plan* identified four themes regarding future park acquisition:

- Create trails with park and neighborhood connections;
- Create crosswalks at intersections to mitigate safety concerns;
- Preserve river areas and create an "emerald necklace" with land adjacent to the Molalla river and the Willamette River; and
- Provide an equitable distribution of parks.

Viewing the Willamette Wayside properties in relation to these themes it becomes clear that there is interest and opportunity to develop links between the properties, other city parks, community neighborhoods, and the Willamette River. The *Parks and Recreation Master Plan* identifies a number of goals aimed towards achieving the City's vision for an interconnected system of parks through a series of paths, trails, and corridors. The *Acquisition Plan* identifies this as the "Emerald Necklace" concept, with a trail system connecting park and open space areas throughout the city.

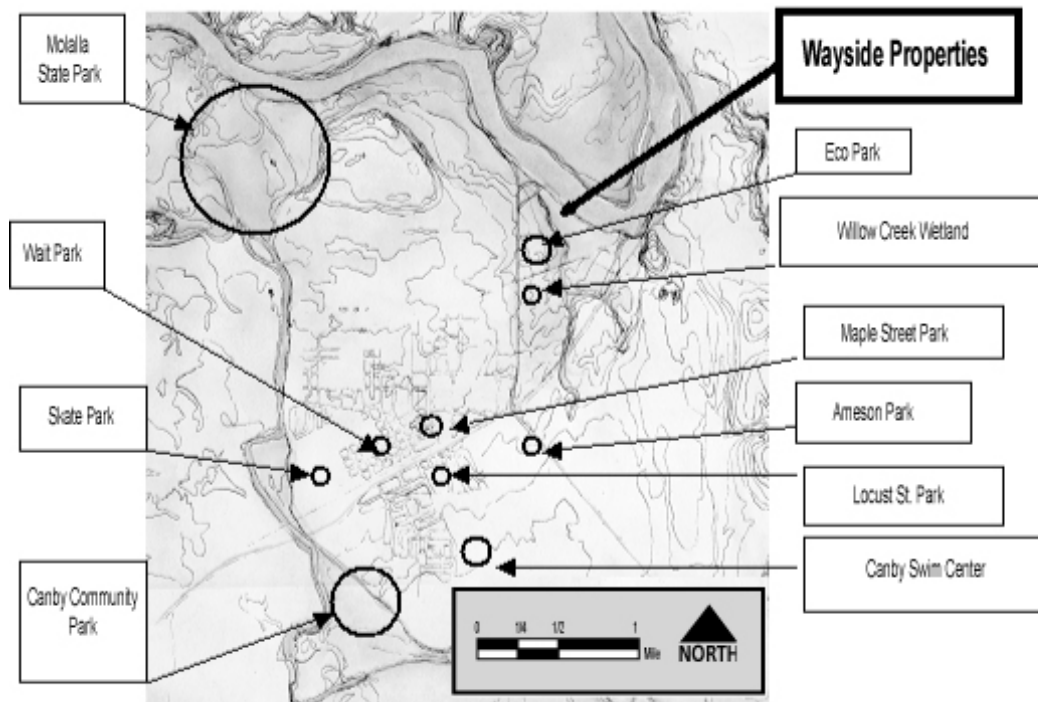
In summary, the Emerald Necklace is a key vision for park and open space land acquisitions over the next 20 years. The Willamette Wayside properties are identified in the *Master Plan* and *Acquisition Plan* as a cornerstone for this vision. The *Acquisition Plan* describes the goal to connect the Molalla River State Park with Eco Park. The Logging Boom site is located between these two parks. In addition, the City aims to develop connections between the Willamette River and the City. The Willamette Wayside properties are situated on the south bank of the Willamette River. The properties provide integral connections between parkland, open space, neighborhoods, and the river.

In 2003, CPW developed the *Scoping Report* for the Willamette Wayside properties, which provides baseline information and identifies critical natural areas, as well as stakeholder concerns and priorities for the site. The regional context and site inventory that follow are summaries of the information contained in the *Scoping Report* (Appendix A).

Regional Context: Emerald Necklace

As a component of the *Scoping Report*, CPW conducted a regional evaluation using existing research, GIS data, aerial photographs, and site visits to document the existing parks and recreation amenities surrounding the Willamette Wayside properties, within Canby's city-limits, and throughout areas adjacent to the City's UGB. The regional evaluation that follows describes how the Wayside properties could be linked with other parkland and open space consistent with the Emerald Necklace concept (see Figure 2-1, Emerald Necklace).

Figure 2-1, Emerald Necklace



Immediate Connections

The *Scoping Report* included a thorough evaluation of parkland and open space areas throughout the region. This section includes only those areas directly adjacent to the Wayside properties.

Eco Park

Eco Park is a 19-acre, heavily forested park site situated along the Logging Road trail north of Territorial Road. The Logging Road Trail links Eco Park to residential and commercial areas in Canby. Eco Park is near the Log Boom area. It is also near the Fish Eddy property, separated by the Three Sisters Ranch—which was privately owned agricultural land at the time this plan was prepared.

A variety of Eco Park's characteristics make it an ideal location for providing park amenities and support facilities in concert with the development of the Wayside properties. These characteristics include the asphalt parking lot; bark mulch pedestrian trails, its proximity to the Wayside and its link to the Old Logging Road.

Molalla River State Park

Molalla River State Park is a 566-acre park owned and operated by the Oregon State Parks and Recreation Department, located one mile north of Canby. It includes the confluence of the Willamette, Molalla and Pudding rivers. The park contains river floodplains, which provide habitat for a variety of wildlife species including one of the largest blue heron rookeries in the Willamette Valley, a bald eagle nest, and a run

of native steelhead in the Molalla River.⁴ The run is listed as threatened under the Endangered Species Act.⁵

Park facilities include vehicle parking areas, picnic tables, a one-lane concrete boat ramp, rest rooms, an interpretive nature walk around ponds, and a walking trail. Park activities include hiking, picnicking, bicycling, fishing, boating and wildlife viewing. The only road that provides vehicle access to the park is Holly Street, a two-lane street that extends north from the Canby city limits.

Molalla River State Park is approximately 2 miles from the Wayside and the land in between is used for agricultural purposes. A diversity of agricultural products are grown in this area, and it is important to note that one individual owns the land. Developing a link between Wayside and Molalla necessitates working with this individual, who was contacted as part of the stakeholder interview process during the writing of the Scoping Report. Consistent with the *Acquisition Plan*, the Willamette Wayside Master Plan supports the City's vision of linking the Logging Boom to Molalla River State Park, but does not address how or when the City should work with the property owner.

Willow Creek Wetland

This 4.6-acre city-owned natural area is located south of Territorial Road and Redwood Street, across from the Fish Eddy property. This undeveloped wetland area is adjacent to residential development and was acquired by the City in 1995. Because of the passive nature of this site, little maintenance is required. Willow Creek Wetland has the following amenities: two picnic tables that were placed there by nearby residents, and an undeveloped wetland trail.

Logging Road Trail

The Logging Road Trail is a two-mile paved, multi-use path that runs south from Territorial Road. An unpaved section of the Logging Road Trail (the Log Boom site) continues north across Territorial Road along the east side of Eco Park and the City Shops, before ending at a turnaround next to the log boom structure in the Wayside. The paved path accommodates bikes and pedestrians but not equestrian use.

Site Inventory: Willamette Wayside Properties

The *Scoping Report* includes a detailed inventory of structures and natural features on the properties. Methods used to create the site inventory involved analyzing data using Geographic Information System (GIS); data from the City of Canby, the Pacific Northwest Ecosystem Research Consortium, and other sources; by researching

⁴ Sieglitz, Greg. Oregon Department of Fish and Wildlife Willamette Basin Mitigation Program assistant staff biologist. August 15, 2003 interview.

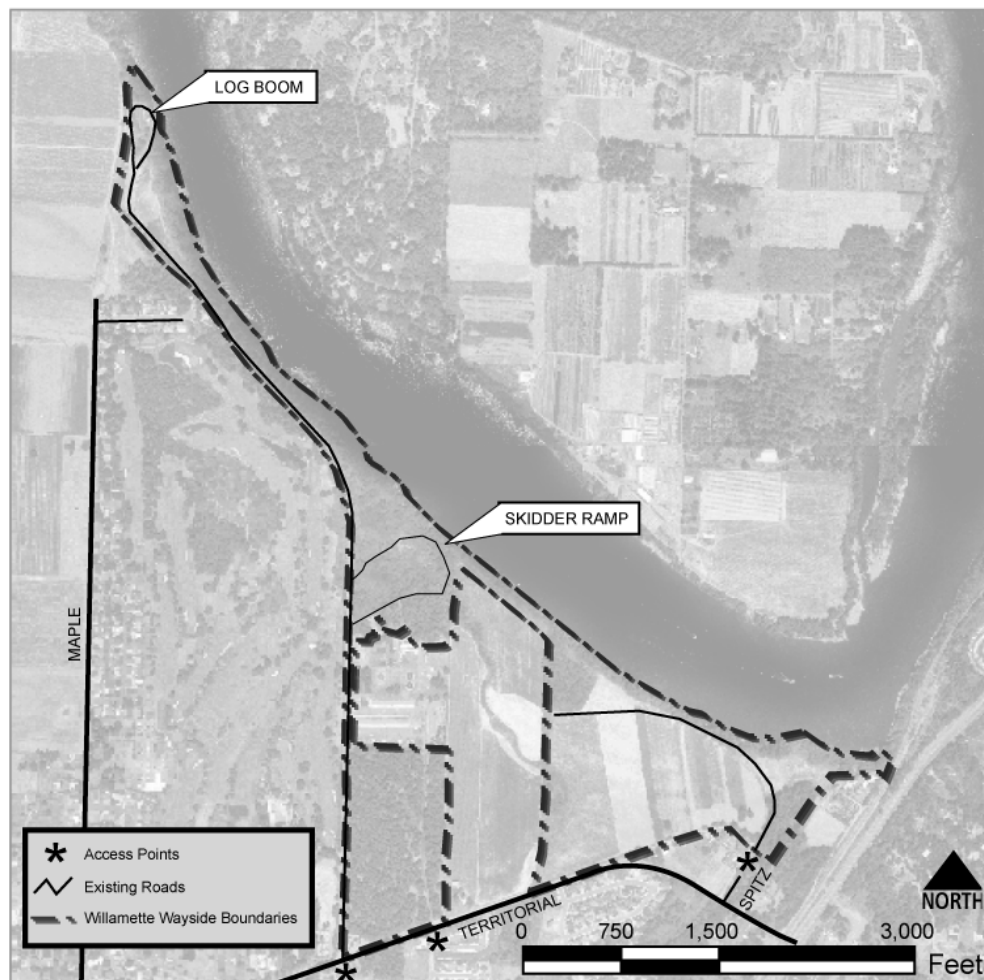
⁵ Wiley, Dennis. Park manager, Molalla River State Park. August 21, 2003 interview.

documents, conservation easements and projects from other agencies; conducted stakeholder interviews; and conducting field surveys. The Scoping Report uses three subareas within the Wayside Properties to categorize some of the site characteristics. The subareas are as follows: Log Boom, Fish Eddy, and River's Edge.

Existing Structures

The Wayside properties have several existing structures, which attest to the site's historical significance as part of the timber industry. These include the log boom and skidder ramp (see Map 2-1, Structures, Roads, and Access Points). Additional structures located on the property include: the gates along the Old Logging Road, the cement pad by the log boom, and chain link fencing that runs along the southern edge of part of the old logging road.

Map 2-1. Structures, Roads, and Access Points



Existing Roads and Access Points

Major transportation routes adjacent to the Wayside properties include Territorial Road and State Highway 99E, both to the south. Map 2-1 shows that existing access to the Wayside occurs in two locations. The

old logging road is the main access road to the Log Boom area which starts off of Territorial Road and runs along the west side of Eco Park and the City Shops before entering the southern portion of the Log Boom property. The Fish Eddy property has one access road, which starts at the intersection of Spitz Road and Territorial Place to the southeast and then follows along the northern edge of the agricultural area before dead-ending.

Topography and Hydrology

Topography and hydrology are natural conditions that can constrain and restrict land use and development. For example, the presence of steep slopes, waterways, wetlands, and floodplains presents limitations for the types of amenities and improvements that can be made on the Willamette Wayside properties. Understanding how the topography and hydrology interact on the Wayside is also important to consider for maintenance and land management purposes such as storm-water collection and drainage. The *Scoping Report* contains detailed information on the topography and hydrology divided across the three subareas. For a complete description please refer to the *Scoping Report*.

Log Boom

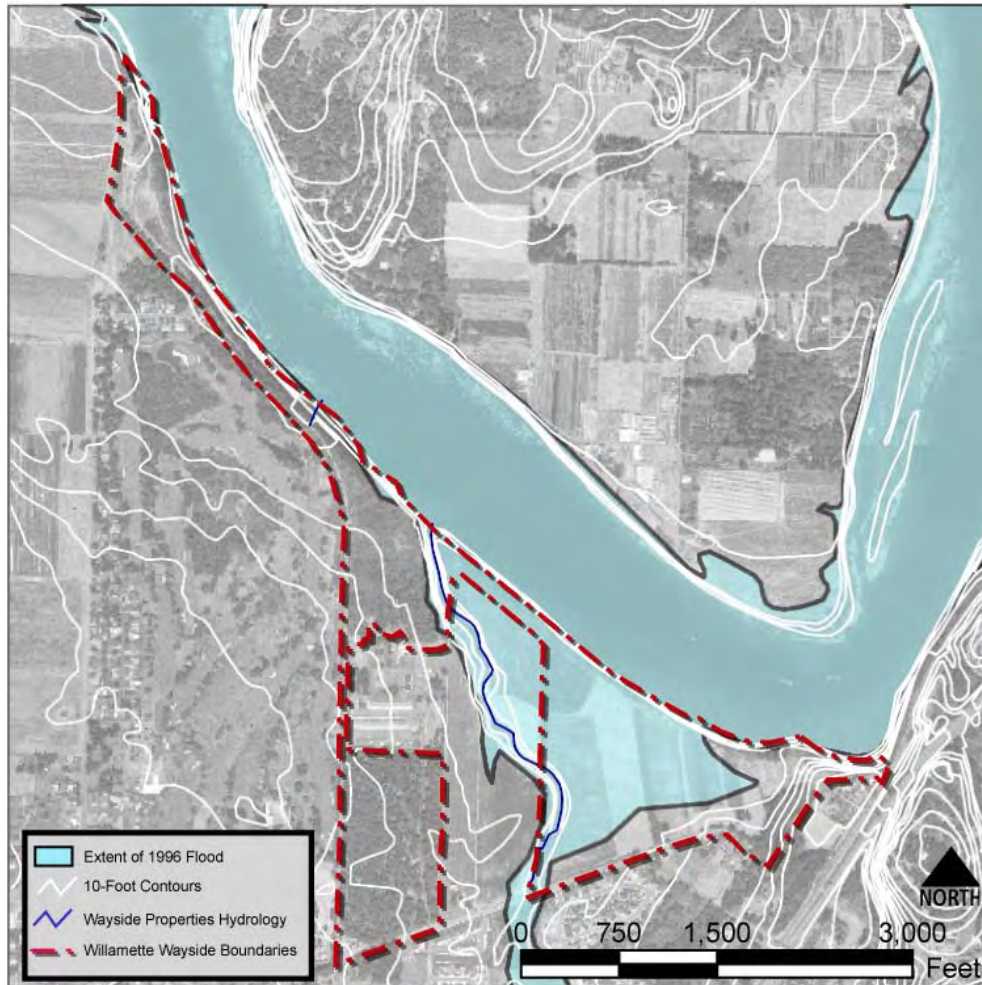
Map 2-2 shows that the Log Boom area is flat, except for the downward slopes along the banks of the Willamette River and Willow Creek, with an average elevation approximately 85 feet above Mean Sea Level (MSL).

Willow Creek is a perennial stream located in the southeastern portion of the Log Boom area. There is another unnamed perennial stream located northwest of Willow Creek in this area, which originates in the country club property.

The Log Boom area contains two different flood levels as shown in Map 2-2.⁶ The portion of the Log Boom area next to the City Shops is in Flood Zone C, an area of minimal flooding. The rest of the Log Boom area is located in Flood Zone B, which is between the limits of the 100-year flood and 500-year flood. The southern area and a narrow northern area adjacent to the River's Edge were under water during the 1996 flood.

⁶ Flood Insurance Rate Maps (FIRM), Federal Emergency Management Agency.

Map 2-2. Topography and Hydrology



Fish Eddy

Map 2-2 shows that the interior portion of the Fish Eddy area is flat with an elevation approximately 85 feet above MSL. The banks of Willow Creek are sloped towards the creek from the east and west. A hill is located in the eastern portion of the Fish Eddy area with a gradual slope downward to the north and west. The southeastern most portion of the area, adjacent to Dutch Vista Road, is flat.

Willow Creek is a perennial stream located on the western boundary of the Fish Eddy. This section of the creek has many meanders, which slow water flow, and increases riparian habitat.

The Fish Eddy includes land in three different flood zones as shown in Map 2-2.⁷ The majority of the property, including the interior agricultural fields, is located in Flood Zone A17, described as areas of 100-year flood event in which base flood elevations and flood hazard factors have been determined. The southeastern portion of this

⁷ Flood Insurance Rate Maps

property on top of the hill near Dutch Vista Road is located in the Flood Zone C, minimal flooding. The rest of the portions in this area are located in Flood Zone B (described in Log Boom). The majority of the land in Flood Zone A17 and B was flooded during the 1996 flood.

River's Edge

Map 2-2 shows that the majority of this area slopes steeply towards the Willamette River. The easternmost portion of this area is extremely steep with slopes above 60% (the elevation here ranges from approximately 60-140 feet above MSL). The average elevation along the Willamette River's edge is approximately 60 feet above MSL.

The River's Edge area is mostly undeveloped. Willow Creek and its confluence with the Willamette River are located in the center portion of this area. Willow Creek has a slight cut bank in this area and water at the confluence with the Willamette River does not easily flow through the existing culvert. The unnamed stream originating on the golf course is located northwest of Willow Creek. There are also existing flood channels in the northwestern portion of this area. The River's Edge area is located in Flood Zone A17, in the 100-year flood event⁸. All of this area was under water during the 1996 flood.

Vegetation

The vegetative communities found on the Wayside properties have a number of distinct ecological functions in terms of providing habitat, environmental quality, and response to natural events. The analysis that follows describes vegetation by subarea.⁹

Log Boom

The Log Boom area is comprised of four primary vegetative communities:

- *Cottonwood Riparian*. This community is found at the northerly most section of the Log Boom and at the northeastern edge adjacent to the River's Edge area. Key species include Cottonwoods, Bigleaf Maple, Red Alder, Willow, Oregon Ash, and Douglas fir.
- *Perennial Grasses/Unmanaged Pastures*. Found at the northwestern portion where the old logging road and 34th Court is located. Key species are perennial grasses.
- *Mixed Forest - Maple/Douglas-fir/Cottonwood*. The Mixed Forest vegetative community is found in the southern portion of the Log Boom property. Key species include Douglas fir, Bigleaf

⁸ Flood Insurance Rate Maps

⁹ For a more detailed description please refer to the *Scoping Report* (Appendix A).

Maple, Western Hemlock, Western Red Cedar, California Hazelnuts, and Walnut.

- Douglas-fir. This community is found at the southeastern portion of the property near the city's facilities. Key species include Douglas fir, Bigleaf Maple, and Cherry trees.

Fish Eddy

The Fish Eddy is comprised of five primary vegetative communities including:

- *Ash/Cottonwood/Oregon White Oak Bottomland*. Found in the northwestern corner of Fish Eddy Property. Key species include Oregon Ash, Oregon White Oak and Cottonwoods.
- *Perennial Grasses/Unmanaged Pastures*. Several areas exist in this vegetative community including the hill and field next to Dutch Vista Road in the eastern half of Fish Eddy, an area to the east of the Ash Bottomland, and an area adjacent to the row crops and Willow Creek. Key species are perennial grasses.
- *Reed Canary Grass Riparian Area*. This community is located in the western portion/Willow Creek area. Key species include Reed Canary Grass, Oregon Ash and Willow.
- *Row Crops*. Found in the interior portion of Fish Eddy. It is comprised of agricultural crops.
- *Douglas-fir/Urban Build-up*. This community is found in the southeastern most portion of Fish Eddy. Key species include Douglas fir, Bigleaf Maple, and Cherry trees.

River's Edge

The River's Edge is comprised of one primary vegetative community. It is the Cottonwood Riparian community, covering the banks all along the Willamette River. Key species include Cottonwoods, Bigleaf Maple, Red Alder, Willow, Oregon Ash, and Douglas fir.

Wildlife

Wildlife is an important element to consider in the master planning process for the Wayside properties. The presence of unique, rare, or even endangered species can be both an attraction for park users as well as a constraint on how the property is managed and developed.

Species listed under the Endangered Species Act (ESA) known to exist in the vicinity of the Wayside Properties include Canada lynx, Northern spotted owl, chum salmon, steelhead, Chinook salmon, golden Indian paintbrush, Willamette daisy, *Howellia*, *Bradshaw lomatium*,

Kincaid's lupine, and Nelson's checker-mallow¹⁰. No listed species were observed on the properties. However, there may be remnant Western Pond Turtle habitats particularly in the seasonal wetlands.¹¹

The Willamette River near the Wayside Property has some of the greatest diversity of fish species in the entire Willamette River Basin. There are 3,135 species of fish in this portion of the Willamette River, 21 to 25 of which are native species.¹²

Critical Natural/Habitat Areas

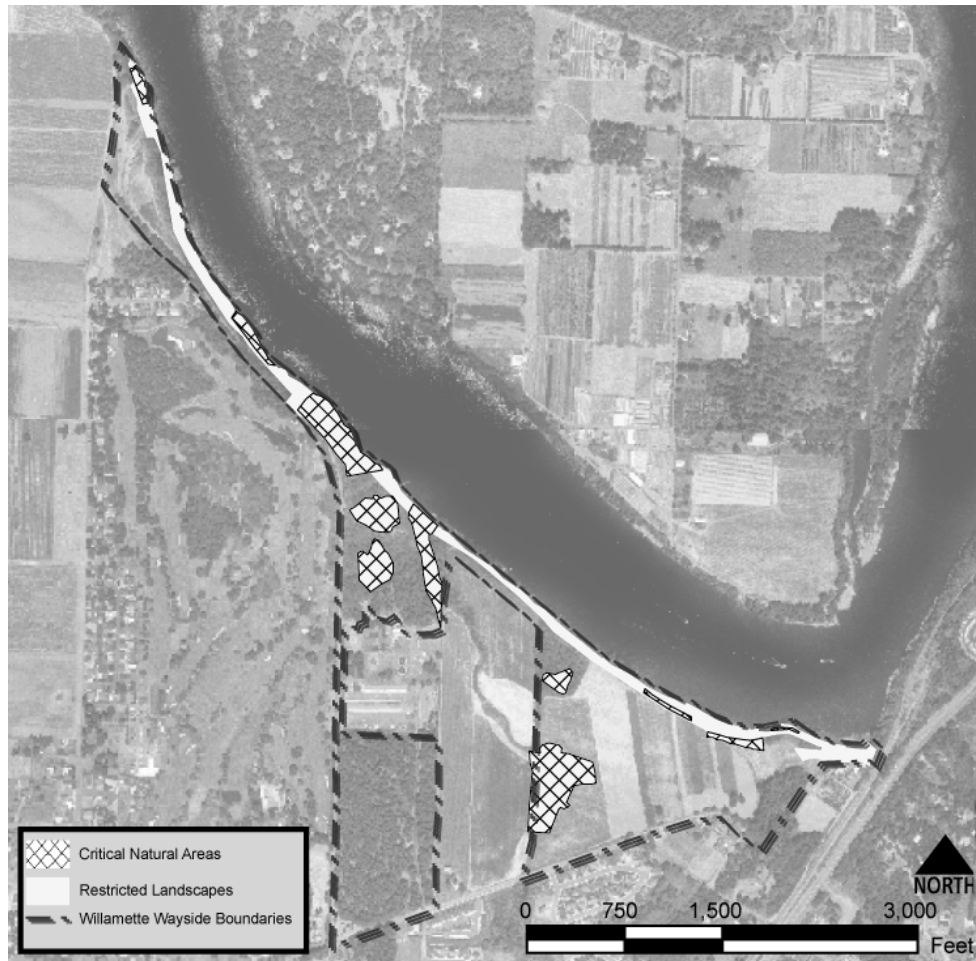
Critical natural areas are locations of habitat importance, documented important species, and functioning vegetative communities that are considered highest priority for conservation in the master planning process. These areas shown in Map 2-3 are identified across the three subareas in the *Scoping Report*.

¹⁰ Supplemental Analysis for the Wildlife Mitigation Program Environmental Impact Statement (EIS) for the Canby Ferry Conservation Easement proposed by the Oregon Department of Fish and Wildlife and Bonneville Power Administration

¹¹ Staff from the Oregon Department of Fish and Wildlife

¹² *The Willamette River Basin Planning Atlas 2nd Edition*

Map 2-3. Critical Natural/Restricted Landscapes



Log Boom

Existing native upland vegetation areas exist in the southern portion of the Log Boom. To the east of the curve in the old logging road is the beginning of critical native riparian understory. Willow Creek riparian corridor located in the southeastern portion of the Log Boom is critical habitat, as well as a migration route for birds, reptiles and other wildlife.

Fish Eddy

The Fish Eddy contains several critical natural/habitat areas. The Ash/Cottonwood/Oregon White Oak Bottomland is an area comprised of several old Oregon White Oaks. The Willow Creek riparian corridor and seasonal wetland area located in the western portion of Fish Eddy are critical habitat for many species. In the southeastern portion of Fish Eddy within the Douglas fir forests is a stand of native trees and understory that is not heavily inundated with invasive species.

River's Edge

The entire River's edge is critical habitat. This area comprises the south bank of the Willamette River, which runs east west in this

region. The Cottonwood riparian forest plays an integral role in providing shade and habitat for fish species in the Willamette River. It also provides habitat and a travel corridor for wildlife. Critical native riparian vegetation areas in the north and southwest portions of River's Edge are functioning communities that include many Willow species and Cottonwoods and a low infestation of invasive species. Critical native riparian habitat is located to the east of the curve in the old logging road. The Willow Creek confluence, an important node with potential for high biodiversity is in this location.

Restrictive Landscapes

Restrictive landscapes, identified in the *Scoping Report*, include areas that are critical natural areas with slopes over 20 percent. The restrictive landscapes are areas that warrant special attention (i.e., protection, preservation, and careful consideration when developing any park amenities). Map 2-3 highlights the restrictive landscapes on the Wayside properties.

Chapter 3

Guiding Principles

Establishing a planning framework is an essential step in the master planning process. That framework is contained in the seven “guiding principles” described in this chapter. The guiding principles are intended to recognize the unique features and opportunities presented by the Willamette Wayside properties and to create a balance between development and preservation of open space and natural features. In short, the guiding principles establish both a vision for future development (which is manifest in the Master Plan) as well as a framework for development and use.

Process

During February and March of 2004, the City of Canby sponsored three community workshops for the purpose of generating ideas and feedback on how the Willamette Wayside properties should be developed. The first workshop was used to gather preliminary input from community members on the opportunities and constraints in the use and development of the Wayside as parkland and open space. The input received during the first workshop was used to create a set of “guiding principles” with oversight from Wayside Steering Committee. Participants used the guiding principles in the second community workshop as a framework to discuss more specific uses for the property.

Guiding principles

The technical analysis, community process, and advisory committee identified seven guiding principles for the Willamette Wayside properties:

8. Respect natural features
9. Strengthen connectivity
10. Enhance and control access
11. Create a safe place to recreate
12. Foster educational opportunities
13. Develop recreational opportunities
14. Secure funding sources

The remainder of this chapter describes the guiding principles for the Willamette Wayside properties.

Principle 1: Respect natural features

The main focus of this principle is maintaining the ecological integrity of significant natural areas while restoring and enhancing areas that lack such integrity. Participants during the three community workshops indicated that the top priority for the future use of the property should be respecting the existing natural features on the Willamette Wayside properties.

The maintenance and enhancement of natural areas can be accomplished by the removing invasive species, planting additional native species, and creating low-impact recreation opportunities while restoring terrestrial and aquatic habitat areas within the property. Structures and recreational amenities should be constructed in locations that do not diminish or impair the significant natural features the property. Significant natural areas include: Willow Creek wetland, Willow Creek, Willamette River riparian habitat, oak woodland, and other native vegetative communities of highest ecological value (Map 2-3 in Chapter 2 shows the location of significant natural areas).

During the community workshops, participants made specific suggestions about respecting natural features on the site:

- Maintain and restore the Willow Creek wetland and riparian areas;
- Remove invasive species and encourage the growth of native species;
- Allow only passive (low-impact) recreation – only emergency, city park, and Willamette Country Club maintenance vehicles should be allowed access to the property;
- Ensure that recreational uses do not interfere with natural qualities and wildlife habitat;
- Remove the culverts on the property from Willow Creek to improve the connection to the Willamette River.

Principle 2: Create destinations and strengthen connectivity

This principle seeks to integrate “destinations” with the unique features of the Willamette Wayside properties. Destinations can serve as attractions for visitors and to direct use to specific areas on the site. In short, destinations provide visitors with reasons to use the site. Given the size of the Willamette Wayside properties, creating both internal and external connections will be essential in creating destinations.

Onsite connectivity involves linking together the various locations on the property. A multi-use trail system will provide this connectivity throughout the Willamette Wayside properties. Offsite connectivity is consistent with the City’s Emerald Necklace concept of linking parks

and open space areas throughout Canby. Strengthening connectivity on the property was the second most common theme gathered during the community workshops. Participants discussed the importance of both on- and off-site connectivity in the future development of the Willamette Wayside properties.

The old logging road will be enhanced on the property to allow for an improved connection to the existing Logging Road Trail south of Territorial Road. Moreover, development of the Log Boom site will allow the City to explore opportunities for linking the Willamette Wayside properties to Molalla River State Park approximately 2.0 miles to the west. The City will also continue to assess all potential opportunities for acquiring property adjacent to the Willamette Wayside properties.

Strengthening connectivity on- and off-site will provide Canby residents with a safe and enjoyable location for walking, bicycling, and other passive forms of exercise. During the series of community workshops, participants made specific suggestions about strengthening connectivity, which are as follows:

- Develop multi-use trails for park users (on-site);
- Create trail connections between the Fish Eddy, Log Boom and Eco Park (on-site);
- Develop boardwalk through the Willow Creek wetland (on-site).
- Improve access through Eco Park (on-site);
- Improve the Old Logging Road north of Territorial Road (on-site);
- Link the Wayside Properties with Molalla State Park (off-site);
- Acquire additional land surrounding the Wayside (off-site)

Principle 3: Enhance and control access

To be accessible to the public, the Willamette Wayside properties need to be integrated into the City's park, trail, and open space system. Enhanced access to the property can be achieved by improving connections with existing trails and roads, but it also requires some additional steps to focus and control access. Participants at the workshops stated that the Willamette Wayside properties should be developed to allow safe access for residents arriving in a wide variety of transportation modes. This includes pedestrians, bicycles, and automobiles.

One of the first limitations on the Willamette Wayside properties is the lack of automobile parking. Enhancing access on the property may require reconfiguration of existing parking areas or development of new parking areas. The Master Plan advocates a conservative approach: the

City will develop parking areas on the property as warranted by park use.

The second issue connected to enhancing and controlling access for all transportation modes is limiting private automobile access on the property. Although adequate parking will be provided, the safety of park users and surrounding residents requires that automobiles not be allowed beyond designated parking areas. Bollards will be located at all trail entrances to the property to restrict all private automobiles. City maintenance and emergency vehicles will be able to remove the bollards at each location for full access to the property.

The remaining accessibility issue discussed during the workshop was compliance with the Americans with Disabilities Act (ADA). In the development of the properties the City will comply with ADA where appropriate. The old logging road and a portion of the trail through the Fish Eddy will be ADA compliant. Parking lots, restrooms, and some of the picnic areas will also be ADA compliant.

During the series of community workshops, participants made specific suggestions about strengthening connectivity, which are as follows:

- Ensure compliance with ADA;
- Provide adequate parking;
- Design parking areas in a manner that minimizes negative impacts to significant natural areas;
- Regulate access points to provide safety for pedestrians, joggers, and bicyclists;
- Minimize direct access to the Willamette River;
- Design the trail system to minimize direct access to the significant natural areas of highest ecological value.

Principle 4: Create a safe place to recreate

This principle is split into two safety areas: (1) park users should be safe while recreating on the property; and (2) the park should be developed to maximize the safety of adjacent property and property owners. Safety was a theme discussed by participants throughout the community workshops.

The City conducted a liability assessment of the property to assess all potential hazards (Appendix C). New structures will be designed and located to maximize safety. Rules will be clearly posted at all entrances and danger signs will be located next to any structure that is deemed a potential hazard.

The park should be developed to maximize the safety of adjacent property and property owners. The City will enforce hours of operation and private automobile access will be restricted to designated areas at

all times. Fencing and vegetative buffers will be strategically located at areas where the trail system is directly adjacent to private residences.

During the series of community workshops, participants made the following specific suggestions about strengthening connectivity:

- Restrict motorized vehicles by using removable bollards on trail access points to keep vehicles from using trails and to allow emergency/maintenance vehicles access;
- Enforce operational hours;
- Encourage police or other security measures to watch the site to keep trespassers out during off-hours;
- Encourage the surrounding residents to form a neighborhood watch group;
- Bypass the section of the old logging road accessible by automobiles by developing a hard surface trail through Eco-park;
- Provide buffers between neighbors and park, and around;
- Post signs detailing park rules and park hazards;
- Install lighting in parking areas and other areas as appropriate.

Principle 5: Foster educational opportunities

The historical use of the Willamette Wayside properties by the logging industry and the variety of significant natural areas present a unique educational opportunity for Canby residents. The participants in the workshops stated that this education should be incorporated into the design of the properties. Interpretive signs will be located in appropriate locations so the community can learn about natural flora and fauna as well as the historical roots of the area. The interpretive signage and the historical and natural amenities will be especially valuable for Canby students and youth. The properties will be useful as an educational resource and field trips and day camps should be encouraged.

During the series of community workshops, participants made the following suggestions:

- Provide signs which interpret to the property's history: placards should be used to talk specifically about the log boom and skidder ramp;
- Locate an informational sign near the parking areas or at the beginning of the old logging road.
- Place interpretive signs next to habitat areas to identify specific species and habitat types.

- Encourage the use of the property for outdoor education for students (i.e. test water quality, discuss wetland functions, etc.) and youth.

Principle 6: Develop recreational opportunities

The Willamette Wayside properties provide many opportunities for developed recreational opportunities. Such facilities will be developed within the context of the other Guiding Principles. The feedback received during the community workshops included a wide variety of suggestions for recreational amenities on the Wayside properties. Specifically, workshop participants suggested low-impact or passive recreational opportunities to comply with the other guiding principles.

During the series of community workshops, participants made the following suggestions:

- Construct a multi-use trail system for pedestrians and bicyclists that includes both hard- and soft-surface trails.
- Design controlled access/river viewing areas along the Willamette River
- Develop picnic areas for day use.
- Develop restrooms and other facilities needed to support recreational activities.

Principle 7: Secure funding sources

To implement and maintain the capital improvements recommended for the Willamette Wayside properties, the City will have to identify and secure funding sources. Participants in the workshops stated that the City should seek specific funding sources for financial requirements that cannot be covered by the park budget. Participants made the following suggestions:

- Securing volunteer support from the community whenever possible;
- Develop partnerships with other agencies and organizations;
- Seek donations from Canby residents and businesses;
- Seek outside grant funding whenever possible.

Chapter 4

Conceptual Plan

A central component of the Willamette Wayside Master Plan is a conceptual design for the future use and development of the Willamette Wayside properties. The conceptual design presented in this chapter is consistent with the framework provided by the guiding principles (Chapter 3). The Conceptual Plan serves to guide the development and restoration of the Willamette Wayside properties over the next 20-years. The plan describes all of the improvements proposed for the properties and generally depicts where each will be located. In short, the Conceptual Plan establishes a graphical and narrative road map of future use and development on the Willamette Wayside properties. The Capital Improvement Program, Operations and Maintenance Plan, and Funding Strategies found in the subsequent chapters provide the additional information necessary for implementing this concept.

The Conceptual Plan does not represent the final design or exact location of the proposed improvements. It is intended simply as a concept and general vision for the future use and development of the Willamette Wayside properties. The City of Canby will reopen the planning process to additional community involvement for the specific siting and development of each improvement.

Process

The Conceptual Plan reflects public input and feedback received during the community workshops. During a joint work session, the Canby Park and Recreation Advisory Board and the Willamette Wayside Steering Committee also provided input, which was incorporated into the final design.

During the second community workshop participants used the guiding principles as a framework to map initial opportunities and constraints associated with the development of the properties. The purpose of the workshop was to begin setting up potential uses and limitations. The second workshop resulted in a preliminary design for the properties, which was presented during the third workshop.

In the third workshop participants reviewed the preliminary design in another mapping exercise and were asked to comment and provide modifications. The improvements emphasized by participants during this exercise were similar to those heard during the first two workshops. These improvements continue to be major elements of the Conceptual Plan presented in this chapter. The third workshop resulted in a Draft Conceptual Plan, presented to the Canby Park and Recreation Advisory Board and Willamette Wayside Steering Committee at a meeting.

During this meeting Advisory Board and Steering Committee members participated in yet another mapping exercise to further refine the Draft Conceptual Plan. In addition to reviewing the Draft Conceptual Plan, Advisory Board and Steering Committee members also provided comments on a series of phasing diagrams. The diagrams depict the development of the Willamette Wayside properties occurring in three separate phases. Further explanation of these phases and the diagrams is provided in the next section of this chapter. The meeting resulted in only a few refinements to the version of the Conceptual Plan derived from the third community workshop. Again, the Advisory Board and Steering Committee members emphasized many of the same improvements heard during the previous workshops. The meeting resulted in the refined Draft of the Conceptual Plan and the three phasing diagrams presented during the fourth community workshop, held on June 22nd, 2004.

The fourth workshop was used to present the refined Draft of the Conceptual Plan and phasing diagrams. One final mapping exercise was used to collect input and feedback on the Conceptual Plan and phasing diagrams. The workshop resulted in the Final Conceptual Plan and the three phasing diagrams presented during the community open house, held on July 20th, 2004. The open house was used as the unveiling of the Final Conceptual Plan, however, comment cards were also used to collect a final round of feedback. The Conceptual Plan and phasing diagrams presented in this chapter are the result of this entire community involvement process.

Conceptual Plan

In addition to input and feedback from the community involvement process, the conceptual plan reflects a variety of research activities. Research was conducted as a part of the master planning process to provide further support for proposed improvements and to generate some specific design guidelines. The main documents used in this research include the *Oregon Statewide Comprehensive Outdoor Recreation Plan* (2001) and *City of Canby Park and Recreation Master Plan* update (2000). Again, the purpose of this plan is to guide the development and restoration of the Willamette Wayside Properties over a 20-year period (see Map 4-1). The improvements and restoration activities for the Willamette Wayside properties are proposed in three phases, which are described below the Conceptual Plan.

Conceptual Plan



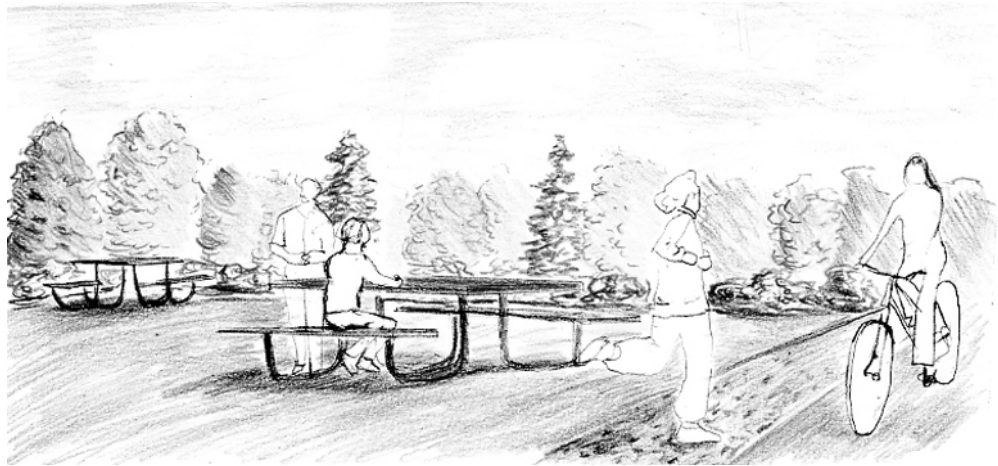
Phase 1: Creating Destinations

The emphasis of Phase 1 is on creating “destinations” and some of the support facilities necessary to access them. These are high priority, short-term improvements proposed for the first five years of development. The destinations provide visitors with a variety of recreational opportunities including picnic areas, river viewing areas, and a network of trails. The first phase also includes some restoration activities in the most significant natural areas on the properties (see Map 4-2).

Picnic Areas

Phase 1 includes the development of two picnic areas for the Willamette Wayside properties. The proposed picnic areas include the Log Boom picnic area in the northeastern portion of the properties, adjacent to the log boom structure (see Figure 4-1) and the Fish Eddy picnic area in the southeastern portion of the site. They will each include 6-8 picnic tables, trash receptacles and four braziers. Both picnic areas will be ADA accessible.

Figure 4-1. Picnic Area Conceptual Design



In the community survey conducted for the *Canby Park and Recreation Master Plan* (2000), 79.8% of respondents felt that picnic areas were either ‘very important’ or ‘somewhat important’. Picnicking and barbecuing were among the top five most important activities (out of 21) to survey respondents.

Phase 1



Willamette River Viewing Areas

Four river viewing stations will be developed adjacent to the Willamette in strategic locations so visitors can take advantage of the unique setting (see Figure 4-2). The viewing stations offer a variety of locations for enjoyment of the river and surrounding natural habitat. These viewing areas will be developed in a fashion that minimizes impacts to the surrounding riparian habitat. Benches and trash receptacles will be included at these stations.

Figure 4-2. River Viewing Area Conceptual Design



In the community survey conducted for the *Canby Park and Recreation Master Plan* (2000), 87.8% of respondents felt that nature enjoyment was either 'very important' or 'somewhat important'. Nature enjoyment was the second most important activity (out of 21) to survey respondents.

Trail Network

A network of trails will be developed to promote a variety of recreational uses as well as the management of visitor impact on the significant natural areas and adjacent property owners. The trail network will be designed as multi-use paths accommodating walkers, joggers, and cyclists.¹³ A large portion of the trail network will be ADA

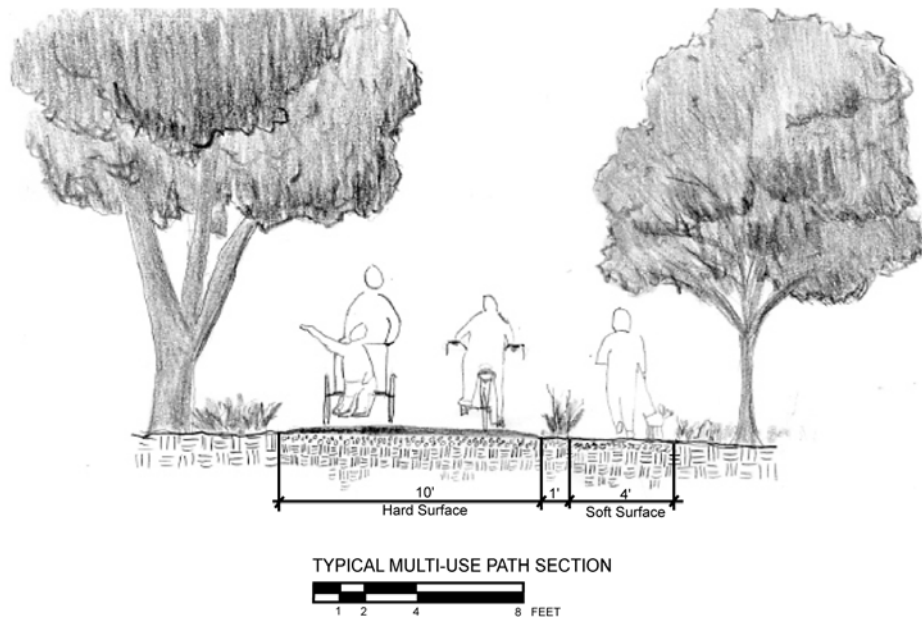
¹³ Dines, Nicholas & Charles Harris. 2000. *Time-savers Standards for Landscape Architecture*. McGraw-Hill. Page 240-2.

compliant to provide universal access.¹⁴ According to the *Oregon Statewide Comprehensive Outdoor Recreation Plan* trails are a highly important component to local recreational planning as well as the fact that walking and running are of the most popular everyday activities.¹⁵ In the community survey conducted for the *Canby Park and Recreation Master Plan* (2000), 89.4% of respondents felt that walking and jogging were either 'very important' or 'somewhat important'. Walking and jogging were the most important activities (out of 21) to survey respondents.

The trail network will be approximately 4 miles in total length, with approximately 2 miles of ADA accessible trails (not including Eco Park trails) at full build out of Phase 1.

The first major piece of the trail network is the improvement and modification of the old logging road located in the Log Boom property. Participants in the series of community workshops indicated that they would like hard and soft surface trails. The participants supported the idea of enhancing the existing old logging road with asphalt, while also developing a soft surface trail directly adjacent and parallel with the hard surface (see Figure 4-3).

Figure 4-3. Old Logging Road Multi-use Trail Design



¹⁴ U.S. Department of Transportation-Federal Highway Administration. Chapter 12 *Trail Planning*. <http://www.fhwa.dot.gov/environment/sidewalk2/sidewalks212.htm>

¹⁵ Oregon Department of Parks and Recreation. 2001. *Oregon Statewide Comprehensive Outdoor Recreation Plan 2003-2007*. www.prd.state.or.us/images/pdf/scorp_00_complete.pdf

The hard surface portion of the old logging road will be developed at a maximum width of 10 feet. This hard surface will be ADA compliant and will service emergency and maintenance vehicles. A variety of literature suggests trail widths ranging from 8 feet to 12 feet.^{16, 17, 18} The soft surface will be developed at a width of 4 feet. The two surfaces will be divided by a foot of natural material such as native grasses. These widths are also consistent with feedback received from the Oregon Recreation Trails Coordinator, Mr. Sean Loughran.¹⁹

The hard and soft surface trails will each be approximately 1.5 miles in length beginning at the north end of Molalla Forest Rd. The trails then follow the current location of the old logging road northwest to the log boom structure. The new trail design will keep the existing turnaround in the old logging road adjacent to the log boom structure in the northwest section of the Log Boom property.

New trails will also be developed to link the existing trails on the Log Boom property to the Fish Eddy. These new trails will also be extended throughout the Fish Eddy.

One section of the newly developed trails in the Fish Eddy will be ADA compliant, designed with compacted gravel at a width of 7 feet.²⁰ Studies show that on-trail conflicts are reduced with designs that are ADA compliant.²¹

This section of trail will extend east from an area close to Willow Creek, paralleling the Territorial Road, until it reaches the Fish Eddy picnic area. The trail then turns northwest paralleling the Willamette River until it reaches the eastern most river viewing station proposed in Phase 1. The total length of the compacted gravel section of trail will be approximately 0.60 miles.

From the viewing station the trail will continue adjacent to the river as a soft surface path at a width of 4 feet to accommodate walkers, joggers, and cyclists (see Figure 4-4).

¹⁶ Dines, Nicholas & Charles Harris. 2000. *Time-savers Standards for Landscape Architecture*. McGraw-Hill. Page 240-17.

¹⁷ Alta Planning and Design. 2004. *Oregon City Trails Master Plan*. <http://altaplanning.com/files/oregoncity/Draft%20Trails%20Master%20Plan%20April%202004.pdf>

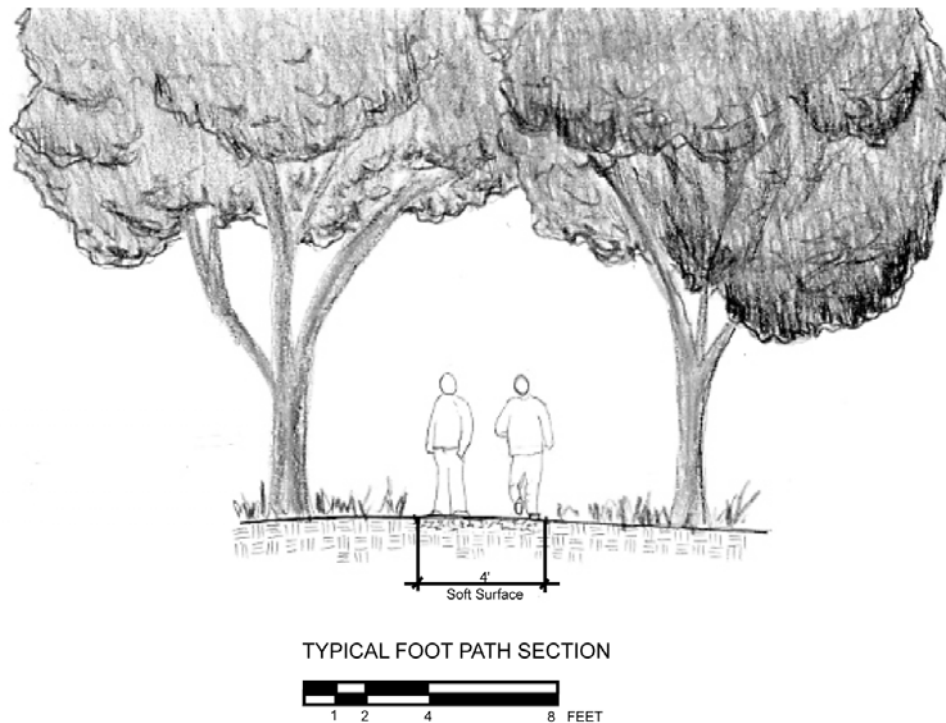
¹⁸ US Department of Transportation-Federal Highway Administration. Chapter 14. *Shared Use Path Design*. <http://www.fhwa.dot.gov/environment/sidewalk2/sidewalks214.htm>

¹⁹ Personal communication. Mr. Sean Loughran, Oregon Recreation Trails Coordinator. April 18th and May 13th, 2004.

²⁰ Dines, Nicholas & Charles Harris. 2000. *Time-savers Standards for Landscape Architecture*. McGraw-Hill. Page 240-17

²¹ U.S. Department of Transportation-Federal Highway Administration. Chapter 14. *Shared Use Path Design*. <http://www.fhwa.dot.gov/environment/sidewalk2/sidewalks214.htm>

Figure 4-4. Soft Surface Trail Design



This section of the trail extends approximately 0.50 miles until it crosses the existing culvert across Willow Creek, near the skidder ramp structure. At this point the trail forks in two directions with a northern and southern section that both extend approximately 0.10-0.15 miles back to the old logging road. The existing dirt road in the southeastern portion of the Fish Eddy, starting at the intersection of Spitz Road and Territorial place will be used for maintenance and emergency vehicle access to the Fish Eddy. The trail network through Eco Park will continue as it currently exists.

Parking Area – Eco Park

Parking and safety issues emerged as key concerns during the public workshops particularly with respect to Eco Park. The City held a separate public workshop to address issues related to the parking area at Eco Park. The main areas of concern identified during that meeting included:

- The parking lot at Eco Park;
- The slip lane off of Molalla Forest Road;
- The pedestrian crossing when the existing Logging Road trail extends into the new stretch of trail to be developed from the Eco Park parking lot northward; and

- How this new stretch of Logging Road trail can accommodate residential and Country Club access while also handling park users and ADA access.

The meeting also included an opportunity for participants to provide suggestions about how to address the issues identified above. Ideas for the parking lot included:

- Gates that can be locked at night;
- Closing off the access from Molalla Forest Road and creating a new access to the parking lot (off Territorial) farther east for improved safety;
- Expanding the parking lot to the east and possibly south;
- Creating a pathway along the eastern edge of the parking lot to accommodate pedestrians that cross Territorial and want to continue on to the Log Boom, and pave it for ADA;
- Site any future restroom to the east nearer the City Shop road;
- Widen the Molalla Forest Road to accommodate the vehicular uses and still create a safe passage for pedestrians by making a separated paved pathway or sidewalk for pedestrian use, probably on the east side of the road along the closed off parking lot; and
- Just have pedestrian access from the parking lot, no vehicular access.

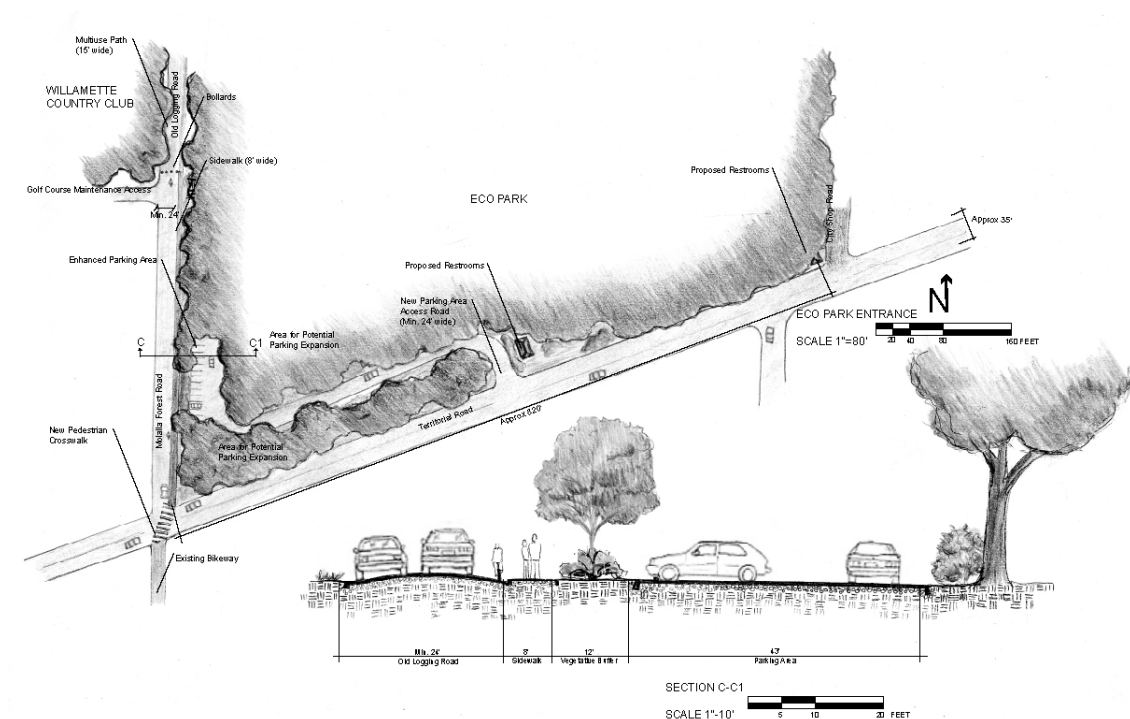
Ideas for the slip lane included:

- The slip lane provides a place where motorists can more easily see coming traffic, but it also can cause confusion since it appears to be a right in only lane and motorists should go out on the straight part of Molalla Forest Road, but often use the slip lane to exit;
- The Canby Utility Boards (CUB) transformer box presents a vision clearance problem that needs to be addressed. It was suggested that it be moved or vaulted. Since this would be expensive, and since it belongs to CUB, this will have to be brought to the Utility Board for discussion;
- The slip lane should be eliminated if visibility is improved;
- The tree by the transformer needs to be limbed up;
- A blinking light or a pedestrian activated traffic light would greatly improve safety and allow pedestrians to safely cross Territorial Road;

- A very well marked pedestrian crossing is needed—big white bars across Territorial, and signage for motorists warning of the pedestrian crossing. Rumble strips were also suggested and white bars that are the same width as the Logging Road Trail;
- A 25-mile per hour speed limit to improve safety on Territorial;
- Widen Molalla Forest Road to improve traffic flow and visibility and improve the turning radius, in addition to making room for a pedestrian path or sidewalk on the east side;
- Screen the parking lot with shrubs and trees for residential privacy and aesthetics;
- Widen the road to the golf course maintenance entrance;
- Develop detailed engineering concepts to address these ideas and design the best changes to slip lane.

The suggestions described above and additional discussions with the Country Club management led to a conceptual design for reconfiguring access to the Eco Park parking area. Figure 4-5 shows the conceptual design. As with other capital improvements, the City will develop a more detailed design prior to commencing any improvements.

Figure 4-5. Eco Park Access and Parking Area Design



Invasive Species Removal

The Phase 1 improvements will include the removal of invasive species in specific locations on the properties because these species impact the ecologically value and would detract from the recreational experience. An increasing number of invasive species are causing significant adverse impacts to natural habitat and species.²² According to Oregon's Invasive Species Council, next to habitat loss, invasive species pose the greatest threat to the survival of native biota in the United States and other areas around the world.²³ The negative impact invasives have on the national economy is estimated as high as \$127 billion annually, and increasing.²⁴

The Log Boom and Fish Eddy picnic areas, river viewing areas, and new soft surface through the Fish Eddy property are all high priority areas for invasive species removal. These improvements will require approximately 80,000 square feet of invasive species removal. Chapter 6 includes a more detailed description of the invasive species and the possible methods of removal.

Restoration and Resource Protection

Phase 1 will include the enhancement and restoration of two significant natural areas identified in the *Scoping Report*. The selection of these two areas for the first phase of restoration was based on the high value of the ecosystem processes these habitats perform.²⁵ The first area is a specific portion of the Cottonwood Riparian vegetative community along the Willamette River. This specific area is approximately 140,000 square feet, located along the river between the log boom and skidder ramp structures (see Map 4-2). This area will be enhanced through invasive species removal and protected for its ecological value.

The second area is the seasonal wetland located on the Fish Eddy property along the east bank of Willow Creek (see Map 4-2). The Fish Eddy wetland merits restoration because of the valuable functions this habitat performs. Some of these functions include storing floodwaters, improving water quality, and providing habitat to a variety of species.²⁶ This area, identified in the *Scoping Report*, is approximately 107,000

²² Environmental Protection Agency. 2004. Invasive Species. Oceans, Coasts, Estuaries. http://www.epa.gov/owow/invasive_species/intro.html

²³ Oregon Invasive Species Council. Oregon Department of Agriculture. 2004. http://www.oda.state.or.us/plant/Inv_spp/

²⁴ The Nature Conservancy. 2004. <http://nature.org/initiatives/invasivespecies/features/index.html> 2004

²⁵ Campbell, Bruce. 2004. *Restoring Rare habitats in the Willamette Valley. A landowners Guide for Restoring Oak Woodlands, Wetlands, Prairies and Bottomland hardwood and Riparian Forests.*

²⁶ Environmental Protection Agency. 2002. Office of Water, Wetlands and Watersheds. Functions and Values of Wetlands. EPA 842-F-01-002c. March

square feet in size. Phase 1 will include the restoration and enhancement of the seasonal wetland in its current location. This activity will also prepare the wetland for possible use as a stormwater management area. The restoration and enhancement program for the wetland will involve the removal of invasive reed canary grass and planting of the area with native wetland and riparian vegetation.

Phase 2: Enhancement

Phase 2 focuses on the “enhancement” of improvements and activities undertaken in the previous phase. These are medium priority improvements that are proposed during a second five-year period after Phase 1 (see Map 4-3). The following sections summarize the Phase 2 improvements.

Access Improvements

The existing gates along the old logging road and the entrance area for the maintenance road on the Fish Eddy will be enhanced. Bollards will be used in place of the existing gates to allow easy access to walkers, joggers, and bikers (see Figure 4-6). The bollards will still allow emergency and maintenance vehicular access to both properties.

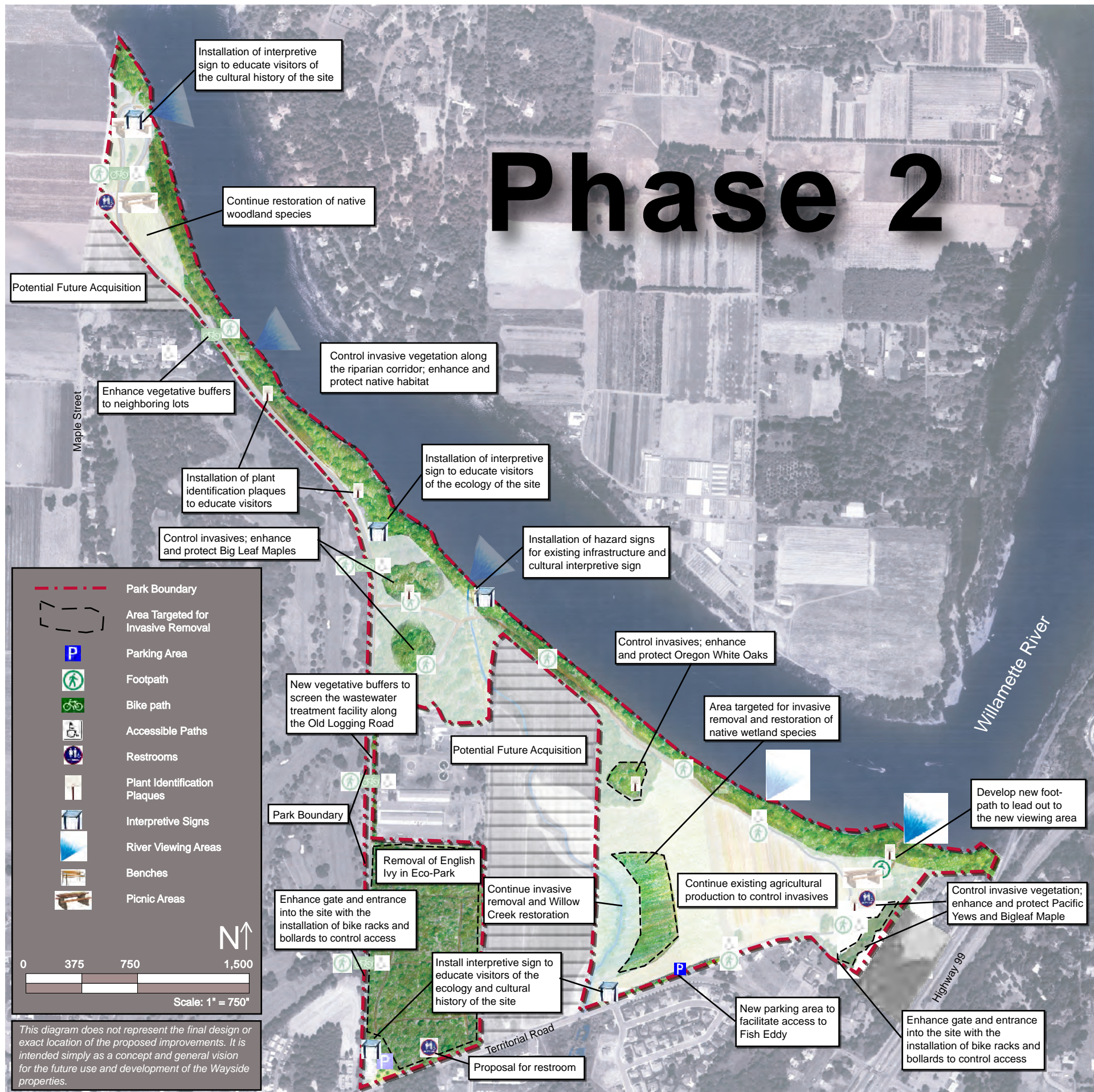
Figure 4-6. Access Improvements



Willamette River Viewing Area

The final viewing station will be developed east of the Fish Eddy picnic area. The development of this viewing station will occur in Phase 2 because it requires significant invasive species removal and the development of a secondary trail from the main trail servicing the picnic area. The development of this viewing station will be sensitive to the critical riparian habitat. Benches are the only amenities proposed for this viewing station.

Phase 2



Restroom Facilities

Phase 2 includes the development of restroom facilities in three separate locations on the properties. Restrooms facilities will be developed next to the Log Boom and Fish Eddy picnic areas and one will be located within Eco-Park (see Map 4-3). The restrooms facilities are a necessary part of enhancing those amenities proposed in Phase 1.

Invasive Species Removal

Invasive species removal will occur at a few key locations proposed for specific improvements in Phase 2 and in some additional significant natural areas identified in the *Scoping Report*. The areas identified for interpretive and educational signage, Fish Eddy parking lot, restroom facilities, and the additional viewing station will all require invasive species removal as part of each improvement (see Map 4-3). In addition, seven separate significant natural areas will require invasive removal (see Map 4-3). Removing invasives from these critical habitat areas will prevent biodiversity reduction and habitat alteration.²⁷

The first two significant natural areas targeted for invasive species removal are located directly north of the City's wastewater treatment plant. The Douglas fir, upland habitat in Eco Park is the third area, located between the City Shops and Territorial Road. The fourth natural area is located just east of the Three Sisters Ranch and north of the Fish Eddy wetland area. It is identified in the *Scoping Report* as valuable Oak woodland habitat, which encompasses approximately 26,912 square feet.

The Fish Eddy wetland area is the fifth area. The wetland restoration program will be expanded to convert a larger portion of the Fish Eddy property back to natural wetland habitat. This restoration will require additional invasive species removal activities. Wetlands are considered valuable because they clean the water, recharge water supplies, reduce flood risks, and provide fish and wildlife habitat. However, invasive species often interfere with some of these wetland functions.²⁸ Some invasives affect water quality directly, while others affect the land and native wetland species in ways that detract from the water quality functions.²⁹

The final two areas are located just south of the proposed Fish Eddy picnic area. This area contains valuable bigleaf maple and Pacific Yew old-growth trees. Invasive removal will total approximately 25,000 square feet in Phase 2.

²⁷ U.S. National Arboretum. 2003. Invasive Plants.
<http://www.usna.usda.gov/Gardens/invasives.html>

²⁸ Environmental Protection Agency. 2001. Functions and Values of Wetlands. EPA 843-F-01-002c. September. http://www.epa.gov/owow/wetlands/facts/fun_val.pdf

²⁹ Environmental Protection Agency. 2004. Invasive Species. Oceans, Coasts, Estuaries.
http://www.epa.gov/owow/invasive_species/

Restoration and Resource Protection

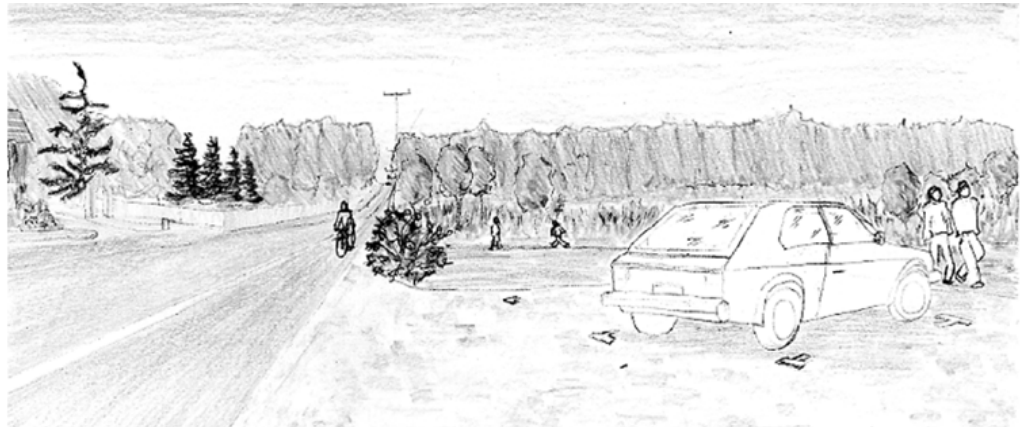
Restoration and resource protection activities will be extended to incorporate those seven areas identified in the invasive species removal section above. Restoration and resource protection activities will be extended to these seven areas because of their high ecological value.³⁰ The main focus of this restoration activity in six of these areas will be the invasive species removal. Additional restoration activities will be incorporated as it is determined necessary.

The Fish Eddy wetland is the one significant natural area that will require additional restoration activities. The area of the Fish Eddy property located directly east of the Phase 1 restoration will be converted to native wetland habitat. The intensive restoration program initiated in Phase 1 will be extended to this area including the removal of invasive reed canary grass and Himalayan blackberry and enhancement of 106,617 square feet with native wetland vegetation. The restoration program will continue to prepare the wetland for possible use as a stormwater management area.

Parking Assessment

Phase 2 will include the assessment of available parking on the Willamette Wayside properties. One parking area will already be available in the vicinity of Eco Park. If additional parking is necessary, the City will explore the development of a second parking area along the southern edge of the Fish Eddy parcel, on the north side of Territorial Road (see Figure 4-7).

Figure 4-7. Fish Eddy Park Area Design



If this parking area is developed it will be located an appropriate distance from Willow Creek (at least 450 feet). The final design of this parking area will incorporate permeable asphalt, bioswales, and vegetative

³⁰ Campbell, Bruce. 2004. *Restoring Rare habitats in the Willamette Valley. A landowners Guide for Restoring Oak Woodlands, Wetlands, Prairies and Bottomland hardwood and Riparian Forests.*

buffers to minimize environmental impacts. This parking area will serve the amenities on the Fish Eddy property.

Interpretive and Educational Signage

Interpretive and educational signs will be placed along the trail system to provide information about the cultural and ecological significance of the Willamette Wayside properties. The signs will be located near structures having historical significance (i.e. log boom and skidder ramp) (see Figure 4-8) and next to valuable native habitat and specific species (see Figure 4-9). This improvement will include 4 to 5 signs connected to historical and cultural information and 15 to 20 for ecological education.

Figure 4-8. Interpretive Sign Design



Figure 4-9. Educational Sign Design



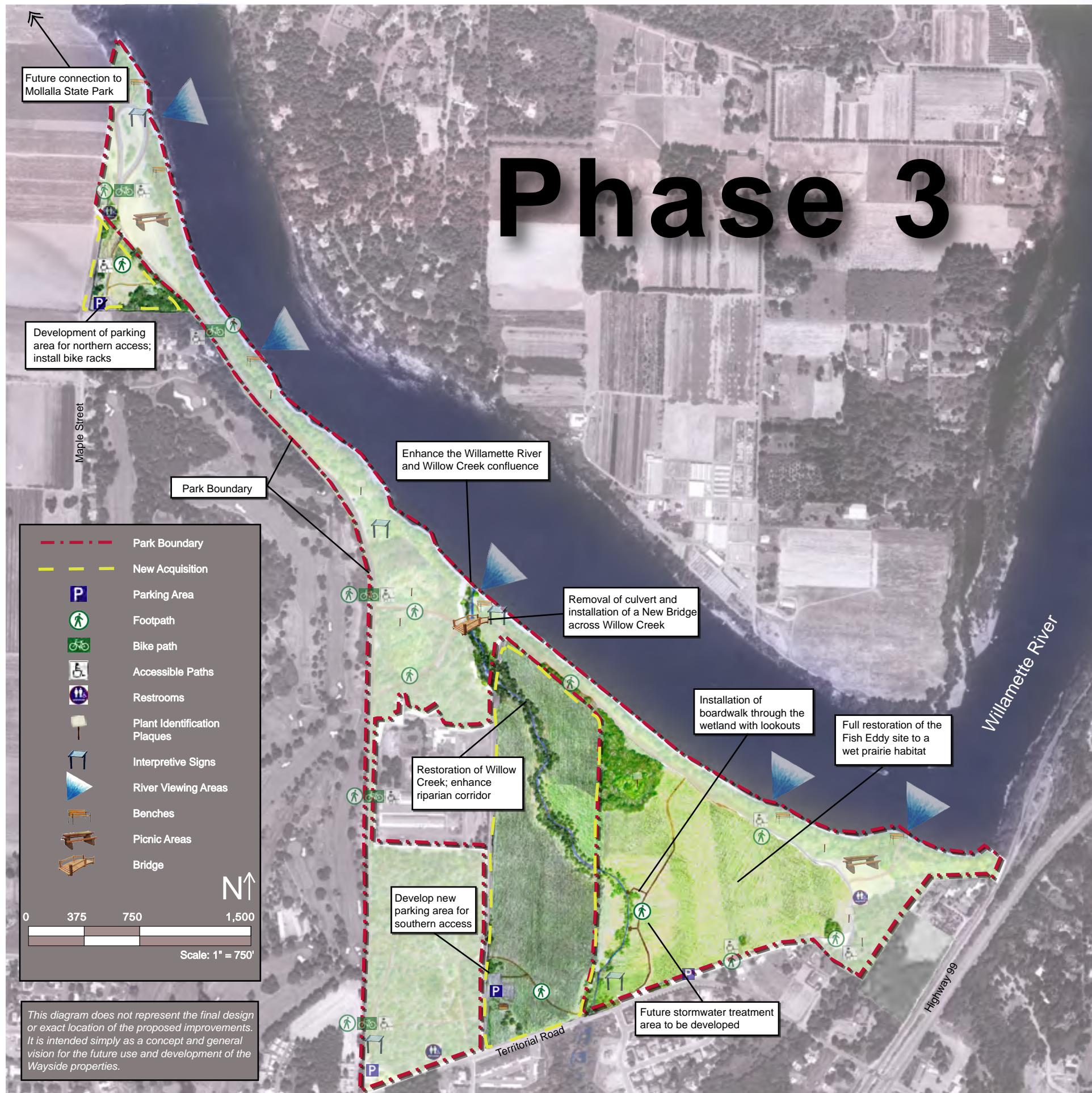
Vegetated Buffers

Native vegetative buffers will be planted in Phase 2 to screen and enhance the privacy and safety of adjacent property owners and to screen the wastewater facility from park users. The buffers to enhance the privacy of property owners will be located where private property is directly adjacent to the old logging road. This occurs in one area north of the Willamette Valley Country Club and south of the proposed Log Boom picnic area. The second area is located along the east edge of the old logging road adjacent to the wastewater treatment plant.

Phase 3: Long-Term Vision

Phase 3 emphasizes the creation of a “long-term vision” for the use and development of the Willamette Wayside properties. This phase includes long-term restoration and enhancement of significant natural areas and connecting the Willamette Wayside properties to other parks. Connectivity is a key component of the Canby park system as described in the Emerald necklace concept. These improvements are proposed for a ten-year period after Phase 2 (see Map 4-4). The following sections describe the Phase 3 improvements.

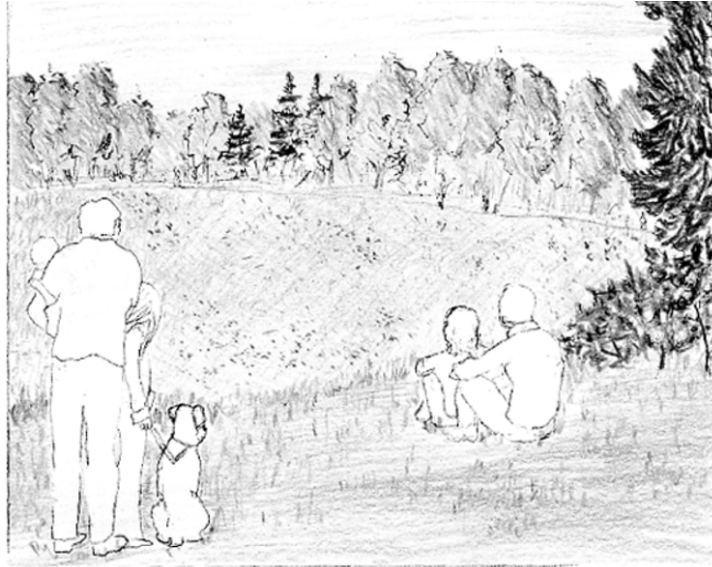
Phase 3



Fish Eddy Wetland Restoration

The remaining areas on the Fish Eddy property will be restored to native habitat. The existing agricultural land on the Fish Eddy property will be phased out and the majority of which will be restored to a native seasonal wetland/wet prairie habitat (see Figure 4-10).

Figure 4-10. Fish Eddy Wetland Design



This area will involve approximately 1,435,000 square feet. Restoring this wetland will bring numerous benefits to the surrounding ecosystem through the many ecosystem functions wetlands perform.^{31, 32}

Stormwater Management

The management of runoff and stormwater is one of the main benefits and natural functions of wetland habitat. Wetlands function like natural sponges, storing, cleaning, and slowly releasing water. An acre of wetland habitat can store between 1.0 and 1.5 million gallons of floodwater.³³ The ability of wetlands to store stormwater reduces the risk of costly property damage, which has obvious economic value to us. For example, the U.S. Army Corps of Engineers found that protecting

³¹ Environmental Protection Agency. 2002. Office of Water, Wetlands and Watersheds. *Functions and Values of Wetlands*. EPA 842-F-01-002c. March.

³² Campbell, Bruce. 2004. *Restoring Rare habitats in the Willamette Valley. A landowners Guide for Restoring Oak Woodlands, Wetlands, Prairies and Bottomland hardwood and Riparian Forests*.

³³ Environmental Protection Agency. 2001. Functions and Values of Wetlands. EPA 843-F-01-002c. September. http://www.epa.gov/owow/wetlands/facts/fun_val.pdf

wetlands along the Charles River in Boston, Massachusetts, saved \$17 million in potential flood damage.³⁴

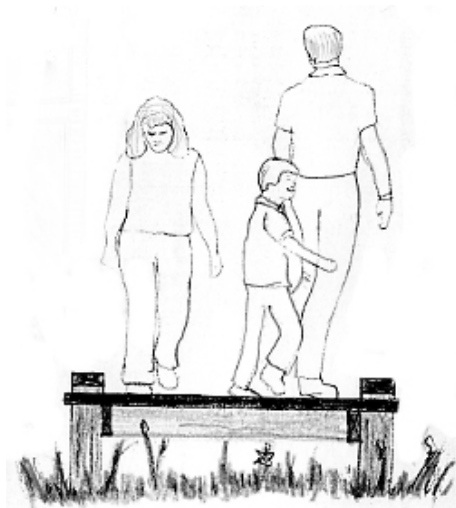
Wetlands also filter runoff from nearby streets, lawns, and other surfaces during rain events. When runoff reaches the wetland, water moves around plants, allowing suspended sediment to drop out and settle to the wetland floor. The sediment is then absorbed and filtered by plant roots and microorganisms in the soil. This filtration process removes much of the water's nutrient and pollutant load before it leaves the wetland.³⁵

The Fish Eddy wetland will be used as a future location to naturally manage stormwater originating on properties south of Territorial Road. The Fish Eddy wetland will filter stormwater before it reaches the Willamette River. The City will conduct further study to determine the balance between the size of the wetland and amount of stormwater it can manage. Therefore, this conceptual plan does not provide an approximation of the total land area used for stormwater management.

Wetland Trail/Boardwalk

A trail/boardwalk is also proposed for the Fish Eddy wetland during Phase 3. A boardwalk, elevating users above the wetland habitat, will be developed in extremely wet and unstable areas (see Figure 4-11).

Figure 4-11. Fish Eddy Wetland Boardwalk Design



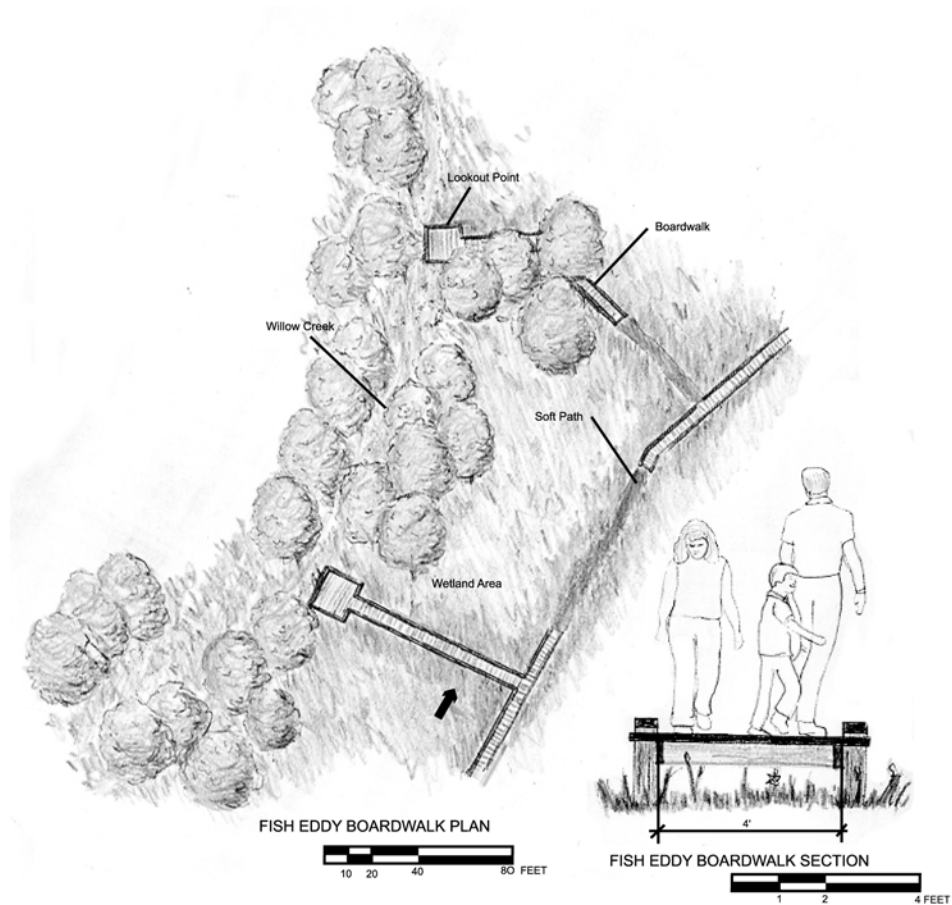
A soft surface trail will be used in dryer, less ecologically sensitive areas. Figure 4-12 shows a potential plan and cross section of the Fish Eddy trail/boardwalk. The trail/boardwalk will include approximately 0.50 to 0.75 miles of new trail. This brings the total length of improved

³⁴ Environmental Protection Agency. 2001. Functions and Values of Wetlands. EPA 843-F-01-002c. September. http://www.epa.gov/owow/wetlands/facts/fun_val.pdf.

³⁵ Environmental Protection Agency. 2001. Functions and Values of Wetlands. EPA 843-F-01-002c. September. http://www.epa.gov/owow/wetlands/facts/fun_val.pdf.

trail on the existing Willamette Wayside properties to approximately 5 miles (total does not include existing trails in Eco Park or those proposed on properties labeled for potential future acquisition).

Figure 4-12. Fish Eddy Wetland Boardwalk Conceptual Design



Willow Creek Improvements

Phase 3 also proposes several activities to enhance the ecological value of Willow Creek. The first proposal is to remove the two culverts along Willow Creek north of the City Shops and south of the skidder ramp. Culverts act as major barriers to fish and other aquatic life and also impair natural hydrology.³⁶ The existing culvert at the confluence of Willow Creek and the Willamette River does not currently work, creating a barrier between the two bodies of water. This is one of the culverts proposed for removal. The second culvert is located further south, up-stream where an existing trail crosses the creek. This

³⁶ Roni, P; Beechie et al. 2002. "Northwest Watersheds." *North American Journal of Fisheries Management*. Vol. 22, no. 1, pp. 1-20.

proposal is to replace this culvert with a new pedestrian bridge (see Figure 4-13).

Figure 4-13. Willow Creek Bridge Design



Unlike culverts, bridges are not detrimental to fish, aquatic life, or natural hydrology.³⁷ The proposed bridge will accommodate all of the uses allowed on the soft surface trails. Additional study is required to determine the necessary steps and feasibility of removing the culverts.

Acquisition

Since park and open space areas add significantly to quality of life, the City of Canby remains focused on providing additional land to its current park and open space system. Moreover, the City will continue to pursue opportunities to connect existing parks, consistent with the Emerald Necklace concept. The location and configuration of the Willamette Wayside properties presents opportunities to add to the city's park system and Emerald Necklace. During this master planning process two parcels of adjacent property were identified for potential future acquisition (see Map 4-4). The acquisition of these parcels would allow for additional improvements thus expanding the overall value of the Willamette Wayside properties. The parcels could also be used to provide support facilities such as parking and staging areas, access points, and restrooms for the improvements proposed in this Conceptual Plan. The City understands that the acquisition of these properties is completely contingent upon if and when they become available.

³⁷ Gillespie, G. et. al. 2002. "Design standards for improving fish habitat management." Canadian Manuscript Rep. *Fish Aquatic Science*. no. 2592, 87 pp.

The first parcel for potential future acquisition is the triangular shaped parcel located north of the Maple Street dead-end and south of the log boom structure (see Map 4-4). This parcel would provide the opportunity to develop a parking area for the Log Boom picnic area and direct ADA access.

The second parcel is the Three Sisters Ranch, located between the Log Boom and Fish Eddy properties. The acquisition of this property would allow for a full restoration and enhancement of Willow Creek south of Territorial Road; the development of an additional parking/staging area; and additional multi-use trails.

A potential linkage consistent with the Emerald Necklace concept was also identified during the master planning process. This link is a connection along the Willamette River, between the northwestern end of the Log Boom parcel and Molalla River State Park to the west. This connection would further enhance the recreational and open space opportunities provided by the Willamette Wayside properties and Canby park system.

Parking Area

Phase 3 includes two new parking areas proposed in the properties identified for potential future acquisition. The first parking area is proposed for the parcel located at the north end of Maple Street, just south of the Log Boom picnic area. This area will provide direct access to the northern section of the Willamette Wayside properties. The second parking area is proposed for the Three Sisters Ranch, located between the Log Boom and Fish Eddy properties. This parking area will strengthen access to the southern end of the Willamette Wayside properties.

Trail Network

If the Three Sister Ranch becomes available, a trail system will be developed to connect Eco Park with the Fish Eddy. The soft surface trail will strengthen connectivity and expand the existing trail system. The trail system will also be connected to the parking area proposed for the property.

Equestrian Trails

Equestrian use was another recreational activity proposed by some participants during the community workshops. A more detailed assessment will need to occur in Phase 3 before siting any potential equestrian trails through the Willamette Wayside properties. Determining the needs and desires of existing users and surrounding residents, as well as assessing whether or not this is an appropriate use will need to be established prior to development. A variety of research shows that if the trail system is designed appropriately, it is rare for

equestrian users to conflict with other trail activities.^{38, 39} It is crucial that equestrian use on the site not compromise the safety of existing park users.

The following design guidelines should be considered when developing trails to incorporate equestrian use. First, an on-site assessment of the property will need to occur for site-specific placement of an equestrian trail. Research has shown that equestrian trails should range from 3-4 feet wide for a single line of use and 8-10 feet for side-by-side use.^{40, 41, 42} The equestrian trail design should also incorporate vertical vegetation clearance of 10-12 feet on both sides of the trails.^{43, 44}

Education and awareness are also an essential component in decreasing conflicts between equestrian and other trail users.^{45, 46} Information and rules should be posted to inform trail users of appropriate etiquette on multiple use trails.^{47, 48, 49}

³⁸ Withers, Ken. 2002. Atlantic States Gay Rodeo Association. Tips for “Multi-user” Trail Riders. www.asgra.org/education/horsesnbikers.htm.

³⁹ American Trails. 2001. <http://www.americantrails.org/resources/ManageMaintain/horseuseMaybrook.pdf>.

⁴⁰ US Department of Transportation. Federal Highway Administration. <http://www.fhwa.dot.gov/environment/conflicts/conf3.htm>

⁴¹ Sahale, LCC. <http://www.sahale.com/trail%20design.htm>

⁴² Personal communication. Ms. Bonnie Stockman, Chair of North Valley Chapter-Oregon Equestrian Trails. June 7th, 2004.

⁴³ Stanford Area Trails. 2001. <http://www.stanfordtrails.com/trailplanstandards.html>

⁴⁴ Sahale, LCC. <http://www.sahale.com/trail%20design.htm>

⁴⁵ Kelly, Michael. 1998. Horse Symposium, Clemson University. American Trails. <http://www.americantrails.org/resources/ManageMaintain/mgmtEqKelley.html>

⁴⁶ Personal communication. Ms. Bonnie Stockman, Chair of North Valley Chapter-Oregon Equestrian Trails. June 7th, 2004.

⁴⁷ Withers, Ken. 2002. Atlantic States Gay Rodeo Association. <http://www.asgra.org/education/horsesnbikers.htm>

⁴⁸ South Carolina Department of Parks, Recreation and Tourism. 2003. South Carolina State Trails Program. <http://www.sctrails.net>

⁴⁹ Personal communication. Ms. Bonnie Stockman, Chair of North Valley Chapter-Oregon Equestrian Trails. June 7th, 2004.

Chapter 5

Capital Improvement Program

The Conceptual Plan presented in Chapter 4 provides a broad vision for the future development of the Willamette Wayside properties. However, the actual implementation of the proposed improvements requires more detailed information, which is presented in this chapter in the form of a Capital Improvement Program (CIP). The purpose of the CIP is to provide the City of Canby with a capital-budgeting tool that identifies cost-estimates, potential funding sources, and prioritizes the proposed Willamette Wayside capital improvements.

The CIP is intended to guide the implementation of the proposed capital improvements for each phase of the Willamette Wayside's development. Capital improvements include projects developed as permanent improvements to the Willamette Wayside properties, thus enhancing its role as a recreational and open space resource for the residents of Canby. Examples of capital improvements proposed for the properties include trails, restrooms, picnic areas, and parking areas.

Process

The CIP implements the Willamette Wayside concept plan. Like the concept plan, the CIP reflects input by citizens during the community workshops, by members of the Canby Parks and Recreation Advisory Board, and by the Willamette Wayside Steering Committee. Thus, the improvements reflect of the community's vision for use and development of the Willamette Wayside properties.

One of the primary reasons for the CIP is to provide rough cost estimates for proposed improvements. CPW developed cost estimates using R.S. Means Building Construction Cost Data (2004), Preferred Construction, Inc., Composting Toilet Systems, NW Builders Network, and various other manufacturers. The cost estimates reflect the most current data that is available, the most recent from 2004. While the CIP represents the best available data at the time this plan was completed, it is intended to provide rough cost estimates. Thus, the City should develop more detailed cost estimates for improvements based on detailed architectural or engineering designs prior to developing improvements. Moreover, because the estimates are in 2004 dollars, estimates should be updated to reflect inflation.

The CIP also identifies potential funding sources for each improvement based on in the strategies described in Chapter 7, and Appendix D.

The improvements in the CIP are prioritized by the three development phases presented in the Conceptual Plan. The phases are as follows:

- Phase 1: includes the highest priority short-term improvements proposed in the first five years of development. The emphasis of Phase 1 improvements is to create “destinations”. The majority of the capital improvements proposed for the Willamette Wayside properties occur during this phase.
- Phase 2: includes medium priority improvements proposed during a five-year period after Phase 1. The emphasis in Phase 2 is on the “enhancement” of improvements and activities proposed in the previous phase.
- Phase 3: includes the long-term improvements, proposed during a ten-year period after Phase 2. The emphasis in Phase 3 is on extending a “long-term vision” for the continued development of the Willamette Wayside properties.

Table 5-1 provides a general list of the capital improvements proposed during each of the three development phases. Map 5-1 then shows the general location of each of these improvements.

Table 5-1. Capital Improvements in Each Development Phase

Phase 1: Fiscal Years 2005-2010		Phase 2: Fiscal Years 2010-2015		Phase 3: Fiscal Years 2015-2025	
ID Code	Improvement	ID Code	Improvement	ID Code	Improvement
T1	Hard surface trail, Log Boom	RR1	Restroom, Log Boom Picnic Area	BW	Boardwalk, Fish Eddy
T2	Soft surface - multi-use trails, located throughout	RR2	Restroom 2, Fish Eddy Picnic Area	FB	Foot Bridge, Willow Creek
T3	Compacted gravel path, Fish Eddy	RR3	Restroom 3, Eco Park	A	New Acquisition, Three Sisters Ranch and Log Boom South Extension
P1	Picnic Area, Log Boom	B1	Access Improvements, Eco Park Entrance	T5	Soft surface trail, between Eco Park and Fish Eddy
P2	Picnic Area, Fish Eddy	B2	Access Improvements, Fish Eddy Entrance	T6	Compacted Gravel Trail, Parking Area to Log Boom Trail
RV1	River Viewing Station 1	S	Interpretive and Educational Signage	T7	Soft surface trail, Parking Area to Log Boom Trail
RV2	River Viewing Station 2	RV5	Viewing Point 5	PA2	Develop Parking Area, Three Sisters Ranch
RV3	River Viewing Station 3	VB1	Vegetative Buffer, Log Boom Neighborhood	PA3	Develop Parking Area, Log Boom South Extension
RV4	River Viewing Station 4	VB2	Vegetative Buffer, Wastewater Treatment Facility		
PA1	Enhance Existing Parking Area, Eco Park	T4	New Footpath to Viewing Point 5		

Map 5-1. Location and Phasing of Capital Improvements Proposed on the Willamette Wayside Properties



Capital Improvement Program

Table 5-2 shows the cost summary for implementing the capital improvements in each of the three development phases. Phase 1 improvements are estimated to be between \$83,500 and \$109,700; Phase 2 between \$70,800 and \$89,680; and Phase 3 between \$89,320 and \$124,320. The total estimated cost of all capital improvements is estimated at \$243,620 to \$323,700.

Table 5-2. Capital Improvement Program, Cost Summary

Development Phase	Cost Estimate (FY 2004 Dollars)
Phase 1: Year 1-5	\$83,500 - 109,700
Phase 2: Year 6-10	\$70,800 - 89,680
Phase 3: Year 11-20	\$89,320 - 124,320
TOTAL	\$243,620 - 323,700

Table 5-3 presents a list of specific capital improvements proposed for the Willamette Wayside properties. The CIP includes a description proposed quantity, cost per unit, and total cost for each proposed improvement. Subtotals are provided for each phase and a grand total for all three phases is listed at the end of the CIP. Source information for each cost estimate and potential funding sources are also provided for each improvement. The cost estimates in Table 5-3 are rough; the City should consult with local contractors before beginning these projects.

Table 5-3. Capital Improvement Program for the Wayside Properties

Phase 1: Capital Improvement Program for the Willamette Wayside Properties (In FY 2004 Dollars)				
Capital Improvement Description	Cost per Unit*	Total Cost Estimate**	Source of Cost Estimate***	Funding Source
Picnic Area 1				
Picnic Table - recycled plastic (ADA compliant), 8' long- 6 ct.	\$633/Ea	\$3,800	NW Builders Network, www.nwbuildnet.com	SDC, Local Government Grant, Community Stewardship Grant
Stationary charcoal grill- raised- 3 ct.	\$184/Ea	\$550	The Park Catalog, www.theparkcatalog.com	SDC, Local Government Grant, Community Stewardship Grant
Wood Chips- under tables- 42 SY	\$2.65/SY	\$110	RS Means, p. 84	SDC, Local Government Grant, Community Stewardship Grant
Picnic Area 2				
Picnic Table - recycled plastic (ADA compliant), 8' long- 6 ct.	\$633/Ea	\$3,800	NW Builders Network, www.nwbuildnet.com	SDC, Local Government Grant, Community Stewardship Grant
Stationary charcoal grill- raised- 3 ct.	\$184/Ea	\$550	The Park Catalog, www.theparkcatalog.com	SDC, Local Government Grant, Community Stewardship Grant
Wood Chips- under tables- 42 SY (2" deep)	\$2.65/SY	\$110	RS Means, p. 84	SDC, Local Government Grant, Community Stewardship Grant
Waste Management				
Dog Waste Station- 3 ct. (bags- 800 ct- \$40)	\$72/Ea	\$215	JJB Solutions, www.jjbsolutions.com	SDC, Local Government Grant
Trash Receptacle & Lid- 32 gallon trash receptacle, ribbed steel & flat top lid with 16" diameter hole- 5 ct.	\$334/Ea	\$1,670	The Park Catalog, www.theparkcatalog.com	SDC, Local Government Grant
Logging Road Trail (1.36 mi)				
Asphalt - covers range of possible types (Binder course 2" to 4" thick) - 8,222 SY	\$3.57 - \$6.76/SY	\$29,350 - \$55,380	RS Means, p. 69	SDC, Recreation Trail Grant, Local Government Grant, Community Stewardship Grant, TEA-21 funding
Aged bark- 3,288 SY	\$3.71/SY	\$12,200	RS Means, p. 69	SDC, Recreation Trail Grant, Local Government Grant, Community Stewardship Grant, TEA-21 funding

Phase 1: Capital Improvement Program for the Willamette Wayside Properties (In FY 2004 Dollars)				
Capital Improvement Description	Cost per Unit*	Total Cost Estimate**	Source of Cost Estimate***	Funding Source
Compacted Gravel- 2,177 SY	\$13.14/SY	\$28,600	RS Means, p. 69	SDC, Recreation Trail Grant, Local Government Grant, Community Stewardship Grant, TEA-21 funding
Viewing Points 1 to 4 Bench- steel frame, fir seat, 8' long- 4 ct	\$628/Ea	\$2,510	RS Means, p. 81	SDC, Local Government Grant, Community Stewardship Grant, Donations
	PHASE 1 TOTAL	\$83,500 - \$109,700		

Phase 2: Capital Improvement Program for the Willamette Wayside Properties (In FY 2004 Dollars)				
Capital Improvement Description	Cost per Unit*	Total Cost Estimate**	Source of Cost Estimate***	Funding Source
Restrooms Restroom building with 1 composting toilet- Cost is less if local contractor supplies materials for restroom building- 3 ct.	\$18,610 - \$20,500/Ea	\$55,800 - \$61,500	Composting Toilet Systems, Inc. www.comtoilet.com	SDC, Local Government Grant
Viewing Point 5 Bench- steel frame, fir seat, 8' long- 1 ct	\$628/Ea	\$630	RS Means, p. 81	SDC, Local Government Grant, Community Stewardship Grant, Donations
Entrance- Eco Park Bollard- Concrete filled/paint, 8' L x 4' D hole, 6" diam- 4 ct.	\$237/Ea	\$950	RS Means, p. 80	SDC, Local Government Grant
Bike rack- 10' long, permanent- 1 ct.	\$464/Ea	\$465	RS Means, p. 81	SDC, Local Government Grant, TEA-21 funding
Entrance- Territorial Road Bollard- Concrete filled/paint, 8' L x 4' D hole, 6" diam- 4 ct.	\$237/Ea	\$950	RS Means, p. 80	SDC, Local Government Grant
Bike rack- 10' long, permanent- 1 ct.	\$464/Ea	\$465	RS Means, p. 81	SDC, Local Government Grant, TEA-21 funding
Signage City Park Sign @ entrance- 36" x 48", cast bronze, does not include lettering- 1 ct.	\$3,464/Ea	\$3,465	RS Means, p. 324	SDC, Local Government Grant, Community Stewardship Grant, Donations
Tree/shrub Identification Plaques- UV-protected plastic, laser engraved lettering- 20 ct.	depends on quantity, size, and engraving	depends on quantity, size, and engraving	Plaque Maker, www.plaquemaker.com	SDC, Local Government Grant, Community Stewardship Grant, Donations

Phase 2: Capital Improvement Program for the Willamette Wayside Properties (In FY 2004 Dollars)				
Capital Improvement Description	Cost per Unit*	Total Cost Estimate**	Source of Cost Estimate***	Funding Source
Historical Interpretive Sign- 5 ct.	\$150/Ea	\$750	Enviro Signs, www.envirosigns.com	SDC, Local Government Grant, Community Stewardship Grant, Donations
Liability signs	depends on quantity and type	depends on quantity and type	Signs Direct, http://standard-signs.com	SDC, Local Government Grant
Parking Area- Territorial Road Paving materials				
Permeable concrete (1080 SY)- Macadam penetration crushed stone, 2-4 gal. Per SY, 4-8" thick	\$2.95 - \$11.44/SY	\$3,190 - \$12,360	RS Means, p. 69	SDC, Local Government Grant
Light post- 20' to 40' high, aluminum pole- 4ct.	\$937 - \$1,940/Ea	\$3,750 - \$7,760	RS Means, p. 486	SDC, Local Government Grant
Bracket Arm for light post- 4 ct.	\$385/4 ct.	\$385	RS Means, p. 487	SDC, Local Government Grant
Vegetative Buffer Woodland species- 83,440 SF	varies	varies	Local nurseries	SDC, Local Government Grant
	PHASE 2 TOTAL****	\$70,800 - \$89,680		

Phase 3: Capital Improvement Program for the Willamette Wayside Properties (In FY 2004 Dollars)				
Capital Improvement Description	Cost per Unit*	Total Cost Estimate**	Source of Cost Estimate***	Funding Source
Trails Fish Eddy Boardwalk Path- wood, 4' x 12' planks pressure treated, 8' x 8' pressure treated posts- total size: 4' wide x 700' long	\$100 - \$150/LF	\$70,000 - \$105,000	Preferred Construction, Inc., Springfield, OR	SDC, Recreation Trail Grant, Local Government Grant, Community Stewardship Grant, TEA-21 funding, Donations
Willow Creek Pedestrian Bridge- basic, weatherized steel finish, ironwood decking, horizontal safety rail, AISC design criteria- 120 SF	\$150/SF	\$18,000	Continental Bridge www.continentalbridge.com	SDC, Local Government Grant, TEA-21 funding, Donations
Trail connecting Eco Park and Fish Eddy- Bark mulch- 356 SY total	\$3.71/SY	\$1,320	RS Means, p. 69	SDC, Recreation Trail Grant, Local Government Grant, Community Stewardship Grant, TEA-21 funding
	PHASE 3 TOTAL	\$89,320 - \$124,320		

*Cost estimate includes labor, equipment, and, where applicable and/or available, shipping

**Total cost estimates rounded off to nearest 5 and 10

***Based on RS Means Building Construction Cost Data 2004, 62nd Annual Edition, unless otherwise noted

****Does not include costs for estimates that depend on quantity, size, engraving, and type and estimates that vary

Chapter 7

Funding Strategies

The City of Canby should use a combination of funding sources to implement the capital improvements and maintenance and operation activities proposed in this Master Plan. This chapter describes potential funding strategies for the development, management, and restoration of the Willamette Wayside properties. The strategies focus on funding sources not currently utilized by the City. Therefore, the strategies do not include those previously identified in the *City of Canby Park and Recreation Master Plan* update (2000) and *Canby Park and Open Space Acquisition Plan* (2002).

The City should use these strategies to supplement the existing parks budget and to quicken the implementation of the improvements proposed for the Willamette Wayside properties. The completion of the improvements in the Capital Improvement Program is estimated to cost between \$250,000 and \$325,000 in 2004 dollars. This includes between \$84,000 and \$110,000 in Phase 1, \$71,000 and \$90,000 in Phase 2, and \$89,000 and \$124,000 in Phase 3. Maintenance and operations will require an additional \$313,000, and restoration costs will cost between \$12,000 and \$124,000. Appendix D, Funding Sources, provides contact information and additional detail on the strategies presented in this chapter.

Recommendations

Participants at the community workshops expressed support for the use of some specific funding sources. The recommended funding strategies in this chapter include the majority of those suggested by the participants. The strategies include donations, volunteers, partnerships, grants, and land trusts. These strategies are a collection of funding sources from federal, state, local, and private organizations (i.e. foundations, donations, corporate, etc.). The following strategies are divided into the three main improvement areas proposed in the previous chapters. The improvement areas include capital improvements, operations and maintenance, and restoration.

Capital Improvements

Capital improvements include projects developed as permanent amenities to the Willamette Wayside properties. The initial development of picnic tables, trails, and restrooms are classified as capital improvements.

System Development Charges

The City should use system development charges (SDC), as described in Chapter 4 of the Canby's *Park Acquisition Plan*, as a funding source for some of the capital improvements on the Willamette Wayside properties. The SDC ordinance is updated at least every five years, and used exclusively for capital improvements.

Donations

Canby residents value the presence and condition of city parks. The community survey conducted as part of the Park and Recreation Master Plan update (2000) showed that over 92% of the respondents felt that parks are either "very important" or "somewhat important". To demonstrate commitment to parks, businesses and individual residents may be willing to contribute monetary donations to develop and maintain the Willamette Wayside properties.

The City should continue to seek monetary donations from residents and local businesses. There are many strategies for courting donations. The City can explain to potential donors that contributions build strong public relations, a healthy community, and employee moral. In addition, it is important to note that tax considerations are often the primary reason for contemplating a major donation. The City can use signage on the properties to acknowledge individuals that gave their support, which may encourage other organizations to do the same in the future. Donations are not provided as a means for funding capital improvements in the City's *Park and Recreation Master Plan*.

Grants

Oregon State Parks and Recreation Department

The City can utilize grants from the Oregon State Parks and Recreation Department's (OPRD) as a resource for funding both capital improvements and maintenance and operations on the Wayside properties. This is a recommended funding source in the City's *Park and Recreation Master Plan* and *Acquisition Plan*. In addition to the Federal Land and Water Conservation Fund mentioned in these plans, two other grants are available through OPRD that could fund capital improvements. These include the following:

1. *Recreation Trail Grants* assist in the maintenance, development, acquisition, and construction of new and existing trails. Grant recipients are required to provide a minimum match of 20%. Projects must be completed and costs billed within two years of project authorization. Canby can use this funding source for construction of new trails in the Log Boom and Fish Eddy sites.
2. *Local Government Grants* utilize revenue from the state lottery for land acquisition, development, and rehabilitation projects for park and recreation areas and facilities. The grants provide funding assistance up to 50% of the total cost needed for the improvements. Cities and

park districts with populations of more than 5,000 are eligible. Small and large grant requests are available based on the scope of the project. Small grant requests are for projects that do not exceed \$50,000 and/or a \$25,000 grant request. Large grants can also be requested up to \$250,000.

These grant funds are available once every two years, and fund availability is contingent upon Legislative approval of OPRD's budget. The next year the grants are available will be 2005. This funding source can be used for any of the capital improvements specified in the capital improvement program such as trails, restrooms, and viewing stations.

Oregon Youth Conservation Corps

The Oregon Youth Conservation Corps (OYCC) is another useful resource for one time projects and the continued maintenance of those projects. OYCC offers grants and pairs students up with organizations to assist with the construction of trails, disability access ramps, fences, picnic areas, the restoration/preservation of wetlands, stream banks, critical habitat areas for endangered species and other wildlife, and historical and cultural sites. This resource is described in greater detail in Canby's *Park and Recreation Master Plan*, and in Appendix C of the *Acquisition Plan*. The OYCC is offering the following two grants in 2004-2005:

1. *Community Stewardship Grant* provides funding to alternative education programs that offer Oregon youth hands-on experience on conservation, environmental management, and community service projects. Community service projects on the Willamette Wayside properties could include helping with the installation of interpretive signage, trail construction, picnic areas, and viewing stations.
2. *Summer Conservation Grant* funds programs that traditionally run through the summer months to provide work-skill opportunities for Oregon youth through conservation and community service projects. This source can be used to implement a variety of capital improvements on the Wayside.

U.S. Department of Transportation

The City should explore the reauthorization of the Transportation Equity Act for the 21st Century (TEA-21), for funding to improve the old logging road and other portions of the trail system. TEA-21 authorized federal funding for state surface transportation programs including highways, highway safety, and transit for the 6-year period between 1998-2003. TEA-21 expired in 2003 and Congress is attempting to complete a reauthorization of the same legislation. The proposed reauthorization will provide transportation funding to states for similar transportation projects. Funding for parks and connections will include:

- Bicycle transportation and pedestrian walkways;

- Recreational trails program;
- National Scenic Byways Program;
- Transportation and Community and System Preservation Pilot.

Operations and Maintenance

The on-going maintenance and operation of capital improvements will also require funding. As described in Chapter 5, maintenance and operation activities include cleaning restrooms, emptying trash receptacles, and other on-going tasks.

City staff generally conducts the maintenance and operation of city parks; however, it is recommended that the City find volunteers to help with these tasks. Grants, and partnerships can also be used to help cover the cost of the operations.

Volunteers

In the community workshops it was suggested that youth, particularly Canby High School students, could perform maintenance and restoration tasks in conjunction with their school's curriculum. In exchange for volunteering, the youth learn about wetland functions, critical natural areas, flora and fauna, storm water management, and local history. A few participants in the workshops also expressed a willingness to help with operations especially connected to organizing and conducting neighborhood watch or safety checks of the properties.

In addition to volunteers, the City can use grants offered by the Oregon State Parks Recreation Department and the Oregon Youth Conservation Corps as described under CIP funding strategies.

Partnerships

Northwest Youth Corp

Northwest Youth Corps (NYC) is a job training, alternative/outdoor education, employment, and youth development organization that has served over 7,700 young people since it was established in 1984. Like the Oregon Youth Conservation Corp., the Northwest Youth Corps consists of youth that can help with a variety of activities on the Wayside properties. A fee, determined by the extent of the work, is associated with hiring a crew. The NYC is a partnership not included in either the *Park and Recreation Master Plan* or the *Acquisition Plan*.

Adopt-a-Park

The City may also want to consider an “adopt-a-park” program as suggested in the *Park and Recreation Master Plan*. Using an adopt-a-trail program could relieve the city of some financial burden associated with maintenance and operations while also generating citizen pride in city parks. Volunteers in this program could perform litter and vandalism removal, painting, and invasive species removal. A number

of participants during the community workshops also generated this idea and expressed willingness to join such a program.

Restoration

Restoration of the Willamette Wayside properties will include removing invasive species, restoring the wetland, and planting native plant species. Restoration activities will require extensive labor, especially to remove invasive species. The Master Plan recommends the use of volunteers and partnerships to perform restoration activities rather than relying on city staff. Grants are also available for funding restoration activities.

Volunteers can include community members, high school students, the Oregon Youth Conservation Corp., and the Northwest Youth Corp. In addition to being used for the CIP and operation and maintenance, the Oregon State Parks Department grants can also be used for the restoration of critical habitat areas.

Volunteers

Solve Oregon Litter and Vandalism

Solve Oregon Litter and Vandalism (SOLV) is a non-profit organization that may be useful in recruiting volunteers. SOLV brings together government agencies, businesses, and volunteers in programs and projects to enhance the livability of Oregon. The City can use SOLV to help organize work parties for the removal of invasive species and for planting natives. The City would be responsible for organizing the event, and SOLV would supply the volunteers. This funding resource has not been mentioned in any of Canby's previous plans.

Grants

American Greenways Grants

The American Greenway Grants are generated through a partnership between the Eastman Kodak Company, the Conservation Fund, and the National Geographic Society. The grants are intended for the planning and design of greenways in communities throughout the United States. This grant would be useful for designing and implementing a restoration plan for the Willamette River Greenway, Fish Eddy wetland, and other critical habitats. The City's *Park and Recreation Master Plan* and Appendix D of this plan contain additional detail about this grant.

U.S. Environmental Protection Agency

The Environmental Protection Agency (EPA) can also assist with restoration activities. EPA's mission is to protect human health and to safeguard the natural environment — air, water, and land — upon which life depends. For 30 years, EPA has been working for a cleaner, healthier environment for the American people.

The EPA has previously provided grants to fund environmental education, environmental justice, wastewater management and clean water, pollution prevention, and sustainable development EPA Grant topics are updated annually. Grants for Oregon can be found under EPA's Region 10 website. EPA is offering a Wetland Program Development Grant this year that will assist with the protection and enhancement of wetlands in Oregon. This grant could be particularly useful for restoring the Fish Eddy. EPA grants could assist with invasive species removal, stormwater management, restoring critical natural areas.

Metro-Greenspace Program

Metro, the regional government of the Portland Metropolitan Area, provides two grants through the Greenspace program that emphasize environmental education, habitat enhancement, and watershed health. The grants are offered in a partnership with the U.S. Fish and Wildlife Service and are also explained in the City's *Acquisition Plan*. These grants both offer opportunities to fund restoration activities on the properties. The Greenspace grants include the following:

1. *Environmental Education* grants include up to \$10,000 available to build comprehensive environmental education programs around urban natural areas that encourage field and hands-on learning experiences for people of all ages. The City could use this funding to help develop a program that includes both education of residents and restoration of the properties.
2. *Conservation and Restoration* grants up to \$30,000 are available through for a wide array of projects and programs designed to address high priority fish and wildlife conservation issues. This grant could be used to fund the restoration of a variety of habitats on the Wayside properties including riparian areas along the Willamette River.

Oregon Watershed and Enhancement Board

OWEB administers a grant program that awards more than \$20 million annually to support voluntary efforts by Oregonians who seek to create and maintain healthy watersheds. OWEB provides grants to fund a variety of watershed issues including upland erosion control, land and/or water acquisition, vegetation management, watershed education, and stream habitat enhancement. No specific grant descriptions are available; all grants proposals are considered at time of application. OWEB grants will be useful for removing invasive species and restoring the Fish Eddy wetland. This funding vehicle is also found in Canby's *Park and Recreation Master Plan* and can also be used to acquire additional land for parks and open space.

Partnerships

Clackamas River Basin Council

The City could also seek a partnership with the Clackamas River Basin Council. The council creates partnerships to help improve fish and wildlife habitat and improve the quality of life for people who live, work, and recreate in the watershed. They currently offer the Streamside Stewards Program, which enables qualified agencies/organizations to obtain free trees for riparian restoration projects that enhance fish and wildlife habitat. This source has not been suggested in either of Canby's plans, but would be useful for removing invasive species and restoring habitats throughout the Wayside properties, particularly along riparian zones and in the Fish Eddy wetland.

Land Acquisition

The City and participants during the community workshops have identified various properties adjacent to the Wayside as potential land to acquire. Future land can be acquired through donations, dedications, land/property exchanges, or purchase. Chapter 4 of the *Acquisition Plan* describes potential funding sources and lists the steps to consider in accepting donated/dedicated land.

Canby can explore partnerships with the Department of Fish and Wildlife, Canby's Historical Society, Nature Conservancy, Oregon State Parks and Recreation Department, the Northwest Land Conservation Trust, Three Rivers Land Conservancy, and the Bonneville Environmental Foundation as potential avenues for land acquisition. These and other approaches are described in greater detail in Canby's *Acquisition Plan* and in Appendix D of this master plan.

Appendix A

Willamette Wayside

Scoping Report

The City's purchase agreement for the Fish Eddy property required the development of a Master Plan for future development and management of the property. The scoping report that follows provides baseline data and identifies key issues for the City to consider in preparing a Master Plan for the properties.

Scoping Report:

City of Canby Willamette Wayside Properties

Final Report for:

City of Canby
182 N. Holly Street
Canby, Oregon 97403

Prepared by:

Community Planning Workshop

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October/2003



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Chapter 1

Introduction

Background

The City of Canby has invested considerable effort in planning and developing its park system over the past decade. For example in 2000, the City completed an update of the Parks Master Plan. In 2002, the City completed a parks acquisition plan which includes a long-term strategy for acquisition of park and open space lands in and around the City.

The *Canby Parks and Open Space Acquisition Plan* identified several opportunities for land acquisition north of the present urban growth boundary (UGB) extending to the Willamette River. The Canby Log Boom site was one of the sites targeted for acquisition. The Logging Boom site includes a concrete skidding ramp, some river pilings, and the old logging road that stretches through Canby to the river. This site and its associated facilities attest to Canby's timber legacy.

In 2001 and 2002, the City of Canby purchased the logging road and the property at the old log boom through partnerships with other agencies. The City purchased the first section of road with park development funds matched by an Oregon Parks Department Local Grant. It acquired the rest of the property up to the old log boom through the partnering efforts of the Trust for Public Land, the Bonneville Power Administration, the State of Oregon Parks and Recreation Department, and the Oregon Department of Fish and Wildlife. The partnerships resulted in \$500,000 of grant money, which the City matched with \$400,000 of park development funds to complete the acquisition. This set of properties was identified in the acquisition plan as the Willamette Wayside.

In 2002, OPRD added to the Willamette Wayside properties by donating 80 acres of parkland along the Willamette River known as the "Fish Eddy" property. The land is between North Territorial Road and the river. The initial vision for the Fish Eddy property was that about 20 acres along the Willamette River will be set aside as river corridor, wildlife habitat, trails, and open space. In that vision, the City will use part of the remaining acreage as a natural area for storm water reclamation.

The City added the Willamette Wayside properties to its existing parkland in the context of a City Park Master Plan. Canby is now working with its partner agencies to incorporate the log boom and Fish Eddy sites into a network of parkland to serve city residents and other community members.

Purpose

The City's purchase agreement for the Fish Eddy property requires the development of a Master Plan for future development and management of the property. The City, however intends to develop a detailed Site Master Plan for both the Fish Eddy and Log Boom properties (hereafter referred to as the Willamette Wayside properties) that will guide future development and management efforts. This scoping report provides baseline data and identifies key issues for the City to consider in preparing a Master Plan for the properties. This document also includes a work program for conducting the master-planning process. This report is not the master plan.

City staff members and others who plan for the Willamette Wayside properties must consider the property in relationship to city, state, and adjacent properties in order to recognize key opportunities for the City to pursue. In surveys and interviews conducted for the Park Master Plan update and the Parks Acquisition Plan, city residents said it's important to link parks to neighborhoods, schools and other public facilities. Opportunities exist to link the Willamette Wayside properties with other city-owned sites and with Molalla River State Park. These linkages are consistent with the "Emerald Necklace" concept described in the Canby Park Acquisition Plan. The Willamette Wayside Properties would form the northeast corner of such a "necklace" around the City. The total Willamette River frontage controlled by the City now extends nearly a mile.

Beyond providing data specific to the Log Boom and Fish Eddy properties, this report identifies legal, ecological, and other issues that could affect the City's ability to link the properties with other parks or facilities.

Methods

To identify potential ecological, recreational, and transportation linkages, CPW conducted a regional level landscape evaluation using GIS data, aerial photographs, and site visits. CPW then conducted a detailed site inventory and evaluation of the Willamette Wayside Properties. Using existing data, site visits and an inspection of the riverbank by boat, CPW inventoried roads, structures and other built facilities, conservation easements and other property restrictions, vegetation, wildlife and wildlife habitat, topography, critical natural areas, access, and existing use of the site and of nearby properties.

City of Canby staff members established an Advisory Committee that includes city residents and representatives from partner agencies. City staff members also identified a list of stakeholders that includes owners of properties adjacent to Willamette Wayside properties. CPW conducted interviews with these stakeholders to identify key issues and priorities.

CPW facilitated monthly meetings with the Advisory Committee and used the inventory information to identify issues and recognize site opportunities and constraints. The Advisory Committee's input is included in this report.

In addition to preparing this scoping report, CPW worked with city staff and the project Advisory Committee to develop a work program for conducting the master plan process.

Organization of this report

The remainder of this report is organized into five chapters:

Chapter 2 presents the general physical context of Wayside properties at the site scale as well as the larger, city-wide scale. This includes the physical infrastructure such as parcel boundaries, existing structures, roads, and access points.

Chapter 3 provides the results of CPW's site inventory, identifying and evaluating a variety of physical characteristics including historical and existing vegetation, topography and hydrology, and critical natural areas.

Chapter 4 provides the results of CPW's regional inventory, focusing on how the Wayside properties interact with surrounding land uses and potential park and open space network linkages.

Chapter 5 presents the results from stakeholder interviews conducted by CPW to identify perceived opportunities and constraints for use of the Wayside properties as well as possibilities for a regional park and open space linkages.

Chapter 6 synthesizes the above results into a series of key findings to be considered in the development of a Site Master Plan for Wayside properties.

Chapter 2

Physical Context

This chapter provides the general physical context of Wayside properties prior to the more detailed ecological inventory that follows in the succeeding chapter. The purpose of this chapter is to provide baseline data and maps to orient those unfamiliar with the property by first looking at property boundaries, surrounding properties, existing structures, roads, and access points.

The Wayside properties are located north of Canby's city limits and Urban Growth Boundary along the southern bank of the Willamette River. Wayside is comprised of two properties that were acquisitioned independently of one another: the Log Boom and Fish Eddy properties. The Log Boom property is a narrow strip of about 20 acres of land that contains the corridor for the road bed of the Molalla Forest Road, also known as Old Logging Road. This road is now a pedestrian and bicycle path, known as Logging Road Trail, extending north from the City of Canby into the Log Boom property.

To provide the basic physical context as well as a more detailed inventory, the analysis of Wayside property is divided into three areas: Log Boom, Fish Eddy, and River's Edge (see Figure 2-1). The distinctions are based on location, land use within the areas, how and when the land was acquired, and on specific vegetation and topography.

Figure 2-1. Wayside properties – Area boundaries



Source: CPW, 2003

Boundaries and Structures

The size, location, boundaries, adjacent property owners, and existing structures for each sub-area of Wayside properties are detailed in the following paragraphs and the figures that accompany them.

Log Boom

The Log Boom area is approximately 20 acres. The Willamette River bounds the Log Boom along the northern and eastern edges of the property. To the south, the Sewerage Facilities and the Eco Park border the property. The boundary of the water treatment facility is fenced. The western edge of the property is bounded by a variety of land uses, including private farmland, developed and undeveloped residential property, and the Willamette Valley Country Club Golf Course. There is a fence along the Golf Course, as well as a series of fences around several single-family resident homes at the northern edge of the Willamette Valley Country Club. The boundary between the Log Boom Area and the undeveloped residential property owned by the Knutsons is less evident; however, there are mature oaks that are planted along the edge of the two properties. A farm road on the

Montecucco's property forms part of the western most edge of the Log Boom Area [see Figure 2-2].

Existing structures in the log boom area include the gates along the Old Logging Road, the cement pad by the log boom and the chain link fence that runs along the southern edge of the loop trail that cuts off from the Old Logging Road. Figure 2-2 identifies existing structures and adjacent properties in the Log Boom area.

Figure 2-2. Adjacent properties and existing structures: Log Boom



Source: CPW, 2003

Fish Eddy

The Fish Eddy site is approximately 80 acres. Private property, Territorial Road and Highway 99, and the Willamette River bound the Fish Eddy property. The Three Sisters Ranch forms the western

most boundary of the Fish Eddy site. The Willamette River forms the northern boundary of the site. Along the southern edge, Fish Eddy borders both Territorial Road and Territorial Place. An old fence defines the property line between the Seventh Day Adventists church and the Fish Eddy property. The railroad tracks and the road leading to Dutch Vista, as well as private lots form the boundary on the eastern edge. There are no know existing structures in the Fish Eddy area. Figure 2-3 identifies properties adjacent to the Fish Eddy site.

Figure 2-3. Adjacent properties and existing structures, Fish Eddy



Source: CPW, 2003

River's Edge

The River's Edge area, shown in Figure 2-2 above, is defined by the Willamette River's edge and riparian habitat along the bank of the river. Distinct riparian vegetative communities and steep topography with slopes of 20 percent or higher within the area define the boundary of the River's Edge. It was created as a separate area because of its significant importance to the area, given the unique and abundant ecology at this interface of water and land.

There are several existing structures along the River's Edge area. These structures include the log boom, the skidder ramp, and two

water intake pump points. The log boom and skidder ramp are by the Log Boom Area. These structures are no longer in use. One water intake pump is close to the Fish Eddy area and is used for agricultural purposes. The other water intake pump is by the Log Boom Area on riverside property owned by the Willamette Valley Country Club.

Existing Roads and Access Points

A number of roads provide access to and through the Wayside properties. It is important to inventory these transportation routes to determine how to manage site access and link the Wayside properties to other city and regional amenities.

Log Boom

The Old Logging Road, also labeled as Molalla Forest Road, is the main road that accesses the Log Boom Area. This road begins at Territorial Rd with an adjacent parking lot, moves through the site and ends in a loop at the historic log boom. The road (Garden Rd) by the West-Bell Properties development, beginning at Territorial Rd is paved and is about 22 ft wide. Further up, the road is paved with a combination of gravel and compacted soil and remains about 22 ft wide. The entire road is about 7,500 ft long. There is also a path that is north of the Sewage Facility that can be reached via the Old Logging Road. The path forms a loop that passes by the skidder ramp at the northern end of the route. The northern part of the path is overgrown. The first part of the southern edge of the loop is paved and transitions into compacted soil at the point where there is a gate in the chain link fence which runs along the path. The length of the path is about 1,900 feet.

The Old Logging Road or Molalla Forest Road is the main access to the Log Boom Area. Access can also be gained through the Eco Park, agricultural land to the north as well as from the river. Major transportation routes to the Wayside properties include Territorial Road and Hwy 99 (1st street). Figure 2-4 highlights the roads and access points for the Log Boom area.

Figure 2-4. Existing access and roads, Log Boom



Source: CPW, 2003

Fish Eddy

Fish Eddy has one main road that runs through the site. The road is informal and consists of two tire tracks of compacted soil. The road starts at the intersection of Spitz and Territorial Place and sweeps along the northern edge of the agricultural area and ends by the densely vegetated area at the northwestern corner of the Fish Eddy Site. Farmers and farm laborers primarily use the road. It is about 10 ft. wide and 2,200 feet in length. Access to the Fish Eddy site is primarily gained through Spitz Road as well as some areas along Territorial Place. The River's Edge is accessed through Molalla Forest Rd in the Log Boom Area and Spitz Rd in Fish Eddy. Also, access to the River's Edge Area can be gained from the Willamette River via

boat transportation. Figure 2-5 identifies roads and access points for the Fish Eddy area.

Figure 2-5. Existing access and roads, Fish Eddy



Source: CPW, 2003

Chapter 3

Site Inventory

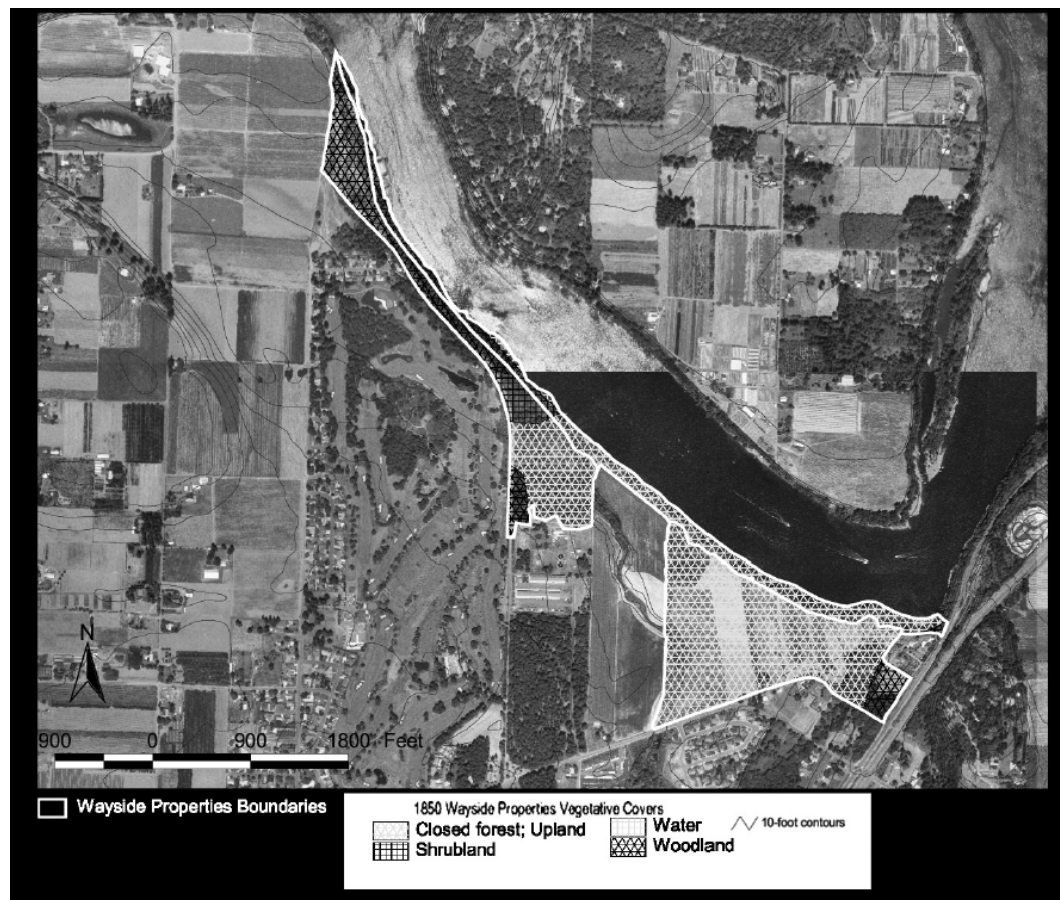
CPW created the Wayside properties inventory by compiling Geographic Information Systems (GIS) data from the City of Canby, the Pacific Northwest Ecosystem Research Consortium, and other sources, by researching documents, conservation easements and projects from other agencies, conducted interviews and by conducting field surveys to verify, ground-truth and identify communities and areas on the property. The inventory is categorized first by theme, then further divided by the three distinct locations within Wayside Property: Log Boom, Fish Eddy, and River's Edge.

Historical Vegetation

Understanding what vegetative communities existed historically in the Wayside area provides insight into how the landscape functioned ecologically and how it has after settlement. This information helps identify native vegetation and wildlife, which are often important and attractive elements for passive recreation in parks and open spaces.

Pre-settlement vegetation information was obtained and reviewed from The Willamette River Basin Planning Atlas 2nd Edition data online from the Pacific Northwest Ecosystem Research Consortium website, <http://oregonstate.edu/Dept/pnw-erc/>. Figure 3-1 identifies vegetative communities in the Wayside area circa 1850.

Figure 3-1. Vegetative communities of Wayside, 1850



Source: CPW, 2003

Log Boom

Several communities existed here in 1851, including:

- *Upland closed forest*, which is a mesic mixed conifer forest with mostly deciduous understory. Key tree species may include Douglas fir, Western Hemlock, Red Cedar, Grand Fir, Bigleaf Maple, Yew, Dogwood, White Oak, and Red Alder;
- *Shrubland*, which consists of willow swamp, sometimes with Ninebark, including riparian stands on gravel or sand bars. It may contain small amounts of Ash; and
- *Woodland*, which is a Douglas fir woodland often with Bigleaf Maple, Alder or Dogwood. No Oak, Hemlock or Cedar. Brushy undergrowth includes Hazel, Vine Maple, young Douglas fir, Bracken Fern, etc.

Fish Eddy

In 1851 two major plant communities, *Upland closed forest* and *Woodland*, existed in this area. Key species are mentioned in the above description.

River's Edge

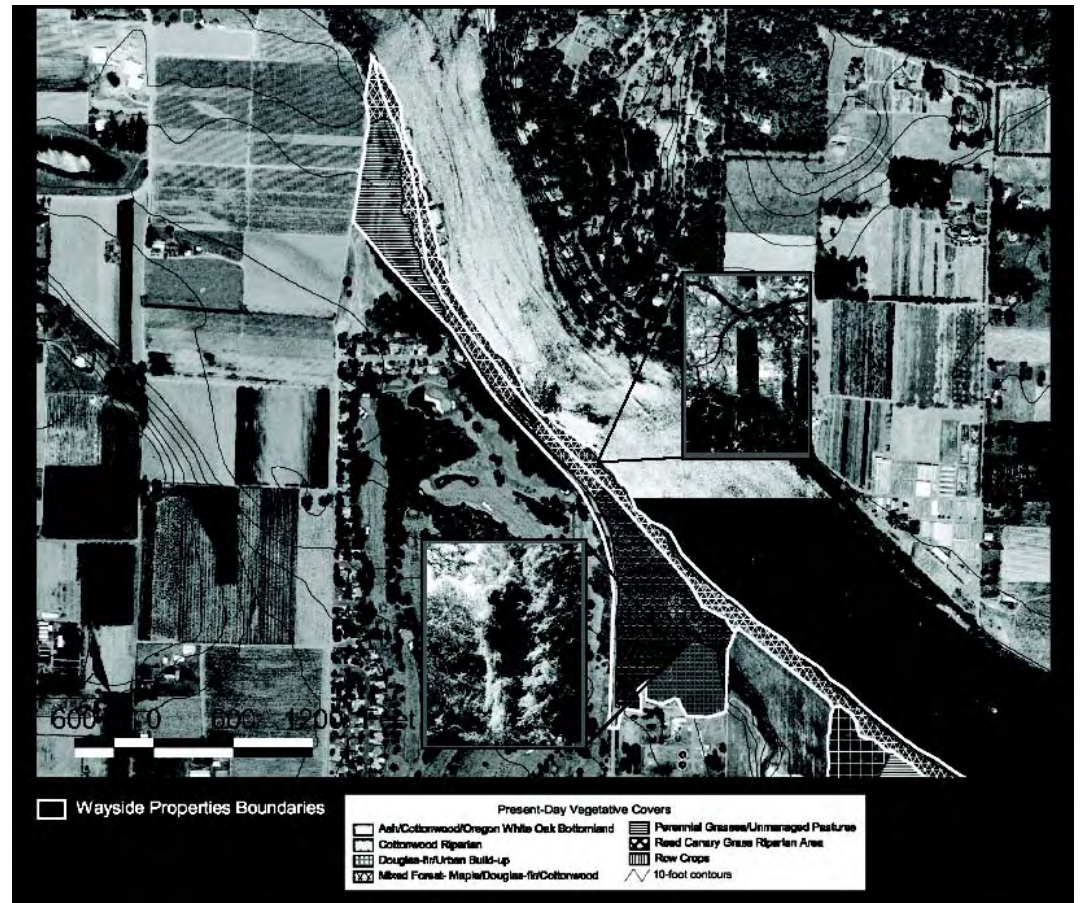
Several communities existed along the riparian corridor in 1851, including: *Upland closed forest*, *Woodland*, and *Water*. The Water community includes bodies 1 or more chains across, including rivers, sloughs, ponds, beaver ponds, lakes, marshy lakes and bayous. Upland closed forest and Woodland are described in the above Log Boom section.

Existing Vegetation

Comparing existing vegetation to native vegetation can help identify areas that have remained relatively unchanged or, conversely, areas that have undergone significant change. Each vegetative community has a number of distinct ecological functions in terms of providing habitat, environmental quality, and response to natural events.

Vegetative communities data was collected through field inventory and crosschecked with soil classifications for the area and with the Willamette Valley Land Use/Land Cover Map produced by Oregon Fish and Wildlife in collaboration with NW Region Habitat Conservation Section Ecological Analysis Center. Figure 3-2 detail the vegetative communities found in Wayside today.

Figure 3-2. Existing vegetation on Wayside properties



Log Boom

The Log Boom area is comprised of four primary vegetative communities including:

- *Cottonwood Riparian*: This community is found at the northerly most portion and the northeastern edge adjacent to the River's Edge area. Key species include Cottonwoods, Bigleaf Maple, Red Alder, Willow, Oregon Ash, and Douglas fir, with a canopy cover ranging from 70-85%. Other species, including understory, include Vine Maple, Elderberry, Indian-Plum, California Hazelnut, Common Snowberry, Sword Fern, Western Red Cedar, and Black Hawthorn.
- *Perennial Grasses/Unmanaged Pastures*: Found at the northwestern portion where the Molalla Forest Road is located. Key species are perennial grasses with 0-10% canopy cover. This open field has extensive invasive species including blackberries (80-90% of the area) and invasive grasses (40% of the area).
- *Mixed Forest - Maple/Douglas-fir/Cottonwood*: The Mixed Forest vegetative community is found in the southern portion of the Log Boom property. Key species include Douglas fir, Bigleaf Maple, Western Hemlock, Western Red Cedar, California Hazelnuts, and Walnut with a 70-90% canopy cover. Other species include Cherry trees, Indian-Plum, California Hazelnut, Common Snowberry, and Sword Fern. English Ivy is very prevalent in this area, particularly close to the trails.
- *Douglas-fir/Urban Build-up*: This community is found at the southeastern portion of the property near the city's facilities. Key species include Douglas fir, Bigleaf Maple, and Cherry trees with a 70-75% canopy cover. Other species include California Hazelnut, Common Snowberry, Sword Fern, Poison Oak, Thimbleberry, and Stinging Nettle. English Ivy is very prevalent in this area, particularly close to the trails.

Fish Eddy

Fish Eddy is comprised of five primary vegetative communities including.

- *Ash/Cottonwood/Oregon White Oak Bottomland*: Found in the northwestern corner of Fish Eddy Property. Key species include Oregon Ash, Oregon White Oak and Cottonwoods with a 80% canopy cover. Other species include Cascara, California Hazelnut, Common Snowberry, Rose species, and Sword Fern. There are substantial large Oregon Oaks here. English Ivy is suffocating the trees, along with a blackberry cover of approximately 75-80%.

- *Perennial Grasses/Unmanaged Pastures*: Several areas exist here including the hill and field next to Dutch Vista Road in the eastern half of Fish Eddy, an area to the east of the Ash Bottomland, and an area adjacent to the row crops and Willow Creek. Key species are perennial grasses with 0-10% canopy cover. Blackberries, Scotch Broom, Queen Anne's lace, and Reed Canary Grass exist in all of these areas. Key species on the hill in the eastern portion are perennial grasses, Vetch, Western Red Cedar and Douglas fir saplings. Other species in the hill area and Dutch Vista field include Chickory, Tarweed, Thistle, Queen Anne's lace, and Tansy. In the area near the Ash Bottomland other species include St. John's-Wort, Oxeye Daisy, Thistle, and Tansy. The area adjacent to Willow Creek includes some moisture-loving plants - Self-heal, sedges, and rushes, due to a seasonal wetland that exists here.
- *Reed Canary Grass Riparian Area*: This community is located in the western portion/Willow Creek area. Key species include Reed Canary Grass, Oregon Ash and Willow, with a 30-35% canopy cover. Other species include sedges and rushes. Reed Canary Grass is very extensive here comprising 90% of the ground cover.
- *Row Crops*: Found in the interior portion of Fish Eddy. It is comprised of agricultural crops. It was noted in the field that invasive species are not present here due to maintenance of the crops.
- *Douglas-fir/Urban Build-up*: This community is found in the southeastern most portion of Fish Eddy. Key species include Douglas fir, Bigleaf Maple, and Cherry trees with a 80-85% canopy cover. Other species include California Hazelnut, Common Snowberry, Sword Fern, Poison Oak, Thimbleberry, and Stinging Nettle. Of significance, two Pacific Yews are located near Sptiz Rd in the west-central portion of this community. Blackberries are a very prevalent understory, 80% cover, and English Ivy is problematic in the western portion of this community. The eastern portion of this particular community is critical native habitat with little infestation of invasive species.

River's Edge

The River's Edge is comprised of one primary vegetative community. It is the Cottonwood Riparian community, covering the banks all along the Willamette River. Key species include Cottonwoods, Bigleaf Maple, Red Alder, Willow, Oregon Ash, and Douglas fir, with a canopy cover ranging from 70-85%. Other species, including understory, include Vine Maple, Elderberry, Indian-Plum, California Hazelnut, Common Snowberry, Sword Fern, Western Red Cedar, and Black Hawthorn.

The riparian area along the Fish Eddy area is narrow, with row crops approximately 100 feet from the River's edge. Prime native understory habitat exists in the River's Edge to the east of the curve in the Molalla Forest Rd, adjacent to the Log Boom area. It is a functioning community of riparian understory including Vine Maple, Elderberry, Indian-plum, Sword Fern, Stinging Nettle, and other species.

Wildlife

Wildlife is an important element to consider in the master planning process for the Wayside properties. The presence of unique, rare, or even endangered species can be both an attraction for park users as well as a constraint on how the property is managed and developed.

According to a Supplemental Analysis for the Wildlife Mitigation Program Environmental Impact Statement (EIS) for the Canby Ferry Conservation Easement proposed by the Oregon Department of Fish and Wildlife and Bonneville Power Administration, species listed under the Endangered Species Act (ESA) known to exist in the vicinity of the Wayside Properties include Canada lynx, Northern spotted owl, chum salmon, steelhead, chinook salmon, golden Indian paintbrush, Willamette daisy, *Howellia*, Bradshaw lomatium, Kincaid's lupine, and Nelson's checker-mallow.

No listed species were observed on the site. Staff from the Oregon Department of Fish and Wildlife suggest that field surveys should be conducted to access whether there are remnant Western Pond Turtle habitats, particularly in the seasonal wetlands.

Log Boom

Existing wildlife species in the area include: coyote, bobcat, deer, rodents, owls, many songbird species, as well as Pileated Woodpecker, Red-tail Hawk, Bald Eagle, Cooper's Hawk, and Goshawk. A Pileated Woodpecker nest was observed in this area by Ron Wright of the Blue Heron Recreation District. During a site visit, CPW staff observed owl evidence (whitewash and pellets) and probable bobcat claw markings.

Fish Eddy

Existing wildlife species in the area include: coyote, fox, beavers, otter, bobcat, deer, rodents, owls, many songbird species, waterfowl, geese, as well as Red-tail Hawk, Bald Eagle, Cooper's Hawk, and Goshawk.

River's Edge

The Willamette River near the Wayside Property has some of the greatest diversity of fish species in the entire Willamette River Basin. *The Willamette River Basin Planning Atlas 2nd Edition* indicates 31-35 species of fish in this portion of the Willamette River, including 21-25 species of native species. There are many residential bird species

along this portion of the Willamette River, including: Osprey, Great Blue Heron, Red-tail Hawk, Bald Eagle, Cooper's Hawk, and Goshawk. Wildlife also includes beavers and the aforementioned species mentioned in the log boom and Fish Eddy areas.

Topography & Hydrology

It is important to consider the topography and hydrology of Wayside properties in the master planning process, as these natural features can pose constraints and restrictions on how the property is used. For example, the presence of steep slopes or property situated in the flood plain presents limitations for the types of amenities and improvements that can be made on the site. Understanding how the topography and hydrology interact on the site is also important to consider for maintenance and land management purposes such as storm-water collection and drainage.

Wayside Properties is located on the U.S. Geological Survey 7.5-Minute Quadrangle, Canby, Oregon, 1985. Percentages of slopes were derived from a 10-foot contour GIS coverage created by the City of Canby and from observation in the site on August 19, 2003. Hydrological information was collected through field inventory. Flood information was obtained from the Federal Emergency Management Agency, National Flood Insurance Program Flood Insurance Rate Map for Clackamas County, Oregon (Unincorporated Areas), Community Panel number 415588-0145 A, dated August 4, 1987(FIRM) as well as a GIS coverage of the 1996 flood extent.

Log Boom

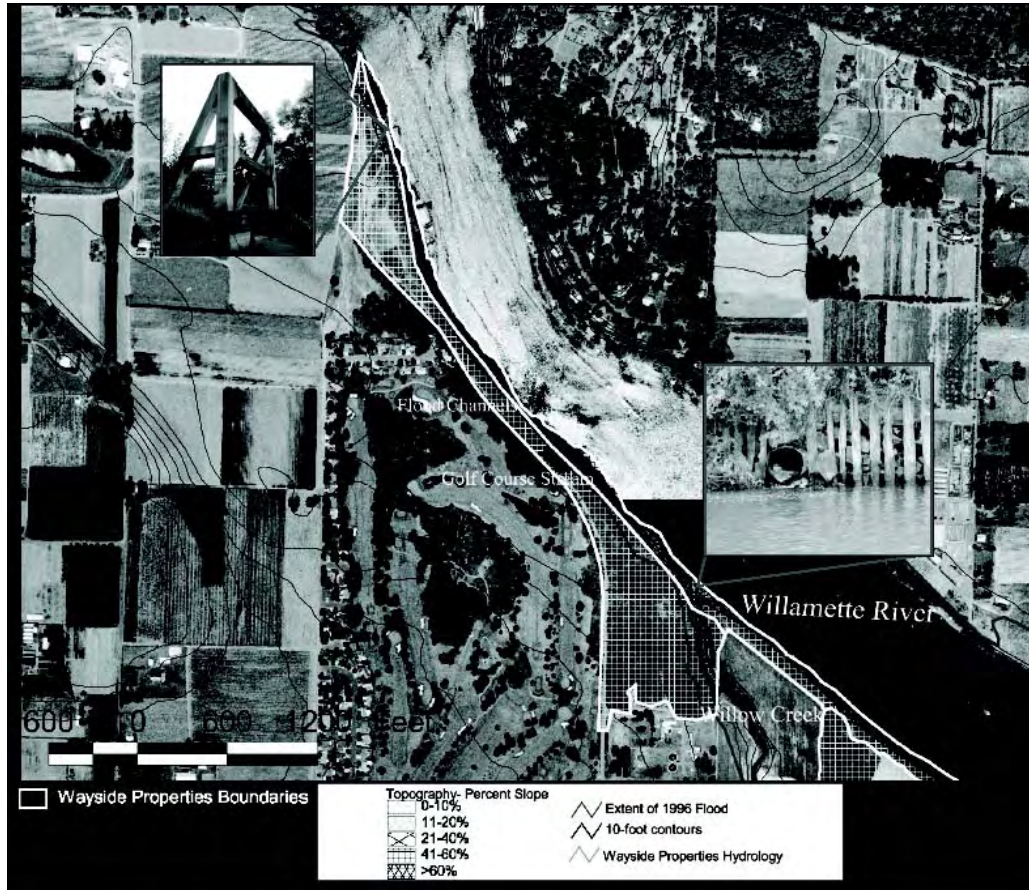
This area is relatively flat with an average elevation approximately 85 feet above Mean Sea Level (MSL). The northern and northwestern periphery slopes downward northeasterly towards the Willamette River. In the southeastern portion of the area the banks of Willow Creek slope down east and west towards the creek.

Willow Creek is a perennial stream located in the southeastern portion of the Log Boom. There is another unnamed perennial stream (now referred to as the Golf Course Stream) located northwest of Willow Creek in this area. From field observation, the stream originates in the country club property.

According to the FIRM, this area is comprised of two different flood levels. The southwestern portion near the facilities along with a small portion east of the loop in the Molalla Forest Rd in the northwest portion of the area is located in Flood Zone C, described as areas of minimal flooding. The rest of the Log Boom area adjacent to the River's Edge area is located in Flood Zone B, described as areas between the limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one foot; or where contributing drainage area is less than one square mile;

or areas protected by levees from the base flood. The southern area and a narrow northern area adjacent to the River's Edge were under water during the 1996 flood. Figure 3-3 shows the interaction between topography and hydrology in the Log Boom.

Figure 3-3. Topography and hydrology, Log Boom



Source: CPW, 2003

Fish Eddy

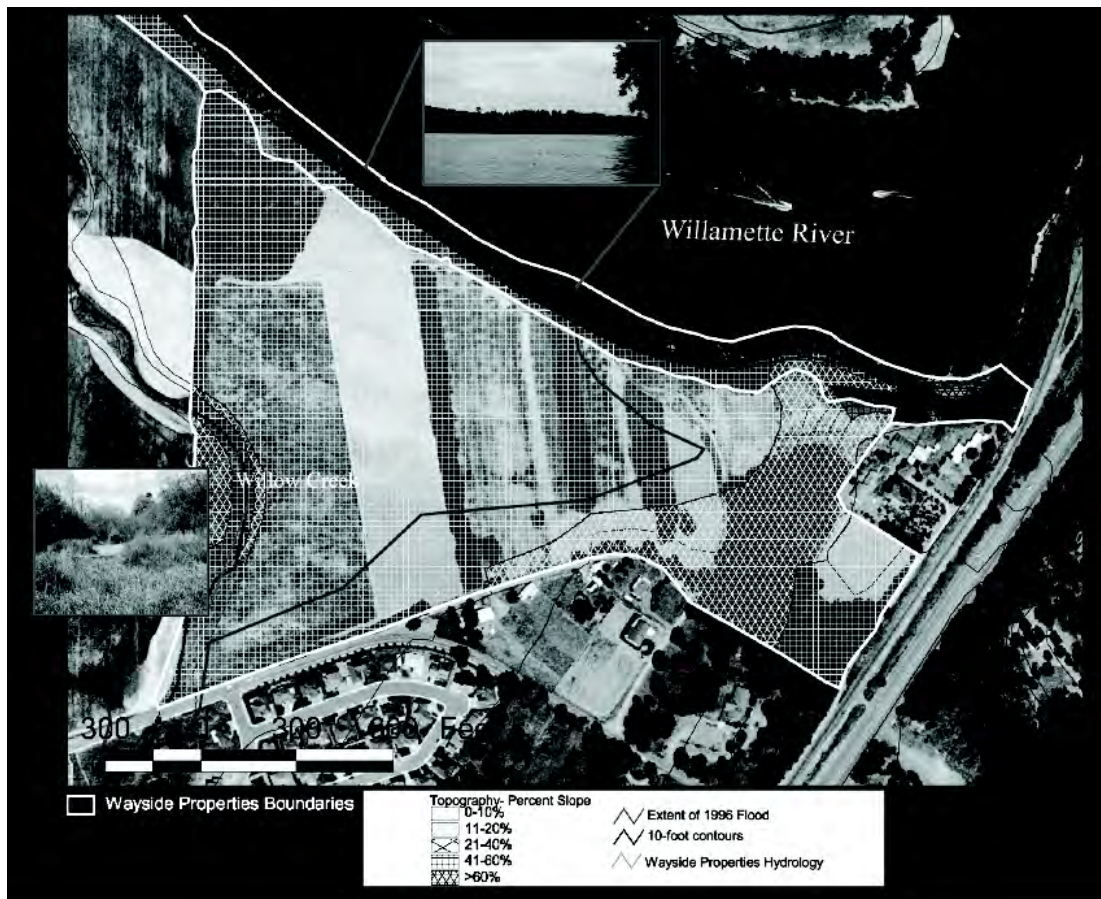
The interior portion of this area is relatively flat. The elevation is approximately 85 feet above MSL. The banks of Willow Creek are moderately sloped towards the creek from the east and west. A hill is located in the eastern portion of this area with a gradual slope downward to the north and west. The southeastern most portion of the area, adjacent to Dutch Vista Rd is relatively flat.

Willow Creek is the perennial stream located on the western boundary of this area. The channel has adequate sinuosity but has a very high silt load (high sedimentation). The left-descending bank has some riparian vegetation (Ash and Willow) but the right-descending bank is devoid of riparian vegetation except for invasive Reed Canary grass. The area surrounding Willow Creek and to the east into the fallowed fields is a seasonal wetland. Moisture-loving plants were

found here such as sedges and rushes, indicating water availability all year round.

According to the FIRM, this area is comprised of three different flood levels. The majority of this area, including the interior agricultural fields, is located in Flood Zone A17, described as areas of 100-year flood event in which base flood elevations and flood hazard factors have been determined. The southeastern portion of this area on top of the hill near Dutch Vista Rd is located in the Flood Zone C, minimal flooding. The rest of the portions in this area are located in Flood Zone B (described in Log Boom). The majority of this area was flooded during the 1996 flood. Figure 3-4 details the topography and hydrology for the Fish Eddy area.

Figure 3-4. Topography and hydrology, Fish Eddy



Source: CPW, 2003

River's Edge

The land in this area slopes steeply down to the north and northeast towards the Willamette River. The easternmost portion of this area is extremely steep with slopes above 60% (the elevation here ranges from approximately 60-140 feet above MSL). The average elevation along the Willamette River's edge is approximately 60 feet above MSL.

The Willamette River is the main body of water in this area. The left-descending bank, opposite the property, is developed with residential housing. The right-descending bank, the property side, is for the most part undeveloped and public land. Willow Creek and its confluence with the Willamette River are located in the center portion of this area. Willow Creek is slightly incised in this area and the culvert located at the confluence is inoperable. The Golf Course Stream is located northwesterly from Willow Creek in this area. There are also existing flood channels in the northwestern portion of this area. There is evidence of defined channels but not annual scour and deposition in these channels, which could be due to rocks blocking their confluences with the Willamette River. According to the FIRM, this area located

in Flood Zone A17, in the 100-year flood event. All of this area was under water during the 1996 flood.

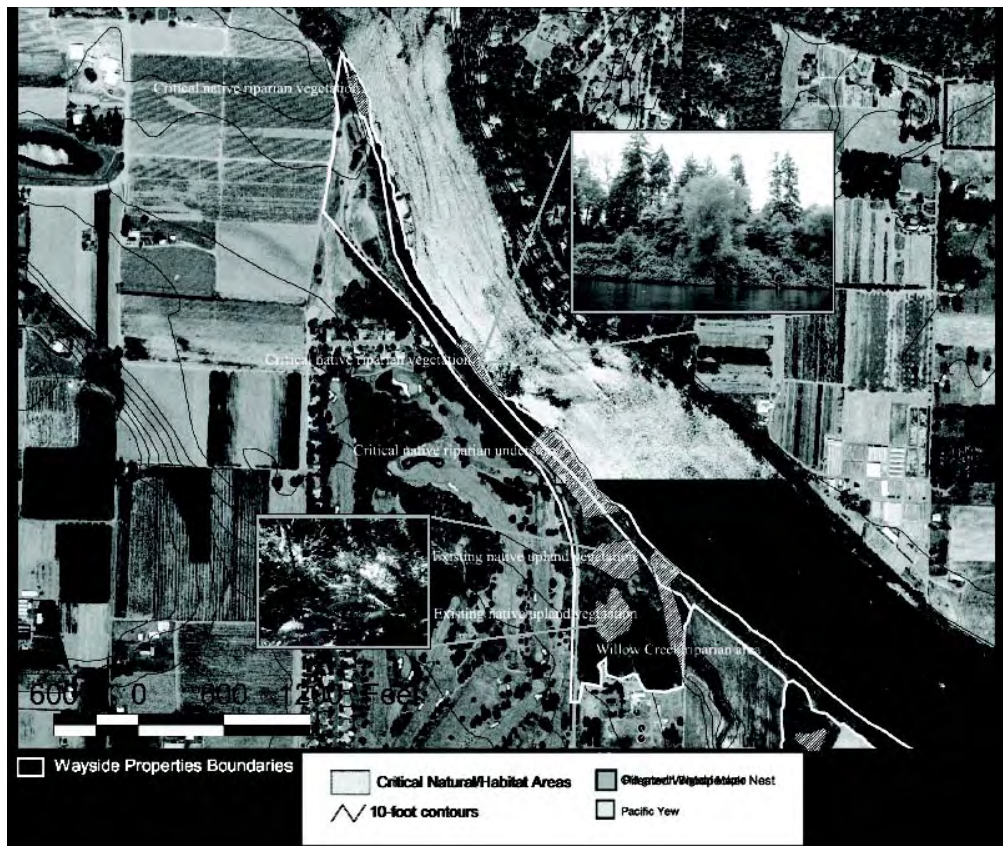
Critical Natural/Habitat Areas

Critical Natural areas are areas and point locations of habitat importance, documented important species, and functioning communities that are often considered highest priority for conservation in the master planning process.

Log Boom

Existing native upland vegetation areas exist in the southern portion of the Log Boom. These areas have high canopy cover approximately 80-90%, and the understory and groundcover is lush. However some invasive species still persist such as Blackberry and English Ivy. To the east of the curve in the Molalla Forest Rd is the beginning of critical native riparian understory. This area is a great example of a functioning riparian community, which includes Vine Maple, Elderberry, Indian-plum, Sword Fern, Stinging Nettle, etc. In this proximity, an active Pileated Woodpecker nest was also observed. Willow Creek riparian corridor located in the southeastern portion of the Log Boom is critical habitat, as well as, a migration route for birds, reptiles and other wildlife. Figure 3-5 locates critical habitat areas in the Log Boom portion of Wayside properties.

Figure 3-5. Critical habitat areas, Log Boom



Source: CPW, 2003

Fish Eddy

There are several critical natural/habitat areas within the Fish Eddy area. Within the Ash/Cottonwood/Oregon White Oak Bottomland is an area comprised of several old Oregon White Oaks. The Willow Creek riparian corridor and seasonal wetland area located in the western portion of Fish Eddy is critical habitat for many species including but not limited to amphibians, aquatic life, waterfowl, geese, and various songbirds and raptors. In the southeastern portion of Fish Eddy within the Douglas fir forest is a functioning native stand of trees and understory that does not have as much blackberry infestation. As well within the Douglas fir forest is an Old-growth Bigleaf Maple and along the periphery near Spitz Rd are two Pacific Yews. Figure 3-6 locates critical habitat areas for the Fish Eddy.

Figure 3-6. Critical habitat areas, Fish Eddy



Source: CPW, 2003

River's Edge

Ultimately the entire River's edge is critical habitat. This area comprises the south bank of the Willamette River, which runs east west in this region. Therefore due to solar aspect, the Cottonwood riparian forest plays an integral role in providing shade for fish species in the Willamette River. It also provides habitat and a green corridor for wildlife species.

There are some specific areas of within this riparian corridor. Critical native riparian vegetation areas are located in the north and southwest portions of River's Edge. These areas are functioning communities with many Willow species and Cottonwoods and a low infestation of invasive species. Critical native riparian understory and habitat is located to the east of the curve in the Molalla Forest Rd. The Willow Creek confluence, an important node with potential for high biodiversity is located here. Old, large Cottonwoods and Douglas-firs are located near the base of the hill in Fish Eddy. Many habitat snags exist all along the river's edge. Basalt outcrops are along the river's edge near the base of the hill as well.

Restrictive Landscapes

The restrictive landscape map was created by combining the Critical Natural/Habitat Areas with areas of slopes that were over 20% in the Wayside Property. The restrictive landscapes are areas that warrant special attention, i.e., protection, preservation, and careful consideration when developing any park amenities. Figures 3-7 and 3-8 highlight restrictive landscapes on the property for the Log Boom and Fish Eddy areas, respectively.

Figure 3-7. Restrictive Landscapes, Log Boom



Source: CPW, 2003

Figure 3-8. Restrictive Landscapes, Fish Eddy



Source: CPW, 2003

Conclusions

CPW made preliminary evaluations for the site and identified opportunities and constraints existing within Wayside properties based on this inventory. The opportunities and constraints were then presented to the advisory board at the meeting on September 11, 2003. The board expounded upon these issues and prioritized them at the meeting. The evaluations and the prioritizing process are described in depth in Chapter 6 of this report.

Chapter 4

Regional Inventory

The 2000 City of Canby Park and Recreation Master Plan identifies a number of goals aimed towards achieving the City of Canby's vision of an "Emerald Necklace" of parks and recreation amenities. The Emerald Necklace concept intends to connect the City's well-established park and trail system through a series of paths, trails, and corridors. The Emerald Necklace vision is the guiding force for parks and recreation land acquisitions over the next 20 years, and the City already has a number of plans for future acquisition and development. The Willamette Wayside is identified in the City's Master Plan and in the Acquisition Plan as a cornerstone for this vision. For example, Goal 10 in the Master Plan is to connect the Molalla River State Park with the Eco-Park, which lies south of the Log Boom. Goal 12 is to develop a systematic connection between the Willamette River and the City of Canby.

CPW used previous research, GIS data, aerial photographs, and site visits to document parks and recreation amenities surrounding Wayside properties, throughout Canby's city-limits and beyond. Information from this inventory helps to inform a regional evaluation, which considers the ways in which the Wayside properties could interact with continued efforts towards developing the Emerald Necklace.

Immediate Connections

Eco Park

Eco-Park is a 19-acre, heavily forested park site situated along the Logging Road trail north of Territorial Road. The Logging Road Trail links Eco Park to residential and commercial areas in Canby to the South. Eco Park is near the Log Boom area, separated only by the City's utilities and water treatment facilities. It is also near the Fish Eddy property, separated by agricultural land owned by Three Sisters Ranch.

Based on a field visit, it was estimated that there is an 80% to 90% canopy cover of primarily conifer trees (less than 10% deciduous). The most important finding from the baseline inventory was that there is extensive presence of invasive species, namely English Ivy and Himalayan Blackberry dominating the vegetative under-story.

Eco Park is developed with an asphalt parking lot and a bark mulch walking trail. These developments, combined with its close proximity to the Log Boom and Fish Eddy properties and its link to the Logging

Road Trail, make it an ideal location for expanded park and recreation connections.

City Facilities

A number of city-owned operations are situated between Eco Park and the Log Boom property, providing service facilities for Canby Utility Board and the City's wastewater treatment. These structures will continue to operate for the foreseeable future and will thus have to be considered and incorporated into any plans for the development and linkage of Log Boom, Fish Eddy, and possibly Eco Park properties. Continuing to provide transportation access for light industrial traffic to and from the city facilities is an example of the need to reconcile open space recreation opportunities with the presence of the city facilities.

Between Log Boom and Molalla State Park

Private agricultural land stands between Molalla State Park and the Wayside Property. A diversity of agricultural products are grown in this area, and it is important to note that the land is owned primarily by one individual, Mr. Montecucco. Developing a link between Wayside and Molalla State Park therefore necessitates working with Montecucco, who was contacted as part of the stakeholder interview process. The results of this interview can be found in Chapter 5.

Molalla State Park

Molalla River State Park is a 566-acre park one mile north of Canby that includes the confluence of the Willamette, Molalla and Pudding rivers. The facility is managed by the Oregon State Parks and Recreation Department. River floodplains provide habitat for waterfowl, wading birds, deer and other mammals, reptiles, and amphibians. One of the largest blue heron rookeries in the Willamette Valley is located in a grove of trees within the park. A bald eagle nest is also located within the park. Molalla River species include a run of native steelhead.¹ The run is listed as threatened under the Endangered Species Act.²

Park facilities include vehicle parking areas, picnic tables, a one-lane concrete boat ramp, rest rooms, an interpretive nature walk around ponds, and a walking trail. The boat ramp is weathered and drops off steeply. The walking trail leads from the parking area to the mouth of the Molalla River by way of the Willamette River bank. The trail is largely unmaintained and is underwater for much of the rainy season. Park activities include hiking, picnicking, bicycling, fishing, boating and wildlife viewing. Horseback riding is not allowed. The only road

¹ Sieglitz, Greg. Oregon Department of Fish and Wildlife Willamette Basin Mitigation Program assistant staff biologist. August 15, 2003 interview.

² Wiley, Dennis. Park manager, Molalla River State Park. August 21, 2003 interview.

that provides vehicle access to the park is the Canby Ferry Road, a two-lane street that extends north from the Canby city limits.

Natural features include ponds, wetlands, the rivers, pockets of woods, and grassy fields. Tree species include cottonwood, ash, alder, maple and willow. Canary grass is the under-story in extremely wet areas; ferns and various herbs and forbs exist throughout the rest of the floodplain. A local farmer grows hay in a large field east of the parking lot; the field provides open space for activities and the farming practice prevents blackberries from growing.

Within the next several years the Oregon Parks and Recreation Department may expand the parking area and improve the boat ramp. Those improvements will probably increase the number of people who use the park.

North Bank and Ferry

The North Bank of the Willamette River falls outside of the City of Canby's Urban Growth Boundary (UGB) and consists of unincorporated land in Clackamas County. The north bank of the Willamette River is connected to Canby via the Canby Ferry. This is one of only three operating Ferries in Oregon that transports passengers and vehicles across the Willamette River. The Ferry is located East of Molalla River State Park and Northwest of the Log Boom property. Any trail connections along the south bank of the Willamette River could be extended to the north bank using a link with the Ferry system. The Ferry landing would also be an ideal location for interpretive signs highlighting cultural and ecological qualities of the Ferry and the Willamette River.

Willow Creek Wetland

This 4.6-acre area is located South of Territorial Road and Redwood Street, near the Fish Eddy property. This undeveloped wetland area is adjacent to residential development and was acquired by the City in 1995. Because of the passive nature of this site, very little maintenance is required. Future development could include directional or interpretive signs and benches for the passive enjoyment of nature. Willow Creek Wetland has the following amenities: two picnic tables – put there by nearby residents, and an undeveloped wetland trail.

Logging Road Trail

The Logging Road is a paved, multi-use path roughly two miles in length that runs South from Territorial Road to the Logging Road. The Logging Road Trail continues north from Territorial Road along the Eco Park, City Facilities, and Log Boom properties, although it is not paved. The path accommodates bikes and pedestrians but not horses. The trail currently has the following amenities: a wooden footbridge over Township Road, and one portable restroom, put there by a citizen.

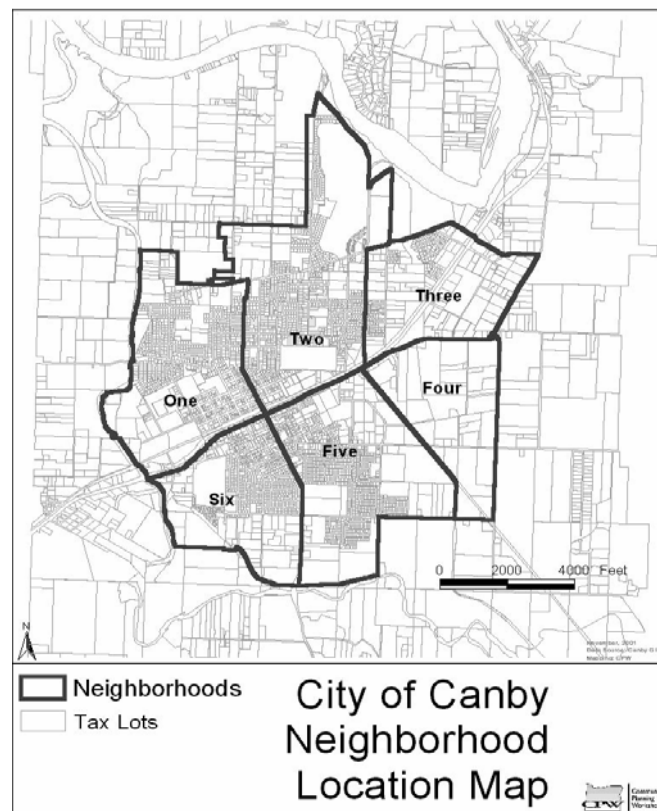
Nearborhoods and City Parks

The City of Canby identified six distinct neighborhoods in its 2002 Park and Open Space Acquisition Plan. This plan also identified the following five themes based on common neighborhood goals regarding future park acquisition:

- Create trails with park and neighborhood connections
- Create crosswalks at intersections to mitigate safety concerns
- Preserve river areas and create an "emerald necklace" with land adjacent to the Molalla river and the Willamette River
- Provide an equitable distribution of parks

Viewing the Wayside properties in light of these goals it is clear that there is interest, and therefore opportunity, to develop links between city parks and neighborhoods. Figure 4-2 below shows the division of the City of Canby into six distinct neighborhoods whose park and recreation amenities have been inventoried in the 2001 Acquisition Plan.

Figure 4-2. City of Canby Neighborhood Location Map



2002 City of Canby Open Space and Park Acquisition Plan, CPW

Neighborhood One

Multi-purpose paths could connect Neighborhood One to the Molalla River, and a thirty-acre farm provides opportunities to preserve views of Mt. Hood. Neighborhood.

Residents in Neighborhood One identified an interest in developing trails connectivity, dog parks, signs, a spray park, sports fields, playgrounds and ponds.

Neighborhoods Two and Three

Figure 4.1 above illustrates that Neighborhoods Two and Three directly interact with the Wayside properties. Neighborhood Two has an opportunity to use existing logging trails as a bike and pedestrian connection, especially to areas on the north bank of the Willamette River and outside of the urban growth boundary. This neighborhood could also develop additional pocket parks and residents suggested establishing a recreation corridor that linked river property to trails and protected riparian habitat and the rural feel of the neighborhood.

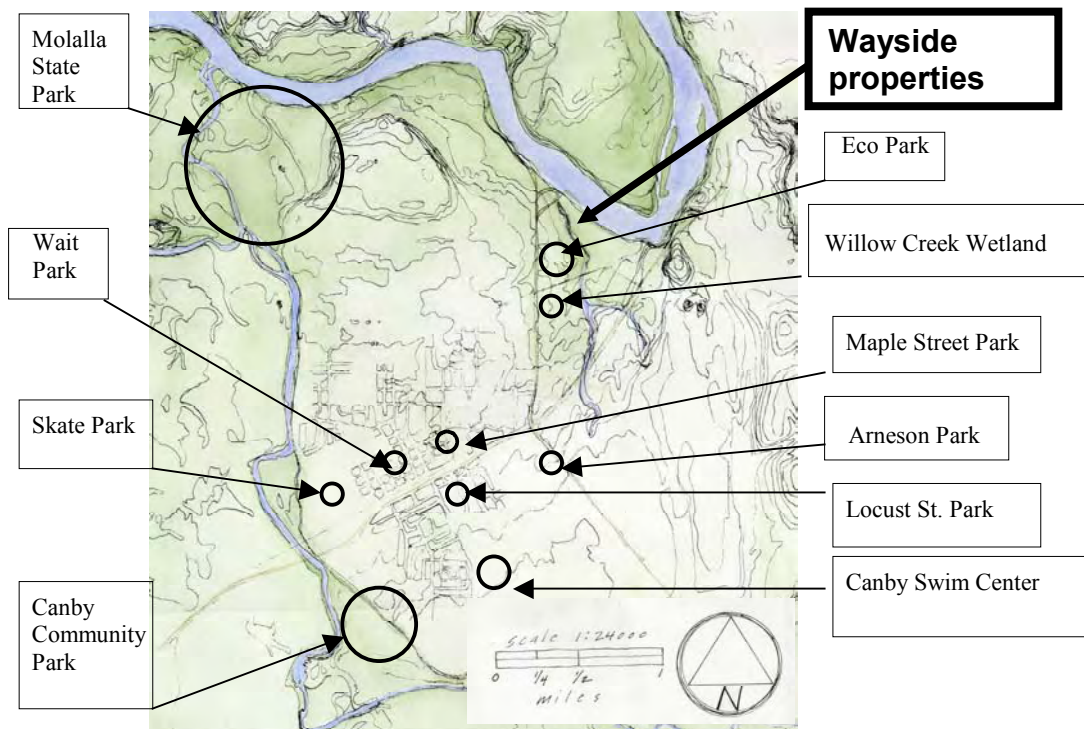
Neighborhoods Four, Five, and Six

While Neighborhoods Four and Five can indirectly link to the Wayside properties via the Logging Road Trail. Neighborhood Six provides opportunities for land acquisition along the Molalla River and the potential for trails that link with Molalla State Park.

City Parks

The remainder of the chapter provides a brief summary of the existing park and recreation amenities existing throughout the city. This inventory is helpful in identifying opportunities to link existing parks and transportation corridors in fulfillment of the Emerald Necklace vision for the City of Canby. A comprehensive inventory of park and recreation amenities can be found in CPW's 2001 City of Canby Park Master Plan Update and 2002 City of Canby Open Space and Park Acquisition Plan. Figure 4-3 outlines the location of Canby's parks throughout the city.

Figure 4-3. Parks in Canby



Source: CPW, 2003

Arneson Garden

Arneson Garden is a 1.8-acre horticultural park located behind the Fred Meyer store near the Logging Road Trail. It is planted with several native and hybrid plant species amongst a stand of Douglas Firs and includes trails, numerous benches and large planting beds celebrating azaleas. Arneson Garden has a well-established entrance that includes a brick iron gate. It is neat in appearance and is well defined. It also has a park legend that lists some of the species of plants in the garden and a brief history of the park. There is ample parking at the Fred Meyer, although there is no water or restrooms available in the park.

Wait Park

Wait Park is a 2-acre mini-park encompassing one city block in downtown Canby. It is situated amongst churches, the library, residences and businesses. It is characterized by a traditional style of design typical of a town square. It contains well-manicured symmetrical lawns and walkways, a gazebo, benches and two play areas. The gazebo is the focal point of the park, and is the center of many community festivals and celebrations. There is on-street parallel parking surrounding the park. Additional on-street parking is available on nearby streets. While no disabled parking is specified, curb cuts and wheelchair accessible pathways throughout the park allow for moderate disabled access. Bicycles and skateboards are not allowed within the park.

19th Avenue Loop (Undeveloped)

19th Avenue Loop Park is a 1.8-acre undeveloped park site used primarily by nearby residents. It is located adjacent to a new development overlooking the Willow Creek Wetlands. Currently, it is an open space park, with few amenities other than its natural setting. Currently the site requires very little maintenance. It is mowed twice a year and any debris from the upland wooded areas is cleared periodically.

Locust Street Park

Locust Street Park, developed in 1995, is a 1-acre mini park located in the central southeast neighborhood of Canby. The park is situated amongst multi-family housing and modest single-family dwellings. While Locust Street Park is designed for neighborhood use, it can only be accessed along Locust Street because three sides of the park are fenced and hedged. A recessed parking area, large enough for two cars, exists along Locust Street. The entire park, including the play area, is accessible to the physically disabled.

Maple Street Park and the Marshall House

Maple Street Park is a 9-acre park located north of the Clackamas County Fairgrounds. An asphalt pathway runs the length of the park, but it is narrow, rough and cracked, and poses a potential barrier for wheelchair access. Primary access to the park is through the two parking lots located off of Maple Street. Each parking lot accommodates 30 vehicles and is furnished with a dumpster. The north lot has a pay phone. In addition to the parking lots, private residences have access to the park.

The Marshall house is owned by the City, but is not used for any public activities. The property was purchased several years ago with the idea that eventually the building would be removed and the land would be added to Maple Street Park. The house is currently being rented, with the tenant doing the majority of the upkeep of the house and yard.

Canby Community Park

Canby Community Park is a 14.5-acre park adjacent to the Molalla River. Its most outstanding features are its location along the river, an adjacent wetland trail and natural vegetation. There are several turnouts for parking but no specified parking exists for the disabled.

Canby Regional Park

Walker Macy completed a master plan for the Canby Regional Park in July 1998. Phase I of the regional park was recently completed, which is primarily the parking area and the skate park. A timeline for the rest of the construction had not been set at the time of the Master Plan update. When the park is completed, it is expected to serve as a regional draw for its amenities.

Chapter 5

Stakeholder Interviews

The purpose of the stakeholder interviews was two-fold: to solicit opinions regarding use of the Wayside properties and to identify opportunities for linkages at the regional level. To achieve the City of Canby's vision of an Emerald Necklace of interconnecting parks and open space, it is important and necessary to work with local property and business owners, as well as residents and stakeholder groups who advocate on behalf of more specialized interests such as parks, recreation, and wildlife conservation. This is especially true when assessing the opportunities with the Wayside properties where establishing links requires arrangements with landowners for acquisition and easements of private lands and where long time residents can provide insight into the most desirable linkages for parks and recreation purposes.

City staff identified ten residents as key stakeholders whose opinions and insights regarding the future development and use of the Wayside Properties were especially important in the initial stages of planning for these lands. The Community Planning Workshop contacted nine, and conducted interviews with seven, of these stakeholders.

Stakeholders

The stakeholders identified by the City planning staff included property and business owners, elected officials, members of the Canby Bicycle and Pedestrian Advisory Committee, a farmer and a City employee.

- Catherine Davis – Property owner of Three Sisters Ranch
- Greg Penner – Adjacent Property owner and park advocate
- Robbie Kurt – Bicycle and Pedestrian Advisory Committee
- Darvin Tramel – Wastewater Treatment Plant Supervisor
- Barry Lucas – Former City Councilor and park advocate
- Virgil Montecucco – Farmer and adjacent property owner
- Erin Kelley – Youth Advocate / Bicycle and Pedestrian Advisory Committee

Interview Questions

The stakeholder interviews were conducted in late August and early September, 2003. The interviews were loosely structured around three open ended questions that were designed to initiate a casual but informative conversation:

- Can you think of ideal locations to link parks and public lands, specifically to the Wayside Properties?
- What are key issues the city should consider regarding the Wayside properties as part of the Emerald Necklace Concept?
- Are there properties that you feel should or should not be part of the park system?

The CPW interviewer took notes on the interviews and created a brief report to document the information collected. This information was then presented to the Wayside Properties Advisory Committee in September 2003.

Themes

Each stakeholder provided unique insights into the development of the Wayside Properties and each discussed some issue that fell under one of five themes: Land Use, Links and Acquisition, Ecology, Security and Maintenance and Citizen Involvement. The following section details comments from the stakeholders as they relate to these themes.

Land Use

Generally speaking, the Wayside Properties were acquired with the intent of conserving open space and providing recreational opportunities for the residents of Canby. The stakeholder interviews supported the notion that the properties should be used for recreation purposes, and further that the type of recreation should be passive and center on the creation and use of a variety of trails and paths for non-motorized use.

Erin Kelley suggested that trails on the Wayside properties be educational as well as recreational. She suggested the use of interpretive signs at important ecological or natural heritage sites and the placement of benches for resting along trails.

Greg and Lauren Penner, as well as Darvin Tramel, Robbie Kurt, Virgil Montecucco and Catherine Davis also suggested or expressed favorable opinions towards the creation of pedestrian, bicycle or equestrian trails on the Wayside properties. However, Catherine Davis didn't believe equestrian and pedestrian users should share the same trail.

In addition to recreation, Darvin Tramel and Greg Penner discussed other possible uses of land on the Fish Eddy property. Mr. Tramel explained that because Fish Eddy had one of the lowest points in the City and because it is adjacent to the water treatment plant, it would be an ideal location to expand wastewater and storm-water facilities. Mr. Tramel believed that in the future a new or expanded wastewater facility will likely be needed, partially due to increased volumes, but also in order to meet regulations regarding the temperature of water that can be discharged into the Willamette River. As the temperature

of the river rises, lower volumes of high temperature water will be needed to push the river above ambient temperatures.

To handle future wastewater needs and to accommodate the goal of parks and open space Darwin suggested two ideas:

- Develop the land next to the treatment facility into a wetlands/natural park that would naturally treat storm water and also provide recreation opportunities; and
- Plant and irrigate poplar trees with wastewater. The trees natural processes would treat the water, and the trees themselves could be regularly harvested.

Greg and Lauren Penner also raised the possibility that the Fish Eddy property could be used to treat wastewater. Unlike Darwin Tramel, the Penner's opposed using the Fish Eddy property in this way and Mr. Penner stated, "Anything is more preferable than an outlet for the sewer treatment plant". Mr. and Mrs. Penner suggested that the Fish Eddy property, that is a wetland for several months of the year, be developed as a natural area with trails and native grasses that could be used for recreation, including walking and bird-watching.

It is important to note that City Staff emphasized a distinction between wastewater and storm-water in response to a review of stakeholders thoughts concerning the use of Fish Eddy as a wastewater or storm-water facility at the September 2003 Wayside Properties Advisory Committee. Wastewater included sewage and bio-solids and storm-water was primarily run-off from local precipitation. City staff also explained that any previous plans to treat bio-solids and sewage/waste-water have been withdrawn. The possibility of using Fish Eddy to treat storm-water run-off still exists.

Links and Acquisition

Inherent in the Emerald Necklace concept is the need to link parks and public lands together via a network of trails and paths. To develop these links and to provide enough parkland to meet the City's park standard requires that the City acquire additional land. The suggestions made by the stakeholders regarding the key opportunities for park linkages and land acquisitions are provided below.

Links

A wide range of connecting trails, paths, and bike lanes were identified by stakeholders that could link the Wayside properties to existing parks, as well as to commercial and residential areas of the Canby.

Robbie Kurt explained that his "number one priority" for the City's park system was to create a connecting loop around the city that would provide safe bike and pedestrian access to the City's parks. Greg and Lauren Penner encouraged the City to create a series of multi-use paths along the length of the Willamette River with trails

that would connect Canby proper to the River. Likewise, Erin Kelley hoped that new trails would connect to non-recreation areas such as businesses, transit stops and residential areas as much as they lead to recreational opportunities. Ms. Kelley suggested using a spokes and wheel pattern to achieve this objective.

Virgil Montecucco, though not opposed to developing trails for recreation, was not interested in building trails across his property in its current agriculture use. He also suggested that his neighbors held similar views. However, Mr. Montecucco suggested that links could be established by circumnavigating his property using city streets or county roads.

Mr. Montecucco's position regarding the development of public use trails on his land is particularly important because he owns relatively large tracts of land adjacent to the Willamette River and between the Log Boom to the east and the Ferry Crossing and Molalla State Park to the west. Stakeholders and members of city staff identified the Log Boom and Molalla State Park as ideal locations to link via a recreational trail and the most direct route to connect the two sites would cross Mr. Montecucco's property.

Figures 6-1 in the following chapter details the exact locations of links and trails proposed by the stakeholders. In general however, there was a great deal of interest in building trails off of the Logging Road Trail, establishing connections between the various Wayside Properties such as from the Log Boom to the Fish Eddy property, and also connecting to Molalla State Park.

Acquisition

Taking a regional perspective, Barry Lucas suggested that the City investigate the possibility of acquiring land along the Molalla River that is owned by Bob Traverso. Mr. Lucas explained that at one time Mr. Traverso offered to donate some land but that the City declined the offer because Mr. Traverso's neighbors opposed public use of land adjacent to their own.

Mr. Lucas also suggested that the City consider acquiring land near Knights Bridge that he believed was owned by the County. The location where Knights Bridge spans the Molalla River is a very popular swimming hole. It is common for cars to park on bike lanes and to find families and children on the road walking to the swimming hole. According to Mr. Lucas, this congestion creates a safety hazard that could be mitigated if the land were owned and developed by the City. Mr. Lucas noted that the City also declined an offer to acquire this land citing lack of funds to maintain the property. Mr. Lucas encouraged the City to accept similar donated lands in the future, even if funds were not available to maintain them right away because they could always be simply unused until funds were available to develop them. Robbie Kurt expressed a similar view encouraging the City to acquire any land possible for the park system

even if the lots were small and developed with only a bench and shade trees.

Darvin Tramel suggested that the City acquire the land with a pond near to the Turgeson Gravel Pit. Virgil Montecucco, a large property owner indicated that if portions of his land were re-zoned to allow for residential development trails through his property could be a part of the Emerald Necklace.

Ecology

Greg and Lauren Penner, who own property adjacent to Fish Eddy, were particularly concerned about the protection of wildlife habitat at the Wayside properties. The Penner's named several species of wildlife that live on or use the Fish Eddy property. They include deer, fox, coyote, migrating waterfowl, frogs, beavers, otters, red tail hawks, kingfishers and a pair of nesting osprey. Due in part to the existence of wildlife, the Penner's suggested that the Fish Eddy property remain as agricultural land because it helped to control invasive plants while creating a habitat conducive to wildlife. Greg and Lauren also supported the concept of wildlife corridors. They noted that this type of corridor could connect Fish Eddy to the Log Boom area via the water treatment plant, but also that 99E hits a bluff at the river forcing animals to cross the highway.

In addition to concerns about wildlife, the Penner's raised concerns with the quality of Willow Creek. Willow Creek runs through the Fish Eddy property and Greg and Lauren suggested that development upstream had caused the creek to back-up and flood roads during rainy months. In addition to flooding caused by development, the Penner's were concerned about the creek's water quality as it ran through developed areas and eventually into the Willamette River.

Security and Maintenance

Security and maintenance can be viewed as two sides of the same coin. Parks and public lands that are well maintained and monitored are likely to be the safest. Further, if parks and trails are used for their intended purpose maintenance and security issues will be minimized.

Catherine Davis was one stakeholder who expressed concerns about safety. She commented that there were some parts of the Logging Trail (those closer to the river) that felt less safe to her than compared to those parts that went through well kept residential areas. Catherine was also concerned that a loop of trails would create a situation where unsavory people could loiter, move around the city unseen, or quickly hide. She also expressed concerns about potential problems with vandalism.

Ms. Davis also commented that bike and pedestrian trails didn't mix well with equestrian paths.

Greg and Lauren Penner also raised concerns about security. They were concerned about the possibility of increased amounts of littering and under-aged drinking on public lands. They also expressed concerns about the costs of maintaining new parks with an already tight city budget.

Despite the security and maintenance concerns raised by these stakeholders they were still in favor of developing the Wayside properties and exploring the possibility of creating linkages with other parks and important City sites.

Citizen Involvement

Citizen involvement can be an important part of any public project. This is especially true in the expansion of a park system where acquiring land and developing partnerships with private property owners are key components of the expansion.

Erin Kelley stressed the importance of including a wide variety of city residents in the planning process of the Emerald Necklace so that plans could be scrutinized from a variety of perspectives. This would ensure, among other things, that trails would be usable and reflect the needs and traffic patterns of cyclist and pedestrians.

Robbie Kurt also strongly encouraged citizen involvement and suggested that high school students could be involved in trail and park maintenance, especially if it had an educational component such as restoration or wildlife.

Summary of Findings

The following findings represent the suggestions most frequently made by those interviewed in the stakeholder process.

- Stakeholders generally supported the Emerald Necklace concept and the idea of linking the Wayside Properties to other parks and public lands.
- Stakeholders identified multiple uses for the Wayside Properties including recreational, educational, and agricultural as well as a wastewater treatment facility.
- Stakeholders most commonly cited pedestrian and bicycle use, and the enjoyment of nature, as the most appropriate recreation uses for the Wayside Properties.
- Stakeholders most often suggested creating links to the Logging Road Trail, connecting Fish Eddy to Log Boom, and establishing links to Molalla State Park.
- The Wayside Properties provide natural habitat to a wide variety of plants and animals.

- Security and maintenance issues, especially littering, vandalism, and personal safety should be considered when developing the Wayside Properties.
- A wide variety of citizens should be involved in the process of developing a Parks Master Plan.

Chapter 6

Site and Regional Evaluation

This evaluation combines the input and findings from Advisory Committee meetings, CPW's inventory and data analysis, as well as results from the stakeholder interview process.

Site Evaluation

Conservation Opportunities

One opportunity is to conserve the Critical Natural Areas and Habitats located within Wayside Property. Critical Natural areas are areas and point locations of potential habitat importance, documented important species, and functioning communities that warrant conservation. Conservation can be defined in many ways, depending on the specific area. Conservation can mean protection or preservation of the area, observation of the area from safe distances, controlled access to the area, educational opportunities for the area, etc.

Wetland Restoration

Another opportunity is wetland restoration in the Fish Eddy area near the Willow Creek riparian area and/or expanded into the fields now leased for agriculture. The wetlands already exist seasonally in Fish Eddy and much of the land near Willow Creek is saturated all year long. Willow Creek is important habitat for songbirds, raptors, waterfowl, and geese, etc.

Riparian Buffers

Establishment of functional riparian buffers is an opportunity throughout Wayside Property. Some positive effects of riparian buffers include: providing shade for fish and aquatic species; improving water quality; adding structure to streams; filtering, trapping and converting sediments and agricultural chemicals before entering stream; stabilizing banks to prevent erosion; and providing wildlife habitat and migratory corridors.

Additionally, attached to the purchase and sale agreement to the Canby Landing Conservation Easement dated August 30, 2002, is the requirement that agriculture has to be at least 100 feet from the Willamette River. In order to provide a consistent 100-foot buffer along all waterways on Wayside, buffers would need to be established for Willow Creek, the area along the Willamette River near the Molalla Logging Road Loop, and the confluence of Willow Creek and the Willamette River.

Invasive Species Management

There is strong interest in controlling invasive species in Wayside Property. CPW identified five preliminary areas of invasive species that could be beginning places to control them. These places were chosen because they are easily accessed, a high infestation of invasive species exist and the invasive species presence is threatening functioning native habitat within the areas. The five areas include the perennial grass field and the areas on either side of the paved trail in the Log Boom area, the Ash/Oak bottomland, the Willow Creek area, and the west side of the Douglas-fir forest in the Fish Eddy area.

Managing Human Impact on Habitat

Developing controlled river access in Wayside properties is a possible strategy to minimize impact on the habitats while allowing opportunities for people to access, view, and interact with the Willamette River. Examples of controlled access points include piers, docks, trails, floating boardwalks.

Use of Existing Trails

There are a number of opportunities to expand and connect existing trails in a manner that is both economically affordable and ecologically low impact. This includes an opportunity to connect Fish Eddy to Eco Park and the Log Boom area through the Three Sisters Ranch, LCC either through easements, acquisition or other agreements.

Parking

With the increased use of the area, Wayside Property will need to provide for the volume of people. An opportunity exists for a parking lot/staging area to be established in the open field in Fish Eddy near Dutch Vista Road. This is a place where a parking lot would have the least impact. The area has adequate space, has a high amount of invasive species and compacted soils presently, is easily accessible from Dutch Vista Road, is flat, and is categorized as an area with minimal flooding.

Historical and Cultural Recognition

The recognition of cultural and historical structures such as the log boom and skidder ramp is another opportunity at Wayside Property. Logging is an intricate part of history both in the region and in the site. While the skidder ramp is a liability as it is now, there is opportunity for some form of recognition for both the ramp and log boom, be it interpretive signage, remnant pieces of both structures, preservation of the log boom, or footprints of either one.

Regional Evaluation

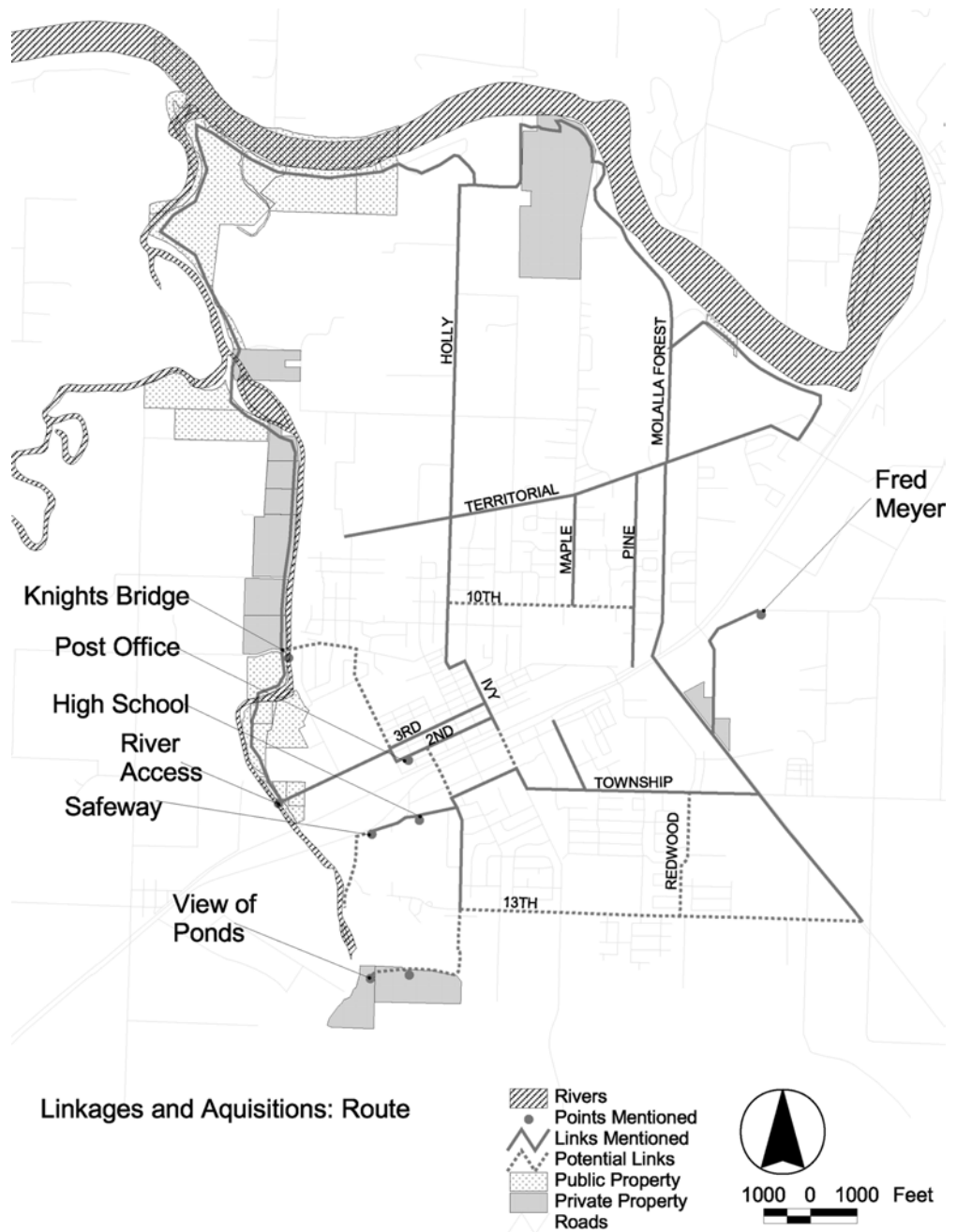
Linkages and Land Acquisition

Opportunities for linkages exist in various forms within Canby as well as around the city. These linkages serve as potential corridors for pedestrians, bicycles and other forms of non-automotive transportation. Stakeholders voiced the need for various linkages and further linkages were added to the ones that were suggested during stakeholder interviews for continuity in design and movement through “Emerald Necklace.” While the northern and western sections are defined by natural river features, the routes of the eastern and southern edge are possible in existing roads which serve as vital corridors to various civic and commercial nodes as well as recreation areas.

“Emerald Necklace”: Outer Ring

The outer ring of paths includes trails and linkages along the Molalla River on the western section, along the Willamette River on the northern section, along the Logging Road on the eastern section and along SE 13th on the southern section. The “necklace” poses an opportunity to provide an enhanced access to a variety of areas, including access to the main rivers by Canby, a safe route to schools and parks, a recreation area, and a use that can be compatible with the existing and potential ecosystem. Figures 6.1 illustrates the opportunities for expansion of parks and recreation linkages and corridors in order to achieve the City of Canby’s Emerald Necklace vision.

Figure 6.1: Linkages and Acquisition Opportunities



Source: CPW, 2003

Northern Section

The northern section of the path provides opportunities for recreation and enjoyment of views of the Willamette River, vegetation, wildlife and historical features. In the northern section, there are existing linkages in the Fish Eddy property, the Wayside property and Logging Road, Locust Street, 37th Avenue, and the road that leads to the Molalla River State Park boat ramp. Potential areas for linkages that would complete the continuity of the northern route include an area north of the Three Sisters Ranch, the northern most area on the periphery of the land owned by Montecucco by Maple Street and the Willamette and the northern land that is in Molalla River State Park.

Western Section

The western section of the “Emerald Necklace” provides enhanced access to Molalla River, Molalla River State Park, Knights Bridge and a swimming hole in the area, several elementary schools, the skate park, the high school, Canby Community Park and ponds south of the park. Existing roads provide opportunities for linkages in the southern part of this section. Opportunities for the northern section of the proposed trail exist on land owned by the State of Oregon in the Molalla River State Park and in privately owned land on the western side of the Molalla River. The western side of the Molalla River contains larger private lots and consequently provides the opportunity for less negotiations and a lighter impact. Land owners of these lots include Montecucco, Joel and Candace Hale, Florence Hostetler, Reuben and Pauline Fawver, Esther Fawver, Irene Fawver, the Canby Grove Conference Center and Canby Utility Board. Two additional river crossings would accompany this option.

Eastern Section

The Logging Road forms the eastern linkage of the “Emerald Necklace.” This continuous route allows non-automotive traffic to efficiently cross Highway 99 without having to mix with the highway traffic. The Logging Road provides access to the Azalea Garden by Fred Meyer, various stores, and an elementary school in the SE. The Logging Road also provides access to the Wayside property and areas south of Canby.

Southern Section

The southern section of the “Emerald Necklace” primarily consists of SE 13th Street. This street plays a vital role as a linkage because it passes by an area with two schools and two civic buildings. This also provides enhanced access to the eastern and western sections of the trail/access way.

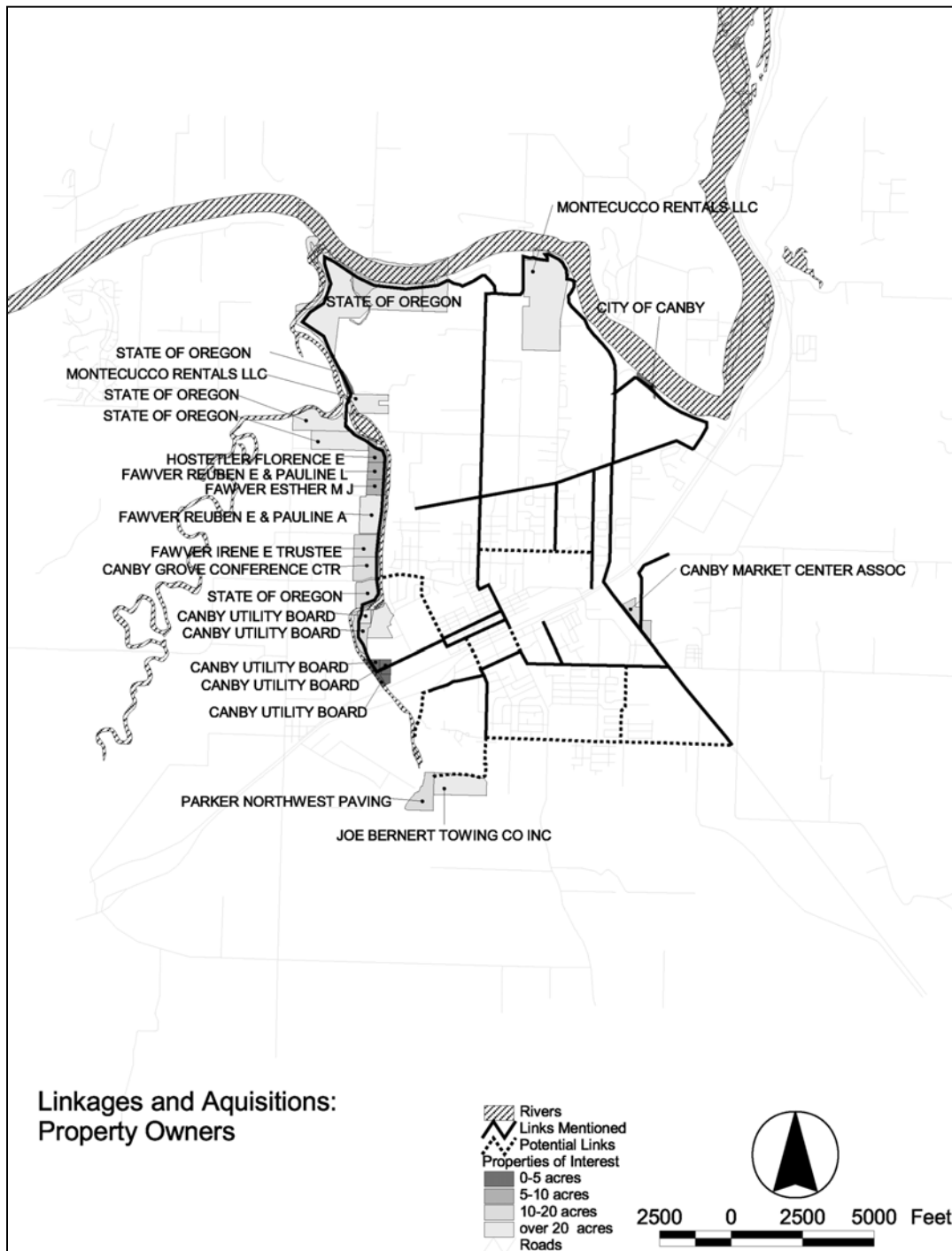
Interior Linkages

Interior linkages play key roles in connecting Canby to the river and surrounding “Emerald Necklace” trail system as well as parks and the downtown area by improving non automotive access along certain residential roads. Roads noted by stakeholders include Territorial

Road, Holly Street, Maple Street, Pine Street, Ivy Street, Oak Road and Locust Street. Other linkage opportunities exist on Cedar Street, 3rd Avenue, 2nd Avenue and 10th Avenue.

Table 6.2 identifies ownership of properties that lie between existing parks amenities and along paths identified as key future linkages.

Figure 6.2: Property Ownership and Potential Linkages



Source: CPW, 2003

Preliminary Priorities

In the second Advisory Committee meeting, members of the Community Planning Workshop team presented findings from their inventory of the Wayside properties and from interviews with affected stakeholders. The team listed a set of potential opportunities the properties may present to the City of Canby and its partners. Committee members attached preliminary rankings to specific opportunities they deem most important.

Using the “Snowcard” technique, Advisory Committee members attached preliminary rankings to the opportunities and issues CPW had identified. In the Snowcard process, each Committee member chooses his or her top three priority items and ranks them using a point system. CPW specified that this process won’t take any other ideas off the table but can clarify group priorities. The Advisory Committee members ranked items thusly:

Ecology: 14 points.

- Removal of invasive species: 6 points.
- Restoration of native species: 5 points.
- Conservation of critical and restricted landscapes: 3 points.
- Establish adequate riparian boundary: 0 points.

Links and land acquisition: 10 points.

- Use Logging road Trail to establish connectivity with city parks to enhance “Emerald Necklace”: 7 points.
- Connect Fish Eddy to Eco Park via acquisition or easement through 3 Sisters ranch property: 3 points.
- Connect Log Boom to Molalla River State Park via further acquisition efforts: 0 points.

Recreation: 5 points.

- Equestrian recreation: 2 points.
- Connect and expand existing trails within Wayside properties: 1 point.
- Log Boom as recreation/destination site: 1 point.
- Educational opportunities related to recreational uses: 1 point.

Historical/cultural: 4 points.

- Recognize cultural significance of historical infrastructure (example: Log Boom and Skidder Ramp): 4 points.

Security and maintenance: 3 points.

- Controlled vehicular access along Log Boom Road: 3 points.

Access/transportation: 2 points.

- Develop controlled river access point(s) on Wayside properties: 2 points.
- Parking area in Fish Eddy open field by Dutch Vista: 0 points.

Agriculture: 1 point.

- Continue agricultural lease at Fish Eddy: 1 point.
- Biosolids re-use on Fish Eddy: 0 points.

Infrastructure/Facilities: 0 points

- Stormwater reclamation on Fish Eddy: 0 points.

These preliminary findings will be helpful as the City works to further identify, clarify, and refine priorities for park improvements on the Willamette Wayside throughout the planning process for the Site Master Plan.

Appendix B

Public Workshop Summaries

This appendix includes the meeting minutes from the four public workshops that were held during the development of the Wayside Properties Master Plan.

- Workshop 1: Issue identification. The first workshop focused on identifying key issues and opportunities presented by the Willamette Wayside properties.
- Workshop 2: Guiding Principles. During the second community workshop participants used the guiding principles as a framework to map initial opportunities and constraints associated with the development of the properties. The second workshop resulted in a preliminary design for the properties, which was presented during the third workshop.
- Workshop 3: Conceptual Plan. In the third workshop participants reviewed the preliminary design in another mapping exercise and were asked to comment and provide modifications. The improvements emphasized by participants during this exercise were similar to those heard during the first two workshops. The third workshop resulted in a Draft Conceptual Plan.
- Workshop 4: Finalizing the Concept. The fourth workshop was used to present the refined Draft of the Conceptual Plan and phasing diagrams. One final mapping exercise was used to collect input and feedback on the Conceptual Plan and phasing diagrams.
- Public Open House. The plan was presented and discussed at an open house meeting in July 2004.



17 February 2004

TO: Matilda Deas & Beth Saul
FROM: CPW Willamette Wayside Team
SUBJECT: SUMMARY OF FEBRUARY 11 COMMUNITY WORKSHOP

BACKGROUND

The City of Canby has placed a strong emphasis on public involvement in the development of the Willamette Wayside Master Plan. To achieve this goal, community input will be collected through a series of community workshops. The community input will influence and guide the technical analysis at each stage of the project including the development of guiding principles and design options for proposed improvements on the properties. In addition, the community workshops will directly influence the final site plan, which includes proposed improvements and management strategies.

CPW will conduct three community workshops in February and March of 2004. The first workshop was intended to gather general input on opportunities and constraints related to the Willamette Wayside site. The second will focus on management and development of the site; the third will work towards a preferred alternative for the Master Plan. This memorandum summarizes community input received at the first community workshop.

WORKSHOP #1

Community workshop #1 took place from 7:00-9:00pm, Tuesday, February 10, 2004 at the Canby Adult Center. The purpose of this workshop was to generate and collect information from the public on opportunities and constraints connected to the development and use of the Wayside Properties. The workshop was also used to validate issues identified in the Scoping Report.

Participants included 2 members of the City Staff, 8 community members, and 8 members of Community Planning Workshop. The participants were as follows:

City Staff:

- Matilda Deas, Project Planner, City of Canby – Community Development & Planning
- Beth Saul, Library & Parks Director, City of Canby – Parks & Recreation

Community members:

- Larry, Canby residence
- Ron, Canby residence
- Bruce, Canby residence
- Kathy, Willamette Wayside Properties Advisory Committee Member

- Robi, Bike and Pedestrian Committee Member
- Teresa, Bike and Pedestrian Committee Member
- Troy, Bike and Pedestrian Committee Member
- Anonymous, Bike and Pedestrian Committee Member

CPW members:

- Bethany Johnson, Faculty - Community Service Center
- Paul Seilo, Project Manager
- Joshua Shaklee, Landscape Architecture
- Pauline Chu, Landscape Architecture
- Sharon DeBell, Landscape Architecture
- Jess Jordan Community & Regional Planning
- Greta Onsgaard Community & Regional Planning
- Emily Eng, Community & Regional Planning

This summary includes: (1) a description of the meeting structure; (2) the questions received after the initial presentation; (3) discussion about the snow card process; and (4) the guiding principles generated from public input.

MEETING STRUCTURE

Following a brief introduction of the history and background of the project by Beth Saul, Library and Parks Director, CPW led a powerpoint presentation of the Willamette Wayside Properties Master Plan project. This presentation was broken up into three parts: 1) the purpose of a Master Plan; (2) the process used in creating the Master Plan; and (3) a review of the opportunities and constraints identified in the Scoping Report which was completed in June 2003.

Following the presentation, participants engaged in a group question and answer session. Questions included:

- Q1. How can we improve outreach and attendance at the Workshops?
- A1. City Staff indicated that emailing residents or placing additional advertisements about upcoming workshops in the local newspaper were other methods to increase outreach and attendance. Also, one resident suggested having extra handouts he could take and distribute at other meetings to community members that were unable to attend.
- Q2. What is controlled river access?
- A2. CPW explained that this involved providing designated river access areas on the site to balance recreation with the protection of critical natural areas.
- Q3. How can CPW be contacted outside of the workshops in order to provide information to community members who were unable to attend?

- A3. CPW suggested having a comment box in town to address concerns and issues that may arise outside of the workshops. Contacting either Matilda or Beth was also reiterated as ways to address concerns.

After the question and answer session CPW initiated a small group activity. CPW used a snow card process in the small groups to identify public opinion on the opportunities and constraints associated with use of the properties. The purpose of the snow card process was to generate and collect initial ideas and opinions from the participants. The eight participants were divided into two groups of four individuals. Once the groups were divided and organized at each station each participants was given 4 green cards and 4 pink cards. On the green cards, the participants were asked to write a response to the following question:

What are the existing and future opportunities for the use and development of the Willamette Wayside properties?

Participants were asked to write a response to this question on the pink cards:

What are the existing and future constraints to the use and development of the Willamette Wayside properties?

The participants were asked to write only one opportunity and one constraint per card. CPW then collected and placed the cards on the wall in similar categories at each station. The opportunities were placed into like categories in one area of the wall and the constraints in another. A group discussion of the responses and created categories was then used amongst the participants to identify the most important responses and common themes in each category among the opportunities and constraints. At the end of the workshop, CPW collected all of the cards and comments received throughout the process. The information collected from each group during the process is as follows:

Group #1

The most important element that came up in Group #1 was the need to find a balance between preserving the ecological features on the site and any proposed improvements. Preserving the ecological features on the site would include maintaining and/or enhancing the ecosystem without causing any adverse impacts on the site or to adjacent property owners. It was emphasized that the trails should be used for recreation as well as an educational outlet for the community by connecting historic sites with interpretive signs. In addition to trails, it was stressed that other access points are needed to draw the community to the site, such as a parking lot and possibly a boat ramp. The participants that a dog park and community garden are other possible uses that would be good for the site.

There was also concern about safety and liability issues, both by dogs and the existing structures on the site. We need to ensure that the structures on the site and proposed developments are safe for everyone. Conducting a liability assessment might be a feasible option for identifying potential safety issues on the site.

OPPORTUNITIES

Most important: need for nature-based activities such as walking and bird watching (need identified by the System Wide Park Plan), dog parks and community gardens have had high requests, maintain emerald necklace concept, education – especially with regards to historic sites, maintain ecosystem with limited adverse impact.

NATURAL RESOURCES

- Storm water collection ponds that are also beautiful
- Wetland
- Maintain ecosystem with limited adverse impact*
- Build off of the ecosystem's positive aspects

CONNECTIVITY

- Tie in to Eco Park trails
- Equestrian trails
- Maintain emerald necklace concept – retain existing bike and pedestrian walkway (logging road) to limited access (spokes and wheels)*

ACCESS

- Retain maintenance vehicle access without adverse impacts to trail users
- Limited river access (i.e. boat and beach)
- Water connection to Hebb Park
- Public river access
- Limited vehicle access – parking close to boundary; Primarily walking and bike access

EDUCATION

- Educational opportunities for school – day camp?
- Logging history interpretive center
- Identification signs on trees
- Preserve historic sites (i.e. log boom)

OTHER RECREATION

- Community Gardens on Fish Eddy
- Dog Park – guided by protection measures for ecological area (need to be on leash and/or have fenced area for dogs)
- Establish picnic and river viewing sites

CONSTRAINTS

Most important: issues with dogs off leash, liability issues (assessment needed), and balance between uses and ecosystem, and access.

SAFETY

- Do a liability assessment*
- Limited access to daylight hours – limit vandalism
- Maintain privacy of WVCC and existing neighborhoods
- Security issues for neighbors and city facilities
- Safety concerns at log skidder ramp
- Existing liabilities and liabilities that may be created by development*

OTHER

- Dogs off leash*
- Attempting to combine too many non-complimentary recreational opportunities; control overlap of incompatible uses

ACCESS

- Limited parking and vehicle access

FUNDING

- Limited maintenance budget

NATURAL RESOURCES

- Need to balance habitat protection with public access*
- Retain existing irreplaceable natural vegetation
- How to provide restroom/picnic area without adverse impact to the habitat
- River bank revision could and will create erosion issues
- Topography

Group #2

The participants in Group #2 placed the most emphasis on trails. They want a quiet nature trail, as well as bike trails, equestrian trails, and trails to the river. One participant wrote that trails should provide interpretive opportunities. Another suggested making the logging road compliant with the American Disabilities Act (ADA).

The participants agreed that Education was also very important. They indicated that the Wayside properties are good for bird watching and nature walks, and a good educational resource for school children and the community at large. Because of its logging history, Group #2 felt that the properties should also include a historical interpretive site.

Ecology and natural resource restoration was a third category to receive a significant amount of attention. Three participants felt wetlands on the properties were an opportunity. One suggested wetlands be used in natural storm management. Another felt that vegetative enhancement and controlling blackberries and ivy are all opportunities. A third felt that the properties would serve as an environmental buffer to urban growth.

Maintenance/operations was viewed as the largest constraint. Group #2 participants were concerned about maintenance costs, the upkeep of trash and toilets, and the ongoing need to control invasive species.

Access and parking was the constraint that received the second most attention. Two participants mentioned that access would have to be limited because of environmental sensitive areas, while a third mentioned that may also be an opportunity. One participant felt that limited parking would be an issue.

One concern that did not come up was river access. However, one person suggested Willamette Wayside provided an opportunity for a boat ramp. A second participant then noted that there might be issues with motorized boats disrupting the peaceful surroundings.

OPPORTUNITIES

TRAILS

- Good trails
- A quiet nature trail
- Trails and interpretive opportunities
- Draw bicyclists and other recreationists to area- advertise, economic opportunity also for city
- Equestrian trails
- Bicycle and pedestrian recreational trail...a big loop
- River trails
- Make logging road ADA

CONNECTIVITY

- Link to other parks- e.g. acquire access near river to link to Canby ferry & Molalla River State Park

ECOLOGY/NATURAL RESOURCE RESTORATION

- Natural stormwater management
- Control of blackberries and ivy
- Ecological/environmental buffer to urban growth
- Wetland Creation
- Wetland Enhancement
- Vegetative Enhancement

EDUCATION

- Historical interpretive sites
- Training area for school student in wild land management
- Outdoor educational experiences
- Lead interpretive walks & birdwatching field trips- both educational and economic benefit to city with increased visitors
- Education opportunity- nature education for schools and general public
- Wildlife viewing
- Education on invasive species

RIVER ACCESS

- Decent boat ramp on this side of the river
- Existing structure- river access & pier

PARTNERSHIPS

- Partnerships with other agencies (i.e. American Heritage River, FEMA)

CONSTRAINTS*FUNDING*

- Funding for staff to procure GRANTS for development
- Funding/financial backing

LACK OF PUBLIC SUPPORT

- NIMBY
- Community support- buy-in so that the wildlife areas are maintained

SAFETY

- River safety

MAINTENANCE & OPERATIONS

- Maintenance & upkeep of trails- trash, toilets?
- Maintenance \$, dealing with vandalism
- Ongoing need to deal with invasive species
- Control of invasive species

ACCESS/PARKING

- Parking
- Restricting access to sensitive areas (I was once a kid who built forts in the woods)
- Balance access and recreation interests with protection needs (could also be an opportunity)

ADJACENT LAND USES

- Stinky treatment plant by access trails

VANDALISM/ TRESPASSING

- Vandalism of trail markers, trash cans, & toilets (if available)
- Vandalism to adjacent properties

REGULATIONS

- Willamette Greenway regulations

The major themes and most important responses were then used to formulate guiding principles for the use and operation of the properties.

GUIDING PRINCIPLES

The guiding principles are meant to provide a loose framework in order to move towards specific design alternatives in Community Workshop #2. The guiding principles are as follows:

[I think it would be helpful to have a brief discussion of each principle]

1. RESPECT NATURAL FEATURES

- Maintain and enhance critical natural areas
- Balance future use of the property with the protection of habitat
- Restore seasonal wetland area in Fish Eddy
- Control invasive species

2. STRENGTHEN CONNECTIVITY

- Link existing trails on the site
- Enhance the connection between on and off site trails (Emerald Necklace)
- Develop a link between the property and Mollala State Park [this is a goal; it may not be a project in the master plan]
- Explore opportunities for acquisition of surrounding properties

3. ENHANCE AND CONTROL ACCESS

- Provide a parking/staging area adequate for a variety of recreational uses
- Restrict non-maintenance vehicle access
- Provide designated public access points to the Willamette River
- Explore the potential for boat access
- Develop and maintain hours of operation

4. FOSTER EDUCATIONAL OPPORTUNITIES

- Use the site through field trips and day camps to educate local youth about natural habitat and cultural heritage
- Incorporate interpretive signage along the trail system with emphasis on natural and cultural features

5. CREATE A SAFE PLACE TO RECREATE

- Conduct a liability assessment of the entire property [we could do this as part of the MP]
- Remedy all existing and future liabilities
- Maintain privacy of Willamette Valley Country Club and existing neighborhoods
- Limit access of the property to daylight hours
- Develop a plan for enforcement and oversight of park uses

6. DEVELOP RECREATIONAL OPPORTUNITIES

- Provide onsite trails that allow for a variety of uses
- Establish picnic and river viewing sites
- Explore the development of a dog park and community garden on the property

7. SECURE FUNDING SOURCES

- Identify and utilize funding sources outside the City parks budget
- Provide cost estimates for all future improvements and management activities



3 March 2004

TO: Matilda Deas & Beth Saul
FROM: CPW Willamette Wayside Team
SUBJECT: SUMMARY OF FEBRUARY 24 COMMUNITY WORKSHOP

BACKGROUND

The City of Canby has placed a strong emphasis on public involvement in the development of the Willamette Wayside Master Plan. To achieve this goal, community input is being collected through a series of workshops. The community input will influence and guide the technical analysis at each stage of the project including the development of guiding principles and design options for proposed improvements on the properties. In addition, the workshops will influence the final concept plan, which includes proposed improvements and management strategies.

CPW is conducting three community workshops in February and March of 2004. The first workshop occurred on Tuesday, February 10th and was used to gather preliminary input on opportunities and constraints related to the Wayside Properties. The second workshop, described in this memo, focused on generating design and management alternatives for the use and development of the properties. The third workshop, scheduled for Tuesday, March 9th, will be used to develop a preferred alternative. CPW will use input from the third workshop as the basis for the conceptual plan element of the final Master Plan. This memorandum summarizes input received in the second community workshop.

WORKSHOP #2

Community Workshop #2 took place from 7:00-9:00pm, Tuesday, February 24, 2004 at the Canby Adult Center. The purpose of this workshop was to generate design and management alternatives for the use and development of the Wayside Properties. The workshop was also used to validate the guiding principles identified in the Workshop #1.

Participants included 11 community members, 2 members of the advisory committee, 2 city staff, and 8 members of the Community Planning Workshop. The participants were as follows:

Community members:

- Aaron Stutz, Canby resident and Canby High School student
- Alex Dodge, Canby resident and Canby High School student
- Larry Bowen, Canby residence
- Burt Degraw, Canby residence
- Arbie Irwin, Canby residence - helped construct Log Boom road
- Floyd DeKoning, Canby resident
- Laura Sattler, Canby resident

- Chuck King, Canby resident
- Wes Reynolds, Canby resident
- Bob Benkey, Canby resident
- Doti Borgan, Canby resident

Advisory Committee members:

- Ron Wright, Blue Heron Recreation District
- Steve Workman, Canby resident

City Staff:

- Matilda Deas, Project Planner, City of Canby – Community Development & Planning
- Beth Saul, Library & Parks Director, City of Canby – Parks & Recreation

CPW Staff:

- Bob Parker, Faculty-Community Planning Workshop Program Director
- Paul Seilo, Project Manager-Community & Regional Planning
- Joshua Shaklee, Landscape Architecture
- Pauline Chu, Landscape Architecture
- Sharon DeBell, Landscape Architecture
- Jess Jordan Community & Regional Planning
- Greta Onsgaard Community & Regional Planning
- Emily Eng, Community & Regional Planning

This summary includes: (1) a description of the meeting structure; (2) the questions and comments received after the initial presentation; (3) discussion about the design charrette process; and (4) the design alternatives generated from the input received in the workshop.

MEETING STRUCTURE

Beth Saul began the workshop with a description of the history and background of the project. CPW then presented an overview of the project and meeting including four sections: 1) the purpose of the Master Plan; (2) the process and components used in creating the Master Plan; (3) the Scoping Report findings generated in the summer of 2003; and (4) a review of the guiding principles identified in Workshop #1.

Following the CPW presentation, participants engaged in a group question and answer session. Questions and answers included:

Q1. Will there only be one access point (i.e. logging road) from Territorial Road, because right now there's only one?

A1. CPW indicated that this is an issue to during the mapping exercise this, and that there are possibilities for more access to the site.

Q2. Is there going to be more access for cars and/or people?

- A2. CPW explained that this and other access issues will be discussed in the mapping exercise.
- Q3. Why is the water treatment plant never used for access?
- A3. Beth explained that there are liability issues for accessing the Wayside Properties from the treatment plant's road.
- Q4. Why isn't there a regulation to make the water treatment plant's road safer?
- A4. Beth indicated that the water treatment road is safe enough for the City's use.
- Q5. Has there been discussion or consideration of safety of existing roads? There's been a lot of vandalism on the logging boom road. How do access roads fit into the overall plan? Shouldn't they have high fences?
- A5. CPW indicated that safety, access, and vandalism are all necessary components of the Master Plan and should be discussed in the small group exercise to follow.
- Q6. Is the City liable for the community's use of Knight's Bridge? On Saturday nights people use that area to drink. Is the City accountable/liable for the use of the Wayside properties?
- A6. Beth indicated that the City may need to control access on the site and in particular, on the Logging Road by enforcing operational hours.
- Q7. In the master plan, is it possible to suggest that we access the Wayside Properties from the road that leads to the water treatment plant?
- A7. Beth indicated the City intends on providing site access at other points, leaving the road to the waste treatment plant for that purpose alone.
- Q8. Is there currently access to the Wayside Properties from Maple Rd.?
- A8. No.
- Q9. How are we going to fund these improvements? Taxes or other sources? Will there be parking fees? Permits?
- A9. CPW is researching potential funding sources, but the use and development of the site will likely be funded from a variety of sources including City funds, partnerships, donations, and help from volunteers
- Q10. What types of recreational opportunities have been discussed?
- A10. Community garden, dog park, trails, paintballing, amphitheater, etc. This workshop will give you a chance both to suggest potential recreational opportunities and to site them on the property.

Comments included:

- C1. Delivery trucks to and from the wastewater treatment plant and country club present a danger
- C2. The Willamette Valley Country Club currently uses the Logging Road for maintenance, which needs to be considered when discussing the use of this road for maintenance of the properties.
- C3. Existing trees are important and not replaceable.
- C4. The wetlands pose a safety issue to children.
- C5. Keep part of the properties original use – address the history of the logging industry.
- C6. Changing the contour of the River will lead to erosion

CPW facilitated a small group activity after the question and answer session. A mapping exercise (design charrette) was used in the small groups to draw specific uses and developments on the properties. CPW emphasized using the guiding principles identified in Workshop #1 as a framework for the mapping on the site.

The twenty participants were divided into four groups of approximately five individuals. Once the groups were divided and organized at each station, the participants were encouraged to draw and discuss potential uses for the properties. Their comments and sketches were put onto trace paper that was covering an aerial photo of the site. Participants were also asked to address any limitations of proposed uses, and brainstorm ways to confront those issues.

The most important issues that came out of each of the four group discussions are as follows:

Group #1

The most important element that came up in Group #1 was the need to find a balance between preserving the ecological features on the site and any proposed improvements. Preserving the ecological features on the site would include maintaining and/or enhancing the ecosystem without causing any adverse impacts on the site or to adjacent property owners. It was emphasized that the trails should be used for recreation as well as an educational outlet for the community by connecting historic sites with interpretive signs.

Access was another significant issue that was discussed. In addition to trails, it was stressed that other access points are needed to draw the community to the site, such as a parking lot and viewing points along the Willamette River.

Group #2

The participants in Group #2 placed the most emphasis on access and development. They want to preserve the integrity of the Wayside Properties by limiting development and parking opportunities.

Group #3

This group stressed the importance of protecting the ecological integrity of the properties by allowing only passive recreation and other low-impact uses. The group recommended finding adequate parking areas that would not disturb nearby neighbors. The group indicated that there is no opportunity for motorized boat ramps on the site; however, they said there is potential to create a place for put in and take out of non-motorized boats. The group also discussed the phasing of uses and implementation. They felt that we should begin with trail construction, invasive species removal, and restoration, and gradually phase in equestrian use. They placed importance on acquiring the Three Sisters property.

Group #4

Group four placed emphasis on safety and recreation. Most of the group was comprised of residents of nearby properties and felt that their interests would be affected by the development of the properties. None of them were opposed to development, but brought up many specific objections during the activity.

Closing comments

After the workshop, CPW collected the drawn maps, and discussed similarities and differences among the drawings generated by the four groups. The comments/ideas on the maps were categorized according to the guiding principles identified in Workshop #1. The similar mapped uses categorized by the principles are as follows:

1. RESPECT NATURAL FEATURES

- Maintain and/or enhance critical habitat areas, including riparian habitat and wetland (green areas on map) for migratory fowl and health of ecosystem – some groups were in favor of keeping the seasonally wet area restored as well
- Use wetland for storm water runoff
- Remove invasive species (north log boom around circular path, western edge of the wastewater treatment facility, Eco Park, and along Willow Creek)
- Allow only passive (low-impact) recreation – only maintenance vehicles should be allowed
- Ensure that potential uses (i.e. paintballing) don't interfere with natural qualities and wildlife
- Open the confluence of the creek and river (but then a bridge would be needed = issue)

2. STRENGTHEN CONNECTIVITY

- On-site:
 - Maintain migratory routes, breeding grounds, and water flow in wetland – don't let proposed uses interfere with these elements
 - Trails
 - Put a boardwalk around wetland (Yellowstone Nat'l Park has done this successfully w/o disturbing wildlife)
 - Provide trails for joggers and bicyclists - asphalt for bikers, bark chips for runners (construct one along entire site, and one that circles the Fish Eddy wetland)
 - Link Fish Eddy and Log Boom site with trail
 - Provide access through stands of maples in log boom site, and through or adjacent to significant habitat areas to foster education, but maintain low impact
 - Do not have room for staging for horses = incompatible use with pedestrians and cyclists – horses shouldn't be on site unless they can enter the park somewhere else (i.e. might be feasible to have horses with Emerald Necklace)
 - Do not pave trail along old logging road in the log boom
- Off-site
 - Trail through Eco Park to bypass gate to golf course, because the road is hazardous
 - Extend bike path past North Territorial Rd. along the logging road
 - Link Wayside Properties with Molalla State Park
 - Acquire additional land for other uses (i.e. Three Sisters Ranch)
 - Crosswalk across Territorial Road (at Old Logging Road) and Highway 99 (at intersection with Territorial, in case of future acquisition)

3. ENHANCE AND CONTROL ACCESS

- Parking
 - Current parking/access points are congested – need more parking to avoid having one big parking lot (max. 35-50 parking spaces per lot)
 - There are parking issues on North Territorial Road

- Potential parking: adjacent to wetland in the drier area of the Fish Eddy, Elroy Knuston Property, north of Three Sisters Property, Territorial and Log Boom, Maple Road, north of the Waste Treatment Facility, Eco Park, Centennial, church parking lot
- Do not expand Eco Park parking
- Do not allow parking on Maple Rd.
- Parking fees?
- No staging area for horses
- Access
 - River
 - Non-motorized boat access in north (Log Boom)
 - View points
 - Roads
 - Maintenance only access – police should patrol by bike only
 - River and road
 - Control access during migration season

4. FOSTER EDUCATIONAL OPPORTUNITIES

- Interpretive signage:
 - Provide history about logging operations: old pictures of logging operations (on-site and from hwy 99 bridge to Log Boom)
 - Install sign at beginning of Molalla Road – use to be called “Crown Logging Road”
 - Signs in habitat areas to identify specific species
 - Signage in wetland, Willow Creek confluence
- Outdoor classroom in Eco-park

5. CREATE A SAFE PLACE TO RECREATE

- Do not allow motorized vehicles - use removable bollards on trail access points to keep vehicles from using trails and to allow emergency/maintenance vehicles access
- Bypass high traffic area of Old Logging Road through Eco Park

- Liability:
 - Horses are an incompatible use with pedestrians and cyclists – horses should not be on site unless they can enter the park somewhere else (i.e. might be feasible to have horses with Emerald Necklace)
 - Concern with safety of infrastructure (Log Boom and Skidder Ramp), but do not think they should be removed because it is costly
 - Signs or fencing around Log Boom and Skidder Ramp to avoid liability issues
 - Demolition of Log Boom and Skidder Ramp structures for liability reasons
- Barriers
 - Fences should be used
 - No additional fences are needed for safety – only need fence if there is an educational site or signs to avoid vandalism
 - Crate barrier between site and adjacent property owners and critical habitat areas
 - Paintball area will need fence for liability issues – no shooting wildlife

6. DEVELOP RECREATIONAL OPPORTUNITIES

- Recreational uses should be low maintenance (i.e. trails)
- Passive:
 - Community garden by in Fish Eddy or in Three Sisters Property
 - Provide an open field – leave Fish Eddy as open space?
 - Pavilion + restrooms
 - Multi-use trail system for pedestrians and bicyclists, and equestrian use only if parking is limited (i.e. no staging area)
 - Provide viewing/picnic areas by river (SE of Fish Eddy where the topography allows you to view the river, north of the log boom where it is most accessible to everyone, and/or others) and to view important/significant species
 - Picnic areas at Fish Eddy (with a pavilion for large gatherings) and Eco-park
 - Benches and picnic areas should be put on level terrain
 - Provide restrooms at key spots in the Properties (Eco-park, Log Boom)
- Active:

- Paintball (2-5 acres in size) outside of wetland
 - Can be used for tournaments and B-day parties
 - Cover ground with bark chips to prevent a pile of mud
 - Other paintballing opportunities are too far away
 - Adding trash cans would ensure that kids do not litter

7. SECURE FUNDING SOURCES

- Storage shed on site for paintballing would allow equipment to be rented/sold – use funds to maintain the field

POLICY IMPLICATIONS

The participants also generated some policy issues connected to the use and development of the properties that need to be addressed in the Master Plan. These policies include the following:

A. Safety

- a. Hours of operation (6am-10pm)
- b. Gate to prevent motorized vehicles
- c. Keep dogs on leash
- d. Prevent disorderly conduct (i.e. drinking, yelling, use of illegal substances, etc.)
- e. How do you keep people safe? Are signs enough, or do we need police enforcement?
- f. Encourage police or other security measures to watch the site to keep trespassers out during off-hours
- g. Liabilities connected to the existing Skidder Ramp and Log Boom
- h. Liabilities, what type of signage can be used to remove City from liability – no lifeguard on duty, no littering, trail etiquette (pedestrians have the right of way), no dumping, etc.
- i. Address pedestrian, bicycle, dog, and horse liability issues
- j. Ensure site is accessible to emergency vehicles
- k. Vandalism needs to be prevented
- l. Conduct a liability assessment

- m. Keep adjacent property owners safe
- n. Add barriers between site and property owners. What materials should barriers be made of?

B. Regulatory

- a. Setbacks of proposed developments from Willamette River and significant natural areas
- b. Zoning restrictions
- c. Endangered Species Act regulations for wildlife and vegetation
- d. Enforce leash policy and waste removal

C. Access

- a. Church southeast of Fish Eddy could be used for parking
- b. Parking availability – how many spaces are needed, where should they be, will there be a time limit?
- c. Access to Willamette River – what are access points, where can we put them, what type of structure, and how do you balance riparian features with infrastructure? Should/can we use existing access points?
- d. Compliance with American Disabilities Act (ADA)

D. Maintenance/Operation

- a. Who will maintain and operate the specific uses of the properties?
- b. Volunteers will need liability waiver and permission from the City

E. Acquisition – how will we acquire land?

- a. Three Sisters Ranch
- b. Parcel just north of the Maple St. dead-end
- c. Property to position a trail between the Wayside and Mollala State Park

F. Maintain Natural Features

- a. How can we use the wetland for storm water runoff?
- b. Can recreational amenities exist on the Fish Eddy without being flooded?

G. Funding

- a. Funding is not stable
- b. Need to incorporate long-term maintenance into Operations and Maintenance Plan – do not want park to get run down due to lack of funding or volunteers
- c. Ensure that proposals on site can be maintained indefinitely
- d. Harvest and sell timber from Eco Park
- e. Rent community garden plots
- f. Volunteers
 - a. Bring Canby High School students and other volunteers on site
 - b. Landscape teacher at Canby HS –has had classes involved with projects in the past
 - c. Have classes maintain the site
 - d. Use community to enhance area – creates a bond among residents because they are tied to the property

NEXT STEPS

The third workshop, scheduled for March 9th, 2004, will present a site concept for the Wayside Properties. The structure of the workshop will be similar to that of the second; a presentation and question and answer session will be followed by another mapping exercise.

The presentation will provide a background of the Wayside Properties, the purpose and process to create the Master Plan, a review of the guiding principals, and the results and findings from the second workshop. The results and findings will reveal some common themes/alternatives that emerged from the second workshop. Everyone was in agreement that the Plan should maintain and/or enhance critical natural areas and incorporate a trail system onto the Wayside Properties. These, and other commonalities will be presented as part of the site concept. The question and answer session will be used to reach a consensus on the common alternatives.

In addition to the common themes, CPW will also present alternatives that emerged from the second workshop, as well as some unresolved policy issues. The remaining alternatives and policy issues will be discussed in the small group mapping exercise. The mapping exercise will be used to clarify and resolve the remaining alternatives and policy issues, so that we can work toward a final preferred alternative.



03 March 2004

TO: Matilda Deas & Beth Saul
FROM: CPW Willamette Wayside Team
SUBJECT: SUMMARY OF FEBRUARY 18, YOUTH WORKSHOP

BACKGROUND

The City of Canby has placed a strong emphasis on community involvement in the development of the Willamette Wayside Master Plan. Canby strives to involve all community members including youth. Canby recognizes that youth input is vital to creating a master plan that best serves the needs of the entire community.

CPW in collaboration with students from the University of Oregon's course, Engaging Youth in Planning and Design, held a youth workshop on February 18, 2004 with Canby High School students. The purpose of this workshop was to generate and collect information from the youth on their ideas connected to the development and use of the Wayside Properties. The workshop was also used to develop interest for future involvement in the community workshops and or advisory committee of the Willamette Wayside Project. This memorandum summarizes input received at the youth workshop.

YOUTH WORKSHOP

The Youth Workshop took place from 12:20 to 1:30pm, Wednesday, February 18, 2004 at Canby High School. The participants were as follows:

- Matilda Deas, Project Planner, City of Canby – Community Development & Planning
- Wes Reynolds, Canby High School teacher, Geology
- Lori Craig, Canby Youth Corps
- Canby High School Students (21)
- Bethany Johnson, UO Instructor
- Rachel Geudon, Landscape Architecture
- Joshua Shaklee, Landscape Architecture
- Sharon DeBell, Landscape Architecture

This summary includes: (1) a description of the workshop structure; (2) the findings generated from the brainstorming period and mapping exercise; and (3) a brief explanation of how the findings will be used in the master planning process.

MEETING STRUCTURE

First, Matilda Deas, City of Canby, briefly introduced herself and the Willamette Wayside Properties project. Next, the CPW team introduced themselves and briefly explained the mapping exercise. Then the facilitators each joined one of the five already established

groups. Each group was provided with: one 36"x 36" aerial map with site boundaries and critical conditions identified with trace paper overlay; colored markers; and colored dots. Groups examined the aerial photographs and identified site location in relation to known landmarks, such as running trails and friend's houses.

After these students shared their base knowledge of the site, facilitators initiated a brainstorming process exploring the student's priorities for the site. Students then mapped their priorities. For example, trails were an identified priority. The students were asked to draw a series of lines, on the trace covering the aerial, indicating where they thought trails should be developed on the site. Many other priorities were mapped in such a way.

The students were asked throughout the process pointed questions regarding vandalism and why or why not they are interested in becoming more involved in Canby's planning process.

KEY PRIORITIES:

Each group of students developed their own list of priorities. These priorities can be consolidated into the following themes:

- Create and maintain trails that provide connections;
- Provide a variety of recreation opportunities;
- Provide river access for swimming, rafting/boating, and fishing;
- Develop basic amenities (i.e., bathroom, picnic tables, signage, drinking fountains);
- Ensure access to site;
- Ensure ecological integrity of site through a commitment to conservation and restoration; and
- Incorporate public art into site.

SMALL GROUP SUMMARIES:

The information collected from each group during the process is as follows:

Group #1

The participants in Group #1 placed the most emphasis on restoration. They wanted to create and or enhance existing wildlife habitat. In concert with their restoration goals they also prioritized the removal of invasive species. The use of goats and rabbits for invasive species control was indicated. Strong interest in the use of bat boxes for mosquito control, near the seasonal wetland, was also noted.

In addition, they also indicated trails as a priority. They utilize the existing trail system and would like to expand it. They would like a boardwalk through the wetland and a

connecting trail from the Fish Eddy to the Log Boom. Amenities, such as restrooms, benches, BBQs and interpretive signage were also noted and mapped. Fishing spots were also indicated on map.

A proposed solution to safety and vandalism concerns was to create an art wall along the Log Boom neighboring residences. The wall would offer a sense of privacy to the neighbors. A local artist in hopes of deterring future vandalism could create the art.

Identified Priorities

- Develop trails
- Create bat boxes
- Commit to restoration
- Remove invasive species
- Create opportunity for Art

Group #2

The participants in Group #2 noted the creation of soft surface paths as their number one priority. If the path was a multiuse path it should be at least 12 feet wide. Their second priority was to enhance and expand the seasonal wetland. Their map indicates a path running through the wetland area along the western boundary of the Fish Eddy. Parking was their third priority. They proposed parking on the far eastern end of the Fish Eddy.

Access to the river was also of much importance. A stairway down to a dock was desired for swimming access and raft launching. The participants also proposed future acquisitions, which include the Three Sister Ranch and the parcel on the southwest end of the Log Boom property. They considered the parcel adjacent to the log boom as an appropriate site for parking.

Identified Priorities

- Enhance and expand wetland
- Create soft surface path
- Create a connection with the Three Sister's Ranch
- Build a stairway and deck for swimming access
- Create a parking lot
- Plan for future acquisition for parking
- Develop view points on trails

Group # 3

Participants in group #3 had an assortment of ideas for the site. They ranged from an amphitheater along the river to the “Walk of Stars,” an art piece that would incorporate the names of the donors along one of the paths.

Like other groups walking and jogging paths were desired. Bike paths were also noted. It was important to them that some of these paths go through the forest. Participants also thought it was important to plant more trees on the site especially around the waste water treatment facility and the Three Sisters Ranch. They proposed vegetation buffers along both site’s property lines.

Participants included the Eco Park in their site proposal. They saw this area acting as a family gathering place. It was envisioned as a more formal park; with a pavilion, play equipment, benches and a bathroom. They envisioned trees surrounding the park.

In addition, to the many proposed developments, access to river views was a priority.

Identified Priorities

- Develop walking and jogging paths
- Plant more trees
- Limit development – do not build more houses
- Provide picnic tables, bathrooms, play equipment, trash cans
- Create an amphitheater for cultural events
- Build a “Walk of Stars” to recognize donors

Group #4

Participants in group #4 placed the most emphasis on running trails and the creation of a paintball field. One participant was a runner on Canby’s high school track team and stated that there were not enough long running trails in the area. He proposed that a trail system connect the old logging road to Mollola State Park. He mentioned that the Canby Chambers of Commerce in the past wanted to hold a marathon race in Canby. He thought that such a loop would be similar to their vision. A loop on the Fish Eddy site was also proposed. The participants in this group wanted the trail to have markers indicating distance and lights every quarter mile.

There was also great desire to put in a paintball field. They proposed putting the field in the eastern end of the Fish Eddy Site. Many safety precautions would be taken such as a net surrounding the entire field and a 500-foot buffer from the road. The participant who brought up the paintball field was asked to do some research on regulations and paintball field design and bring the findings to the next community workshop.

Group #4 also indicated interest in a stairway to physically access the river. There was also a desire to keep the old growth trees, which, according to participants, would require thinning the younger trees.

Identified Priorities

- Develop long running trails
- Create a paintball field
- Thin some trees
- Develop trails in the wetland area

NEXT STEPS:

The priorities generated in the Youth Workshop will be used along with issues identified in Community Workshop #1 (Feb. 10th, 2004) to create a set of Guiding Principles. The principles will be used to provide a framework in the actual mapping of uses and developments to be conducted in Community Workshop #2 (Feb. 24th, 2004).



5 April 2004

TO: Matilda Deas & Beth Saul
FROM: CPW Willamette Wayside Team
SUBJECT: SUMMARY OF MARCH 9 COMMUNITY WORKSHOP

BACKGROUND

Community Planning Workshop is working with the City of Canby to develop a master plan for the Willamette Wayside properties. The City of Canby has placed a strong emphasis on public involvement in the development of the Willamette Wayside Master Plan. To achieve this goal, community input is being collected through a series of community workshops. The community input has served to guide the technical analysis at each stage of the project including the development of guiding principles and design options for proposed improvements on the properties. In addition, the community workshops will directly influence the final Concept Plan, which includes proposed improvements and management strategies.

CPW conducted three community workshops between February and March of 2004. The first workshop occurred on Tuesday, February 10th and was used to gather preliminary input on opportunities and constraints related to the Wayside Properties. The second workshop held on Tuesday, February 24th, generated a preliminary site design and management implications for the properties. The third workshop, held on March 9, resulted in a preferred site design. This memorandum summarizes citizen input received during Workshop #3.

WORKSHOP #3

Community Workshop #3 took place from 7:00-9:00 pm on Tuesday, March 9, 2004, at the Canby Adult Center. The purpose of this workshop was to present a preliminary site design or draft Concept Plan to the community for review and comment. A secondary purpose was to elicit feedback on several unresolved management implications generated in the previous workshops.

Participants included, 8 community members, 1 city staff member, and 6 members of the Community Planning Workshop. The participants were as follows:

Community members:

- Aaron Stutz, Canby resident and Canby High School student
- Alex Dodge, Canby resident and Canby High School student
- Larry Bowen, Canby residence
- Paul Montecucco, Canby residence
- Steve Workman, Canby residence
- Virgil Montecucco, Canby residence

- Robi Kurth, Bike and Pedestrian Committee Member
- Troy Moore, Bike and Pedestrian Committee Member

City Staff:

- Matilda Deas, Project Planner, City of Canby – Community Development & Planning

CPW Staff:

- Paul Seilo, Project Manager-Community & Regional Planning
- Bethany Johnson, Faculty - Community Service Center
- Joshua Shaklee, Landscape Architecture
- Sharon DeBell, Landscape Architecture
- Jess Jordan, Community & Regional Planning
- Emily Eng, Community & Regional Planning

This summary includes: (1) a description of the meeting structure; (2) a discussion of the input received on the unresolved management implications; and (3) a description of the preferred Concept Plan generated from feedback received in the workshop.

MEETING STRUCTURE

CPW opened the meeting with a presentation and overview of the Willamette Wayside Properties Master Plan project. This presentation was broken into four parts: (1) a site description and overview; (2) an explanation of the master planning process; (3) a review of prior public involvement; and (4) a review of the draft Concept Plan which was designed from feedback received in the previous workshops.

Following the presentation, CPW facilitated a small group activity. Workshop participants were divided into two small groups and first discussed unresolved management implications connected to the use and development of the property. The activity then shifted to a review of the draft Concept Plan map. Participants were encouraged to draw desired modifications to the concept on the base map. The activity concluded with a wrap-up exercise in which the groups shared their results with each other.

MANAGEMENT IMPLICATIONS

The small group activity started with a discussion of the unresolved management implications connected to the future use and development of the site. These unresolved issues include: 1) safety; 2) acquisition; 3) maintenance/operation; 4) access; and 5) funding. The group activity led to similar results from each group. In the summary that follows the results are divided between management implications that are 'known' and those that remain 'unresolved'. The known implications are those heard throughout the public involvement process and reemphasized by both groups in Workshop 3. The 'unresolved' implications are those that have not received consensus or strong support in the workshop series and further guidance from the City is required.

Known

- 1) Funding for the use and development of the site will come from a variety of sources. Participants at the community workshops stressed the importance of using sources such as grants, partnerships, donations, and volunteer activities to finance the site instead of raising local taxes.
- 2) The American with Disabilities Act will be complied with in the use and development of the site.
- 3) Private Motorized Vehicles will not be allowed on the trail system or anywhere else on the site. Maintenance and emergency vehicles will have access through gates or bollards.
- 4) Restoration will be a major component of the ongoing operations and maintenance activities. Restoration includes enhancement and plantings and through invasive species removal. Natural areas with highest ecological value will be restored first and are the priority for ongoing restoration.

Unresolved

- 1) Liabilities exist on the site and need to be dealt with by the City Risk Manager. This topic has been raised throughout the series of community workshops. The possible liabilities include the existing historical structures and Willamette River. A liability assessment of the entire site should be included as part of the Master Plan. CPW is seeking assistance from the City regarding this issue.
- 2) Safety is another management implication left unresolved after Workshop 3. This concerns both the monitoring of ongoing use and the impacts on surrounding property owners. First, how will ongoing or daily use of the site be monitored to insure that all users are safe? Second, how will the impacts on surrounding property and property owners be mitigated to insure safety for both? Our working assumption is that City police will conduct periodic patrols of the area, however, CPW needs additional guidance from the City on to proceed with this issue.
- 3) Equestrian continues to be a proposed use that needs further clarification. Participants at each workshop have supported the use of horses on the site. However, participants have also questioned how this use fits in with other proposed uses of the trail system. Walking, jogging, and bicycling will be allowed on the trail system. How does equestrian fit with these other uses and is it safe for them all to be using the same trails? The second unresolved issue connected to equestrian is the establishment of a staging area on the site. Staging for equestrian requires a larger area than a typical parking lot because of the size and length of horse trailers and the trucks that pull them. Where could this staging area be placed on the site? One possible alternative is the Fish Eddy site, however, CPW is requesting assistance from the City on this issue.

PREFERRED CONCEPT PLAN

The results generated by each of the two groups in the mapping exercise were almost identical. In this section the results are divided between improvements that are 'known' and those that remain 'unresolved'. The known improvements are those heard throughout the series of workshops and reemphasized by both groups in Workshop 3. CPW is using these improvements in the development of the preferred Concept Plan. The 'unresolved'

improvements are those that have not received consensus or strong support throughout the workshops and further guidance from the City is required.

Known Improvements

- 1) A Trail System will be developed throughout the entire site. The existing trail along the Old Logging Road will be enhanced and paved from the Eco Park parking lot to the turnaround at the log boom structure. A soft path will also be developed directly adjacent to the hard path and will also extend from Eco Park to the log boom turnaround. The trail system will also be extended from the Old Logging Road east towards the skidder ramp and will continue along the river until the end of the property in the Fish Eddy. The majority of this trail section will be soft surface with some paving in the Fish Eddy to insure compliance with the America with Disabilities Act. A soft surface path with portions of elevated boardwalk will also be extended into the wetland area in the Fish Eddy.
- 2) Significant Natural Areas, as identified in the Scoping Report as critical natural areas and restrictive landscapes, will be preserved and restored. Restoration will include enhancement activities such as plantings and invasive species removal. Phasing will be used to insure that areas with the highest ecological value or potential value are restored first.
- 3) River Viewing Stations will be developed at strategic locations along the trail system, with a clear view of the Willamette. The stations will include benches, trash receptacles, and potentially picnic tables.
- 4) Interpretive Signage will be placed along the trail system to provide information about native vegetation as well as areas and structures having historical significance (i.e. log boom and skidder ramp).
- 5) The development of the Fish Eddy parcel will include restoration activities with a mix of capital improvements. The existing seasonal wetland will be preserved, restored, and eventually expanded to encompass a large portion of the entire Fish Eddy parcel. This wetland area will be used in the future for the management of storm water. The existing agricultural use will be maintained until funding is available for the wetland restoration and expansion. The riparian zone along the river will be enhanced, restored, and will include only a couple of viewing stations. A small picnic area will be developed to the east of the wetland restoration. The parking lot proposed in the Scoping Report for the extreme southeastern portion of the parcel, northwest of Oregon Highway 99W, will not be developed. A new parking area is proposed on the southern edge of the property, on the north side of Territorial Road.
- 6) The northwestern portion of the Log Boom parcel, adjacent to the Old Logging Road turnaround, will be developed as a picnic area. The picnic area will include a variety of picnic tables, trash receptacles, and barbeques. The area should include at least one or two covered picnic sites. A restroom facility shall also be constructed to service the picnic area. The first phase of this development will be invasive species removal and enhancement of native vegetation.

7) Parking Areas will be located in the following two locations: 1) the existing Eco Park lot will be used and possibly expanded; and 2) a lot will be constructed along the southern edge of the Fish Eddy parcel, on the north side of Territorial Road. The phasing of development and required number of parking spaces still needs to be determined with assistance from the City.

8) Acquisition of adjacent private properties will occur in the future if and when they become available. The priorities (from highest to lowest) for acquisition are as follow: 1) the triangular shaped parcel located north of the Maple Street dead-end, south of the log boom structure; 2) the Three Sisters Ranch parcel, located east of the Log Boom parcel and west of the Fish Eddy parcel; and 3) a connection along the Willamette River, between the northwestern end of the Log Boom parcel and Mollala State Park.

9) Gates/Bollards will be strategically located at each trail entrance into the park. The gates will restrict unauthorized motor vehicles but shall be removable for maintenance and emergency vehicles.

Unresolved Improvements

1) Parking on the site is an issue that needs further analysis. The area proposed for parking in the Scoping Report, located in southeast section of the Fish Eddy, will not be used. Parking will occur in two areas: 1) along the southern edge of the Fish Eddy, along Territorial Road; and 2) in the existing lot used for ECO Park. CPW needs assistance from the City in determining the size of the proposed parking lot and the number of spaces it should contain.

The participants in the workshop also identified two additional areas, for potential long-term parking. The two potential areas for future parking, both of which are currently under private ownership, include: 1) the Three Sisters Ranch; and 2) the triangular shaped parcel located north of the Maple Street dead-end, south of the log boom structure. CPW needs assistance from the City in how to adequately articulate to the current owners that these are strictly viewed as potential, future areas for parking.

2) Direct River Access to the Willamette for boating is still an unresolved issue. CPW presented one possible river access point at the northwest end of the Log Boom parcel, next to the log boom structure. Participants and City Staff indicated that there should not be a launch for motorized boats; however, each has expressed a willingness to allow non-motorized boat access such as canoes and kayaks. No capital improvements will be developed in the Log Boom parcel to provide this access. CPW needs additional guidance from the City on how to represent this potential use in the Concept Plan.

3) Restrooms facilities are proposed for three locations on the site. The locations are as follows: 1) adjacent to the proposed picnic area in the log boom; 2) next to the existing parking lot for ECO Park; and 3) within the picnic area proposed for the Fish Eddy. CPW needs assistance from the City to determine if all three of these locations are feasible and if so, what types of restrooms are appropriate. For example, does the infrastructure exist to allow for a hook up to sewer or should the facilities use outhouse/composting techniques.

4) Historic Structures – exist in two locations on the site. The log boom and skidder ramp

remain as a symbol of the regions timber legacy, however, they also present a potential liability. CPW needs further assistance from the City to determine the future of these two structures.

5) Stormwater management will be a component of restoring and enhancing the seasonal wetland located on the Fish Eddy parcel. The City will use the wetland to naturally manage stormwater originating on other properties. However, it is still unclear how much stormwater the City intends to manage on the site and subsequently how large a wetland area will be required. If the City wants to manage stormwater in addition to what is naturally coming down Willow Creek than this could add significantly to the required wetland area. CPW seeks further guidance from the City on this issue.

6) Access to and from the existing parking lot at ECO Park and the residential development immediately to the west needs further clarification. City Staff indicated that a modification might be required for access to this area. CPW needs further guidance from the City on this issue.

NEXT STEPS

CPW is incorporating the known management implications into a draft of the Operations and Maintenance Plan to be reviewed by the project steering committee sometime in May 2004. This plan will detail the ongoing operations and maintenance activities connected to the use and development of the site. CPW will continue working with the City to develop solutions to the unknown implications that also will be incorporated into the draft Operations and Maintenance Plan for review by the steering committee.

CPW is incorporating the known improvements into the preferred Concept Plan for review and comment by the steering committee and Canby Park and Recreation Board on Tuesday, April 20th, 2004. The feedback and revisions received in this meeting will then also be incorporated and the results presented as the preferred Concept Plan at the fourth and final community workshop, scheduled for Tuesday, May 11th, 2004. CPW will continue working with the City to develop solutions to the unknown improvements that also will be incorporated into the Concept Plan for review at the April 20th meeting with the steering committee and Park and Recreation Board.



28 June 2004

TO: Beth Saul & Matilda Deas
FROM: CPW Willamette Wayside Team
SUBJECT: SUMMARY OF JUNE 22ND STAKEHOLDER MEETING

BACKGROUND

Community Planning Workshop (CPW) is working with the City of Canby to develop a master plan for the Willamette Wayside properties. The City of Canby has placed a strong emphasis on public involvement in the development of the Willamette Wayside Master Plan. To this point, CPW has facilitated three public workshops, a youth workshop, and two meetings with the Willamette Wayside Steering Committee. Because there were still several unresolved management efforts after this process, the City held a series of meetings to generate feedback on how to proceed with these specific efforts. The City was able to generate consensus on the management efforts through the additional meetings, which was then incorporated into the Conceptual Plan for the future use and development of the properties. CPW presented this updated version of the Conceptual Plan to the Steering Committee and project stakeholders during a meeting on June 22nd. This memorandum summarizes input received and results of this meeting.

STEERING COMMITTEE AND STAKEHOLDER MEETING

The Steering Committee and stakeholder meeting took place from 7:00-9:00 pm on Tuesday, June 22nd, 2004, at the Canby Adult Center. The purpose of this workshop was to present and elicit feedback on the revised version of the Conceptual Plan that contains design elements generated during the City's series of extra meetings.

Participants included, 2 Willamette Wayside Steering Committee members, 13 community members, 2 city staff members, and 4 members of the Community Planning Workshop. The participants were as follows:

Steering Committee members:

- Kathy Shinn
- Mark Triebwasser

Community members:

- Carry Reed, Canby resident
- Larry Bowen, Canby residence
- Lynne Bowen, Canby residence
- Paul Montecucco, Canby residence
- Steve Workman, Canby residence
- Raymond Asche, Canby residence

- Betty Asche, Canby residence
- Mary Waldy, Canby resident
- Wayne Gaylin
- Bob Berkey, Canby resident
- Terry Blackwell, Canby resident
- Phil Schnaber, Canby resident
- Laura Sattler, Canby resident

City Staff:

- Beth Saul, Library and Parks Director, City of Canby
- Matilda Deas, Project Planner, City of Canby

CPW Staff:

- Robert Parker, Managing Director-Community Service Center
- Paul Seilo, Project Manager-Community & Regional Planning
- Bethany Johnson, Faculty-Community Service Center
- Pauline Chu, Landscape Architecture

This summary includes: (1) a description of the meeting structure; (2) a discussion of the feedback received on the revised version of the Conceptual Plan during the large group question and answer session; and (3) next steps in the master planning process.

MEETING STRUCTURE

CPW opened the meeting with an open question and answer session centered on posters of the Conceptual Plan and the three development phases. Participants were given the opportunity to review the revised plan and development phases before individually commenting and asking questions of CPW and City staff. The open session lasted approximately one half hour and ended when all comments and questions were exhausted.

Following the open session, CPW facilitated a large group question and answer session. The session was opened with a brief overview of the revised Conceptual Plan and the public involvement process used to generate it. Meeting participants were then given a second opportunity to comment and question all aspects of the Concept Plan and master plan in general. CPW documented all comments and questions and the session ended with an explanation of the remaining steps in completion of the master plan. The large group session lasted approximately one half hour.

CPW then ended the meeting by fielding all remaining individual comments and questions.

MEETING FEEDBACK

The majority of the feedback received during the large group question and answer session involved the Eco Park parking area/access point. The comments and questions regarding this issue focused on the current conceptual design and management of the area. The comments and questions on Eco Park were as follows:

- Q1: How often with the Willamette Country Clubs large maintenance vehicles be using the old logging road
- A1: The road will be shut down only two times a year for large golf course maintenance trucks.
- Q2: How soon will the access to the Eco Park parking area be re-routed?
- A2: The access will be re-routed as soon as possible and in the meantime the area will be gated or closed off during the evenings.
- Q3: When will the redesign of the Eco Park parking area be complete?
- A3: The completion of redesign should be completed by the start of Phase 3, depending on the availability of funding.
- Q4: How many parking spaces does the area currently contain?
- A4: The area is currently unlined but it appears to be 11 based on an initial estimate.
- Q5: Will the redesign of the area include the removal of the utility box on the west side of Molalla Forest Road?
- A5: The City is working to modify the current utility box but needs a large citizen turnout at future meetings connected to the issue.
- Q6: Does the design of the pedestrian crossing over Territorial Road still include flashing warning signs and a slower speed limit because these elements are not reflected in the Concept Plan?
- A6: The pedestrian crossing will include all necessary safety measures even if they are not reflected in the Conceptual Plan.

Participants also had a couple of other comments unrelated to parking and access at Eco Park. These were as follows:

- C1: The ivy removal in Eco Park should occur in Phase 1 instead of Phase 2 because it is already killing trees within the park.
- C2: Surrounding residents would be willing to organize to conduct some of the invasive species removal in Eco Park.
- C3: The grass along the north side of Territorial and south of Eco Park needs to be mowed on a regular basis because it presents a fire hazard.

NEXT STEPS

The feedback received in this meeting adds support for the current version of the Conceptual Plan and three phasing diagrams. CPW will now finalize the Conceptual Plan and phasing diagrams for presentation at the final Community Open House and incorporation into the master plan. The open house will occur sometime later this summer. CPW will also continue working with the City to finish the other remaining elements of the master plan. Comments and questions on any of the material contained in this memorandum can be directed to any of the following individuals:

Paul Seilo
Community Planning Workshop
University of Oregon
pseilo@darkwing.uoregon.edu
(541) 346-3653

Matilda Deas
Project Planner
City of Canby
deasm@ci.canby.or.us
503-266-9404

Beth Saul
Director of Library and Parks
City of Canby
saulb@ci.canby.or.us
503-266-4021

Appendix C

Liability Assessment

Project Planner Matilda Deas and Library and Parks Director Beth Saul toured the property with Scott Gustafson, the City of Canby's insurance representative on September 16, 2004. Mr. Gustafson was brought up to date on the planning process and recommendations for the future development of the property.

Mr. Gustafson recommended signage at the Log Boom structure and the skidder ramp to advise people of danger and to instruct them to stay off these structures. The Log Boom structure already has "keep off" stenciled on it in several places. The skidder ramp, according to Mr. Gustafson, should have a fence or low wall installed in front of it with signage advising of danger and instructions to keep off. Staff discussed the idea of a rock wall about three feet high that would be similar to rock walls at coastal cliff viewpoints. This would look more attractive and be in keeping with the nature park feel of the area.

Mr. Gustafson also was concerned about safety at Territorial Road for crossing pedestrians and bikes. Staff explained the concerns and ideas of the citizens involved in the planning process, and he concurred with the ideas of having a blinking light, rumble strips to advise motorists of the upcoming crossing, a well marked crossing, the relocation of the entrance to the parking lot and removal of the slip lane in conjunction with the relocation of the utility box that presents a vision clearance problem.

Mr. Gustafson recommended that the area not be officially opened to public use until these steps are taken for pedestrian and bicycle safety.

Appendix D

Funding Sources

This appendix summarizes funding sources that the City can consider for capital improvements and acquisitions.

System Develop Charges (SDCs)

SDCs are one-time fees assessed to new development and changes in use. SDCs for Canby's parks include fees assessed or collected as a part of a local improvement district or the cost of complying with other requirements or conditions imposed by a land use decision (Canby Municipal Code 4.20.030).

The purpose of Canby's parkland SDCs is "to impose all, or a portion of the cost of capital improvements for...parks upon those developments that create the need for or increase the demands on capital improvements" (Canby Municipal Code 4.20.010). These funds are updated at least every five years, and are used exclusively for capital improvements; they may not be used for the operation or maintenance of those improvements. The Wayside Properties can only use SDCs if they are not being financed by city revenues (Canby Municipal Code 4.20.120 Part D).

Canby uses a Construction Cost Index (CCI) based on historical costs for parkland improvements to establish the current cost for additional Improvements. A final determination of the current cost for Canby Master Park Plan Capital Improvements is made by the city council based upon the current CCI and information submitted by the city staff.

In order for the Wayside Properties to be eligible for SDC's, this master plan document will be submitted to the Planning Commission. Upon approval, any requests by the developer to change parkland dedication for future phases must be brought back to the commission for approval.

In order to receive SDCs funds, the Wayside Properties will have to be ready for full service including electrical, water, sewer and streets as is applicable to the location of the site or as is acceptable to the city. In case of phased development, sites may be improved as each phase is developed rather than at the time of original dedication (Canby Municipal Code 4.20.070 Part C).

The full amount of the park system development charge will be assessed and is due and payable at the time the first building permit(s) is/are issued" (Canby Municipal Code 4.20.070 Part D). The system development charge is payable upon issuance of a building permit, or a permit to connect to the sewer or storm water system (Canby Municipal

Code 4.20.100 Part A).bIf no building or connection permit is required, the system development charge is payable at the time the usage of the capital improvement is increased (Canby Municipal Code 4.20.100 Part B).

Volunteers

Youth - Canby High School

It has been suggested that volunteers from local Canby High Schools be utilized to restore, enhance, and learn from the Wayside Properties. In exchange for volunteering, the city can provide youth with a valuable educational tool for learning about wetland functions, critical natural areas, flora and fauna, water quality monitoring, history, and other topics of interest. Encouraging community members to participate as well will create stronger bonds within the community and a greater tie to the property. Volunteers should sign a liability waiver and letter of intent prior to volunteering to ensure that the city is aware of the duties and the duration of the tasks they will perform.

Community Members and Businesses

The city of Canby takes pride in planning for their parks and open spaces. To demonstrate people's commitment to these areas, businesses or community members may choose to volunteer their time to the Wayside Properties.

Adopt-A-Park

Adopt-A-Park programs could relieve the city of part of the financial burden associated with parks maintenance and improvements while also generating citizen pride in their parks. The scope would depend on the city's needs. For instance, the program could consist of having an organized group take responsibility for trash pick-up on a weekly basis in a particular park. A small plaque recognizing the group for its contribution could be placed somewhere in or near the park. On a somewhat larger scale, the city could also encourage local businesses to sponsor park improvements such as renovation of the amphitheater in Canby Community Park, or provision of accessible playground equipment in any of Canby's parks. This option seems viable in Canby considering the high level of volunteerism and community that already exists.

Solve Oregon Litter and Vandalism (SOLV)

SOLV is a non-profit organization that brings together government agencies, businesses, and volunteers in programs and projects to enhance the livability of Oregon. When the Wayside Properties is ready to remove invasives in Phase 1, SOLV can help organize work parties for the removal of invasives and planting natives. The City of Canby would be responsible for organizing the event, and would rely on SOLV to supply the volunteers.

Contact:

5193 NE Elam Young Parkway, Suite B
Hillsboro, OR 97124
Phone: 503-844-9571
Toll Free: 1-800-333-SOLV
Fax: 503-844-9575
Email: info@solv.org
Website: www.solv.org
Work Event Sponsor Website:
[http://solv.org/volunteers/site_coordinators/default.a
sp](http://solv.org/volunteers/site_coordinators/default.asp)

Donations

The city of Canby takes pride in planning for their parks and open spaces. To demonstrate people's commitment to these areas, businesses may want to provide monetary donations to develop the Wayside Properties, or improve conditions in the park. This would attract community members to the site as well as participation by local businesses. Businesses may also receive tax incentives through donations. While donations are recommended for short-term investments, they are not reliable for long-term maintenance of the site.

Land Trusts

Land trust organizations work with landowners in creating land for recreation or aesthetic purposes. Land trusts can help the city acquire land adjacent to the Wayside Properties by working with landowners to donate, sell, or exchange part of their land to a land trust in cooperation with the city. Like business donations, land donations can result in tax incentives to the landowner.

Northwest Land Conservation Trust

The trust works with Oregon landowners to establish conservation easements to preserve and protect agricultural land, forest land, wildlife habitat, wetlands, scenic open space, and other natural resources.

Contact:

Northwest Land Conservation Trust
P.O. Box 18302
Salem, Oregon 97305-8302
Email: nwlct@open.org
Website: <http://www.open.org/~nwlct/>

Trust for Public Land

The trust helps conserve land for recreation, enjoyment and to improve the health and quality of life of American communities. Protects land for human enjoyment and well-being.

They can help: research park trends and best practices, help create a community vision for parks and open space, help develop public-private partnerships for land protection, assist with real estate negotiation to acquire new properties, and help with private and public fund-raising for parks.

Contact:

Oregon Field Office
Trust for Public Land
806 SW Broadway, Suite 300
Portland, OR 97205
Phone: (503) 228-6620
Fax: (503) 228-4529
Website: www.tpl.org

Land Trust Alliance

Assists nonprofit land trusts and organizations to protect land through donation and purchase by working with landowners interested in donating or selling conservation easements, or by acquiring land outright to maintain as open space.

Contact:

Program Director
Land Trust Alliance
3517 NE 45th St.
Seattle, Washington 98105-5640

The Wetlands Conservancy (TWC)

The TWC is a non-profit land trust dedicated to preserving, protecting, and promoting the wildlife, water quality and open space values of wetlands in Oregon.

Contact:

Executive Director
The Wetlands Conservancy
P.O. Box 1195
Tualatin, Oregon 97062
Phone: (503) 691-1394
Email: wetlands@teleport.com

Partnerships

Partnerships are non-monetary contributions that can help one-time or ongoing maintenance of improvements or restoration on the site. Like land trusts, they can also help the city acquire additional parkland and

open space. A good method to build cooperation among public and private partners is to improve or maintain the Wayside Properties through a sponsorship that can help in maintaining or improving an existing facility.

Sustainable Northwest

Sustainable Northwest is a non-profit organization dedicated to building partnerships that promote environmentally sound economic development in the communities of the Pacific Northwest. They address the need for solutions to the environmental, economic and social challenges faced in the Pacific Northwest. Their primary focus is in community partnerships, market driven solutions, education and outreach, and policy programs.

Contact:

Sustainable Northwest
620 SW Main, Suite 112
Portland, OR 97205
Phone: (503) 221-6911
Fax: (503) 221-4495
Email: info@sustainablenorthwest.org

Oregon Division of State Lands – Wetlands Program

The Oregon Division of State Land's Wetlands Program staff implement the wetland program elements contained in the 1989 Wetlands Conservation Act. The program has close ties with local wetland planning conducted by cities, providing both technical and planning assistance.

They specialize in state and local wetland inventory, wetland identification, delineation, and function assessments as well as wetland mitigation, public information, and education.

Contact:

Wetland Mitigation Specialists
Division of State Lands
775 Summer Street NE, Suite 100
Salem, Oregon 97301-1279
Phone: (503): 378-3805, Ext. 285
Website: <http://statelands.dsl.state.or.us/>

Nature Conservancy

The Nature Conservancy is a non-profit organizations dedicated to preserving the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive.

Contact:

The Nature Conservancy of Oregon
821 S.E. 14th Avenue

Portland, Oregon 97214
Phone: (503) 230-1221
Fax: (503) 230-9639
Website: <http://nature.org/Oregon>

The Conservation Fund

This program is a partnership between Dupont, The Conservation Fund, and the National Geographic Society.

As a partnership they offer grants that demonstrate sustainable conservation solutions emphasizing the integration of economic and environmental goals. Several awards and grants are offered that address wetland protection and conservation.

Contact:

The Conservation Fund
1800 N. Kent Street, Suite 1120
Arlington, Virginia 22209-2156
Phone: (703) 525-6300
Fax: (703) 525-4610
Website: <http://www.conservationfund.org/conservation/>

Three Rivers Land Conservancy

Three Rivers Land Conservancy's mission is to preserve and protect natural areas, scenic and recreational areas, wildlife habitat, and historic lands in metropolitan Portland. They work with communities, businesses and citizens to identify the natural areas that are a valuable public resource. They also help communities to proactively plan, design and implement open space preservation. Three Rivers Land Conservancy also works with willing land owners who want to conserve their property. Land owners may donate their land or their development rights or we may purchase significant properties.

Contact:

Three Rivers Land Conservancy
PO Box 1116, Lake Oswego, Oregon 97035
Phone: (503) 699-9825
Fax: (503) 699-9827
Email: information@trlc.org
Website: <http://www.trlc.org/>

Natural Resource Conservation Service (NRCS) – Wetlands Reserve Program

The NRCS forms partnerships between federal, state, and nonprofit groups that have pledged to jointly provide national conservation leadership. Unlike other NRCS's grants, the Wetlands Reserve Program is not an easement. It is a voluntary program offering landowners the opportunity to protect, restore, and enhance wetlands on their property. This program offers landowners an opportunity to

establish long-term conservation and wildlife practices and protection. It is an agreement (generally for a minimum of 10 years) to re-establish degraded or lost wetland habitat. USDA pays 75 percent of the cost of the restoration activity.

Contact:

Oregon City Service Center
256 Warner Milne Rd.
Oregon City, OR 97045-4044
Phone: (503) 655-3144
Fax: (503) 656-3143

Clackamas River Basin Council

The Clackamas River Basin Council creates partnerships to help improve fish and wildlife habitat and improve the quality of life for people who live, work, and recreate in the watershed. They currently offer a Streamside Stewards Program which enables qualified agencies/organizations to obtain free trees for riparian restoration projects that enhance fish and wildlife habitat.

Contact:

Clackamas River Basin Council
P.O. Box 1869
Clackamas, OR 97015
Phone: (503) 558-0550
Email: info@clackamasriver.org
Michael Carlson – Council Coordinator

Phone: (503) 558-0973
Fax: (503) 558-0992
E-mail: michael@clackamasriver.org

Jo Anne Dolan – Outreach & Communications
Coordinator
Phone: (503) 558-0550
Fax: (503) 558-0992
Email: jo@clackamasriver.org

Northwest Youth Corp (NYC)

Northwest Youth Corps is a job training, alternative/outdoor education, employment, and youth development organization that has served over 7,700 young people in a variety of programs since it was established in 1984. Like the Oregon Youth Conservation Corp., the Northwest Youth Corps consists of youth that can help with a variety of activities on the Wayside Properties. A fee is associated with hiring a crew.

Contact:

Ethan Nelson - YouthCorps Program Director

2621 Augusta St.
Eugene, OR 97403
Phone: (541) 349-5055
Email: work@nwyouthcorps.org
Website:
<http://www.nwyouthcorps.org/hireacrew.html>

Grants

Grants are unstable funding sources that work well for short-term capital improvements. They require someone to write the grant, which can be a tedious and exhaustive process. There are often specific guidelines that the grant writers must follow before submitting a grant proposal. Using grants for initial investments and volunteers for the monitoring of those investments will be the most useful use of resources.

Oregon Department of Fish and Wildlife (ODFW)

ODFW Regulates and enforces fish and wildlife resources across the state of Oregon. They restore fish hatcheries, enhance natural fish production, and provide public access to fishing waters. Any public or nonprofit organization may request funds to implement fish restoration or enhancement projects.

Contact:

Oregon Department of Fish and Wildlife
3406 Cherry Avenue NE
Salem, Oregon 97303-4924
Phone: (503) 947-6000
Website: <http://www.dfw.state.or.us>

Oregon Youth Conservation Corps

The Oregon Youth Conservation Corps is a useful resource for one time cost investments and the continued maintenance of those investments. OYCC's mission is "to protect, conserve rehabilitate and improve the natural, historical and cultural resources of Oregon; and to increase educational, training and employment opportunities for youth, for the purpose of improving work skills, instilling work ethic and increasing employability." As a partnership, OYCC pairs students up with organizations to assist with the construction of trails, disability access ramps, fences, and picnic areas, and the restoration/preservation of wetlands, stream banks, critical habitat areas for endangered species and other wildlife, and historical and cultural sites.

OYCC funding is distributed in equal amounts to each county in Oregon every summer. The program funds individual projects ranging from \$5,000 to \$10,000.

The OYCC is offering two grants in 2004-2005.

1. The Community Stewardship grant provides funding to alternative education programs that offer Oregon youth hands-on conservation, environmental management, and community service projects linked to the educational process.
2. The Summer Conservation grant funds programs that traditionally run through the summer months to provide work-skill opportunities for Oregon youth through conservation and community service projects.

Contact:

Oregon Youth Conservation Corps
255 Capitol Street NE, Third Floor
Salem, Oregon 97310
Phone: (503) 378-3441
Fax: (503) 373-2353
Website: <http://www.oycc.state.or.us/Default.htm>

Oregon State Parks and Recreation Department

1. *Recreation Trail Grants* assist in the maintenance, development, acquisition, and construction of new and existing trails. Grant recipients are required to provide a minimum 20% match. Projects must be completed and costs billed within two years of project authorization.

Website: <http://www.prd.state.or.us/grants-rectrails.php>

2. *Federal Land and Water Conservation Fund* (http://www.prd.state.or.us/grants_lwcf.php) grants use federal dollars from the Department of Interior, National Park Service for acquisition, development, and major rehabilitation of park and recreation areas and facilities.

Website: http://www.prd.state.or.us/grants_lwcf.php

3. *Local Government Grants* use lottery dollars for land acquisitions, development and rehabilitation projects for park and recreation areas and facilities. They provide up to 50% funding assistance for cities/park districts with populations of more than 5,000. Small grant requests are for projects which do not exceed \$50,000 total cost and \$25,000 grant request. Large grants can also be requested up to \$250,000. These grant funds are available only once every two years, and fund availability is contingent upon Legislative approval of OPRD's budget. The next cycle for local Government grants will be in 2005.

Website: <http://www.prd.state.or.us/grants-localgov.php>

Contact:

Oregon Parks and Recreation Department

Salem Headquarters
725 Summer Street NE, Suite C
Salem, Oregon 97301
Phone: (503) 986-0707
Website: <http://www.prd.state.or.us/grants.php>

Administrative Field Office
Area 2: Portland/Columbia Gorge
2501 SW First Ave., Suite 100
Portland, Oregon 97207-0500
Phone: (503) 731-3293

Marilyn Almero Lippincott
Senior Grants Project Coordinator
Phone: (503) 986-0711
Fax: (503) 986-0793
Email: marilyn.lippincott@state.or.us

Marcia Andrews
Grants Coordinator
Phone: (503) 986-0712
Fax: (503) 986-0793
Email: Marcia.Andrews@state.or.us

Bonneville Environmental Foundation

The Bonneville Environmental Foundation offers watershed project grants ranging from \$5,000 to \$40,000. Any private person, organization, local or tribal government, located in the Pacific Northwest may submit a proposal but only if it includes a watershed biological assessment or operates within the context of a previously completed watershed biological assessment.

Contact:

Bonneville Environmental Foundation
133 SW 2nd Avenue, Suite 410
Portland, Oregon 97204
Phone: (503) 248-1905
Fax: (503) 248-1908
Website: <http://www.bonenvfdn.org/about/inde.shtm>

Paul G. Allen Forest Protection Fund

Priority is given to projects that protect forestlands with a strategic biological value that extend or preserve wildlife habitat, and offer public recreation and education. The foundation is interested in landscape-scale projects that provide optimal potential for protecting ecological integrity, functional and intact ecosystems, connectivity, and biodiversity conservation.

Contact:

Grants Administrator
PGA Foundations
505 5th Ave. South Suite 900
Seattle, Washington 98104
Phone: (206) 342-2030
Email: info@pgafoundations.com
Website: <http://www.pgafoundations.com>

National Park Service - The Urban Park and Recreation Recovery (UPARR)

The program provides grants for economically distressed urban cities. The purpose of the program is to provide direct federal assistance to urban localities for rehabilitation of critically needed recreational facilities. It also encourages systematic local planning and commitment to continuing operation and maintenance of recreational programs, sites, and facilities. Only cities and urban counties meeting established criteria are eligible for assistance.

Contact:

National Park Service
Pacific West Region
Columbia Cascade Support Office
909 First Avenue
Seattle, Washington 98104-1060
Phone: (206) 220-4126
Website: <http://www.ncrc.nps.gov/ccso/>

Oregon Department of Environmental Quality (DEQ) – Water Quality Non-point Source Grants

Approximately \$2.7 million is available each year in grants for non-point source water quality and watershed enhancement projects that address the priorities in the Oregon Water Quality Nonpoint Source Management Plan. Grants require a minimum 40% match of non-federal funds and a partnership with other entities.

Contact:

Phone: (503) 229-5088

Website: Specific Oregon DEQ grants can be found at <http://www.deq.state.or.us/programs.htm> or the Economic Revitalization Team's website: <http://governor.oregon.gov>

Oregon Watershed Enhancement Board (OWEB)

OWEB administers a grant program that awards more than \$20 million annually to support voluntary efforts by Oregonians seeking to create and maintain healthy watersheds.

Types of grants provided by OWEB include: upland erosion control, land and/or water acquisition, vegetation management, watershed education, and stream habitat enhancement.

Contact:

Grant Program Manager
Oregon Watershed Enhancement Board
775 Summer Street NE, Suite 360
Salem, Oregon 97301-1290
Phone: (503) 986-0203
Fax: (503) 986-0199
Website: <http://www.oweb.state.or.us/>

Program Representative, Willamette Basin
775 Summer Street NE, Suite 360
Salem, Oregon 97301-1290
Phone: (503) 986-0185
Fax: (503) 986-0199

Environmental Protection Agency (EPA)

EPA's mission is to protect human health and to safeguard the natural environment — air, water, and land — upon which life depends. For 30 years, EPA has been working for a cleaner, healthier environment for the American people.

Their grant topics pertain to: brownsfields, environmental education, environmental justice, waste water management and clean water, one stop reporting program, pollution prevention incentives, sustainable development challenge grants, and water grants. Grants are searchable by region on their website.

Contact:

Standard Mailing Address
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Phone: (202) 272-0167

Website: <http://www.epa.gov/epahome/grants.htm>

Region 10 (AK, ID, OR, WA)
Environmental Protection Agency
1200 Sixth Avenue
Seattle, WA 98101
Phone: (206) 553-1200
Fax: (206) 553-0149
Toll free: (800) 424-4372

Website: <http://www.epa.gov/region10/>

U.S. Department of Energy - Energy Efficiency and Renewable Energy Network (EREN)

Over 30 funding options can be found on their website with topics pertaining to: green buildings, green development, land use planning, measuring progress, disaster planning, community energy, transportation, sustainable business, financing, rural issues, and resource efficiency (air, water, materials).

Contact:

Website:

<http://www.sustainable.doe.gov/management/financial.shtml>

EREN's website has an electronic contact form – no other contact information was provided.

American Greenway Grants

American Greenway Grants are a partnership project of the Eastman Kodak Company, the Conservation Fund, and the National Geographic Society. They provide small grants to stimulate the planning and design of greenways in communities throughout America. Grants may be used for activities such as: ecological assessments, mapping, surveying; developing brochures, interpretive displays; building a foot bridge, planning a bike path; or other creative projects. Community organizations will receive preference, but public agencies may also apply. The maximum grant is \$2,500; most grants range from \$500 to \$1,500.

Grant recipients are selected according to the importance of the project to local greenway development efforts, demonstrated community support for the project, extent to which the grant will result in matching funds or other support from public or private sources, likelihood of tangible results, and the capacity of the organization to complete the project.

Contact:

The Conservation Fund
1800 N. Kent Street, Suite 1120
Arlington, Virginia 22209-2156
Phone: (703) 525-6300
Fax: (703) 525-4610
Website: <http://www.conservationfund.org/conservation/>

U.S. Department of Transportation

The Transportation Equity Act for the 21st Century (TEA-21) was enacted June 9, 1998 as Public Law 105-178. TEA-21 authorizes the federal surface transportation programs for highways, highway safety, and transit for the 6-year period 1998-2003. The TEA-21 Restoration Act, enacted July 22, 1998, provides technical corrections to the original law.

Canby can explore funding opportunities for paving the Old Logging Road by applying for grants through T-LU, the updated version of TEA-21.

TEA-21 funding for parks and connections includes:

- Bicycle transportation and pedestrian walkways;
- Recreational trails program;
- National Scenic Byways Program;
- Transportation and Community and System Preservation Pilot.

Contact:

U.S. Department of Transportation
400 7th Street, S.W.
Washington, D.C. 20590
Phone: (202) 366-4000

Metro's Greenspace Program

Conservation and Restoration grants up to \$30,000 are available through Metro for a wide array of projects and programs designed to address high priority fish and wildlife conservation issues. Grants require a local 1:1 match in cash, donations or in-kind services. Enhancement projects must be located on public lands or conservation easements that are in perpetuity

Contact Info:

Jennifer Thompson
U.S. Fish and Wildlife Service
Phone: (503) 231-6179
Email: Jennifer_Thompson@fws.gov

MICHAEL D. MCNICHOLS

730 NE 30TH PLACE
CANBY, OREGON 97013-3695

October 20, 2017

Canby Planning Commission
% Mr. Bryan Brown
City of Canby
222 NE 2nd Avenue
Canby, OR 97013

Re: SUB 17-05

Dear Commissioners and Mr. Brown:

The purpose of this letter is to present to the Canby Planning Commission what I believe are the substantial liabilities to the residents of North Maple should the above referenced subdivision be approved by the Canby Planning Commission. First and foremost of any consideration should be the safety of the Canby residents that live and utilize North Maple. It is my opinion that the traffic study and the proposed solutions are seriously deficient in their handling of the traffic hazard presented by the proposed development. This issue is discussed below in detail.

In addition to the safety issues, it appears that the developer is asking the residents of North Maple to subsidize the development (by the requirement of sidewalk improvements) by possibly up to almost one-half million dollars. This issue is also discussed in greater detail below.

TIMING ISSUES

The hearing for this project was originally scheduled for September 25, 2017. On September 20, 2017, the city planning department issued a notice stating that the scheduled hearing had been rescheduled to October 23, 2017. In that same notice, interested parties were informed that all comments that would be incorporated into the revised findings would be due on October 11, 2017.

The revised staff report for the hearing scheduled for October 23, 2017 (this coming Monday) was emailed to me on October 16, 2017. The revised staff report references documents dated October 10, 2017 that were relied upon by the planning department staff in making their determinations. (Revised Staff Report, page 5: additional memorandum, revised Exhibit 2, additional Exhibits 11, 12, and 13)

The lack of information and the lack of time allowed for the review of the documents relied upon by the city planning department gives the impression that the department isn't as concerned with citizen input as it is with addressing the needs of developers.

On September 19, 2017, a meeting was held for persons who had indicated an interest in getting information about the proposed development at the Willamette Valley Country Club. Between 55 - 60 persons were in attendance including Mr. Bryan Brown, Planning Director for the City of Canby. Mr. Brown conducted a question and answer session to address the

MICHAEL D. MCNICHOLS

Canby Planning Commission
City of Canby
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questions asked by those in attendance. During that meeting, Mr. Brown stated that the planning department had recently reviewed documentation which proved to his satisfaction that obtaining the needed right-of-way for street widening would not be an issue. However, no documents were made available prior to this meeting. From a private citizen perspective, dealing with the proposed subdivision is a bit like playing whack-a-mole. The data keeps changing and the city planning department has made it difficult to assess all of the information on a timely basis.

Additionally, the application itself and the revised staff report are ambiguous in several important aspect which are discussed in greater detail below but which do not provide for any completion date of any of the proposed construction, and do not detail what any final plans will be as to having home owners pay for any required side walks. Putting it bluntly, there are too many loose ends that need to be finalized or addressed with specific plans before the application should be approved.

The issues discussed in this letter are generally organized as follows:

- I Background
- II Elimination of Parking on East Side of North Maple
- III Sidewalk
- IV The Unimpeded Mile
- V Pedestrian Walkway
- VI Pedestrian Activity
- VII Current Agricultural Nature of Property
- VIII Side Walk Cost Issue
- IX Critique of Revised Staff Report - Interpretation of §16.46.010(B)(1)
- X Emergency Vehicle Access to Development
- XI Wetlands Issue
- XII Discussion Points
- Exhibits

I BACKGROUND

My wife and I have lived in our home at the corner of 30th Place and North Maple Street for 27 years. During that time, the property which is now the subject of the SUB 17-05 application was proposed for development to the City of Canby twice¹, and both times the applications for the proposed developments were withdrawn when the developer determined that the application would fail. (See Exhibit 1 - Memorandum from John Williams to Mark Adcock.) The City based their denials of the application on sound reasoning, primarily having to do with safety issues. Those were good decisions then and the underlying problems that caused the project to be rejected are as valid now as they were in the prior application attempts. The Canby Planning Commission findings for the SUB 94-20 are included in Appendix 8 at the end of this letter. Although that particular application was made to the city 23 years ago, it is instructive to review the findings.

¹ SUB 94-02 and SUB 96-02

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II ELIMINATION OF PARKING ON EAST SIDE OF NORTH MAPLE

Exhibit 3 of the Revised Staff Report for SUB 17-05 consists of a traffic study report performed by DKS Associates on April 8, 2015. The study concludes that the proposed development would generate an additional 304 daily vehicle trips, one-half in each direction.

Page 5 of that report recommends that because of the current width of North Maple Street, parking on the east side of North Maple Street, as it has existed since its construction, be prohibited between Willamette Valley Golf Course and the subject site. The report states:

It is recommended that parking be prohibited along the east side of N Maple Street north of the Willamette Valley Country Club. There are currently 19 homes with access on N Maple Street; all of which have driveways and garages that can accommodate at least two vehicles.

This was definitely written from a developer's perspective. It totally disregards the fact that the homes along North Maple might have visitors, over night guests, holiday family visits, dinner guests, maintenance personnel, delivery vehicles, etc. But I suppose it would be no inconvenience to have family and friends walk a quarter of a mile or so, with luggage in hand, to visit.

III SIDEWALK

The April 8, 2015 report is also unequivocal in its recommendation for sidewalks. In the section entitled "Safety" on page 7, the report states:

Because of the increase in daily traffic volumes, measured 85th percentile speeds, and standard cross-section, ***it is recommended that sidewalks be provided*** along the east side of N Maple Street between Willamette Valley Golf Club and the Logging Road Trail to provide a safe walking space for pedestrians.

IV THE UNIMPEDED MILE

The proposed development would be situated at the very north end of North Maple Street. Residents traveling from the proposed development would have an unimpeded one-mile straightaway from the subdivision to NE Territorial Road. (See Exhibit 2, aerial photographs) There are no traffic control devices anywhere in this one mile stretch. According to the subdivision traffic study prepared by DKS Associates on April 8, 2015, the project will generate an additional 304 daily vehicle trips. The photographs included in Exhibit 2 show several views of North Maple and related issues.

What the traffic study submitted to the city does not adequately address is the psychological impact for the new residents of the proposed subdivision when they have an early morning commute to make and an unimpeded 1 mile straight road between the subdivision and the first traffic control device located at the intersection of North Maple and

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Territorial Road.

The traffic study by DKS Associates prepared on April 8, 2015 states that, "Because there are alternative options to accessing N. Maple Street north of NE 22nd Avenue and adequate shoulder is provided for parking, no roadway widening is recommended on N Maple Street between NE Territorial Road and NE 21st Avenue." (Page 5) What kind of an absurdity is this observation? Is it realistic to assume that drivers will utilize a longer route to get to the development than driving straight to it on North Maple Street. The map on page 3 of that report shows N Locust Street and NE 22nd Avenue and North Country Club Drive in a darker color than N. Maple Street between Territorial Road and E 23rd Avenue. The inference is obvious, the conclusion is ludicrous.

It is somewhat absurd to think that traffic to and from the proposed development will detour onto 22rd Street or Country Club Drive in order to reach Territorial Road. My personal observation has been that the people living on the side streets utilize N. Maple Street to commute to their homes.

V PEDESTRIAN WALKWAY

On November 17, 2016, just 19 months after issuing its traffic study dated April 8, 2015, DKS Associates appears to reverse its prior findings when it issued a second report finding that a pedestrian walkway, separated from vehicle traffic . . .

by an eight inch wide stripe and will serve as temporary accommodation for bicycles and pedestrians. The west side of N Maple Street should also be signed "No Parking". In the future, when the properties on the west side of N Maple Street develop (they are currently outside city limits, but will likely develop eventually), N Maple Street should be constructed to the City's Standard Local Street cross-section (half-street on west side). At that time, the "No Parking" signs could be removed.

In contrast to its first report, DKS Associates does not provide any references or statistics to validate the safety of this proposal in the November 17, 2016 report. Nor does DKS provide any estimate as to how long this "temporary" dangerous condition would be allowed to exist. The reason for the vague time line is that, if approved, the proposed development would be allowed to be completed in six stages, none of which have any established completion dates. And there is absolutely no way to predict when any of the west side of North Maple Street will be developed. Until this occurs, the residents and users of North Maple will be forced to use the "temporary" sidewalk solution while being subjected to the additional 300+ vehicle trips a day resulting from the proposed development.

In that same report (November 17, 2016), in the section entitled "Safety and Parking Issues" DKS states:

The proposed cross-section of N Maple Street provides an accommodation for pedestrians and bicycles on one side of the roadway. ***It is anticipated***

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that pedestrian volumes will be relatively low since there are few destinations within a reasonable walking distance, other than residences. Pedestrians walking for exercise or pleasure are also likely to walk along the trail near the river, east of the site. Bicycle volume is also expected to be relatively low. ***With relatively low expected*** pedestrian and bicycle volumes, the western path can ***also be used as a shoulder area***, facilitating the passage of vehicles traveling in opposite directions on N Maple Street, when pedestrians and bicycles are not present. Therefore, the widening should be constructed to full depth to accommodate local street vehicle loading. (Emphasis added.)

The report makes the unsupported assumption that pedestrian volumes will be “relatively low”. There is no basis for this assertion. And the phrase “relatively low” is not defined anywhere in that report.

In contrast to the first report which relied upon statistical calculations and treatises from which to draw conclusion, it is somewhat surprising that in the second report issued on November 17, 2016, DKS Associates relies upon unsupported suppositions from which conclusions are apparently made. That report also recommends that vehicle traffic can use the pedestrian walkway as a shoulder when needed. This idea seems to defeat the purpose of having a dedicated pedestrian walkway separated from traffic by an eight inch wide painted stripe.

At the neighborhood meeting on September 19, 2017, Mr. Bryan Brown was asked if he was aware of any other pedestrian walkways in Canby where the only barrier between pedestrians and vehicle traffic was an eight inch wide white stripe painted on the pavement. **Mr. Brown stated that he was not aware of any area in the entire city where this type of traffic control method was used for pedestrian travel.**

The proposed walkway solution is a catastrophe waiting to happen. It should never have been proposed. It appears that this irresponsible scheme was formulated as a solution to avoid having homeowners absorb the exorbitant costs of constructing the sidewalks which would eventually be needed should the currently proposed development be approved. As noted in the revised staff report in their observations about the construction of a sidewalk on the east side of North Maple, “[i]t was concluded that a permanent raised concrete sidewalk in this location would result in considerable disruption to the adjacent property owners with removal of large trees, landscaping, irrigation pipe relocation and significant driveway rebuilding to handle ADA accessible requirements.” (For examples of needed landscaping, see Exhibit 2.)

When the inevitable injury or death does occurs because of this ill-conceived attempt at cost reduction, the city will inevitably come to the conclusion that sidewalks will be needed for pedestrian traffic along N. Maple Street. Unfortunately, it appears that the only immediately available land for the sidewalk construction will be on the east side of North Maple Street. This imposes a substantially undue cost and hardship on the property owners along the east side of North Maple, for improvements which are not needed at this time and would only benefit the proposed development and the developer. The only reason

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for the necessity of the sidewalk on the east side of North Maple is because of the proposed development. The current homeowners (many of whom are retired) should not be expected to pay for an improvement which primarily benefits the developers of SUB 17-05.

VI PEDESTRIAN ACTIVITY

During the 27 years I have resided at the corner of 30th Place and North Maple, I have seen the pedestrian use of North Maple increase substantially. This is attributable to many factors including the increase of the numerous volkswalks, organized holiday runs, organized fun runs, mini marathons and K runs that use the logging trail and North Maple as a route. **The promotional brochures that the City of Canby furnishes actively support the logging trail - North Maple route as a walking trail.** (See Exhibit 3)

The City of Canby actively promotes outdoor activities. The City recently built the “Canby Bike Hub” at the SW corner of Holly and Territorial. The literature provided at that location promotes a bicycle route that includes North Maple Street. (See Exhibit 3.)

Irrespective of the assertion in the DKS study that “[i]t is anticipated that pedestrian volumes will be relatively low . . .” my personal observations from living on North Maple for 27 years are exactly the opposite. Since the City paved the logging road trail, installed the frisbee golf course, and upgraded the facilities at Echo Park, the pedestrian usage of North Maple has increased significantly. However, because of the relatively low traffic volume on North Maple at this time, the experience is more of a bucolic stroll through nature and not one of contending with vehicle congestion.

VII CURRENT AGRICULTURAL NATURE OF PROPERTY

The property along the west side of North Maple, directly across the street from the country club entrance and to the north is agricultural. (See Exhibit 1 for aerial view.) This agricultural use creates its own unique realities for commuters and pedestrians on North Maple. Examples of the problems created by the agricultural use are shown in the photographs included in Exhibit 4. Until the infrastructure is in place to deal with these problems, allowing for anything that would increase the flow of traffic on North Maple would not be in the best interests of those who live on it or use it on a regular basis.

VIII SIDE WALK COST ISSUE

Homeowners are being asked to subsidize the profits of the developer. The only reason any improvements will be needed to N. Maple Street are solely due to the development of the 24 home-site development proposed by Mr. Sprague. Some of homes on the east side of Maple Street will be required to remove large trees. Some of the homes will require the construction of retaining walls because the yard slopes down to within a few feet of North Maple Street. Many of the homes will require re-landscaping of sprinkler systems. There is absolutely no reason why the homeowners should be asked to incur these significant expenses when the only persons benefitting will be the new homes constructed at the proposed development site.

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Page 92 of the revised staff report includes an estimate of the cost for the construction of sidewalks on the east and west side of North Maple Street. The estimate provided detailed a cost of approximately \$385,119.53 for the cost of construction of a sidewalk for just the east side of North Maple Street. **This is a heavy subsidy to ask the property owners to pay for the benefit of Mr. Sprague and his development.**

IX CRITIQUE OF REVISED STAFF REPORT INTERPRETATION OF §16.46.010(B)(1) OF THE MUNICIPAL CODE FOR THE CITY OF CANBY

Chapter 14.46 of the City of Canby municipal code, entitled "Access Limitations On Project Density" details the requirements for roadway width for proposed developments. Section 16.46.010 is reproduced below in part.

16.46.010 Number of units in residential development.

A major factor in determining the appropriate density of residential development, particularly in higher density areas, is vehicular access. In order to assure that sufficient access is provided for emergency response as well as the convenience of residents, the following special limitations shall be placed on the allowable number of units in a residential development:

* * *

B. Single ownership developments (condominiums, townhouses, manufactured homes, multi-family developments, etc.).

1. **Two lane access roads/drives** shall be a minimum width of 20 feet with **no parking permitted**, or 28 feet with parking restricted to one side only, or 36 feet with no parking restrictions. Three lane access roads/drives shall be a minimum width of 32 feet with no parking permitted, or 40 feet with parking restricted to one side.

2. The number of units permitted are as follows:

<u>Two lane access road/drive</u>	<u>Three lane access road/drive</u>
One access: 30 units	One access: 30 units
Two accesses: 165 units	Two accesses: 220 units
Three accesses: 258 units	Three accesses: 345 units

For more than three accesses on a two lane access road/drive, use the following formula:

of units permitted = $(75 \times (1 + (.05 \times \# \text{ of access points}))) \times (\# \text{ of access points})$
(round down to the nearest whole number)

For more than three accesses on a three lane access road/drive, use the following formula:

of units permitted = $(100 \times (1 + (.05 \times \# \text{ of access points}))) \times (\# \text{ of access points})$

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As noted in the ordinance, for roadway width of 20 feet or less, no parking shall be permitted on the roadway. On page 12 of the revised staff reports, it is suggested that a contorted interpretation of the ordinance could be made that “access road” be interpreted to mean only those roadways within the new development itself. The revised staff report states as follows:

It may be deemed suitable to allow the parking to remain by making a finding that the 20' wide no parking standard indicated by Section 16.46.010 (B)(1) only applies within new subdivisions **and was not intended to apply to roads leading to a proposed subdivision.** (Emphasis added.)

While creative, attributing a different meaning to a municipal code that is clear on its face is probably not the ideal way to achieve a satisfactory solution to the parking problem created by this proposed development.

The only other option suggested in the revised staff report was the imposition of sidewalks on the EAST side of North Maple Street. The report states the following:

Another option to comply with all minimal street access standards and retain parking where the street can only be widened to 25' in width is to build a permanent raised sidewalk within the unused existing right-of-way along the east side of the street. Staff has previously noted the problem with constructing and funding this option, and the developer has not volunteered to construct this option but to provide only a proportionate 28% contribution to its cost. (Revised Staff Report, page 12.)

In the next paragraph on page 12, the revised staff report notes the long history of use of North Maple Street, and that the continued use would be in conformity with past practices. The report states:

Staff would note that for the past 40 years there has only been 13' of pavement free and clear for regular vehicular use, emergency access, and shared pedestrian and bicycle use since on-street parking has been allowed and not restricted on the existing 20' wide paved surface. The Fire Marshals decision makes a 25' wide street pavement the minimum acceptable street width for emergency access if on-street parking along the east side (7' minimum standard allowed) were to continue to be allowed (25-7=18'). Pedestrians would be walking on a road way with 5 feet of additional width, improving the safety of pedestrians and bicyclists shared use of the road over that which exists today. (Revised Staff Report, page 12.)

This observation totally disregards the impact of 300+ daily vehicle trips. The past practices have been safe and acceptable solely because of the historically relatively low daily vehicle trips on North Maple Street. I seriously doubt that Planning Department Staff is suggesting that the increased vehicular traffic would not impact the safety and well-being of the pedestrians on North Maple Street, but that seems to be exactly what the above paragraph suggests.

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On page 15, the staff report seems to draw a different conclusion when discussing the existing conditions on North Maple. On page 16, the report states, "This has been an unsafe situation for 40 years and eliminating parking should improve emergency response to existing residents and improve the functioning of this street in a manner that meets minimum access standards today." What the report continues to disregard is that the only reason any changes will be needed are due to the increased traffic flow due to the proposed project itself. The report does not include any evidence whatsoever that the existing conditions, although not in compliance with current code requirements, are unsafe. The only reason the existing condition of North Maple will become unsafe will be due to the increase of vehicle traffic created by the proposed development.

Page 13, the revised staff reports states:

Staff finds it is **clear that conditioning approval of this development on the widening of the full distance of N Maple Street to a city local street standard and to build a permanent sidewalk where none exists today is inappropriate. This does lead to the existing street infrastructure leading up to this proposed subdivision to be considered inadequate.** (Emphasis in original.)

The conclusion made by the Canby Planning Department is clear and unambiguous. To allow this development to go forward would be in contravention of the Canby Municipal Code and would be what I consider to be a complete disregard for the safety of the residents who live on North Maple and those residents who currently enjoy walking it's length.

X EMERGENCY VEHICLE ACCESS TO DEVELOPMENT

I can not speculate as to what the developers of Country Club Estates were planning when North Maple Street was developed. However, at that time, no plans were in place for any further developments in that locale at that time. Considering the lack of traffic, emergency vehicle access to North Maple Street has been more than adequate. However, because of the increased occupancy that the proposed development would create, the planning commission needs to weigh carefully the access of emergency vehicles to the site if the proposed development is allowed. Under the Canby Municipal Code, North Maple Street does NOT meet the current requirements.

HOWEVER, Section 16.46.010 was amended with a subsection F which allows an exemption for development of developments on North Maple Street. It is interesting to note that for the entire Section 16.46 of the municipal code, only Section 16.46.010(F) provides for exemption of specific locations within the City of Canby for code compliance. This section allows for developments on N. Maple Street, north of NE 23rd Avenue and S. Elm Street, south of SW 13th Avenue to be exempt for the residential unit restrictions. As I was unable to locate any reference to this subsection of Canby's municipal code in the materials submitted for SUB 94-02 and SUB 96-02, I suspect that this amendment to the city municipal code was enacted sometime in the late 1990s. At any rate, I cannot think of any logical reason why this amendment to the City of Canby Municipal Code should have been allowed. Who would it benefit? Considering the layout of North Maple Street,

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the only conceivable legal alternative route to the proposed subject site is the paved logging road which in reality is nothing more than a paved jogging path.

In order for any emergency vehicle to utilize the logging trail, that emergency vehicle must stop and emergency personnel must exit the vehicle in order to unlock and remove the existing vehicle barrier. The emergency vehicle would then have to carefully proceed down the logging trail in order to avoid bicyclist and pedestrians. Precious time would be lost whenever this route is utilized. While that route is a feasible alternative, I have to question whether it can seriously be considered a safe one, especially for those emergencies when time is crucial.

XI WETLANDS ISSUE

Exhibit 5 includes several photographs that were taken in 1994 of the subject property.

At one of the neighborhood meetings conducted by Mr. Sprague (either December 15, 2016 or January 25, 2017), stated that Army Corp of Engineers informed him that they had no jurisdiction over the wetlands on the subject property. According to a letter dated February 2, 1993, from the Army Corp of Engineers, the lack of jurisdiction was based upon information that Mr. Sprague provided to the Corp. (Letter incorporated in Exhibit 6.) That letter provides in part, "Based upon the information you have provided, your proposed activity is not regulated by the Corp of Engineers. Therefore no authorization is necessary and no further Department of the Army review is warranted. **If you modify your project plans so that your proposal will impact any water of the United States, resubmit your plans for further review.**"

In a subsequent letter from the Army Corp of Engineers to Mr. Jim Wheeler of the City of Canby dated April 1, 1994, the Army Corp of Engineers state, "I am sending you a copy of the enclosure to the referenced letter. It shows the wetland areas that will be avoided by the development. After talking today with John Middleton, Zaronsinki-Tatone Engineering Inc., the agent for Canby Excavation, he indicated that there have been slight site plan changes, however the wetland will not be impacted." (See Exhibit 6.)

Exhibit 6 includes two site maps, one being a tree inventory and lot layout for Country Club Estates Annex 4 (as the property was called at that time) and the second being a tentative plat of Country Club Estates Annex 4. It is interesting to note the layout of the wetlands on the site map in 1994 as opposed to the site map for SUB 17-05.

XII DISCUSSION POINTS

Attached as Exhibit 7 is a two page list of discussion points compiled by Phil and Sarah Seale with the assistance of others who oppose this development. These discussion points are going to be addressed by various persons who live on North Maple Street during the Canby Planning Commission hearing on October 23, 2017. I wanted to include the list in the attached exhibits to insure that it becomes a part of the record for SUB 17-05.

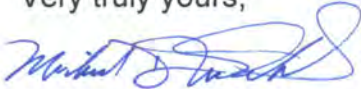
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* * *

For the above stated reasons, I object to the proposed development and would request that the Canby Planning Commission reject the application for SUB 15-05. Please feel free to contact me if you have any questions concerning the above.

Very truly yours,



Michael D. McNichols

<u>Attached Exhibits</u>	Exhibit 1 - Memorandum from John Williams
	Exhibit 2 - Aerial views and street views of North Maple
	Exhibit 3 - Photographs and information on North Maple Streets events
	Exhibit 4 - Photographs showing impact of agricultural activities on North Maple
	Exhibit 5 - Photographs of subject property in 1996
	Exhibit 6 - SUB 96-02 Appeal to City of Canby
	Exhibit 7 - Discussion Points
	Exhibit 8 - Sub 94-02 Planning Department Findings

Exhibit 1

1999 Memorandum from John Williams

MEMORANDUM

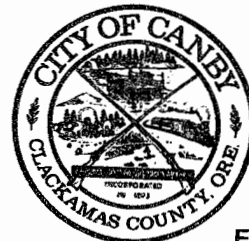
TO: Mark Adcock, City Administrator
FROM: John Williams, Associate Planner
DATE: July 2, 1999
RE: Property on the north end of N. Maple Street

This memo presents a brief background on tax lot 3-1E-21 2602, the property located at the north end of N. Maple Street. This property is inside City limits and is currently zoned for low density residential development. The owner has twice applied to construct a subdivision, in 1995 and 1996. Both applications were eventually withdrawn when it became apparent that they would be denied by the City. The main concern was traffic safety on N. Maple Street, which does not meet city standards for width. The needed right-of-way will have to come from property owner on the west side of N. Maple.

In 1995 Doug Sprague of Canby Excavating received a grading permit from the City to level the site. This was approved with several conditions. Most importantly, the applicant needed to protect two wetland areas that have been identified on the property. No construction activities may occur within 15 feet of these wetlands. Work has been done sporadically on the site since then (since at least 1990 in fact), and in August 1998 Canby Excavating notified the Building Official that they were still working on the grading. However, in June of this year the Division of State Lands notified the applicant that they needed to obtain state permits for this work and issued a cease and desist order until such permits were obtained.

At this time the applicant only has a valid grading permit from the City. The applicant could apply for a building permit for a single family home on the property, but almost anything else would require a land use application and review by the Planning Commission.

I hope this helps. Please ask if you have any other questions.



JOHN R. WILLIAMS
Planning Director

182 N. Holly Street
Canby, Oregon 97013
Phone: (503) 266-9404
FAX: (503) 266-1574
E-mail: williamsj@ci.canby.or.us

Exhibit 2

Aerial views and street views of North Maple

Territorial Drive



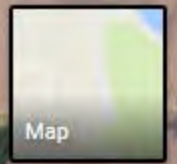
Willamette Valley Country Club

Willamette River

Proposed Development



Google



Navigation controls including a compass, 2D/3D toggle, a zoom slider with '+' and '-' buttons, a street view pegman icon, and a scale bar.

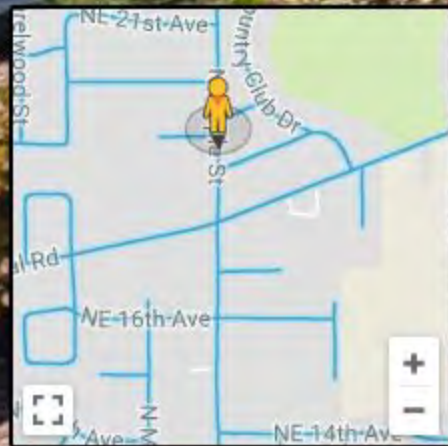
1899 N Maple St

Canby, Oregon



Google, Inc.

Street View - Jul 2013



Looking SOUTH on North Maple in front of school/church complex towards Territorial

There are no plans to alter the existing infrastructure to deal with the increased traffic volume for this section.

Google

2990 N Maple St

Canby, Oregon

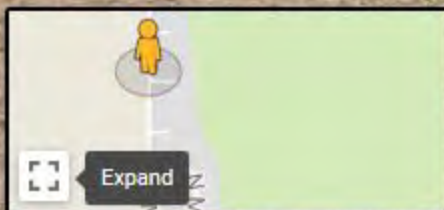


Google, Inc.



Street View - Jul 2013

Looking NORTH from 30th Place and North Maple. Note the extensive landscaping and tree removal the property owner would have to undertake in order to comply with any sidewalk requirement.



Google



Search Google Maps



Sign in

Maple St

NE 34th Pl



Aerial view of subject site.

Willamette River

N Locust St

Google

Map



3D




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Exhibit 3

Photographs and information on
North Maple Streets events



**Canby 5th Annual Fun Run
June 17, 2017
towards end of event**

Canby Herald, June 21, 2016

Acknowledgement for 5th Annual Canby Fun Run

B2 NEWS Run



5K 10K

SIGN UP AT
www.Canby5K.com

5th Annual

SATURDAY June 17th

Canby Fun Run

• Dragon Maze • BBQ (Included in Race Entry)

THANK YOU CANBY 5K SPONSORS



Pencil & Graphite

Jun

Platinum Sponsors

umpqua investments

umpqua private bank

An Arts Education Event at
Lakewood Center for the Arts & G
368 S. State Street • Lake Oswego

503-636-1060

lakewood-center.org

Donations Encouraged

OREGON
SPORTS
AWARDS

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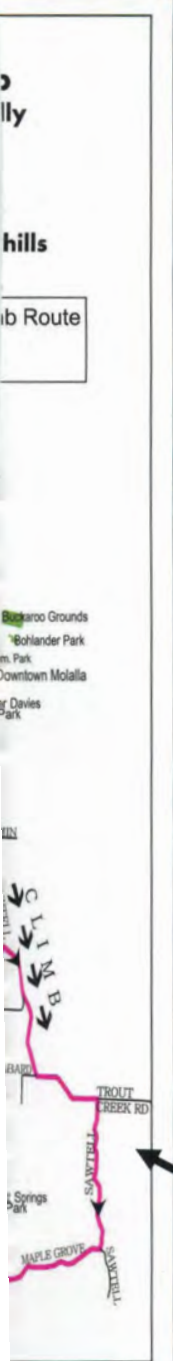
BIKE

Y

A GUIDE TO
BIKE ROUTES

**Loop can be ridden in either direction.
Start/finish anywhere along the loop.**

Existing Bike Lane(s)



Intermedia
12 miles

ycling Guides

Other Oregon bike routes
available at
www.rideoregonride.com



Bike It! Map
available from
Clackamas County



Canby Area Chamber of Commerce

Canby Area Chamber of Commerce

191 SE 2nd Ave

Canby, OR 97013

Phone: 503-266-4600

Fax: 503-266-4338

www.canbyareachamber.org

Routes provided by City of Canby
Bicycle and Pedestrian Advisory
Committee

Funded in part by:

Clackamas County Tourism &
Cultural Affairs

800-424-3002

www.mthoodterritory.com

This Canby Bike map is posted at
www.canbyareachamber.org

Exhibit 4

Photographs showing impact of
agricultural activities on North Maple



February 8, 2017



February 2017



September 18, 2017

Exhibit 5

Photographs of subject property in 1996



Subject Property - February 1996



Subject Property - February 1996



Subject Property - February 1996



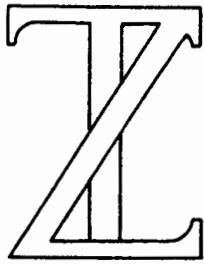
**Subject Property
February 1996**



Subject Property - February 1996

Exhibit 6

SUB 96-02 Appeal to City of Canby



ZAROSINSKI-TATONE ENGINEERS, INC.

**STRUCTURAL - CIVIL - ENVIRONMENTAL
LAND SURVEYING**

3737 S.E. Eighth Avenue

Portland, Oregon 97202

Phone (503) 235-8795

APPEAL TO

CITY OF CANBY COUNCIL

REGARDING

PLANNING COMMISSION FINDINGS

CONCLUSIONS AND ORDER NO. SUB 94-02

JULY 20, 1994



ZAROSINSKI-TATONE ENGINEERS, INC.

STRUCTURAL—CIVIL—WATER AND SEWERAGE SYSTEMS

DONALD J. ZAROSINSKI, P. E.

PHONE (503) 235-8795

FAX (503) 233-7889

3737 S.E. EIGHTH AVENUE

PORTLAND, OREGON 97202

RONALD G. TATONE, P. E.

July 20, 1994

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

Re: Country Club Estates No. 4
Tentative Plat/Sub 94-02

We respectfully submit our appeal response relating to Planning Commission denial for the above referenced project.

The site is within a designated R-1 zone within the Urban Growth Boundary as shown on the Comprehensive Plan.

The land is of marginal value for agricultural purposes and is best suited to meet the single family needs of the City.

All utilities are available ready for extension to serve the site.

Open space has been provided to maintain the nature resources.

Your approval to proceed with development is requested.

Sincerely,

Zarosinski-Tatone Engineers, Inc.

Ronald G. Tatone, P.E.

RGT/mjb

Encl.





ZAROSINSKI-TATONE ENGINEERS, INC.

STRUCTURAL—CIVIL—WATER AND SEWERAGE SYSTEMS

DONALD J. ZAROSINSKI, P. E.

PHONE (503) 235-8795

FAX (503) 233-7889

3737 S.E. EIGHTH AVENUE

PORTLAND, OREGON 97202

RONALD G. TATONE, P. E.

July 20, 1994

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

Re: Country Club Estates No. 4
Tentative Plat/Sub 94-02

We respectfully submit our appeal response relating to Planning Commission denial for the above referenced project.

The site is within a designated R-1 zone within the Urban Growth Boundary as shown on the Comprehensive Plan.

The land is of marginal value for agricultural purposes and is best suited to meet the single family needs of the City.

All utilities are available ready for extension to serve the site.

Open space has been provided to maintain the nature resources.

Your approval to proceed with development is requested.

Sincerely,

Zarosinski-Tatone Engineers, Inc.

Ronald G. Tatone, P.E.

RGT/mjb

Encl.



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INTRODUCTION

The subject site is triangular in shape bounded on the northerly side by a private logging road previously known as the Molalla Forest Road. The road is now owned by Caffall Bros. Forest Products, Inc. The right of way is 50 feet with a single lane oil mat surface.

The west boundary is contiguous to open farm land owned by Montecucco Farms.

The south boundary is contiguous to Country Club Estates No. 3. Seven (7) single family homes occupy the space contiguous to the South boundary.

Access to the site is by North Maple Street which terminates by a fully improved cul-de-sac at the southwest corner of the site. The elevation of the center of the cul-de-sac is 91.2.

The elevation of the logging road at the proposed access point near the northwesterly corner of the subject site is 88.2. The elevation of the logging road at the northeast corner is 97.2.

The northerly boundary and southeast area of the site has a relatively dense ground cover of deciduous and evergreen trees.

The site is designated on Flood Insurance Rating maps as being in Zone "B". Zone "B" are areas between limits of the 100 year flood and 500 year.

The subject site is within the Urban Growth Boundary with a designated R-1 Zone.

BACKGROUND

As early as 1989 various development plans have been prepared and reviewed with City Planners. Site investigations relating to wetland determination was a prime concern.

The Division of State Lands by letter dated May 8, 1990 stated they had no jurisdiction of fill and removal activities on the subject site. They also advised that the Army Corps of Engineers also has jurisdiction over fill activities in wetlands.

Proposed street patterns were re-aligned to conform with wetland areas to be avoided. This was documented by letter dated February 2, 1993 by the Regulatory and Environmental Resource Branch of the Portland District Corps of Engineers. This action was further confirmed by letter to Jim Wheeler dated April 1, 1994.

The applicant has set aside an open space in excess of one acre to protect the wetlands.

The applicant further gave an invitation to the City to deed the open space as a nature resource at no charge. This invitation was not accepted.

RESPONSE TO PLANNING COMMISSION FINDINGS, CONCLUSIONS AND
ORDER NO. SUB-94-02

1. SCHOOL DISTRICT "REQUIRED PUBLIC FACILITY AND SERVICE"
ADEQUATE LEVEL OF SERVICE (items 1 thru 6)

Canby School Superintendent, Stephen Miller by memorandum date May 23, 1994 directed to the City of Canby summarized the school district best analysis of the capacity and reasonably sufficient levels of service by the following:

"Based upon the above criteria for determining school capacity, and definitions for reasonably sufficient services levels the school district can conclude that they presently have adequate physical school capacity and can provide reasonably sufficient service levels for approximately the next two years. However, regardless of growth or no-growth, the district does anticipate reductions of fiscal resources and services."

Items 1, 2, 3, 4, 5 and 6 relate to capacity and service by the school district.

This appeal is not taking exception to the school district summary. The City's decision relating to the schools should apply to all development within the district.

Item 7 SOLAR ACCESS DESIGN STANDARD

The solar access design standard for new developments provides an exemption from Section 16.95.030 if the Planning Commission finds the applicant has shown that one or more of the following adjustments to design apply to the site.

1. Adverse impacts on density and cost or amenities if the design standard relating to development cost are at least 5% or more per lot.

(a) There is significant natural features on site, identified as such in the Comprehensive Plan or Development Ordinance that prevents given streets or lots from being oriented for solar access and it will exist after the site is developed.

The Planning Commission has not accepted the wetland identified by the Army Corps of Engineers as being in conformance with the Comprehensive Plan.

Policy No. 10-R CANBY SHALL ATTEMPT TO MINIMIZE THE ADVERSE IMPACTS OF NEW DEVELOPMENTS ON WETLANDS (Page 76)

Item A states that the City will assist the State Division of State Lands and Army Corps of Engineers in enforcement of State and Federal regulations related to any development activity which may adversely impact wetlands.

The inventory wetlands identified on the comprehensive wetland map was developed by the Fish and Wildlife Service and does not relate to all wetlands rgulated by the Army Corps of Engineers.

The development cost of improvement including the loss of density by constructing street with 30 degrees of an East-West centerline would far exceed the 5% exemption standard.

Item 8 SUB-SURFACE WATER DRAINAGE

The site is located north of the existing homes in Country Club Estates No. 3.

Roof drainage and storm water run-off from street improvements are proposed to be collected in a gravity collection system with a pollution control structure prior to discharge off-site.

A high ground water table is a known condition in the vicinity of the subject site. City topographical map of the area show a water level surface on the pond in fairway No. 3 at 86.2.

Construction of the storm water drainage system will enhance the discharge of surface water run-off.

Item 9 TRAFFIC ANALYSIS

The traffic study has addressed the issue of level of service and finds no significant traffic or safety impacts associated with the project.

The Planning Commission simply refused to accept the capacity analysis and work sheets provided by the Traffic Engineer.

Mr. Charbonneau is with us this evening to answer questions relating to his study.

Item 10 MOLALLA LOGGING ROAD

The logging road under the ownership of Caffall Bros. Forest Products, Inc. was represented at the April 11, 1994 public hearing by General Counsel, Paul H. Burton.

Caffall Bros. recommended an eight (8) foot chain link fence be constructed along the southerly boundary of the right of way. The fence would be gated where the extension of North Maple Street intersects the logging road.

The applicant agreed to constructing the 8 foot chain link fence and providing a gate for emergency access.

Ingress from the logging road to North Maple Street and access to the logging road from North Maple Street extension will enhance responding time for emergency vehicles to the vicinity.

The use of the logging road by walkers, joggers, bike riders and others is not an uncommon occurrence.

The development of the subject site should not impact with any degree of significance the safety of the logging relating to trespassers.

Item 11 RETENTION OF TREES

The applicant provided a tree inventory of all significant trees on the site.

The applicant further provided to include in the C.C.&R.'s the retention of trees within the yard set backs that did not interfere with lot access and the building envelope.

Not having or knowing the proposed building envelope and improvement pattern on each lot it is not feasible to specifically identify trees to be retained.

The retention of trees would reflect to the allowable exemption from the solar design standard.

Trees within the street right of way would require removal to allow construction of public improvements.

The open space of over one acre will retain a certain degree of the nature resource.

A map showing the proposed lots superimposed on the tree inventory map is included below for your review.

Item 12 FILLING PORTIONS OF THE PROPERTY

The applicant provided maps and cross sections showing elevations with fill to elevation 84.5 and elevation 86.0 with volumes of 4200 cubic yards and 10,300 cubic yards respectively.

First floor elevation of all homes constructed are required to be at or above elevation 85.5 to conform with FEMA regulations.

We met with Montecucco's engineer and received approval that filling to meet existing elevation of North maple at the cul-de-sac and elevation of the logging road would have no detrimental affect to Montecucco Farms.

No fill in the wetland area was or is proposed.

SUMMARY

It is our opinion the Planning Commission denial was not based on planning issues but design concerns which should be determined by Public Works professionals.

We request the City Council review this appeal in a favorable response knowing the applicant is dedicated to provide a development in the designated R-1 Zone that we may all take pride.



Division of State Lands

775 SUMMER STREET, SALEM, OREGON 97310 PHONE (503) 378-3805

May 8, 1990

OREGON STATE
LAND BOARD

NEIL GOLDSCHMIDT
Governor

BARBARA ROBERTS
Secretary of State

ANTHONY MEEKER
State Treasurer

Ronald G. Tatone
Zarosinski-Tatone Engineers
3737 SE 8th
Portland, OR 97202

Dear Mr. Tatone:

I apologize for the delay in writing you. Your patience and cooperation are appreciated. As we discussed by phone, Division of State Lands personnel inspected property located at Section 21, T3S, R1E in Clackamas County to determine if fill activities at the site came under the jurisdiction of the Oregon Removal-Fill Law (ORS 196.800-196.990) as administered by the Division of State Lands.

The Soil Survey for Clackamas County Area, Oregon, 1982, shows a band of Wapato soil along the southern edge of the property. Wapato is a hydric soil, indicative of the presence of wetlands. Field investigation and examination of aerial photos established that this area has been historically filled, prior to Division jurisdiction over wetlands, and no longer meets the criteria for jurisdictional wetlands. The remainder of the property to the north contains a pond/wetland; however, as an artificially created waterbody with no free and open connection to waters of the state this pond/wetland is also not subject to our jurisdiction.

Due to our lack of jurisdiction over fill and removal activities on the property, no permit is required from the Division of State Lands for these activities. Please be advised that the Army Corps of Engineers also has jurisdiction over fill activities in wetlands. Corps regulations are somewhat different from Division of State Lands' Removal-Fill regulations, therefore the recent fill activities may constitute a violation of federal law and future fill may require a federal permit. Please contact Don Weidinger (326-6995) at the Corps of Engineers Portland District Office to resolve these questions.

Again, I apologize for the delay in providing you this information.

Sincerely,

Joel Shaich
Environmental Permits and Planning Section

JAS/bh/joe:64

cc: Don Weidinger, Corps of Engineers
Jay Massey, Oregon Dept. of Fish and Wildlife
Gary Voerman, Environmental Protection Agency
Ralph Rogers, Environmental Protection Agency
Dominic Mancini, Clackamas County Planning Director
Emily Toby, Dept. of Land Conservation and Development



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2948
PORTLAND, OREGON 97208-2948

Reply to
Attention of:

February 2, 1993



Planning and Engineering Division

SUBJECT: Corps Action ID Number 92-120

Doug Sprague
Canby Excavation
P.O. Box 843
Canby, Oregon 97013

Dear Mr. Sprague:

I have recently received your redesigned lot development layout plan (Enclosure 1). This layout avoids filling in any wetlands associated with the project site. This project is located along the high right bank of the Willamette River mile 33.9 located north of Canby in Section 21, Township 3 South, Range 1 East, Clackamas County, Oregon. Your request for authorization to place fill in a wetland has been reviewed for compliance with Section 404 of the Clean Water Act.

Based on the information you provided, your proposed activity is not regulated by the Corps of Engineers. Therefore no authorization is necessary and no further Department of the Army review is warranted. If you modify your project plans so that your proposal will impact any water of the United States, resubmit your plans for further review.

I have assigned this activity to Corps Action ID number 92-120. Please use this number in future correspondence about this activity. If you have any questions, you may write or call me at 326-6098.

Sincerely,

Richard Gebhart
Ecologist / Project Manager
Regulatory and Environmental
Resources Branch

Enclosure

Copies Furnished

ODSL with Encl 1

DEQ

Zaroninski-Tatone Engineering, Inc. (Middleton)



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208-2946

Reply to
Attention of:

April 1, 1994

Planning and Engineering Division

SUBJECT: Corps Action ID Number: 92-120



Jim Wheeler
City of Canby
PO Box 930
Canby, Oregon 97013

Dear Mr. Wheeler:

You recently called me to request clarification about a development occurring north of Canby (and the golf course) and just south of the Willamette River. This project was evaluated under Corps Action ID number 92-120. You indicated that you had a copy of the letter that was sent to Canby Excavation but not the enclosure that showed the location of the wetlands.

I am sending you a copy of the enclosure to the referenced letter. It shows the wetland areas that will be avoided by the development. After talking today with John Middleton, Zaronsinski-Tatone Engineering, Inc., the agent for Canby Excavation, he indicated that there have been slight site plan changes, however the wetlands will not be impacted.

Thank you for contacting the Corps of Engineers. If you have any questions, you may write or call me at 326-6098.

Sincerely,

Richard Gebhart
Ecologist / Senior Project Manager
Regulatory and Environmental
Resources Branch

Enclosure

Copy Furnished:

Zaronsinski-Tatone Engineering, Inc. (Middleton)



CAFFALL BROS. FOREST PRODUCTS, INC.

P.O. BOX 725 • 25260 S.W. PARKWAY • WILSONVILLE, OREGON 97070-0725
Corporate Office (503) 682-1910/Sales Office (503) 682-1902 • FAX (503) 682-1406

April 11, 1994

HAND DELIVERED

Planning Commission
City of Canby
182 N. Holly
Canby, Oregon 97013

RE: SUB 94-02

Dear Commissioners:

We received the Notice of Public Hearing, dated March 18, 1994, concerning SUB 94-02, an application to develop a 26-lot single-family subdivision on Tax Lot 2602 of Tax Map 3-1E-21 (the "Subdivision"). We own and use the Molalla Logging Road (the "Road") which runs parallel to the Subdivision's northern boundary. We have been contacted by and engaged in preliminary conversations with the applicant concerning easements over the Road for storm drainage and emergency vehicle access.

The purpose of this letter is to provide the Planning Commission accurate information concerning the Road's use and the possible effects that use will have on the Subdivision. Our two primary concerns are (1) safety and (2) dust. These concerns fall within the scope of Sections 16.56.010B1 and 16.56.010B7 of the Canby Municipal Code and are, therefore, proper for consideration by the Planning Commission.

Addressing the safety concern, a trespassing child must cross the Road to access our woods or riverbank. Although we do not condone trespassing, we are very concerned about a trespassing child being injured by the numerous logging trucks using the Road. The number of trucks traveling the Road during each business day varies between five/six in the winter to well over 30 in the spring and summer. The Road is slightly wider than one lane and is unpaved. The brush and foliage grow right up to its edge. Therefore, a logging truck traveling even at slow speeds would have difficulty stopping or avoiding a trespassing child who suddenly appeared on the Road.

We propose the Planning Commission require a chain-link fence of sufficient height (we suggest eight feet) be erected along the boundary between our property and the Subdivision. The fence would be gated where the emergency vehicle access meets the Subdivision's road. The



Planning Commission
April 11, 1994
Page 2

gate would be locked at all times with a key held by Canby emergency services. We also propose the Planning Commission require written disclosure be given to each purchaser in the Subdivision regarding the Road's use and the dangers presented.

With respect to the dust concern, during the dry months (which are also the high-use months), the trucks traveling the Road generate a significant level of dust. We attempt to minimize the dust generated by regularly watering the Road. However, no permanent solution to the problem exists. (Paving is prohibitively expensive and the logging trucks would quickly destroy the payment, creating even greater problems). The dust generated by the road will waft onto the Subdivision lots adjacent to the Road. This may prove disruptive to the owners of those lots.

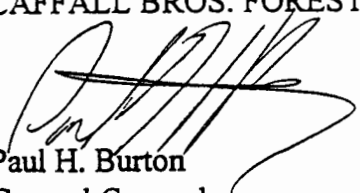
We propose the Planning Commission require wooden/plastic slats be interlaced into the eight foot chain-link fence erected along the Subdivision's boundary. These slats would reduce the amount of dust carried onto the effected lots. We also propose the written disclosure mentioned above discuss the dust issue. Finally, we recommend dense foliage landscaping be planted along the chain-link fence to further reduce dust penetration.

In closing, we believe the developers are equally concerned with the issues raised in this letter. We presume they will find little fault with our proposed solutions and will work with you to ensure the safety, comfort and satisfaction of their future customers.

Please contact me directly if we can provide any additional information to the Planning Commission.

Very truly yours,

CAFFALL BROS. FOREST PRODUCTS, INC.



Paul H. Burton
General Counsel

cc: Zarosinski-Tatone Engineering
Douglas B. Caffall, President



CAFFALL BROS. FOREST PRODUCTS, INC.

P.O. BOX 725 • 25260 S.W. PARKWAY • WILSONVILLE, OREGON 97070-0725
Corporate Office (503) 682-1910/Sales Office (503) 682-1902 • FAX (503) 682-1406



April 14, 1994

City of Canby Planning Commission
182 N. Holly
Canby, Oregon 97013

RE: SUB 94-02: Response to Question

Dear Commissioners:

On April 11, 1994, the Planning Commission held a public hearing on, among other things, proposed SUB 94-02. SUB 94-02 is an application to develop a 26-lot single-family subdivision on Tax Lot 2602 of Tax Map 3-1E-21 (the "Subdivision"). At the meeting, Caffall Bros. recommended the Planning Commission require, as a condition of Subdivision approval, the erection of an eight foot chain-link fence (the "Fence") along the boundary between the Subdivision and the Mollala Logging Road (the "Road"). At the close of the meeting, Commissioner Ewert requested information addressing why a fence has never been constructed along the Road, which we own. The following is our response to Commissioner Ewert's request.

The Road was constructed for and has been used for decades by logging trucks accessing the log boom at the Road's end. It was constructed long before the adjacent parcels were developed. Fences were erected as part of the adjacent parcels' development. A fence has not been constructed along the Subdivision's boundary because (1) it has yet to be developed and (2) the Subdivision's land area itself has acted as a natural Road access barrier.

If the Subdivision is approved, the parcel will be developed and the natural barrier eliminated. Thus, our recommendation that the Fence be erected. The particulars of our recommendation are fully discussed in my April 11, 1994 letter to the Planning Commission.

Please contact me if we can provide further information to the Planning Commission.

Very truly yours,

CAFFALL BROS. FOREST PRODUCTS, INC.

Paul H. Burton
General Counsel

cc: Zarosinski-Tatone Engineering ✓
Douglas B. Caffall, President

No rare or endangered species are known to inhabit this area, and no significant habitat areas have been identified for game wildlife in Canby or its urbanizable surroundings.

Without attempting to isolate individual nesting sites or other specific features, it is apparent that the City does have the capability to maintain habitat areas overall by some fairly basic actions. These include limiting development of the steep slopes adjacent to the Molalla River and preserving open space as much as possible in new developments. Encouraging tree planting and landscaping programs may also be of some help.

What this means is that the types of measures promoted elsewhere in the Comprehensive Plan to encourage clustering of buildings, meet federal air and water quality standards, and limit development in hazardous location, will have residual benefits in terms of fish and wildlife protection.

POLICY NO. 9-R: CANBY SHALL ATTEMPT TO MINIMIZE THE ADVERSE IMPACTS OF NEW DEVELOPMENTS ON FISH AND WILDLIFE HABITATS.

IMPLEMENTATION MEASURES:

- A) Continue to enforce overlay zoning of flood-prone and steep slope areas to limit the densities and intensities of development in such areas. Include consideration of fish and wildlife values within "H" overlay zoned areas.
- B) Encourage cluster development as a means of assuring large open space areas.
- C) Assist in the enforcement of State and federal regulations governing air and water pollution.
- D) Enforce design review requirements for landscaping and tree planting.
- E) Continue to cooperate with the State Department of Fish and Wildlife in the management of fish and wildlife at the community park along the Molalla River.

FINDING NO. 10-R

Wetlands:

The inventory of wetlands was executed as a part of the goals update process and as a part of the review of four specific development projects which were nearby streams and suspected wetlands. Ten significant wetlands have been inventoried within the UGB, including eight in the City limits. The inventory was developed by using the Fish and Wildlife Service National Wetland Inventory Map, aerial photos for Canby, base maps of Canby, and field observations. Every site has been assigned a number, as shown on the attached map.

Site #1 - This is located in Canby Community Park and on Torgeson/Nelson property (private property) which contains a pond and excellent riparian area. A pond, which is part of the park, connects with the riparian environment on Torgeson's property. It is being used for recreational purposes and by students of biology from Canby High School for educational purposes. Water comes from springs and drains into the Molalla River through a culvert. The water is fresh and

conditions apply to a corresponding portion of the site. If a partial exemption is granted for a given development, the remainder of the development shall comply with Section 16.95.030.

A. Slopes. The site, or a portion of the site for which the exemption is sought, is sloped 20 per cent or more in a direction greater than 45 degrees east or west of true south, based on a topographic survey by a licensed professional land surveyor or USGS or other officially recognized topographic information.

B. Off-site shade. The site, or a portion of the site for which the exemption is sought, is within the shadow pattern of off-site features, such as but not limited to structures, topography, or non-exempt vegetation, which will remain after development occurs on the site from which the shade is originating.

1. Shade from an existing or approved off-site dwelling in a single family residential zone and from topographic features is assumed to remain after development of the site.

2. Shade from an off-site structure in a zone other than a single family residential zone is assumed to be the shadow pattern of the existing or approved development thereon or the shadow pattern that would result from the largest structure allowed at the closest setback on adjoining land, whether or not that structure now exists.

3. Shade from off-site vegetation is assumed to remain after development of the site if: the trees that cause it are situated in a required setback; or they are part of a developed area, public park, or legally reserved open space; or they are in or separated from the developable remainder of a parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law.

4. Shade from other off-site sources is assumed to be shade that exists or that will be cast by development for which applicable local permits have been approved on the date a complete application for the development is filed.

C. On-site shade. The site, or a portion of the site for which the exemption is requested, is:

1. Within the shadow pattern of on-site features such as, but not limited to structures and

topography which will remain after the development occurs; or

2. Contains non-exempt trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground which have a crown cover over at least 80% of the site, or the relevant portion. The applicant can show such crown cover exists using a scaled survey or an aerial photograph. If granted, the exemption shall be approved subject to the condition that the applicant preserve at least 50% of the crown cover that causes the shade that warrants the exemption. The applicant shall file a note on the plat or other documents in the Office of the County Recorder binding the applicant to comply with this requirement. The City shall be made a party to any covenant or restriction created to enforce any provision of this ordinance. The covenant or restriction shall not be amended without written City approval.

D. Completion of phased subdivision. The site is part of a phased subdivision none of which was subject to the Solar Access Ordinance for New Development, and the site and the remainder of the unplatted portion of the phased subdivision contain no more than 20 percent of the lots in all phases of the subdivision.

16.95.050 Adjustments to Design Standard.

The Planning Commission shall reduce the percentage of lots that must comply with Section 16.95.030 to the minimum extent necessary if it finds the applicant has shown it would cause or is subject to one or more of the following conditions.

A. Adverse impacts on density and cost or amenities.

1. If the design standard in Section 16.95.030 (A) is applied, either the resulting density is less than that proposed, or on-site site development costs (e.g. grading, water, storm drainage and sanitary systems, and road) and solar related off-site site development costs are at least 5% more per lot than if the standard is not applied. The following conditions, among others, could constrain the design of a development in such a way that compliance with Section 16.95.030(A) would reduce density or increase per lot costs in this

manner. The applicant shall show which if any of these or other similar site characteristics apply in an application for a development.

a. The portion of the site for which the adjustment is sought has a natural grade that is sloped 10 percent or more and is oriented greater than 45 degrees east or west of true south based on a topographic survey of the site by a professional land surveyor or USGS or other officially recognized topographic information.

b. There is a significant natural feature on the site, identified as such in the comprehensive plan or development ordinance, that prevents given streets or lots from being oriented for solar access, and it will exist after the site is developed.

c. Existing road patterns must be continued through the site or must terminate on-site to comply with applicable road standards or public road plans in a way that prevents given streets or lots in the development from being oriented for solar access.

d. An existing public easement or right-of-way prevents given streets or lots in the development from being oriented for solar access.

2. If the design standard in Section 16.95.030(A) applies to a given lot or lots, significant development amenities that would otherwise benefit the lot(s) will be lost or impaired. Evidence that a significant diminution in the market value of the lot(s) would result from having the lot(s) comply with Section 16.95.030(A) is relevant to whether a significant development amenity is lost or impaired.

B. Impacts of existing shade. The shadow pattern from non-exempt trees cover over at least 80% of the lot and at least 50% of the shadow pattern will remain after development of the lot. The applicant can show the shadow pattern using a scaled survey of non-exempt trees on the site or using an aerial photograph.

1. Shade from non-exempt trees is assumed to remain if: the trees are situated in a required setback; or they are part of an existing or proposed park, open space, or recreational amenity; or they are separated from the developable remainder of their parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to

local law; and they do not need to be removed for a driveway or other development.

2. Also, to the extent the shade is caused by on-site trees or off-site trees on land owned by the applicant, it is assumed to remain if the applicant files in the office of the County Recorder a covenant binding the applicant to retain the trees causing the shade on the affected lots.

16.95.060 Protection from Future Shade.

Structures and non-exempt vegetation must comply with the Solar Balance Point provisions in Chapter 16.100 on all lots in a development subject to the Solar Access Ordinance for New Development, including lots for which exemptions or adjustments to the Solar Access Ordinance for New Development have been granted.

The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant and subsequent purchasers to comply with the future shade protection standards in Section 16.95.060. The City shall be made a party of any covenant or restriction created to enforce any provision of this ordinance. The covenant or restriction shall not be amended without written City approval.

16.95.070 Application.

An application for approval of a development subject to this ordinance shall include:

A. Maps and text sufficient to show the development complies with the solar design standard of Section 16.95.030, except for lots for which an exemption or adjustment from Section 16.95.030 is requested, including at least:

1. The north-south lot dimension and front lot line orientation of each proposed lot.

2. Protected solar building lines and relevant building site restrictions, if applicable.

3. For the purpose of identifying trees exempt from Section 16.95.060, a map showing existing trees at least 30 feet tall and over 6 inches diameter at a point 4 feet above grade, indicating their height, diameter and species, and stating that they are to be retained and are exempt.

4. Copies of all private restrictions relating to

To determine if flood insurance is available in this community, contact your insurance agent, or call the National Flood Insurance Program, at (800) 638-6620.



APPROXIMATE SCALE IN FEET
1000 0 1000

NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

CLACKAMAS COUNTY,
OREGON
(UNINCORPORATED AREAS)

T 3 S - T 4 S
R 1 W - R 1 E

PANEL 145 OF 600

(SEE MAP INDEX FOR PANELS NOT PRINTED)


COMMUNITY-PANEL NUMBER
415588 0145 A

MAP REVISED:
AUGUST 4, 1987



Federal Emergency Management Agency

KEY TO MAP

500-Year Flood Boundary	_____
100-Year Flood Boundary	_____
Zone Designations	
100-Year Flood Boundary	_____
500-Year Flood Boundary	_____
Base Flood Elevation Line With Elevation In Feet**	~~~~~ 513 ~~~~~
Base Flood Elevation in Feet Where Uniform Within Zone**	(EL 987)
Elevation Reference Mark	RM7x
Zone D Boundary	_____
River Mile	•M1.5

**Referenced to the National Geodetic Vertical Datum of 1929

EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

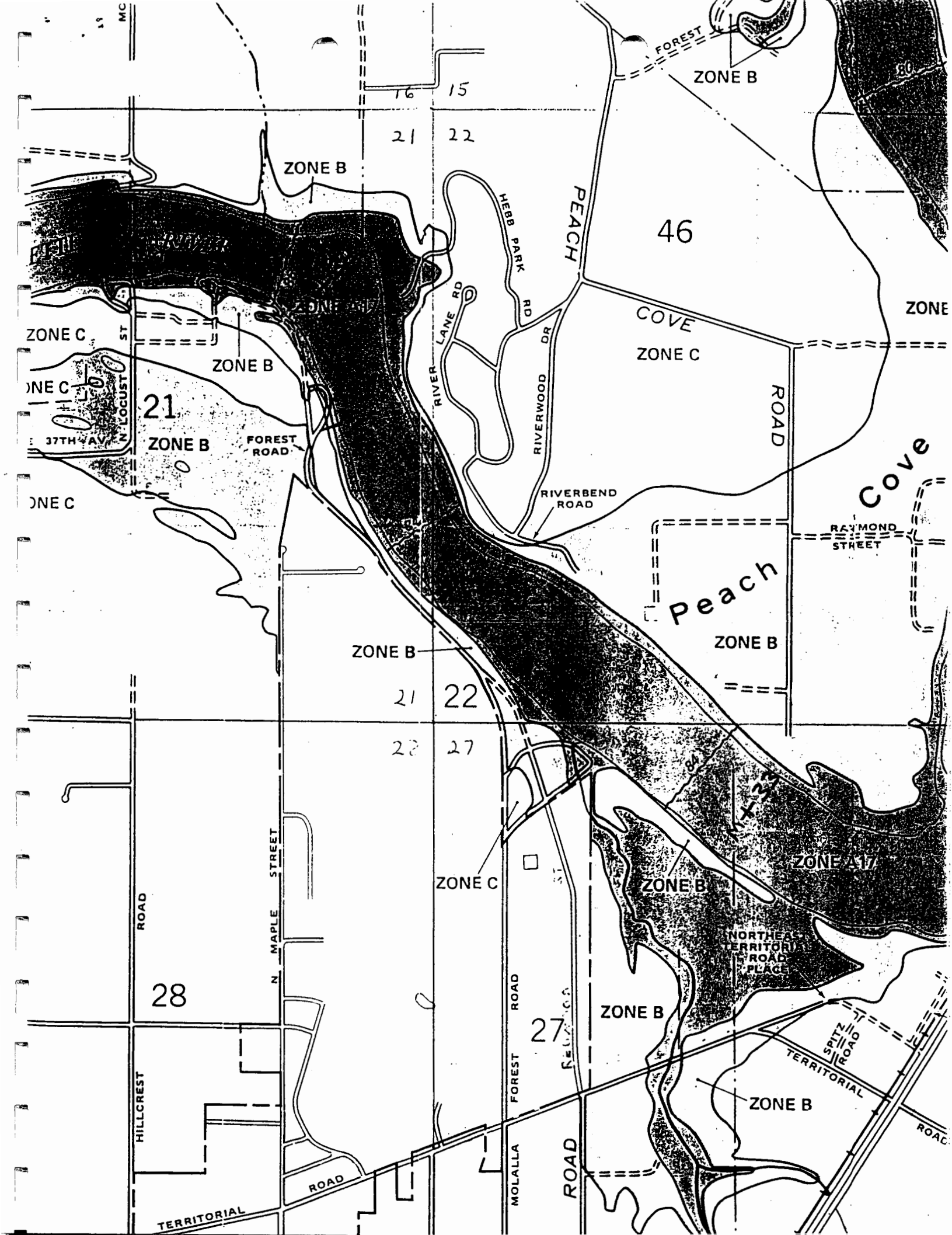
Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.

This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.

Coastal base flood elevations apply only landward of the shoreline shown on this map.

For adjoining map panels, see separately printed Index To Map Panels.

INITIAL IDENTIFICATION:
MARCH 1, 1978



DATE	12-94
SCALE	1" = 50'
JOBS	704-3
NO.	1
BY	2

TREE INVENTORY & LOT LAYOUT FOR COUNTRY CLUB ESTATES

ZAROSINSKI-TATONE
ENGINEERS, INC.
3737 S.E. 8TH AVENUE, PORTLAND, OREGON 97202
PHONE: (503) 235-8755



12-94
1" = 50'
JOBS
704-3
NO. 1
BY 2



TREE INVENTORY

18	20'	MAPLE	153	14'	FR
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283					

1 $\Delta = 74^{\circ}31'35''$
 $R = 45.00'$
 $L = 58.53'$
 $CH = S\ 38^{\circ}58'36''\ W - 54.48'$

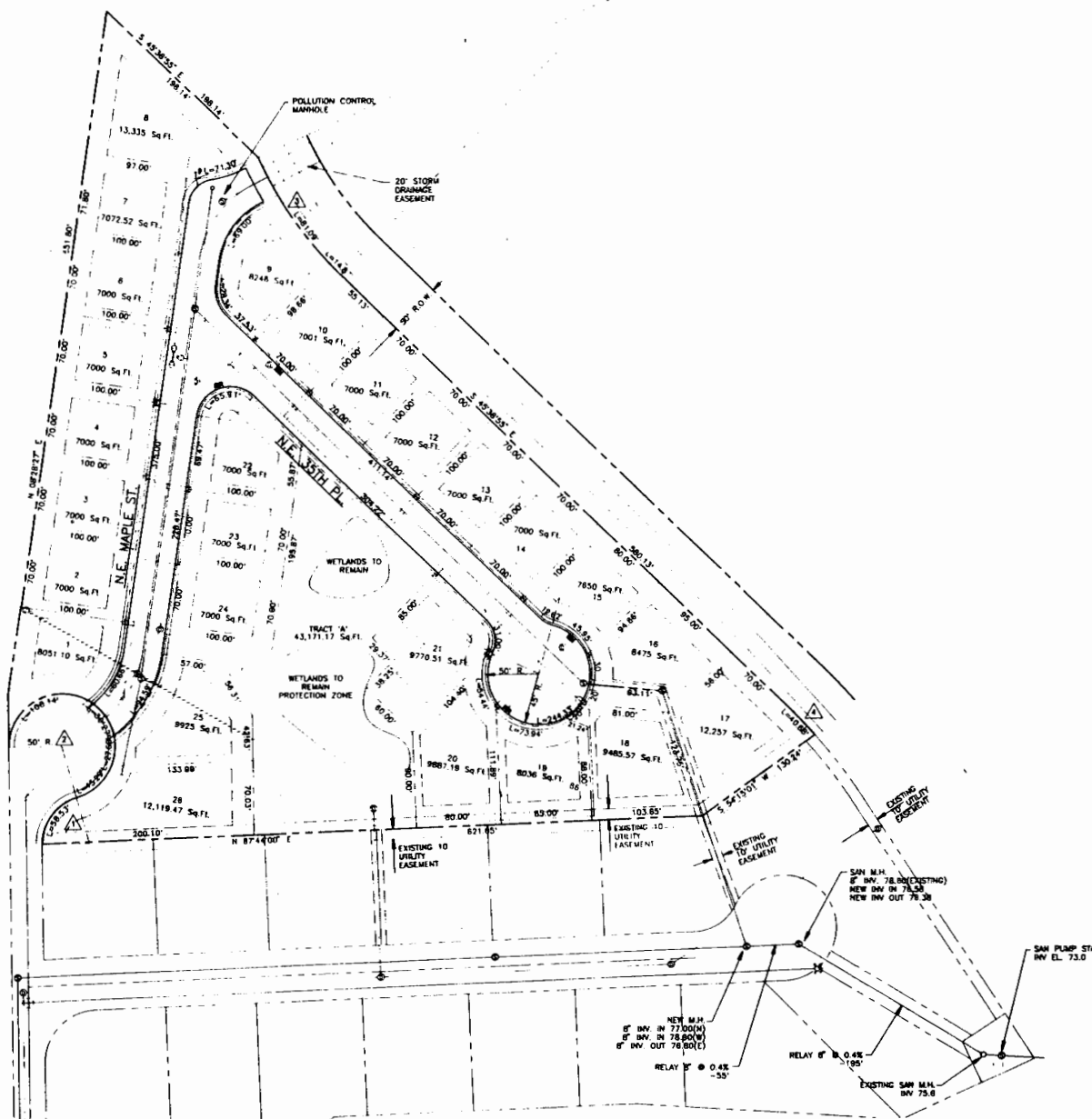
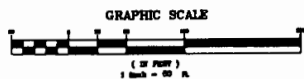
2 $\Delta = 75^{\circ}44'33''$
 $R = 50.00'$
 $L = 222.30'$
 $CH = S\ 53^{\circ}07'43''\ E - 79.47'$

3 $\Delta = 21^{\circ}19'00''$
 $R = 362.03'$
 $L = 134.89'$
 $CH = N\ 34^{\circ}59'25''\ W - 133.92'$

4 $\Delta = 41^{\circ}17'25''$
 $R = 547.98'$
 $L = 41.08'$
 $CH = N\ 43^{\circ}38'58''\ W - 41.08'$

1. ZONE R-1 LOW DENSITY RESIDENTIAL, PROPOSED 26 LOTS.
2. SITE AREA = 7.2527 ACRES MORE OR LESS
3. SITE AREA OF 1.0000 ACRES DEDICATED TO CITY OF CANYON AND/OR PUBLIC SCHOOL SYSTEM.
4. SITE IS IN ZONE "B" FEMA MAP 410014 0001B. FLOOD PLAIN ELEVATION 84.0 TO 84.5.
5. NO CONSTRUCTION BURNING ON SITE.
6. STREET CONSTRUCTION PRIOR TO BUILDING PERMIT.
7. FOUNDATION DRAIN REQUIRED EACH SITE.
8. CONSTRUCTION MATERIALS AND METHODS TO CITY OF CANYON PUBLIC WORKS STANDARDS AND C.U.B. STANDARDS.

DENOTES STORM SEWER LINE (BROWN)
 DENOTES SANITARY SEWER LINE (ORANGE)
 DENOTES WATER LINE (BLUE)
 DENOTES PROPERTY LINE (R.O.W. & LOTS)
 DENOTES PROPERTY LINE (BOUNDARY)
 DENOTES CATCH BASIN/INLET
 DENOTES SANITARY SEWER MANHOLE
 DENOTES STORM DRAINAGE MANHOLE
 DENOTES WATER METER
 DENOTES BLOWOFF ASSEMBLY



REVISIONS	BY

A TENTATIVE PLAT OF
COUNTRY CLUB ESTATES ANNEX NO. 4

CARL P. BREMER C/O ELROY KNUTSON
2690 N.E. TERRITORIAL RD., CANBY, OREGON 97013

**ZAROSINSKI-TATONE
ENGINEERS, INC.**

PHONE: (503) 235-8799

[illegible]

DATE	7-12-94
SCALE	1"=50'
DRAWN BY	JOS
NO.	704-3
SHEET	2

OF 2 SHEETS

Wetland Classification:

Wetlands which occur in Canby are different in size, types, and shapes. All the wetlands have palustrine system/classification. Most of the wetlands contain fresh water which comes from springs and/or wells, except #7, #8 and #9, which pump their water from the Willamette River.

The wetlands in the City of Canby are small, shallow, permanent, non-tidal water bodies dominated by plants which are trees and shrubs. Seven of them are located in the 100 year and/or 500 year flood plains. These wetlands contain deep water habitats dominated by plants that grow on and/or below the water surface for most of the growing seasons. These wetlands have year-round water which helps in the growth and reproduction of the habitats. The dominant plants which float on the surface are duckweeds, water lettuce, etc. Wetland #1 (partly), #4, #7, #8 and #10 have open water and details of their bottoms are unknown. The lower part of Wetland #1 (Torgeson/Nelson property) has been there for a number of years, as evident from the dominant grasslike plants.

Water regimes of all the wetlands are non-tidal. Surface water is present throughout the year in all the wetlands, except the seasonal wetlands (Wetlands #2, #3 and the lower part of #1) where the surface water is presently only in the early part of the year, or in the growing seasons. In Wetland #1 (pond), #4, #5, #6, #7, #8, #9 and #10, the amount and duration of flooding is also controlled by means of pumps and/or dams. Wetland #1, #4, #5, #6 and #10 have dams/barriers to obstruct the outflow of the water.

POLICY NO. 10-R: CANBY SHALL ATTEMPT TO MINIMIZE THE ADVERSE IMPACTS OF NEW DEVELOPMENTS ON WETLANDS.

IMPLEMENTATION MEASURES:

A) The City will assist the State Division of State Lands and Army Corps of Engineers in enforcement of State and Federal regulations (ORS 227.350) related to any development activity which may adversely impact wetlands.

B) Prior to approval of, and as required by ORS 227.350, any development activity which may be near a wetland, the City will require a delineation of the boundary of the wetlands by the State Division of State Lands.

C) Provide protection of wetlands resources as part of land use and development processes.

D) Work with Clackamas County on implementing their Erosion/Sedimentation Control Plan requirements for any development activity.

E) The City will utilize the attached Federal Northwest Inventory of Wetlands Map as a resource in determining potential for impact by development activities.

Exhibit 7

Discussion Points

**Points of Testimony
Planning Commission Public Hearing
Monday, October 23, 2017**

The following items were a part of the discussion at the Neighborhood Meeting on September 19. As you will recall, the proposed Planning Commission Hearing on September 25 was postponed. Please review and select those points you would like to address in written comments or in oral testimony at the Planning Commission meeting on Oct. 23. The rationale you use for your testimony does not have to be verbatim to the points below but based on your knowledge and opinion.

- Increased number of cars using North Maple St.:
 - Vehicle traffic related to the 22 home subdivision.
 - Vehicle traffic related to arterial streets intersecting with N Maple St. between Territorial and the Country Club entrance. (NE 22nd Ave., NE 21st Ave., and NE 20th Ave.)
 - There has not been a traffic study for two years; traffic has increased significantly.
- Pedestrian safety; there has been no pedestrian traffic study done on N. Maple St.
 - A large number of people use N. Maple St. as a part of a loop with the logging road.
 - In the current proposal, the narrow section of 25 feet with a dedicated walkway is not safe with the addition of traffic from the subdivision.
- Access to the subdivision does not meet the city code with a 20 foot section of vehicular traffic and and a 5 foot walking path (16.46.010, B) with parking permitted.
 - The fact that N. Maple St. has permitted parking on the east side of the street for 40 years is a preexisting condition that should be continued. Should the homeowners affected by the no parking possibility in front of their homes have their rights sacrificed for the benefit of a developer so that he can profit in millions of dollars at the expense and safety of those residents.
 - Narrowing the section of N. Maple St. for the homes in a 900+ foot section (addresses 3200, 3220, 3240, 3270, 3310, 3330, 3350, and 3370) (8 homes) from the proposed 34 foot width to 25 foot width creates a variance of 9 feet of reduced lane availability on both ends of this section... an already hazardous situation made extremely hazardous.
- N. Maple St. becomes a cul-de-sac that far exceeds the allowable length of a cul-de-sac (no outlet until until 23rd Ave. North Maple St. is a dead end with no other outlet for the homes in the proposed subdivision.
- N. Maple St. from Territorial Rd. to the country club entrance varies in width and narrows at the intersection of Territorial and N. Maple.
 - Increased traffic has made that intersection increasingly difficult when making a left turn onto Territorial from N. Maple and making a left turn from Territorial Rd. onto N. Maple St.
 - Territorial Rd. has become a bypass for 99E because of the significant amount of traffic on that highway through Canby.
 - The addition of a 56-unit apartment complex proposed for Territorial Rd. will greatly exasperate this traffic problem.
 - Country Club Dr. will become a bypass for that intersection creating a more congested traffic situation for those residents.
- Confusing information regarding the ROW along the west side of N. Maple St.
 - The proposal has changed considerably regarding this aspect just a few short days ago before this hearing.

--There are discrepancies regarding the ROW between the City of Canby and the County, among the City of Canby and the farm owners, Creedon and Montecucco, and the developer, Doug Sprague. How can a decision by the Planning Commission be made with this confusing situation?
--Have ROW documents been submitted to the Commission to verify their veracity?
--No agreements have been completed between the developer and the farm property owners.
--Annexation of the farm property must be completed before any building begins. Likewise, road widening and improvement must be completed before building begins.

- Emergency access for the fire department does not meet the code (16.46.010, Section F), which requires a legally binding alternative emergency vehicle access available, which is proposed as the logging trail/road. Road width standards remain in effect for these two roads.
 - The proposal states that the Fire Marshall has indicated a required 18 feet of clear access to the development on N. Maple St. Is there a document that states this?
 - The logging road is 11.5 feet between the posts at the entrance of the logging trail off of Territorial Rd. The center post is removable with a lock that must be opened and the post physically removed from the center of the pathway. The 18 foot clearance would require removal of the other two outside posts that are permanently installed on either side of the trail. The purpose of these posts is to prevent vehicular traffic down the logging trail/road to control vandalism and crime.
 - The logging trail/road then decreases in width to 10 feet once through the posted entrance. In addition there are several areas along the trail that have low hanging tree branches and foliage that would impede an emergency vehicle, such as a fire engine.
 - At the 34th Place access, the entrance is 14 feet in width and narrows to 12 feet approaching the logging trail/road. There again are 3 posts designed to keep vehicles from accessing the road reducing the ability to access an emergency situation in a timely manner.
 - If access on N. Maple St. must be 18 feet, then the logging trail/road must be 18 feet. The logging trail/road does not meet the requirements for an alternate access.
 - With the logging trail/road's current condition, response time using it for emergencies will vastly decrease resulting with the health and safety of citizens in jeopardy.
- Is there any documentation regarding how the site grading and drainage issues will be addressed?
 - When the developer added a large amount of fill materials of unknown origin to his property to meet a rezoning requirement for removing the area as a wetlands and a flood plain, water drained onto the properties of homes on the north side of 34th Place causing one homeowner to install sump pumps in their crawl spaces to remove water from their homes.
 - A current city investigation into the drainage system running through the 7 Acre property has found a massive root infiltration into the drainage pipes, which will impede water drainage as intended likely causing many problems for the homeowners in the new subdivision as well as the existing homeowners along 34th Place.
- The development will be built in phases and will take approximately 6 years for completion.
 - So we are looking at 6 years of huge machinery, heavy trucks, and additional hazardous traffic conditions even with a 34 foot improved road, but more hazardous to the 25 foot section.
 - The impact on our current half street will be destructive because it has not been engineered to handle that kind of continuous heavy use.
- All N. Maple Street improvements to the road and other conditions involving ROW, emergency access, and traffic control must be completed before any permits are issued for construction work to begin on the 7 Acres site.