AMENDED AGENDA

CANBY CITY COUNCIL MEETING July 2, 2008, 7:30 P.M. Council Chambers 155 NW 2nd Avenue

Mayor Melody Thompson

Council President Walt Daniels Councilor Teresa Blackwell Councilor Paul Carlson Councilor Randy Carson Councilor Tony Helbling Councilor Wayne Oliver

CITY COUNCIL MEETING

1. CALL TO ORDER

- A. Pledge of Allegiance and Moment of Silence
- B. Presentation Regarding Police/Court Facility Bond
- C. Canby Cares Day Proclamation

2. COMMUNICATIONS

3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

(This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Each citizen will be given 3 minutes to give testimony. Citizens are first required to fill out a testimony/comment card prior to speaking and hand it to the City Recorder. These forms are available by the sign-in podium. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter.)

4. MAYOR'S BUSINESS

5. COUNCILOR COMMENTS & LIAISON REPORTS

6. CONSENT AGENDA

(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.) A. Approval of Minutes of the June 18, 2008 City Council Work Session and Regular Meeting

7. PUBLIC HEARING

A. ANN 08-01 Holmes

8. **RESOLUTIONS & ORDINANCES**

- A. Res. 990, Calling a Measure Election to Submit to the Electors the Question of Authorizing up to \$19,000,000 of General Obligation Bonds to Finance the Costs of Capital Construction and Capital Improvements; Declaring Intent to Reimburse Expenditures; and Related Matters
- B. Res. 991, Restricting Vehicle Parking on the South Side of SW 13th Avenue Between South Elm and a Point Approximately 250' West of Baywood Court Pg.
- C. Ord. 1275, Authorizing Contract with Beth Saul for Management of Special Projects (2nd Reading)

Pg.1

Pg. 54

- D. Ord. 1278, Declaring City's Election to Receive State Revenue for the 2008-2009 Fiscal Year (2nd Reading)
 Pg. 56
- E. Ord. 1282, Revising Canby Municipal Code Chapter 12.12.035 Entitled "Sidewalk Displays" (2nd Reading)
 Pg. 57
- F. Ord. 1283, Authorizing Purchase of Road Right-of-Way for the Widening of S. Pine Street at its Intersection with Highway 99E (2nd Reading)
 Pg. 59
- G. Ord., 1284, Authorizing Purchase of One 2008 Honda Odyssey LX Van for the Canby Police Department Pg. 61
- H. Ord. 1285, Authorizing Contract with Mowry Rebar, Inc. to Construct a Picnic Shelter and Related Improvements at Legacy Park
 Pg. 65

9. NEW BUSINESS

10. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

11. CITIZEN INPUT

12. ACTION REVIEW

13. EXECUTIVE SESSION: ORS 192.660(2)(h) Pending Litigation and ORS 192.660(2)(i) Performance Evaluation of Public Officer

14. ADJOURN

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Scheafer at 503.266.4021 ext. 233. A copy of this Agenda can be found on the City's web page at <u>www.ci.canby.or.us</u>. City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5. For a schedule of the playback times, please call 503.263.6287.



Office of the Mayor

Proclamation

Canby Cares Day

WHEREAS, The Canby Center is dedicated to a community where each individual has a sense of dignity, achieved self reliance and is a contributing member of society. A community of families, healthy and whole, living chemically independent stable lives. A community where homelessness and hunger no longer exist and where individuals take ownership of their health; and

WHEREAS, The Canby Center values the health and safety of all our citizens and wishes to meet the needs of our neighbors who do not have access to basic medical, dental and social care; and

WHEREAS, The Canby Center and the community offer the opportunity to reach out to our neighbors and establish relationships with members of the community who find themselves is need; and

WHEREAS, Our society is dependent upon cooperation and support and benefits from our collective efforts to serve those that are in need. The Canby Center located at 555 SW 2nd Avenue will hold a Canby Cares Health Fair for and by the community of Canby on July 19, 2008 from 9 AM to 4 PM.

NOW, THEREFORE, I, Melody Thompson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim the July 19, 2008 as

Canby Cares Day

Given unto my hand this 7th day of July, 2008.



Melody Thompson Mayor



MEMORANDUM

<i>TO</i> :	Honorable Mayor Thompson and City Council
FROM:	Melissa Hardy, Associate Planner
THROUGH:	Mark C. Adcock, City Administrator
DATE:	July 02, 2008
RE:	Annexation Application (ANN 08-01)

Summary

Thomas Holmes has submitted an application to the City of Canby to annex approximately 4.85 acres of property located west of N. Pine Street, approximately one-tenth of a mile south of the intersection of N.E. Territorial Road and N. Pine Street (*see Exhibit A of Attachment 2 - Vicinity Map*).

The property is designated as Medium Density Residential in the City of Canby Comprehensive Plan. An area annexed to the city shall be automatically classified in the zone which best conforms to the land use map of the Comprehensive Plan, pursuant to Canby Municipal Code (CMC) 16.08.040; therefore, if the property is annexed, the zone which best conforms to the land use map of the Comprehensive Plan is Medium Density Residential (R-1.5).

Upon receipt of the Planning Commission's recommendation on this application, the City Council may vote to either approve or deny the application based upon the record of the Planning Commission's public hearing; -OR- the City Council may choose to conduct a second public hearing to receive additional testimony on the application before rendering a decision. If the City Council approves the annexation application, the City Recorder will return to Council with a ballot title appropriate to forward the question to Canby voters in the general election on November 04, 2008.

Recommendation

Planning Commission has forwarded the following recommendation of approval to City Council:

• The Planning Commission recommends that City Council approve and set for an election ANN 08-01, based upon the Planning Commission's findings (*see Attachment 1 – Planning Commission Findings*), and that upon annexation the zoning of the property be designated as Medium Density Residential (R-1.5).

Background

The Planning Commission held a public hearing on May 27, 2008, concerning this annexation application. The Planning Commission found that the annexation application meets all of the approval criteria set forth in Canby Municipal Code (CMC) 16.84.040.A, based upon all information presented at the May 27, 2008, public hearing, including the May 16, 2008, staff report (see Attachment 2) and the May 27, 2008, memorandum to Planning Commission concerning the transportation analysis (see Attachment 3).

Alternatives

1. As an alternative to the recommended action, the City Council may choose to deny the annexation application based upon modified findings, in which case the annexation will not be submitted to the voters of Canby.

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Attachments

- 1. Planning Commission Findings
- 2. Planning Commission Staff Report and Exhibits
- 3. Memorandum to Planning Commission

ATTACHMENT 1

Planning Commission Findings

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BEFORE THE PLANNING COMMISSION OF THE CITY OF CANBY

A REQUEST TO ANNEX 4.85 ACRES OF LAND INTO THE CITY OF CANBY

FINDINGS, CONCLUSIONS & ORDER ANN 08-01

NATURE OF APPLICATION

The applicant is proposing to annex approximately 4.85 acres into the City of Canby

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HEARINGS

The Planning Commission held a public hearing to consider the application on May 27, 2008.

CRITERIA AND STANDARDS

The Planning Commission forms a recommendation that the City Council may consider after conducting a public hearing. If the City Council approves the application, it forwards its recommendation to the voters of Canby as a ballot measure where a final decision is reached during a general election.

Section 16.84.040 of the Canby Municipal Code states that when reviewing a proposed annexation, the Commission shall give ample consideration to the following:

- 1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan);
- 2. Analysis of the "need" for additional property within the city limits shall be provided;
- 3. Smaller non-farm land shall be considered a priority for annexation over larger farm land;
- 4. Access shall be adequate to the site;
- 5. Adequate public facilities and services shall be available to service the potential (or proposed) development;
- 6. Compliance with other applicable city ordinances or policies;

Findings, Conclusion and Final Order ANN 08-01 Page 1 of 4

- 7. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.);
- 8. Risk of natural hazards which might be expected to occur on the subject property shall be identified;
- 9. Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas;
- 10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole.

FINDINGS AND REASONS

The Planning Commission deliberated on all input presented at the May 27, 2008 meeting. The Planning Commission also incorporates the May 16, 2008 Staff Report, the May 27, 2008 Memorandum concerning the transportation analysis, and Commission deliberations as support for its decision.

CONCLUSION

The Planning Commission of the City of Canby concludes that, based on the findings and conclusions contained in the May 16, 2008 Staff Report, the May 27, 2008 Memorandum concerning the transportation analysis, and based on Commission deliberations at the May 27, 2008 public hearing:

- 1. The subject property is located within an area designated as Type A urbanization land.
- 2. An analysis of the need for additional property within the city limits has been provided, including the amount of developable land currently within the city limits, the approximate rate of development of those lands, and how the proposed annexation will affect the supply of developable land within the city limits.
- 3. The property meets the small, non-farm land definition and is considered a priority for annexation.
- 4. Adequate access is available to the site.
- 5. Adequate public facilities and services are available to service potential development of the subject property.
- 6. The annexation proposal is in compliance with other applicable City ordinances or policies.
- 7. The annexation proposal complies with all applicable sections of Oregon Revised Statutes Chapter 222.
- 8. No natural hazards have been identified on the subject property.

Findings, Conclusion and Final Order ANN 08-01 Page 2 of 4

- 9. There are no specially designated open spaces, scenic, historic or natural resource areas identified on the subject property.
- 10. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole.

RECOMMENDATION

IT IS RECOMMENDED BY THE PLANNING COMMISSION of the City of Canby that the City Council APPROVE annexation application ANN 08-01 subject to the following understanding:

1. Upon annexation, the zoning of the subject property be designated as Medium Density Residential (R-1.5).

Findings, Conclusion and Final Order ANN 08-01 Page 3 of 4

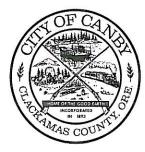
ATTACHMENT 2

Planning Commission Staff Report and Exhibits

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STAFF REPORT

APPLICANT: Thomas Holmes P.O. Box 111 Canby, OR 97013

OWNER:

Thomas Holmes P.O. Box 111 Canby, OR 97013

LEGAL DESCRIPTION: Clackamas County Assessor Map and Tax Lot Number 31E28DD-02190

LOCATION:

West of N. Pine Street, approximately one-tenth of a mile south of the intersection of N.E. Territorial Road and N. Pine Street

COMP. PLAN DESIGNATION: Medium Density Residential (MDR) FILE NO.: ANN 08-01

STAFF: Melissa Hardy Associate Planner

DATE OF REPORT: May 16, 2008

DATE OF HEARING: May 27, 2008

ZONING DESIGNATION: Clackamas County Rural Residential Farm/Forest 5-Acre District (RRFF-5)

I. APPLICANT'S REQUEST:

The applicant is proposing to annex approximately 4.85 acres into the City of Canby.

II. ANNEXATION APPROVAL CRITERIA:

Canby Municipal Code (CMC) Section 16.84.040 states that when reviewing a proposed annexation, the Planning Commission shall give ample consideration to the following:

1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan). Areas designated as Type A urbanization lands shall be annexed prior to those areas shown as Type B, etc. Annexation which is not in keeping with the phased growth concept shall only be permitted when the following findings are made (The burden of proving the appropriateness of the annexation is greatest for those proposals which are least in keeping with the phased growth concept):

a. Appropriateness of the annexation in terms of timing for city growth and development;

Staff Report ANN 08-01 Page 1 of 8 b. There will be some special benefit to the city overall as a result of the annexation which would not occur if the phased growth pattern was followed;

c. The annexation will result in no adverse impacts on the city's planned provision of public facilities and services.

- 2. Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning low density residential, light industrial, etc.) currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient.
- 3. Smaller non-farm land shall be considered a priority for annexation over larger farm land.
- 4. Access shall be adequate to the site.
- 5. Adequate public facilities and services shall be available to service the potential (or proposed) development.
- 6. Compliance with other applicable city ordinances or policies.
- 7. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.).
- 8. Risk of natural hazards which might be expected to occur on the subject property shall be identified.
- 9. Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas.
- 10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole.

III. ANALYSIS OF PROPOSAL:

<u>Summary of Application</u> – The applicant is proposing to annex approximately 4.85 acres of property, located west of N. Pine Street, approximately one-tenth of a mile south of the intersection of N.E. Territorial Road and N. Pine Street (*see Exhibit A – Vicinity Map*). The property is located inside the Canby Urban Growth Boundary, and the city limits abuts the property to the west and to the east (N. Pine Street is a City of Canby Street according to the City's contract Civil Engineer, Curran-McLeod, Inc.). According to the applicant's submittals, the only development that is currently located on the property is an accessory structure (a small shed). If the property is annexed, the existing shed will become legal non-conforming, and will be subject to the non-conforming provisions of CMC Section 16.52. The applicant's submittals are attached (*see Exhibit B – Applicant's Submittals*).

<u>Appropriate Zoning Designation</u> – The property is designated as Medium Density Residential in the City of Canby Comprehensive Plan (Ordinance No. 1120). An area annexed to the city

Staff Report ANN 08-01 Page 2 of 8 shall be automatically classified in the zone which best conforms to the land use map of the Comprehensive Plan, pursuant to CMC Section 16.08.040; therefore if the property is annexed, the zone which best conforms to the land use map of the Comprehensive Plan is Medium Density Residential (R-1.5).

Consideration of Criteria -

Criteria 1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan). Areas designated as Type A urbanization lands shall be annexed prior to those areas shown as Type B, etc.

Applicant's Proposed Findings (see Exhibit B – Applicant's Submittals): This area is within priority Type "A".

- *Staff Comments*: Staff concurs with the applicant. The subject property is located within an area designated as Type A urbanization land (*see Exhibit C Copy of Growth Priorities Diagram*).
- **Criteria 2.** Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning low density residential, light industrial, etc.) currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient.

Applicant's Proposed Findings (see Exhibit B – Applicant's Submittals):

Because of the location and lot size, it is likely that the proposed subdivision (including the 12 potential lots inside the City), will result in around 45 additional single-family homes. Based on the R1.5 zoning, the proposal is in the medium density designation. The City of Canby has recognized a desire to continue growth both through infill and also development of land within the UGB. The Comprehensive Plan indicated a projection of additional single-family (Standard Construction) Units of about 99 units a year, a rate that occurred between 2000 and 2006. The 2006 information showed roughly a one year supply at that rate. Housing demand has diminished in the second half of 2007, and continues to drop in 2008. What is not known at the time of this application is whether the supply has also dropped to the extent that a one year supply is still accurate.

It is very likely that the recent development of single-family homes in Canby has been constrained by a limited supply. This is shown by the limited amount of available vacant land, and the number of vacant lots in the 4,500 to 6,000 square foot range. The scarcity of such lots is much greater than other communities that could be considered comparable. Even with the recent downturn in the housing market the availability of SF lots, especially the smaller lots, is well short of any realistic 5 year demand projection.

> Staff Report ANN 08-01 Page 3 of 8

As indicated there is a need for additional residential single-family land, but because of the small size and good location this proposal could be included even if there were larger annexation requests.

- Staff Comments: The City of Canby Comprehensive Plan's adopted methodology for forecasting the potential residential development potential of lands designated Medium Density Residential is to subtract 20 percent of the land area for public rights-of-way and easements, then subtract 5 percent of the remaining land area for an assumed vacancy rate, then multiply the remaining acreage by 8 dwelling units per acre. Using this methodology, the assumed residential development potential of the 4.85 acre site proposed for annexation is 30 dwelling units (4.85-0.97=3.88-0.19=3.69x8=29.52). Depending upon how the property is actually developed, more or less dwelling units may result. The City of Canby Comprehensive Plan's projection for number of dwelling units to be constructed on lands that are inside the city limits and that are designated Medium Density Residential is a total of 284 units during the planning period of 1984 to 2000. The Comprehensive Plan has not been updated to include any development projections for any subsequent period of time. There is no projection of "99 units a year", as the applicant's statement suggests. The City of Canby has no adopted studies contrary to the remainder of the applicant's statements; therefore, staff concurs with the remainder of the applicant's statements.
- **Criteria 3.** Smaller non-farm land shall be considered a priority for annexation over larger farm land.

Applicant's Proposed Findings (see Exhibit B – Applicant's Submittals): This property meets the small, non-farm definition and should be annexed.

- *Staff Comments*: Staff concurs with the applicant's statement that the subject property meets the definition of small, non-farm land.
- Criteria 4. Access shall be adequate to the site.

Applicant's Proposed Findings (see Exhibit B – Applicant's Submittals): This annexation has direct access east to NE Pine Road, and access to three additional streets to the south, west, and north!

- Staff Comments: The subject property abuts N. Pine Street to the east. It is anticipated that N. Oak Street will be further improved and extended at the time of development to provide additional access to and through the subject property. Requirements for street improvements in order that adequate access be available, are determined at the time that development of the property is proposed. Staff concludes that adequate access is available, or can be made available at the time of development, to the site.
- **Criteria 5.** Adequate public facilities and services shall be available to service the potential (or proposed) development.

Applicant's Proposed Findings (see Exhibit B – Applicant's Submittals):

There are no additional facilities (such as an enlarged sewer treatment plant) required to meet the projected demand from the annexation. Taxes and user fees

Staff Report ANN 08-01 Page 4 of 8 generated by annexation and resulting subdivision units will help pay for future facilities, but no expansion of facilities are required for this project. There are existing utility lines adjacent or very close to this site on the north, south, east, and the west. Water and sewer lines would be brought down a short distance (from the recently constructed Willamette Grove apartment complex) on NE Pine Road, and extended to the south edge of the proposed annexation. The new sanitary sewer lines need only to connect to the Pine Street line. The proposed subdivision extends to NE 17th Avenue to the west and NE Oak Street to the south, which creates a connected (loop) water system and also allows connections to telephone, cable, gas, and electricity. An electrical line would also extend north along NE Oak Street to Territorial Road. Because it is an infill site surrounded by the City, services are available, and very little off-site work is required.

The subdivision does not generate additional traffic trips (somewhat less than 330 for the annexed portion), but the subdivision has good access to NE Pine Road and Territorial Road. The subdivision does greatly improve connectivity in the area, connecting 16th and 17th to NE Pine and Territorial Road. Because this is infill development, any increase demand (for example fire services, schools, and police services) has been anticipated.

There are also increased demands to police and fire, although because the site is infill it is already within Police and Fire service district. Schools will also be impacted with 33 more single-family dwellings (45 for the entire subdivision). Annexation of this area of the City has been expected for some time, and the Canby School District has expected growth in this area. Most open areas within a City are prized for their open space qualities, and there is a natural reluctance from adjacent neighborhoods to have open space converted to subdivisions. Despite the intended future urbanization of the area (as shown on the Comprehensive Plan), some current residents may resent additional residences. The reluctance is increased for a site that is heavily forested. The owner has expressed a strong desire to retain and protect as many trees as possible, but there are limitations on how many trees can be protected.

Staff Comments: The annexation application was forwarded to all public facility and service providers. All respondents to date indicated that adequate public facilities are available or will become available through development of the property (see Exhibit D – Service Provider Comments). A traffic impact study is currently being prepared to determine potential impacts of the proposed annexation on transportation facilities. The traffic impact study is not yet available as of the date this staff report was prepared, but will be provided to Planning Commission prior to the close of the public hearing scheduled for May 27, 2008. Therefore, staff concludes that, with the exception of transportation facilities which shall be determined upon receipt of the traffic impact study, adequate public facilities and services are available, or can be made available, to service potential development of the subject property.

Criteria 6. Compliance with other applicable city ordinances or policies.

Applicant's Proposed Findings (see Exhibit B – Applicant's Submittals):

Because this is an annexation, the zoning would need to be changed from County to City Zoning. In this case the zone would change from RRFF5 to R1.5. The R1.5 zone is allowed under the Comprehensive Plan Medium Density Plan designation. The request meets (or if required can be modified to meet) City ordinances or policies.

- Staff Comments: Staff concurs with the applicant's statement. The property is designated as Medium Density Residential in the City of Canby Comprehensive Plan. Therefore if the property is annexed, the zone which best conforms to the land use map of the Comprehensive Plan is Medium Density Residential (R-1.5).
- **Criteria 7.** Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.).
- Applicant's Proposed Findings (see Exhibit B Applicant's Submittals): This property is one lot, without any existing dwellings. State requirements are easily met.
- *Staff Comments*: All information submitted indicates that this annexation application meets all applicable sections of Oregon Revised Statutes Chapter 222.
- **Criteria 8.** Risk of natural hazards which might be expected to occur on the subject property shall be identified.
- Applicant's Proposed Findings (see Exhibit B Applicant's Submittals): Preliminary site inspection has determined there are not any natural hazards on the site.
- Staff Comments: No natural hazards have been identified on the subject property.
- **Criteria 9.** Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas.

Applicant's Proposed Findings (see Exhibit B – Applicant's Submittals):
 This site may be considered by some surrounding neighbors to be open space and a scenic resource, but it has been planned for some time for residential development. Although a small neighborhood park will be considered in the project, the City has not designated the site for future park acquisition and the City shows adequate park sites in the vicinity.

Staff Comments: There are no specially designated open spaces, scenic, historic or natural resource areas identified on the subject property.

Criteria 10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole.

VI. RECOMMENDATION:

Based upon the findings contained in this report, including all attachments hereto, and without the benefit of a public hearing, staff recommends that the Planning Commission recommend to City Council that:

- 1. ANN 08-01 be approved for submission to the electorate for vote; and
- 2. Upon annexation, the zoning of the subject property be designated as Medium Density Residential (R-1.5).

Exhibits:

- A. Vicinity Map
- B. Applicant's Submittals
- C. Copy of Growth Priorities Diagram
- D. Service Provider Comments
- E. Neighborhood Meeting Information

Applicant's Proposed Findings (see Exhibit B – Applicant's Submittals):

This project would not have a significant adverse impact on the community. Construction would provide temporary employment, and future inhabitants would likely help the economy of the area.

Staff Comments: No significant adverse effects on the economic, social, and physical environment of the community as a whole have been identified.

IV. PUBLIC INPUT RECEIVED:

<u>Neighborhood Meeting</u> – The applicant held a neighborhood meeting on February 19, 2008. Per the applicant's meeting notes (*see Exhibit E – Neighborhood Meeting Information*), questions received during the meeting concerned what the development of the property would be like if the property were annexed. Comments received included: concerns about small houses and small lots, concerns about parking and general deterioration of the neighborhood, and concerns about whether green space would be provided when the property is developed.

Staff Response to neighborhood meeting comments:

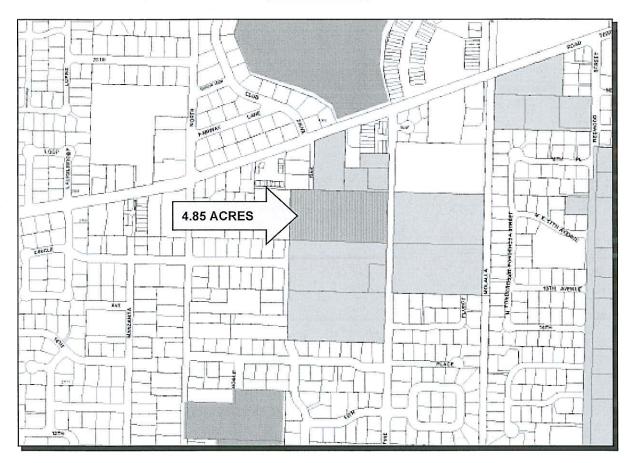
- *What kind of development will occur?* ... If the property is annexed, development of the property will be required to be consistent with all applicable land use standards in Canby's Title 12 Land Development and Planning Ordinance.
- *Small houses and small lots.* ... If the property is zoned R-1.5, there is no minimum floor area requirement for dwelling units; however there are minimum lot size standards. Lots must be a minimum of 5,000 square feet; with the exception that Planning Commission may approve lots that are no less than 4,000 square feet when the average is a minimum of 5,000 square feet, and may approve lots that are no less than 3,000 square feet when development thereon is limited to a single family dwelling with common wall construction.
- *Parking and general deterioration of the neighborhood.* ... If the property is annexed it will then fall under the jurisdiction of the City of Canby and all Canby parking and property maintenance codes.
- *Will green space be provided when property is developed?* ... There is a maximum structural lot coverage standard in the R-1.5 zoning district of 60 percent. It should be noted here, however, that lots developed with single family or duplex style housing are not subject to landscaping plan requirements and homeowners therefore are free to landscape or hardscape around their house as they choose. Also, at the time a property is developed, land must be provided to the City for parks, open space, and recreation, through either dedication of land or payment of system development charges.

<u>Public Comments</u> – Notices were mailed to residents and owners of property within 500 feet of the subject property; no public comments have been received as of the date this staff report was prepared.

V. CONCLUSION:

Staff concludes, as detailed herein this staff report, including all attachments hereto, that the proposed annexation meets the approval criteria set forth in CMC 16.84.040.

VICINITY MAP



Location: west of N. Pine Street, approximately one-tenth of a mile south of the intersection of N.E. Territorial Road and N. Pine Street

APPLICANT'S SUBMITTALS

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	CITY OF						
ANNEXATION APPLICATION Fee: - See Page 6							
Election Costs Deposit	: \$2,500.00 – Gen Process	eral Election - \$4,500.00 Type IV) Special Election				
OWNERS.		AF	PLICANT**				
Name Thomas L. Hul	MES	Name Thomas	6.Holmes				
Address 70 Box ///		n	111				
City CAL State OR			Stateon Zip 97013				
Phone 507-246-5252 Fax 52			494) Fax				
E-mail folemokehouse@							
Please indicate who is to receive con			at format they are to be sent				
🛛 Owner 🛛 Email		Postal	Fax Fax				
	~ 10						
OWNER'S SIGNATURE	viler, ney must and	h documentary evidence o application.	f their authority to act as agent in				
		OF PROPERTY					
Address NORE - WERT of P.			onifly ann 16th				
Tax Map <u>3/E 28 DDC</u>	Tax Lot(s)	2190	Lot Size 4 25/211.266				
Existing Use VACANT			(Acres/Sq.Ft.)				
Proposed Use Sisgle Fam	LY HORIN	Ĵ					
Existing Structures	*						
Zoning <u>RRFF.5</u>		_ Comprehensive Plan	Designation <u>Mechann DEAC</u> ty RESTIENTIAL				
Previous Land Use Action (If any) _	Name	an a					
2	FOR CITY U	SE ONLY					
File #	ANND8-0						
	Received $\frac{2}{20}$	1	DERENVEN				
		N					
Com	pleteness		FER 20 2008				
Pre-A	App Meeting		Ву				
Heari	ing Date						
CI		NEXATION APPLICATION age 1					

STICOR TITLE INSURANCE

197-572 LEGAL DESCRIPTION

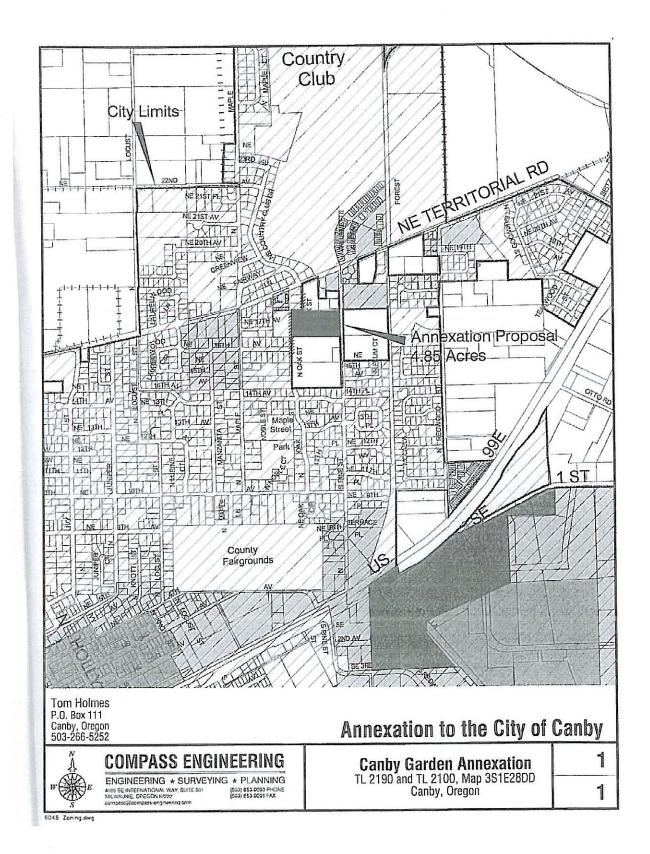
IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

Tract 61, CANBY GARDENS,

AND ALSO part of Tract 59, CANBY GARDENS, described as:

Beginning at the southeast corner of said Tract 59; thence West along the south line of said Tract 59, a distance of 238 feet to the east line of a tract conveyed from William Siefert and wife to George Lingel and wife by deed recorded December 16, 1946, in Book 382, page 79, Deed Records; thence North along the east line of said Lingel tract 330 feet; thence East 238 feet to the east line of said Tract 59; thence South along said east line 330 feet to the place of beginning.

Ticor Title Insurance Company of California



Proposed Canby Annexation, 2008 Applicant – Tom Holmes, Compass Job #6045.1

Legal Description: Lot 61, "Canby Gardens", Plat no. 230, Clackamas Co.

Site Address: No Situs, West of Pine St. Between Territorial and 16th. Assessor Map & Tax Lot: T3S. R1E. Sec.28DD, Tax Lot 2190

Property Owner/Applicant Thomas L. Holmes P.O. Box 111 Canby, Oregon 97013

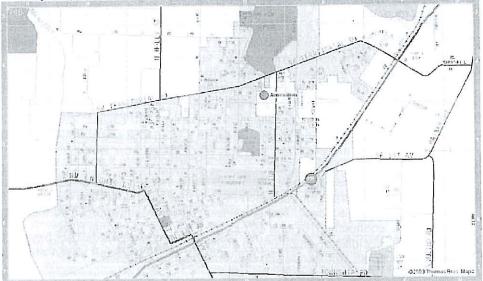
Planning and Engineering, Representative for the Developer Karl Mawson AICP, Compass Engineering 4105 SE International Way, Suite 501, Milwaukie, Oregon 97222 Tel: (503) 653-9093, Fax: (503) 653-9095 Email: karlm@compass-engineering Project Work # 6045.1

Project Annexation of 4.85 Acres

Site Basics

Current Zoning is RRFF5, Plan = MDR (Medium Density Residential), Most Compatible Zoning, R1.5

Vicinity Map



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Annexation Narrative

Application Response

This infill property of 4.85 acres is surrounded by the City of Canby, and adjacent to the City of Canby on the north, south, and part of the north. There are no dwellings on the property, although a small shed has been on the property as part of a proposed well. Because no one is living on the property and Mr. Holmes is the sole owner the State requirements (for example the triple-majority) for requesting annexation are met. For purposes of addressing required services (water, sewer, etc.), street connectivity, and satisfying housing need we have prepared a 33 unit detached dwelling <u>example</u>. This plan was used on an earlier annexation request (A 12 unit subdivision on property already within the city limits could be approved to obtain important street access.) The example results in lots averaging at least 5,000 square feet in size. Following are the findings supporting the request.

- 1. Comprehensive Plan Compliance The property is within the current Urban Growth Boundary, as shown on the Comprehensive Plan. It is also shown within the highest annexation priority (Priority "A"). The proposed zoning of R1.5 fits within the Comprehensive Plan designation of Medium Density. Street changes, stormwater facilities, and a possible park could combine to reduce that 33 lot total.
- 2. Availability of Services There are existing utility lines adjacent or very close to this site on the north, south, east, and the west. Water and sewer lines would be brought down a short distance (from the recently constructed Willamette Grove apartment complex) on NE Pine Road, and extended to the south edge of the proposed annexation. The new sanitary sewer lines need only to connect to the Pine Street line. The proposed subdivision extends to NE 17th Avenue to the west and NE Oak Street to the south, which creates a connected (loop) water system and also allows connections to telephone, cable, gas, and electricity. An electrical line would also extend north along NE Oak Street to Territorial Road. Because it is an infill site surrounded by the City, services are available, and very little off-site work is required.

The subdivision does generate additional traffic trips (somewhat less than 330 for the annexed portion), but the subdivision has good access to NE Pine Road and Territorial Road. The subdivision does greatly improve connectivity in the area, connecting 16th and 17th to NE Pine and Territorial Road. Because this is infill development, any increase demand (for example fire services, schools, and police services) has been anticipated.

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Page 2 of 5

- 3. Additional Facilities Required To Meet Projected Demand There are no additional facilities (such as an enlarged sewer treatment plant) required to meet the projected demand from the annexation.
- Method and Source of Financing for Additional Facilities. Taxes and user fees generated by annexation and resulting subdivision units will help pay for future facilities, but no expansion of facilities are required for this project.
- 5. Potential Physical, Aesthetic, and Related Social Effects. The completion of this will have a couple of negative effects. First the 33 new units will create roughly 330 vehicle trips a day which will utilize16th Avenue, 17th Avenue, Oak Street and Pine Road. Much of the traffic will use NE Pine Road because it has good connections to NE Territorial Road to the north and 99E to the south. Although both streets have the capacity to accommodate such increases, there are still some impacts on these streets and increased traffic at the intersections. A separate traffic impact analysis will detail those impacts. The existing subdivisions to the west will receive some traffic from the development, although those same residents will have additional options and will not be required to travel through residential areas to the west.
- 6. There are also increased demands to police and fire, although because the site is infill it is already within Police and Fire service district. Schools will also be impacted with 33 more single-family dwellings (45 for the entire subdivision). Annexation of this area of the City has been expected for some time, and the Canby School District has expected growth in this area. Most open areas within a City are prized for their open space qualities, and there is a natural reluctance from adjacent neighborhoods to have open space converted to subdivisions. Despite the intended future urbanization of the area (as shown on the Comprehensive Plan), some current residents may resent additional residences. The reluctance is increased for a site that is heavily forested. The owner has expressed a strong desire to retain and protect as many trees as possible, but there are limitations on how many trees can be protected.
- There are numerous benefits to this project. This project fits with the City's growth plan as it is within the Priority "A" area as shown on the map "Growth Priorities", it is adjacent to the City on three sides, and services are available. The development provides much need housing, and increases connectivity for a number of existing subdivisions.
- 7. Need for Urban Development (medium density and single-family) for This Area. Because of the location and lot size, it is likely that the proposed subdivision (including the 12 potential lots inside the City), will result in around 45 additional single-family homes. Based on the R1.5 zoning, the proposal is in the medium density designation. The City of Canby has recognized a

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Page 3 of 5

desire to continue growth both through infill and also development of land within the UGB. The Comprehensive Plan indicated a projection of additional single-family (Standard Construction) Units of about 99 units a year, a rate that occurred between 2000 and 20006. The 2006 information showed roughly a <u>one year</u> supply at that rate. Housing demand has diminished in the second half of 2007, and continues to drop in 2008. What is not known at the time of this application is whether the supply has also dropped to the extent that a one year supply is still accurate.

It is very likely that the recent development of single-family homes in Canby has been constrained by a limited supply. This is shown by the limited amount of available vacant land, and the number of vacant lots in the 4,500 to 6,000 square foot range. The scarcity of such lots is much greater than other communities that could be considered comparable. Even with the recent down turn in the housing market the availability of SF lots, especially the smaller lots, is well short of any realistic 5 year demand projection.

- Required Comprehensive Plan or Zoning Changes Because this is an annexation, the zoning would need to be changed from County to City Zoning. In this case the zone would change from RRFF5 to R1.5. The R1.5 zone is allowed under the Comprehensive Plan Medium Density Plan designation.
- Traffic Impact Analysis A traffic impact analysis is part of this application. As noted above the annexation results in approximately 330 daily trips, and the full subdivision results in approximately 450 trips per day. Probably the majority (50 to 85%) using NE Pine Road.

Findings Related to Annexation Criteria

- 10. Annexation Within Prioritization Categories This area is within priority Type "A".
- 11. Need for Additional Property As indicated there is a need for additional residential single-family land, but because of the small size and good location this proposal could be included even if there were larger annexation requests.
- 12. Smaller Non-farm Land a Priority This property meets the small, non-farm definition and should be annexed.
- 13. Access Adequate to the Site. This annexation has direct access east to NE Pine Road, and access to three additional streets to the south, west, and north!
- 14. Adequate Public Facilities Adequate public facilities are available to the site, and does not trigger capacity improvements.

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Page 4 of 5

- 15. Compliance with Other Applicable Ordinances or Policies. The request meets (or if required can be modified to meet) City ordinances or policies
- 16. Compliance with ORS 222 This property is one lot, without any existing dwellings. State requirements are easily met.
- 17. Natural Hazards are Identified. Preliminary site inspection has determined there are not any natural hazards on the site.
- 18. Urbanization Does Not Impact Open Space, Scenic Resources, etc. This site may be considered by some surrounding neighbors to be open space and a scenic resource, but it has been planned for some time for residential development. Although a small neighborhood park will be considered in the project, the City has not designated the site for future park acquisition and the City shows adequate park sites in the vicinity.
- Economic Impacts This project would not have a significant adverse impact on the community. Construction would provide temporary employment, and future inhabitants would likely help the economy of the area.

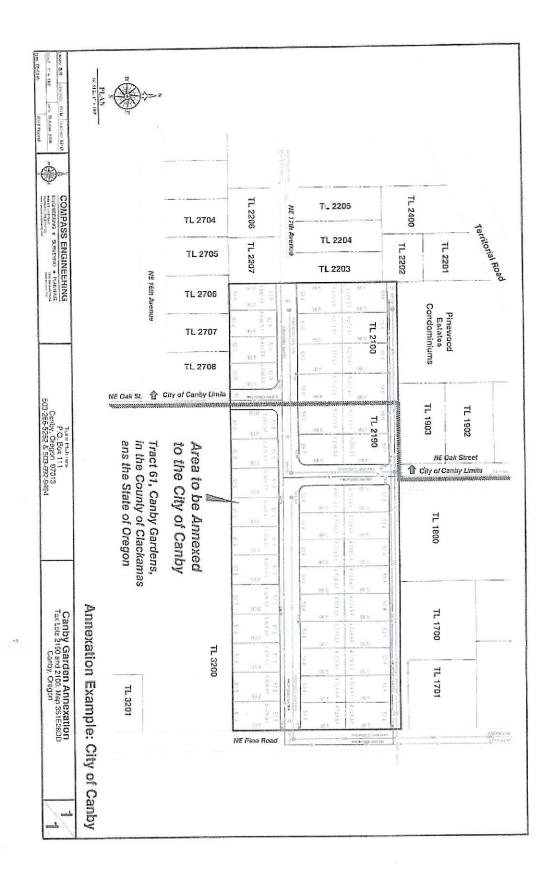
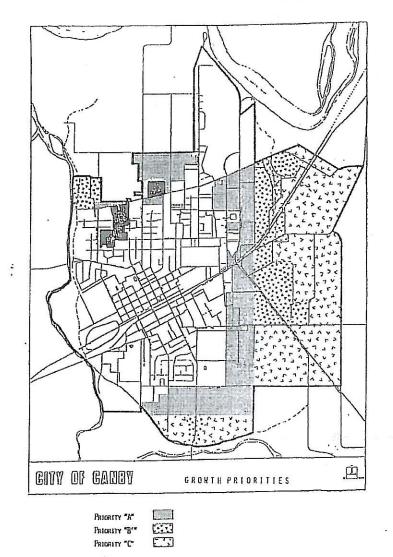
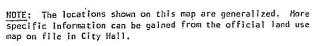


EXHIBIT B - ANN 08-01

COPY OF GROWTH PRIORITIES DIAGRAM





Canby Comprehensive Plan

Growth Priorities

Canby Comprehensive Plan

Page 32

SERVICE PROVIDER COMMENTS

				NG DEPARTMENT
P.O. Box 930	Canto		I FO	DR COMMENTS [503] 266-7001 FAX 266-1574
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		CANBY ELECTRIC	D	CLACKAMAS COUNTY TRANSPORTATION
		CANBY WATER	п	TRAFFIC SAFETY COMMITTEE
		WWTP - Darvin Trammel		CLACKAMAS COUNTY
		WWTP - Jeff Crowther	α	CANBY SCHOOL DISTRICT
		CITY ENGINEER		OREGON DEPT. TRANSPORTATION
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		WILLAMETTE BROADBAND		CANBY BUSINESS REVITALIZATION
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Please review the enclosed application and return comments to Melissa Hardy by Friday, April 25, 2008. Thank you.

Comments or Proposed Conditions:

Camby Ktility's annexation policy will apply

Please check one box and sign below:

Adequate Public Services (of your agency) are available

Adequate Public Services will become available through the development

Conditions are needed, as indicated

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CANBY SHOP COMPLEX

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CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

[503] 266-7001 FAX 266-1574 DATE: April 15, 2008 TO: **D** FIRE CANBY POST OFFICE D POLICE CLACKAMAS COUNTY ASSESSOR D PUBLIC WORKS CLACKAMAS COUNTY 911 CANBY ELECTRIC CLACKAMAS COUNTY TRANSPORTATION CANBY WATER □ TRAFFIC SAFETY COMMITTEE WWTP - Darvin Trammel CLACKAMAS COUNTY U WWTP - Jeff Crowther CANBY SCHOOL DISTRICT **U** CITY ENGINEER OREGON DEPT. TRANSPORTATION 17 D CTA ODOT/REGION 1/DIST 2B D NWNATURAL □ STATE OF OREGON/REVENUE WILLAMETTE BROADBAND CANBY BUSINESS REVITALIZATION CANBY DISPOSAL Π PARKS AND RECREATION Π CITY ATTORNEY CITY TRANSPORTATION ENGINEER BIKE AND PEDESTRIAN COMM Π BUILDING OFFICIAL D PGE D OTHER CANBY AREA TRANSIT D OTHER

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Q this time.

Comments or Proposed Conditions:

NO COMMENTS OR IBSUES

Please check one box and sign below:

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Signature: Stuile Stand	Date: 4/17/08
The I OFFICIAL	_ Agency: CRUBY Wility - Water DEPT

04/21/2008 MON 14:18 FAX 5032668219 Canby Telcom ---- Canby planning dept.

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CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: April 15, 2008 TO: - FIRE U CANBY POST OFFICE D POLICE CLACKAMAS COUNTY ASSESSOR 11 PUBLIC WORKS CLACKAMAS COUNTY 911 U CANBY ELECTRIC CLACKAMAS COUNTY TRANSPORTATION CANBY WATER I TRAFFIC SAFETY COMMITTEE [] WWTP - Darvin Trammel [] CLACKAMAS COUNTY WWTP - Jeff Crowther LI CANBY SCHOOL DISTRICT D CITY ENGINEER [] OREGON DEPT. TRANSPORTATION D CTA I ODOT/REGION 1/DIST 2B D NW NATURAL □ STATE OF OREGON/REVENUE п WILLAMETTE BROADBAND CANBY BUSINESS REVITALIZATION П CANBY DISPOSAL D PARKS AND RECREATION CITY ATTORNEY 11 CITY TRANSPORTATION ENGINEER 17 BIKE AND PEDESTRIAN COMM BUILDING OFFICIAL [] D PGE D OTHER CANBY AREA TRANSIT \Box OTHER

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Comments or Proposed Conditions:

NO COMMENT

P.O. Bax 930, Canby, OR 97013

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Conditions are needed, as indicated

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CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Hax 936, Canby, OR 97013 DATE: April 15, 2008

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Title: Construction Cook Agency	+ . /

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

[503] 206-7001

FAX 266-1574

P.O. Box 930, Canby, OR 97013

DATE: April 15, 2008

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CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

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P.O. Box 930, Canby, OR 97013 DATE: April 15, 2008

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CANBY PLANNING DEPARTMENT **REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

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P.O. Box 930, Canby, OR 97013

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Conditions are needed, as indicated

Adequate public services are not available and will not become available

Signature:	Brian	Vin Smoond	ye-	_ Date:	4-22-05-	
Title:	Englacer		Agency:	NW	Vatura)	

CANBY PLANNING DEPARTMENT **REQUEST FOR COMMENTS** P.O. Box 930, Canby, OR 97013 [503] 266-7001 FAX 266-1574 DATE: April 15, 2008 TO: □ FIRE □ CANBY POST OFFICE POLICE П CLACKAMAS COUNTY ASSESSOR PUBLIC WORKS CLACKAMAS COUNTY 911 CLACKAMAS COUNTY TRANSPORTATION [] CANBY ELECTRIC CANBY WATER D TRAFFIC SAFETY COMMITTEE П □ WWTP - Darvin Trammel CLACKAMAS COUNTY □ WWTP - Jeff Crowther CANBY SCHOOL DISTRICT CITY ENGINEER OREGON DEPT. TRANSPORTATION 11 □ CTA **ODOT/REGION 1/DIST 2B** □ STATE OF OREGON/REVENUE NW NATURAL □ WILLAMETTE BROADBAND П CANBY BUSINESS REVITALIZATION П CANBY DISPOSAL П PARKS AND RECREATION П CITY ATTORNEY CITY TRANSPORTATION ENGINEER BIKE AND PEDESTRIAN COMM 13 BUILDING OFFICIAL PGE Π OTHER CANBY AREA TRANSIT □ OTHER

The City has received ANN 08-01, an application from Thomas Holmes requesting to annex 4.85 acres into the City of Canby. The property is located west of N. Pine Street approximately one-tenth of a mile south of the intersection of N.E. Territorial Road and N. Pine Street (also identified by Clackamas County Assessor Map & Tax Lot No. 31E28DD-02190). If annexed, the property would be zoned Medium Density Residential (R-1.5) in conformance with the Canby Comprehensive Plan.

Please review the enclosed application and return comments to Melissa Hardy by Friday, April 25, 2008. Thank you.

Comments or Proposed Conditions:

Please check one box and sign 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

Signature: Marlen Elma	Date: 5-12-08
Title: Chainer	Agency: Troffic Safily Comm.

NEIGHBORHOOD MEETING INFORMATION

Thomas Holmes P.O. Box 111 Canby, Or. 97013

February 20, 2008

City of Canby Melissa Hardy Associate Planner

Re: Minutes of Annexation meeting

Dear Melissa,

On Tuesday, February 19, 2008, a neighborhood meeting was held for the purpose of discussing and answering questions concerning the proposed annexation of the 4.85 acre parcel. In attendance was Thomas Holmes, the owner of the proposed property to be annexed. The following neighbors were also in attendance:

- 1. Lloyd & Joann Walch 1794 S.E. Redwood Canby
- 2. Maggie Barnes 875 NE Territorial Canby
- 3. Beverly Gorbett 867 NE Territorial Canby
- 4. Joann Hamilton 1467 N. Pine Street Canby
- 5. Bob Scott 1467 N. Pine Street Canby
- 6. Jacqulyn Griffith 792 NE 17th Canby
- 7. Gary & Elaine McClanahan 1805 N Oak Canby
- 8. Don Morford 1787 N Pine Canby
- 9. Jeff & Shirley Hollar 1509 N Oak Canby
- 10. Leonard Walker 1526 N Plum Court Canby

Thomas Holmes gave a presentation on the history of the property and the proposed development. Questions and comments were taken from the audience. The questions were concerning what the proposed development would be like if the property were annexed. It was answered with the comment, that any proposed development is likely to be changed by whoever would develop the property which is unknown at this time. There were concerns the house size and lots would be too small as well as parking problems therefore creating a general deterioration of the neighborhood. There were also questions and concerns that the property, when developed, would have green spaces. Those questions would be answered at the time of planning after annexation. A number of people wanted to make sure that any development to the property would provide a continuity to the neighborhood and become an asset to the community.

Sincerely,

Thomas Holmes



ATTACHMENT 3

Memorandum to Planning Commission

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-1

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MEMORANDUM

TO:	PLANNING COMMISSION
RE:	ANN 08-01 - Transportation Analysis and ODOT Comments
STAFF:	Melissa Hardy, Associate Planner
DATE:	May 27, 2008

I. SUPPLEMENTAL FINDINGS:

The transportation analysis for annexation application no. ANN 08-01 was completed May 19, 2008 (*see Attachment A – Transportation Analysis*). The Oregon Department of Transportation (ODOT) has reviewed the transportation analysis and has provided comments (*see Attachment B – ODOT Comments*).

As detailed in the attached Transportation Analysis, the proposed annexation meets approval criteria no. 5 concerning transportation facilities because adequate transportation facilities are available to service the potential development of the subject property if annexed into the City of Canby.

II. RECOMMENDATION:

Based upon the findings contained in the staff report dated May 16, 2008, including all attachments thereto, and the supplemental findings contained in this memorandum, including all attachments hereto, staff recommends that the Planning Commission recommend to City Council that:

- 1. ANN 08-01 be approved for submission to the electorate for vote; and
- 2. Upon annexation, the zoning of the subject property be designated as Medium Density Residential (R-1.5).

ATTACHMENTS

- A. Transportation Analysis
- B. ODOT Comments

ATTACHMENT A

Transportation Analysis



May 19, 2008

Melissa Hardy City of Canby Planning 170 NW 2nd Avenue Canby, OR 97013

RE: Pine Street Annexation

CREGON 10 CREGON

Dear Melissa:

We have reviewed the proposed annexation for the tax lot 2190 on N Pine Street. The results of our review and analysis are reported in this letter.

The property is located on the west side of N Pine Street between NE 16^{th} Avenue and NE 18^{th} Avenue. The parcel fronts on N Pine Street. Access can be taken from N Oak Street, which intersects the site at the north and south boundaries. Access is also possible directly from N Pine Street.

The lot is 4.85 acres. The zoning designation will be R-1.5. Under this designation, up to 29 homes could be constructed on the site. To determine the number of trips generated by these homes, trip rates from ITE land-use code 210, *Single-Family Detached Housing*, were used. The trip rates are based on the number of units and were calculated for a total of 29 homes.

The trip generation calculations indicate that there would be an estimated total of up to 22 trips generated with maximum development under the proposed annexation during the morning peak hour. Of these, 6 will be entering and 16 will be exiting the site. During the evening peak hour, there would be up to 19 trips expected, with 18 entering and 11 exiting the site. Up to 278 weekday trips are expected, with half entering and half exiting.

321 SW 4th Avenue, Suite 400 = Portland, OR 97204 = Phone 503.248.0313 = Fax 503.248.9251



Melissa Hardy May 19, 2008 Page 2 of 4

	Entering	Total	
	Trips	Exiting Trips	Trips
ngle-Family Homes (2	9 homes)		
AM Peak Hour	6	16	22
		1212	
PM Peak Hour	18	11	29

Trip Distribution

Many of the trips to and from the site would be expected to be commuter trips between Canby and the Portland Metro region, with some of the trips to and from local areas within the City. The majority of the commuter trips would be likely to use NE Territorial Road to the east with the remainder distributed to NE Territorial Road to the west.

Because the site is located near the northern City Limits, the intra-City trips are expected to occur predominantly to and from the south on N Pine Street.

Site Access

Since the site fronts on N Pine Street, it is very likely that there will be direct access onto N Pine Street with site development. However, access to N Pine Street is not strictly necessary since there are multiple streets that stub into the site. With this amount of connectivity in place, direct access to N Pine Street is not critical to future development. It is our recommendation that when the property develops, access should be limited to a single access onto N Pine Street.

There is a flag lot north of the site that accesses N Pine Street adjacent to the north boundary of the site. Shared access with this property is a possibility. However, the Willamette Grove Apartments are located north of the site and there would be about 75 feet between a



Melissa Hardy May 19, 2008 Page 3 of 4

shared site access and the Willamette Grove Apartments access. This would not meet the City's spacing standards of 150 feet for a Collector roadway.

It would be preferable to locate site access to N Pine Street in a location that meets the City spacing standards and provide access to the northerly lot via an on-site easement or alleyway. In this way, access can be provided to the site and the northern property, while still conforming to the City's spacing standards.

Sight Distance

Sight distance was examined along the site frontage to determine if there were any locations at which sight distance would be inadequate. In accordance with guidelines from *A Policy* on *Geometric Design of Highways and Streets*, published in 2004 by the American Association of State Highway and Transportation Officials (AASHTO). Sight distance was measured at a point 15 feet from the edge of the travel Iane from a driver's eye height of 3.5 feet to an oncoming driver's eye height of 3.5 feet. The posted speed on N Pine Street is 25 mph, requiring at least 280 feet of sight distance in either direction.

Sight distance along N Pine Street is generally unrestricted, provided on-site vegetation is removed from the public right-of-way. In addition, in order to maintain adequate sight distance once it has been achieved, landscaping should not be located closer than fifteen feet from the edge of the traveled way.

Transportation Planning Rule

The Transportation Planning Rule (TPR) requirements are intended to provide a safe, convenient and economic transportation system through the planning horizon. The City's Comprehensive Plan and Transportation System Plan documents what specific improvements will be necessary in order to maintain a safe and functional transportation system within the City.



Melissa Hardy May 19, 2008 Page 4 of 4

There are no zone changes or Comprehensive Plan changes associated with the proposed annexation. When the site is annexed, it will follow the designation in the Comprehensive Plan.

Transportation Planning Rule (OAR 660-014-0060) states that a "city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) or 197.625 shall be considered by the commission to have been made in accordance with the goals unless the acknowledged comprehensive plan and implementing ordinances do not control the annexation." The City of Canby has an adopted Comprehensive Plan and the subject parcel will comply with that designation from the Plan. Therefore, the proposed annexation complies with the standards set forth in the Transportation Planning Rule.

If you have any questions about this letter, please don't hesitate to call me.

Yours truly,

Catriona Sumrain, TOPS Engineering Analyst

attachment: Trip generation worksheet



TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing Land Use Code: 210 Variable: Dwelling Units Variable Value: 29

AM PEAK HOUR

Trip Rate: 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	6	16	22

PM PEAK HOUR

Trip Rate: 1.01

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	18	11	29

WEEKDAY

Trip Rate: 9.57

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	139	139	278

SATURDAY

Trip Rate: 10.10

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	146	146	292

Source: TRIP GENERATION, Seventh Edition

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ATTACHMENT B

ODOT Comments





Oregon Department of Transportation ODOT Region 1 123 NW Flanders St Portland. OR 97209 - 4037 Telephone (503) 731-8200 FAX (503) 731-8259

File code: PLA9-2B -81 ODOT Case No: 2975

5/20/2008

City of Canby Planning Dept PO Box 930 Canby, OR 97013

Attn: Melissa Hardy, Current Planner

Re: ANN 08-01: Holmes Annexation OR 99E and S Pine St

Dear Ms. Hardy,

We have reviewed the traffic letter provided by Lancaster Engineering dated May 19, 2008. The letter incorrectly identifies the section of the Transportation Planning Rule, which is OAR 660-12-060; however OAR 660-014-0060 does have relevance to this review insofar as the proposal is for annexation and the application of zoning consistent with the comprehensive plan map designation that was in place at the time the City's Transportation System Plan was developed. Therefore, the TPR does not apply to this proposal.

Therefore, ODOT will not object to the annexation and application of urban zoning.

The Lancaster TIS provided trip distribution information, but did not include an analysis of any impacted roads or intersections.

At the time of subdivision review, ODOT may request the City require a traffic impact analysis to consider impacts to OR 99E. (For parcels which desire access to OR 99E, ODOT may require a TIS directly.) We do know there are anticipated deficiencies on the highway in the future, but we do not know when these deficiencies will occur at specific intersections, and what specific property impacts will be.

We urge the City to move ahead on an update of the Transportation System Plan as soon as possible, so that system capacity issues can be considered comprehensively.

Please let me know if you have questions on the above.

Sincerely,

Sonya Kazen, Sr. Planner

Cc: Matilda Deas, Sr. Planner

MEMORANDUM



FROM:	Lt. Jorge Tro
THROUGH:	Mark C. Adcock, City Administrator
DATE:	June 24, 2008

<u>Issue:</u> The submission of a General Obligation Bond to the electors of Canby authorizing up to \$19,000,000 to finance the costs of capital constructions and capital improvements of a Canby Police and Court Facility.

Background: This Bond Measure would finance the construction of an approximately 68,500 square foot police and municipal court facility and related infrastructure and pay costs of issuing the bonds. The facility would be located along SE Seguoia Parkway in the Canby Pioneer Industrial Park. It is anticipated to house police administration offices, police training and interview rooms, a firearms area, an inmate intake center, evidence storage lockers, a municipal courtroom, offices for the City Attorney, Municipal Judge and Court Clerks, a community meeting room and the City's Emergency Operations Center. Presently, many of these functions are located in separate permanent and leased facilities across the City. This project would centralize police and court facilities and operations and facilitate coordination of these City functions. This project provides space anticipated to meet police and municipal court needs through the year 2030.

> The bonds would mature in twenty-seven (27) years or less from the date of issuance and may be issued in one or more series.

<u>Recommendation:</u> Staff recommends the City Council approve Resolution 990.

RESOLUTION NO. 990

A RESOLUTION OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF AUTHORIZING UP TO \$19,000,000 OF GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF CAPITAL CONSTRUCTION AND CAPITAL IMPROVEMENTS; DECLARING INTENT TO REIMBURSE EXPENDITURES; AND RELATED MATTERS.

WHEREAS, the City Council of the City of Canby, Clackamas County, Oregon (the "City"), has determined that a need exists for the City to finance the costs of capital construction and capital improvements, related to a police and municipal court facility, as more fully described in the Summary section of Exhibit A attached hereto (the "Project"); and

WHEREAS, the costs of the Project are estimated to be not more than \$22,000,000, a portion of which may be financed with tax increment funds and a portion of which may be financed with general obligation bond proceeds; and

WHEREAS, Oregon Revised Statutes Chapter 287A, subject to voter approval, authorizes the City to issue general obligation bonds (the "Bonds") to provide funds to finance the costs of the Project and to pay bond issuance costs; and

WHEREAS, the issuance of bonds in a principal amount of \$19,000,000 will not result in the City exceeding the debt limitation set forth in ORS 287A.050(2); and

WHEREAS, the City anticipates incurring expenditures (the "Expenditures") to finance the costs of the Project and wishes to declare its official intent to reimburse itself for any Expenditures it may make from its general funds on the Project from the proceeds of the Bonds, the interest on which shall be excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended;

NOW, THEREFORE, the City Council of the City of Canby, Clackamas County, Oregon, resolves as follows:

1. A measure election is hereby called for the purpose of submitting to the electors of the City the question of contracting general obligation bonded indebtedness in the name of the City in an amount not to exceed \$19,000,000. Bond proceeds will be used to finance the Project and pay all Bond issuance costs. The Bonds shall mature over a period of not more than twenty-seven (27) years.

2. The measure election hereby called shall be held in the City on the 4th day of November, 2008. As authorized by the County Clerk of Clackamas County, Oregon, and the Oregon Secretary of State, the election shall be conducted by mail pursuant to ORS 254.465 and 254.470.

3. The City authorizes the Mayor, City Administrator, City Recorder and the City Finance Director (each an "Authorized Representative") or a designee of the Authorized Representative to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.

4. Pursuant to ORS 250.275(5) and 250.285, the City Elections Officer shall publish in the next available edition of *Canby Herald*, or in some other newspaper of general distribution within the City, a notice of receipt of the ballot title including notice that an elector may file a petition for review of the ballot title not later than the seventh business day after the title is filed with the City Elections Officer in substantially the form attached hereto as Exhibit "A" (the "Notice").

5. Pursuant to ORS 254.095(2) the City directs the City Elections Officer to deliver the Notice to the Clackamas County Elections Office not later than September 4, 2008 (61 days prior to the election). The Clackamas County Elections Office is required to produce and disseminate a facsimile of the ballot in accordance with ORS Section 254.205.

6. The City hereby declares its official intent to reimburse itself with the proceeds of the Bonds for any of the Expenditures incurred by it prior to the issuance of the Bonds.

7. The law firm of Kirkpatrick & Lockhart Preston Gates Ellis LLP, is hereby appointed to serve as bond counsel and Seattle-Northwest Securities Corporation is hereby appointed to serve as underwriter with respect to the Bonds. The City will pay the fees and expenses of bond counsel and underwriter from Bond proceeds.

8. This resolution shall take effect immediately upon its adoption by the City Council.

ADOPTED by the City Council of the City of Canby, Clackamas County, Oregon this 2nd day of July, 2008.

Melody Thompson Mayor

.

ATTEST:

Kimberly Scheafer, CMC City Recorder Pro Tem

Resolution 990

EXHIBIT "A"

NOTICE OF BOND ELECTION

CITY OF CANBY CLACKAMAS COUNTY, OREGON

NOTICE IS HEREBY GIVEN that on November 4, 2008, an election will be held within the boundaries of the City of Canby, Clackamas County, Oregon. The election shall be conducted by mail. The following question will be submitted to the qualified voters thereof:

CAPTION

CANBY POLICE AND COURT FACILITY GENERAL OBLIGATION BOND AUTHORIZATION

QUESTION

Shall the City of Canby issue \$19,000,000 in general obligation bonds to construct a new police and municipal court facility? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

SUMMARY

If approved, this measure would finance the construction of an approximately 68,500 square foot police and municipal court facility and related infrastructure and pay costs of issuing the bonds. The facility would be located along SE Sequoia Parkway in the Canby Pioneer Industrial Park. It is anticipated to house police administration offices, police training and interview rooms, a firearms area, an inmate intake center, evidence storage lockers, a municipal courtroom, offices for the City Attorney, Municipal Judge and Court Clerks, a community meeting room and the City's Emergency Operations Center. Presently, many of these functions are located in separate permanent and leased facilities across the City. This project would centralize police and court facilities and operations and facilitate coordination of these City functions. This project provides space anticipated to meet police and municipal court needs through the year 2030.

The bonds would mature in twenty-seven (27) years or less from the date of issuance and may be issued in one or more series.

Page 1 - Notice of Bond Election

Notice is hereby given that a ballot title for a measure referred by the City has been filed with the City Elections Officer on July 7, 2008. The ballot title caption is CANBY POLICE AND COURT FACILITY GENERAL OBLIGATION BOND AUTHORIZATION. An elector may file a petition for review of this ballot title in the Clackamas County Circuit Court no later than 5:00 p.m., July 16, 2008 (7 business days after filing of this notice with the City Elections Officer).

Kimberly Scheafer, CMC City Recorder Pro-Tem Date

5

This legal notice is to be published by the City Elections Officer in *Canby Herald*, Canby, Oregon, or in another newspaper of general distribution within the City.

Page 2 - Notice of Bond Election

MEMORANDUM



<i>TO</i> :	Honorable Mayor Thompson and City Council
FROM:	Dwayne Barnes, Director of Public Works
DATE:	June 23, 2008
THROUGH:	Mark C. Adcock, City Administrator
Issue:	Create a no parking area on the south side of SW 13 th Avenue between South Elm Street and a point approximately 250-feet west of Baywood Court.

Synopsis: This action is part of the SE/SW 13th Traffic Calming Project and has also been requested by property owners.

<u>Recommendation:</u> Staff recommends that the City Council adopt resolution 991 creating a no parking area on the south side of SW 13th Avenue between South Elm Street and a point approximately 250-feet west of Baywood Court.

Rationale/Background:The no parking area has been planned for sometime as part of the SE/SW
13th Traffic Calming Project. Project Construction is scheduled to begin in
August this year. Several property owners have requested that the no
parking area be implemented as soon as possible due to the severe
congestion created during sporting events at the High School.

RESOLUTION NO. 991

A RESOLUTION RESTRICTING VEHICLE PARKING ON THE SOUTH SIDE OF SW 13TH AVENUE BETWEEN SOUTH ELM STREET AND A POINT APROXIMATELY 250-FEET WEST OF BAYWOOD COURT.

WHEREAS, § 10.04.130 of the Canby Municipal Code lists the duties of the Public Works Director related to installation of specific new traffic control devices subject to the approval of the City Council by resolution or motion; and

WHEREAS, § 10.04.130 D. of the Canby Municipal Code designates the Director of Public Works designate areas in which no parking shall be permitted; and

WHEREAS, the no parking area is a component of the SE/SW 13th Avenue Traffic Calming Project and the residents of the area have requested the City implement the no parking area as soon as possible; and

WHEREAS, The Director of Public Works and the Canby Planning Department concur with the creation of the restricted parking area; now therefore,

BE IT RESOLVED that the south side of SW 13th Avenue between South Elm Street and a point approximately 250-feet west of Baywood Court be designated as a no parking area by a method approved by the Director of Public Works.

This Resolution shall take effect on July 2, 2008.

ADOPTED this 2nd day of July, 2008, by the Canby City Council.

Melody Thompson - Mayor

ATTEST:

Kimberly Scheafer, CMC City Recorder, Pro-Tem

ORDINANCE 1275

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A PERSONAL SERVICES CONTRACT WITH BETH SAUL FOR MANAGEMENT OF SPECIAL PROJECTS; AND DECLARING AN EMERGENCY

WHEREAS, the City of Canby wishes to contract out certain special management projects; and

WHEREAS, the City wishes to employ Beth Saul as an independent contractor under a personal services contract for the purpose of professional management of special projects involving the library, park planning, fleet department processes, swim center and various administrative projects; and

WHEREAS, Beth Saul, an experienced public manager with over thirty years of experience has proposed a scope of work for these services which is acceptable to the City; and

WHEREAS, in accordance with ORS Chapter 279 and Canby Public Purchasing Rules set forth in Ordinance No. 1170 and Resolution No. 897, Exhibit A, section 6 B (7), the City may enter into personal service contracts not exceeding \$75,000 by direct appointment without competition; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this proposal, reviewed the staff report and finds that the contract is in the best interest of the City to enter into; now therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

<u>Section 1.</u> The Mayor and City Administrator are hereby authorized and directed to make, execute, and declare in the name of the City of Canby and on its behalf, an appropriate contract with Beth Saul for the above named projects and additional assistance as needed. The copy of said contract is attached hereto and marked as Exhibit "A" and by this reference fully incorporated herein.

Section 2. Emergency Declared.

It being necessary for the health, safety and general welfare of the citizens of Canby that these services be completed as soon as possible, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its enactment after final reading.

2ND READING

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 18, 2008 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 P.M. in the Council Chambers at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, CMC City Recorder Pro-Tem

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on July 2, 2008 by the following vote:

YEAS_____ NAYS_____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC City Recorder Pro Tem

ORDINANCE NO. 1278

AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2008-2009.

WHEREAS, a public hearing for the use of state revenue sharing funds was held before the Budget Committee on June 3, 2008, and before City Council on June 18, 2008; now therefore,

THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:

Section 1 Pursuant to ORS 221.770, the City of Canby hereby elects to receive state revenues for fiscal year 2008-2009.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, June 18, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on July 2, 2008, by the following vote:

YEAS_____ NAYS_____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC City Recorder – Pro Tem

2ND READING

ORDINANCE NO. 1282

AN ORDINANCE REVISING CANBY MUNICIPAL CODE CHAPTER 12.12.035 ENTITLED "SIDEWALK DISPLAYS".

WHEREAS, Due to increases in insurance costs, it has become necessary to increase insurance limits for businesses engaging in sidewalks displays; and

WHEREAS, Chapter 12.12.035(B) of the Canby Municipal Code currently provides for insurance coverage for businesses wishing to utilize tables and chairs as part of a sidewalk display. It provides for insurance coverage in the amount no less than \$100,000 per individual or \$500,000 in aggregate; and

WHEREAS, Canby City Council believes the insurance requirements should be raised to \$500,000 combined single limit.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

<u>Section 1.</u> The City Council hereby amends Canby Municipal Code Chapter 12.12.035(B) to read as follows:

B. Businesses wishing to utilize tables and chairs as provided in division A. above shall be required to apply to City Hall for a permit authorizing the use. No fee is required for the permit, but applicant must provide liability insurance coverage with the city named as additional insured. This coverage shall be Comprehensive Personal or General Liability with a coverage amount of not less than \$500,000 Combined Single Limit covering Bodily Injury and Property Damage. Permits must be renewed annually.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, June 18, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, CMC City Recorder Pro-Tem

2ND READING

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd of July, 2008, by the following vote:

YEAS_____ NAYS_____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC City Recorder Pro-Tem

-

ORDINANCE NO. 1283

AN ORDINANCE AUTHORIZING PURCHASE OF ROAD RIGHT-OF-WAY FOR THE WIDENING OF S. PINE STREET AT ITS INTERSECTION WITH HIGHWAY 99E AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

<u>Section 1. Purchase Authorized</u>. The City of Canby is hereby authorized to purchase from Kinsman LLC, an Oregon limited liability company, the following described property to be used for road right-of-way:

See Exhibit "A"

<u>Section 2. Purchase Price</u>. The total purchase price to be the sum of Twenty Three Thousand Five Hundred Sixty Four and 86/100 dollars (\$23,564.86).

<u>Section 3. Funds to Pay Purchase Price</u>. The total sum of \$23,564.86 shall be set off as credit towards System Development Charges owed to the City of Canby.

<u>Section 4. City Attorney to approve Title Report and Deed</u>. The City Attorney shall first approve the preliminary title report and form of deed for the City's purchase of said right-of-way. All costs associated with the closing of this sale to be paid by the City.

<u>Section 5. City Administrator to Execute Deed for Road Purposes.</u> The City Administrator is authorized and directed to execute and receive in the name of the City of Canby, as purchaser, the required deed and any other documents as may be required for closing the transaction.

Section 6. Emergency Declared. Inasmuch as it is necessary to proceed as quickly as possible with the widening of S. Pine Street for the use and benefit of the citizens of the City of Canby, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon final reading and enactment by the Canby City Council.

2ND READING

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 18, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, CMC City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd day of July, 2008, by the following vote:

YEAS _____ NAYS _____

Melody Thompson Mayor

10(

ATTEST:

Kimberly Scheafer, CMC City Recorder - Pro Tem

Page 2. Ordinance No. 1283.

MEMORANDUM



DATE:	June 24, 2008
THROUGH:	Mark C. Adcock, City Administrator
FROM:	Lt. Jorge Tro
<i>TO:</i>	Honorable Mayor Thompson and City Council

Issue: Purchase of a 2008 Honda Odyssey LX Van.

Synopsis: Scheduled replacement of detective vehicles.

<u>Recommendation:</u> Staff recommends that the City Council approve Ordinance #1284 allowing the Mayor and City Administrator to purchase a Honda Odyssey LX Van from the lowest bidder in an amount not to exceed \$25,000.

- <u>Rationale:</u> The purchase of this vehicle is a continuation of our vehicle replacement plan for detectives. The vehicle will be assigned to our one of our detectives.
- Background:The Honda Odyssey LX Van is not on the state bid program. This
vehicle would be purchased off the lot from a local dealer. Our
Fleet Services Supervisor, Joe Witt, obtained four estimates from
dealers that have similar equipped vehicles in stock. Prices ranged
from \$21,705 to \$24,796 depending on equipment and rebates.
Honda currently has a \$2000 rebate promotion that ends on July 7,
2008. According to the dealers we spoke with, they believe the
rebate will be extended past the July 7 end date, but that is not
guaranteed. Since we are buying this vehicle off the lot, we cannot
get in exact quote until we are approved and ready to purchase.
Once we receive approval from the Council, we will obtain three
new quotes, and a purchase will be made from the lowest bidder.

This vehicle will be purchased from the Fleet Reserve line item as approved in the adopted 2008/2009 budget.

Chief Greg Kroeplin and I recommend the approval of the attached City Ordinance #1284 as prepared by the City Attorney.

Police Department Detective Division new 2008 Vehicle Information Date: June 20, 2008

Note: Police Lt. Tro requested price information on a 2008 Honda Odyssey LX Van

Note: City will purchase vehicle from dealer stock

Note: Honda of America has a pricing promotion of \$2,000.00 back to the dealer if the vehicle is purchased by July 7, 2008.

Note: The Dealers I have talked to are 50/50 that the rebate is going away or will be extended or even be larger after July 7, 2008

For that reason I have requested two price Quotes from the following Honda dealers.

- One if the vehicle is purchased by July 7, 2008
- One if the vehicle is purchased after July 7, 2008 and there is no factory rebate.

Honda Dealerships

Jay Lee's Honda Gladstone Honda * Price if vehicle is purchased by July 7, 2008: * Price if vehicle is purchased August 2008:	\$21,705.00 \$23,705.00
Lanphere Enterprises Beaverton Honda * Price if vehicle is purchased by July 7, 2008: * Price if vehicle is purchased August 2008: Note: Price Includes Splash Guards: \$183.00	\$22,610.00 \$24,610.00
O'Brien Autogroup of Salem	
 Salem Honda * Price if vehicle is purchased by July 7, 2008: * Price if vehicle is purchased August 2008: 	\$22,063.00 \$2,4,063.00
Parker Johnston's Honda Wilsonville Honda * Price if vehicle is purchased by July 7, 2008: * Price if vehicle is purchased August 2008: Note: Prices Includes Splash Guards, Cargo Tr	\$22,796.98 \$24,796.98 ay, All Season Floor Mats:

\$499.00

ORDINANCE NO. 1284

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF ONE (1) 2008 HONDA ODYSSEY LX VAN FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby Police Department wishes to purchase one (1) 2008 Honda Odyssey LX Van for use by the Canby Police Department; and

WHEREAS, the cost of the vehicle will be paid by the Canby Police Department which has budgeted said purchase for the fiscal year 2008-2009 budget; and

WHEREAS, in order to get the best competitive price, the City has to buy the van "off the lot" from a local dealer; and

WHEREAS, in accordance with ORS Chapter 279 and Canby Public Purchasing Rules as set forth in Ordinance No. 1170 and Resolution No. 897, three written quotes will be obtained from local area Honda dealers and the lowest quote will be accepted not to exceed \$25,000.00.

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed the staff report and believes it to be in the best interest of the City to authorize purchase this vehicle at this time from a local area Honda dealer "off the lot" for a not to exceed price of \$25,000.00 now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The City Administrator is hereby authorized and directed to solicit at least three written quotes from local area Honda dealers and execute and declare in the name of the City of Canby and on its behalf, an appropriate purchase contract with the local area Honda dealer who submits the lowest quote for the purchase of one (1) 2008 Honda Odyssey LX Van in an amount not to exceed \$25,000.00.

Section 2. In so much as it is in the best interest of the citizens of the City of Canby, Oregon to provide the Police Department with this vehicle without further delay, and to better serve the citizens of Canby, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on July 2, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on July 16, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

Kimberly Scheafer, CMC City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 16th day of July, 2008, by the following vote:

YEAS _____

NAYS

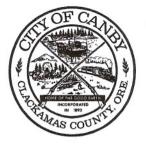
Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC City Recorder - Pro Tem

Page 2. Ordinance No. 1223

MEMORANDUM



05

<i>TO</i> :	Honorable Mayor Thompson and City Council
FROM:	Dwayne Barnes, Director of Public Works
DATE:	June 25, 2008
THROUGH:	Mark C. Adcock, City Administrator

Issue: Ordinance 1285, Legacy Park Picnic Shelter Construction Contract.

<u>Synopsis:</u> Development of Legacy Park has continued to be phased in as resources have become available over the past few years. Construction of the two playgrounds, the parking lot, and the restroom facility are now complete. The final development phases are now under construction with the picnic shelter being the final component of the park development.

<u>Recommendation:</u> Staff recommends the Council adopt Ordinance 1285.

Rationale:

Staff advertised the project in the Daily Journal of Commerce and received three sealed bids, of which Mowry Rebar of Canby, OR submitted the lowest bid of \$155,350 to construct the picnic shelter improvements.

1.	Mowry Rebar Inc. of Canby, OR	\$155,350
2.	P.R.C. Inc. of Beavercreek, OR	\$165,500
3.	Custom Manufacturing and Design LLC of Ridgefield, WA	\$167,083

Options:

Reject the Ordinance and not complete the construction project at this time.

2. Direct Staff to re-bid project.

Attached: Ordinance 1285

1.

THIS HAS BEEN REVIEWED BY THE FINANCE DIRECTOR

ORDINANCE NO. 1285

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH MOWRY REBAR INC. OF CANBY OREGON TO CONSTRUCT A PICNIC SHELTER AND RELATED IMPROVEMENTS AT LEGACY PARK FOR THE CANBY PARKS DEPARTMENT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby wishes to construct improvements within Legacy Park, and

WHEREAS, the cost of the construction project will be paid by the Canby Parks Department with funds budgeted and approved for this purpose in the 2008-2009 fiscal year budget; and

WHEREAS, in accordance with ORS Chapter 279 and Canby Public Purchasing Rules as set forth in Ordinance No. 1170 and Resolution No. 897, three sealed bids were obtained for the construction project:

1.	Mowry Rebar Inc. of Canby, Oregon	\$155,350
2.	P.C.R. of Beaver Creek, OR	\$165,500
3.	Custom Manufacturing and Design LLC of Ridgefield, WA	\$167,083

WHEREAS, Mowry Rebar Inc. of Canby, OR submitted the lowest bid of \$155,350.00 to construct the picnic shelter improvements; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this bid, reviewed the staff report and believes it to be in the best interest of the City to contract with Mowry Rebar Inc., to construct said improvements in Legacy Park; therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

<u>Section 1</u>. The Mayor and/or City Administrator are hereby authorized and directed to make, execute and declare in the name of the City of Canby and on its behalf, an appropriate contract with Mowry Rebar Inc. to construct picnic shelter improvements in Legacy Park for the Canby Parks Department for a total of \$155,350.00.

Ordinance 1285

<u>Section 2</u>. In so much as it is in the best interest of the citizens of the City of Canby, Oregon to provide the Parks Department with the afore mentioned construction project without further delay, and to better serve the citizens of Canby, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on July 2, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on July 16, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2nd Avenue in Canby, Oregon.

Kimberly Scheafer, CMC City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 16th day of July, 2008, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC City Recorder - Pro Tem