

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – September 26, 2016
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Commissioners John Savory, Tyler Smith, Larry Boatright, and John Serlet

ABSENT: Kris Rocha and Derrick Mottern

STAFF: Bryan Brown, Planning Director, and Laney Fouse, Planning Staff

OTHERS: Pat Sisul, and Clint Coleman, Council liaison

1. CALL TO ORDER

Chair Savory called the meeting to order at 7:05 pm.

a. Selection of Vice Chair

Chair Savory said Commissioner Hensley resigned from the Planning Commission. There was discussion regarding nominating Kris Rocha for Vice Chair, but she would not be renewing when her term ended in December, and Tyler Smith, who had submitted an application for the open City Council position.

Motion: A motion was made by Commissioner Serlet and seconded by Commissioner Smith to nominate Larry Boatright as Vice Chair. Motion passed 4/0.

2. CITIZEN INPUT – None

3. MINUTES

a. May 23, 2016, July 11, 2016, and July 25, 2016 Planning Commission Minutes

Motion: A motion was made by Commissioner Boatright and seconded by Commissioner Serlet to approve the May 23, 2016, Planning Commission Minutes. Motion passed 4/0.

Motion: A motion was made by Commissioner Serlet and seconded by Commissioner Boatright to approve the July 11, 2016, Planning Commission Minutes. Motion passed 4/0.

Motion: A motion was made by Commissioner Boatright and seconded by Commissioner Serlet to approve the July 25, 2016, Planning Commission Minutes. Motion passed 4/0.

4. PUBLIC HEARING

a. Consider a request for Annexation and Zone Change for property located on N Oak St. (**ANN 16-04/ZC 16-04 John Meredith**)

Chair Savory opened the public hearing and read the public hearing format. He asked if any Commissioner had a conflict of interest or ex parte contact to declare. Chair Savory drove by the site a couple times per day.

Bryan Brown, Planning Director, entered the staff report into the record. This was a request for annexation. Due to recent State legislation, annexations no longer went to a vote of the people. This was a recommendation to the City Council who would make the final decision. This was an annexation of 1.8 acres that included half of the adjacent right-of-way of Territorial Road. It was located on the southeast corner of Territorial and N Locust. It was surrounded by property in the City limits and he thought when there was an opportunity to get rid of islands surrounded by the City it was a good idea to do so. When property is annexed, a new zone is assigned that will be in conformance with the Comprehensive Plan. This site would be rezoned to R-1.5 – Medium Density Residential. There was a conceptual plan of a possible subdivision that showed how the property would most likely be developed into 9 lots for detached single-family homes and would extend NE 18th Avenue eastward from N Oak Street through the site. There would be adequate public facilities available, and the applicant would be responsible for some utility extensions. A traffic study was done which indicated there would be no significant traffic impacts and the application was in conformance with the Transportation Planning Rule as the anticipated traffic with the rezone conforms with what was anticipated in the TSP and the Comp Plan. The annexation ordinance had a map that defined areas that were required to have a development agreement and this area was included in that map. The City wanted to make sure NE 18th Avenue was extended to connect to the adjacent property when it was annexed in the future. This was the main item in the development agreement for this property. Also in the agreement was the dedication of right-of-way for N Oak and Territorial for future development.

There was discussion regarding increase in traffic and putting in speed bumps or a stop sign for mitigation. Mr. Brown said speed bumps could not be put on Territorial due to its higher classification and studies need to be done for the correct placement of stop signs. Eventually there would be a stop light warranted at N Redwood Street and Territorial Road.

Applicant: Pat Sisul, Sisul Engineering, was representing the applicant. This application would translate into 9 single family lots. There was one existing house on the property that would remain, so 8 new homes would be constructed. The lots would be zoned R-1.5, which was in short supply in the City and would help balance the available lots in all three residential zones of the City's inventory. Utilities were available in Territorial and N Oak. The traffic generation from eight new homes would be a minimal impact and was planned for in the adoption of the Transportation System Plan. He discussed the available platted lots in Canby as of July 25, 2016. For available lots in subdivisions, there were 55 lots remaining in the R-1 zone, 0 lots remaining in the R-1.5 zone, and 23 lots remaining in the R-2 zone. For available lots in minor land partitions, there were 6 lots remaining in the R-1 zone, 0 lots remaining in the R-1.5 zone, and 3 lots remaining in the R-2 zone. For the number of single family and multi-family permits that were pulled by month in 2015, there were 68 single family residential permits and 17 multi-family residential permits. The ten year historical average was 447 permits over ten years, or 44.7 per year, the three year historical average was 45.3 permits per year, and in 2015 the number of permits pulled was 85. This was more than double the three and ten year averages.

There was discussion regarding the inventory of land supply in Canby.

Mr. Sisul continued to discuss the buildable lot supply. If they used the ten year average, there was 1.95 year's worth of supply left, if they used the three year average, there was 1.92 year's worth of supply left, and if they used the 2015 building rate, there was slightly over a year left. They had projected out to the end of 2016 which included the subdivisions that were approved and were under development, but the plats had not been recorded yet. Using the ten year average, by the end of the year there would be 1.8 year's worth of supply left, using the three year average, there would be 1.77 year's worth, and using the 2015 rate, there would be 1.25 year's worth. Land had to be added at a reasonable rate and this development was not an unreasonable annexation request.

Proponents, Opponents, and Neutral: None.

Chair Savory closed the public hearing.

Motion: A motion was made by Commissioner Smith and seconded by Commissioner Serlet to approve ANN 16-04/ZC 16-04 John Meredith based on the need for additional property within the City, it was an island surrounded by City limits and existing services, there would be no traffic impacts, and it fit with the Comprehensive Plan designation. Motion passed 4/0.

5. NEW BUSINESS – None

6. FINAL DECISIONS

a. ANN 16-04/ZC 16-04 John Meredith

Motion: A motion was made by Commissioner Boatright and seconded by Commissioner Smith to approve the final decisions for ANN 16-04/ZC 16-04 John Meredith. Motion passed 4/0.

7. ITEMS OF INTEREST / REPORT FROM STAFF

a. Next regular Planning Commission meeting scheduled for Monday, October 10, 2016

Mr. Brown discussed a request to build a detached accessory dwelling unit at 12th and N Locust. Accessory dwellings were not to exceed 800 square feet and this application was for a dwelling of 790 square feet, but it was designed with a full basement. The basement would be used for heating/cooling and storage but could be considered living space. The question was if a basement could be excluded from the square feet requirement. This had never been proposed before.

Commissioner Smith thought D3 – containing the maximum size limit would not apply because it was detached requiring a Conditional Use Permit, and only D2 was indicated to apply in this situation, which did not restrict the unit to 800 square feet. Mr. Brown thought that reference was an error in the Code, but if that was how the Commission interpreted it, the unit would not be automatically restricted to 800 square feet if the applicant went through the Conditional Use Permit process.

b. City of Canby New Library/Civic Center, 222 NE 2nd Ave

Mr. Brown discussed how staff was packing to move into the new library/civic center building on September 30. This would be the last Commission meeting in the old Council Chambers. He did not

expect to hold a meeting on October 10. The next possible meeting would be held on October 24.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION – None

9. ADJOURNMENT

Motion: Commissioner Boatright moved for adjournment, Commissioner Smith seconded. Motion passed 4/0. Meeting adjourned at 7:58 pm.

The undersigned certify the September 26, 2016 Planning Commission minutes were presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this day of , 2016

Bryan Brown, Planning Director

Laney Fouse, Meeting Recorder

Assisted with Preparation of Minutes – Susan Wood

From: bandk290@canby.com
To: [Kim Scheafer](#)
Subject: Note to be read at City Council Meeting
Date: Monday, October 17, 2016 12:47:15 PM

Hi Kim. My name is Bill Fenton. I'm a Registered Nurse who works evenings and so I am unable to attend Council meetings. It has been suggested that I send you this note to be given to the Councilors and Mayor and to be read aloud at the meeting on Wednesday. Thank you.

Mr. Mayor and Councilors,

I find it an interesting contrast that when Mayor Hodson came in to office, one of his first actions was to put a halt to the forward movement toward a new public library. Despite the forfeiture of many, many thousands of dollars, he presented himself as a champion of the public's right to vote on matters pertaining to our community. Now, however, our Mayor and certain members of the City Council are demonstrating what seems to be a complete disregard for the wishes of those same voters. This begs the question: Why this change in sentiment? Yes, there is the precedent that the Council appoints to fill vacancies. But this is undoubtedly a unique situation. This appointment would take place less than two weeks before the November election. Of important note, this election has the potential to change the face of the City Council. Which brings me back to my question: Why the shift from a stated position of caring for the wishes of the voting public to one of showing a disregard for their wishes? In my mind, the answer is obvious: The Mayor and certain Councilors are afraid of losing a majority who share their views. If this is true, it represents a political philosophy of "winning at any cost", ethics and the will of the people be damned. Canby deserves and expects better than this. I humbly ask the Council to delay this appointment until after the election. Let the voters participate in this important process. Let the voters participate in the direction we take our community. Who knows, you may end up getting what you wished for all along; but you would be able to say that you had the mandate of the people.

Thank you,
Bill Fenton
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