

AMENDED AGENDA

CANBY CITY COUNCIL MEETING

April 19, 2006, 7:30 P.M.

Council Chambers

155 NW 2nd Avenue

Mayor Melody Thompson

Council President Teresa Blackwell

Councilor Randy Carson

Councilor Walt Daniels

Councilor Roger Harris

Councilor Tony Helbling

Councilor Wayne Oliver

WORK SESSION

6:30 P.M.

City Hall Conference Room

182 N Holly

The City Council will be meeting in a work session to discuss the French Prairie Communities Vision Statement.

Pg. 1

CITY COUNCIL MEETING

1. CALL TO ORDER

- A. Pledge of Allegiance and Moment of Silence
- B. Employee of the Month Presentation – March
- C. Presentation to K-9 Unit Contributors
- D. Introduction of New K-9 Officer and Dog

Pg. 13

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 Accounts Payable \$415,550.93
- B. Approval of Minutes of the March 22, 2006 City Council Work Session
- C. Approval of Minutes of the April 5, 2006 City Council Work Session, Regular Meeting, and Executive Session

7. RESOLUTIONS & ORDINANCES

- A. Ord. 1206, Authorizing Contract with Canby Ford for Lease/Purchase of One 2006 Ford Crown Victoria for Police Interceptor Pg. 15

8. NEW BUSINESS

- A. Application for Hardship Permit (McKoy) Pg. 18

9. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

10. CITIZEN INPUT

11. ACTION REVIEW

12. EXECUTIVE SESSION: ORS 192.660(2)(e) Real Property and ORS 192.660(2)(h) Pending Litigation

13. 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 www.ci.canby.or.us. 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.

**French Prairie Communities
Vision Statement
March 2006**

What is French Prairie and Why Create a Vision for It?

This vision incorporates agreement between Marion and Clackamas Counties and the cities of Aurora, Canby, Donald, Hubbard, Woodburn and Wilsonville to work together to protect French Prairie--a regional area of interest--from development inconsistent with preserving its historical and cultural significance and agricultural importance, while accommodating the growth of existing cities and livable, unique communities through good planning.

The Northern Willamette Valley, known as French Prairie, is bounded to the north by the Willamette River, to the east by the Pudding River, to the west by Champoege and to the southern Woodburn Urban Growth Boundary. The local jurisdictions of French Prairie agree that this is an area of mutual concern that deserves special consideration for three reasons:

- French Prairie is highly productive agricultural resource land—an economic engine for the region and the state
- French Prairie is one of Oregon's premium trademarks with great historical cultural, and tourism value
- French Prairie is vulnerable to strip development along I-5 that detracts from existing distinct city centers

1. Economic Vitality and Oregon's Niche in the World Marketplace

This area contains some of the richest soils in the world. The products of this soil are the reason why agriculture is the leading industry for both Clackamas and Marion Counties. Oregon is competitive in the global marketplace because it offers something few other places in the world can—wonderfully rich soils, combined with a long, moderate growing climate, centered on the Pacific Rim with excellent air, marine, rail and highway connections. It is almost paradise.

The partners of French Prairie believe it would be foolhardy and shortsighted to trade our niche in the world's economy for industries and uses that can be located on less productive lands. The partners support enhancing Oregon's

agricultural dominance and strengthening the value-added industries that naturally spin off of such prime resource land, and are vital to our local and state economies.

2. French Prairie: A Cornerstone of Oregon's Character and Identity

Oregon has a wonderful reputation across the country for its beautiful scenic areas and fertile lands. Oregon carries the image of magnificence and allure. It is little wonder that it is drawing in the young, creative people in unprecedented numbers and will continue to attract more than a million newcomers in the next 20 years to the Willamette Valley.

Besides its economic, historical and cultural significance, French Prairie is one of Oregon's premium signatures. French Prairie and the Willamette Valley are tourist destinations. They provide Oregon's identity of an abundant, rich land. We cannot afford to shortchange this reputation, our identity or our character.

3. Distinct Urban Centers: An Important Civic Value

The cities and counties of the northern Willamette Valley value and promote the development of urbanized regional and town centers that strengthen compact urban form and enhance the economic stability of each unique jurisdiction. With the constant pressure of the Portland Metropolitan region to maintain a 20-year land supply for development, it is only a matter of time before the metro region creeps down the valley along I-5, gobbling up this precious resource, threatening our vital agricultural industry and damaging the economic vitality of Oregon.

Without clear intentions otherwise, urban growth will sprawl down the Willamette Valley, creating a mega-city stretching from Portland to Salem along I-5, much the same as is the reality in Washington State between Tacoma and Everett.

Without a strong vision and agreement to concentrate development in regional centers and cities, land speculation along the freeway will create this linear development pattern, seriously compromising agriculture in the Willamette Valley and the integrity of existing cities. French Prairie should not be treated as land just waiting for warehouses and parking lots since it is already home to Oregon's top industry—agriculture, that is highly productive and profitable.

What are the Threats and Challenges to French Prairie?

During the last Urban Growth Boundary Expansion process, urbanizing French Prairie was seriously studied by Metro and promoted by the Port of Portland and commercial land developers. It was a difficult and long battle, but ultimately the voices of the citizens and local jurisdictions were heeded and the UGB expanded in other areas. But without the clear intentions of the affected jurisdictions for the future, Metro is likely to once again consider expansion in this area.

Even without the need to expand the UGB, land speculation pressures in this area are high. For example, during the 2005 legislative session, land owners and development speculators made several attempts to obtain special approval for development outside urban growth boundaries, particularly in French Prairie.

Additionally, attempts have been made to garner support for the construction and expansion of a highway cutting across the fertile farmland of French Prairie from the Newburg area to connect with I-5. Similar threats continue to surface. While on-going vigilance is necessary, a cooperative agreement among the affected jurisdictions will provide a stronger and clearer understanding of our expectations for this area and for planning purposes.

What is the Intent of this Vision Document?

The intent of this agreement is to present clear expectations to Metro and other planning agencies and to enhance communication about these issues among the affected jurisdictions. The intent of this agreement is not to prejudice any jurisdiction's primary obligation to its constituents. Where there is a perceived conflict, we agree to discuss the conflict and work toward a compromise in approach. Ultimately, the parties may establish an Intergovernmental Agreement (IGA) to set up a long term process of consultation, cooperation and mutual assistance, that preserves local control and an open public process.

In addition to the parties of this agreement, the French Prairie Coalition may seek assistance from the state and regional agencies and governments and others who may play a role in a successful outcome as envisioned for French Prairie and the Northern Willamette Valley.

BEFORE THE BOARD OF COMMISSISONERS
FOR MARION COUNTY, OREGON

In the matter of supporting)
the formation of a Regional Area of)
Interest in Northern Marion County)

Resolution No. 06-7R

This matter came before the Marion County Board of Commissioners at a regular public meeting on March 08, 2006, concerning the efforts to create a Regional Area of Interest in North Marion County to protect valuable farmland and to encourage the communication and cooperation between the counties and cities of the area when development decisions are considered.

WHEREAS, agriculture is the largest industry in Marion County; and

WHEREAS, Marion County leads the State of Oregon in agriculture production; and

WHEREAS, Marion County and the Willamette Valley are home to some of the richest and most productive soil in the world; and

WHEREAS, the Marion County Board of Commissioners has placed a high priority on the protection of farmland from encroaching industrial development; and

WHEREAS, Metro and other special interests have shown a repeated interest in expanding their regional urban growth boundary south of the Willamette River; and

WHEREAS, the highest and best use of lands south of the Willamette River and not part of a city or a city's planned growth expansion is for agricultural purposes; and

WHEREAS, the Willamette River provides the best natural barrier between the urban and rural area of the Portland metropolitan region and the rich agricultural lands of the Willamette Valley; and

WHEREAS, expanding industrial uses onto prime farmland next to Interstate-5 on the south side of the Willamette River will not allow for the equitable distribution of jobs, income, investments and taxing capacity; and

WHEREAS, all cities of the region and the unincorporated county areas have planned and invested in their infrastructure to help meet their plan goals; and

WHEREAS, development south of the Willamette River would divert investment away from other jurisdictions and jeopardize infrastructure investments the region and individual communities have made to be economically competitive; and

WHEREAS, it belies common sense for a city or jurisdiction to ask its constituents to provide costly services to new industrial lands south of the Willamette River when they have already made investments in public infrastructure for industrial lands within the Urban Growth Boundary; and

WHEREAS, there are sufficient acres of industrial land that can be redeveloped throughout the Portland-metro region, and reused or revamped for more current industrial needs and uses; and

WHEREAS, Oregonians value the highly scenic quality of the Willamette Valley that contributes to its market niche, economic competitiveness and quality of life; and

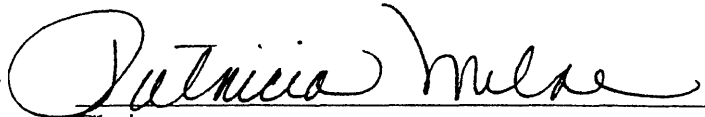
WHEREAS, land use policies should not be violated to benefit one entity or special interest for their financial gain at the expense of the greater good of the region's residents and businesses; and

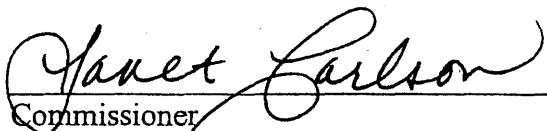
WHEREAS, it is in the best interests of local governments to communicate and coordinate their intentions for future expansion and work together to protect their valuable agricultural resources while supporting a growing population and economy.

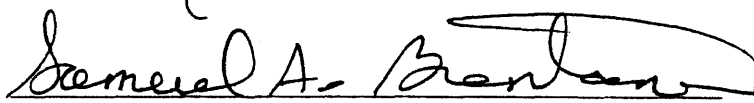
NOW THEREFORE, based on the findings recited above, the Marion County Board of Commissioners does hereby support the Vision Document for the creation of a French Prairie Regional Area of Interest.

Dated at Salem, Oregon, this eighth day of March, 2006.

MARION COUNTY BOARD OF COMMISSIONERS


Chair


Commissioner


Commissioner

RESOLUTION NO. 1988

A RESOLUTION OF THE CITY OF WILSONVILLE SUPPORTING THE VISION STATEMENT BETWEEN CLACKAMAS AND MARION COUNTIES AND THE CITIES OF AURORA, CANBY, DONALD, HUBBARD, WILSONVILLE AND WOODBURN AND IN THE FORMATION OF A REGIONAL AREA OF INTEREST IN THE FRENCH PRAIRIE AREA OF CLACKAMAS AND MARION COUNTIES AREAS.

WHEREAS, agriculture is the largest industry in Clackamas and Marion Counties; and

WHEREAS, the northern Willamette Valley, commonly known as French Prairie, is home to some of the richest and most productive soil in the world; and

WHEREAS, Wilsonville has placed a high priority on the protection of farmland from encroaching industrial development; and

WHEREAS, Metro and other special interest groups have shown a repeated interest in expanding their regional urban growth boundary south of the Willamette River into French Prairie; and

WHEREAS, the highest and best use of most lands south of the Willamette River that are not part of an existing city or an existing city's planned growth expansion area is for agricultural and agriculture-related purposes; and

WHEREAS, the Willamette River provides the best natural barrier between the urban and rural areas of the Portland metropolitan region and the rich agricultural lands of the Willamette Valley; and

WHEREAS, Wilsonville lies at the critical interface of those urban and agricultural lands; and

WHEREAS, Wilsonville and other cities of the region and the unincorporated county areas have planned and invested in their infrastructure to help meet their plan goals; and

WHEREAS, development south of the Willamette River would divert investment away from existing cities and jeopardize infrastructure investments the region and individual communities have already made to be economically competitive; and

WHEREAS, it is unreasonable for a city or jurisdiction to ask its constituents to provide costly services to new industrial lands south of the Willamette River when they have already

made investments in public infrastructure for industrial lands within their planned Urban Growth Boundaries; and

WHEREAS, provision of urban services South of the Willamette River by the City of Wilsonville has been determined to be cost prohibitive and detrimental to development of existing and planned industrial lands; and

WHEREAS, there are many acres of industrial land that can be redeveloped throughout the Portland-Metro region for additional industrial needs and uses; and

WHEREAS, Oregonians value the highly scenic quality of the Willamette Valley that contributes to its market niche, economic competitiveness, tourism, and quality of life; and

WHEREAS land use policies should not be violated to benefit one entity or special interest for their financial gain at the expense of the greater good of the region's residents and businesses; and

WHEREAS, it is in the best interests of Wilsonville and the affected local governments to communicate and coordinate their intentions for future expansion and to work together to protect their valuable agricultural resources while supporting a growing population and vibrant urban centers; and

WHEREAS, the communities of French Prairie have developed a Vision Document to communicate these issues with each other and with other agencies; and

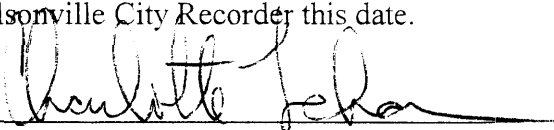
WHEREAS, the City of Wilsonville supports the basic principles contained in the attached Vision Document.

NOW THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

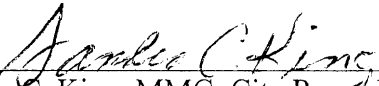
1. Based upon the findings recited above, the Wilsonville City Council does hereby support the Vision Document for the creation of a French Prairie Regional Area of Interest, attached hereto as Exhibit A, and incorporated by reference herein.

2. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 3rd day of April 2006, and filed with the Wilsonville City Recorder this date.


CHARLOTTE LEHAN, Mayor

ATTEST:


Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES;

Mayor Lehan	Yes
Councilor Kirk	Yes
Councilor Holt	Excused
Councilor Knapp	Yes
Councilor Ripple	Yes

EXHIBIT A

FRENCH PRAIRIE COMMUNITIES VISION STATEMENT MARCH 2006

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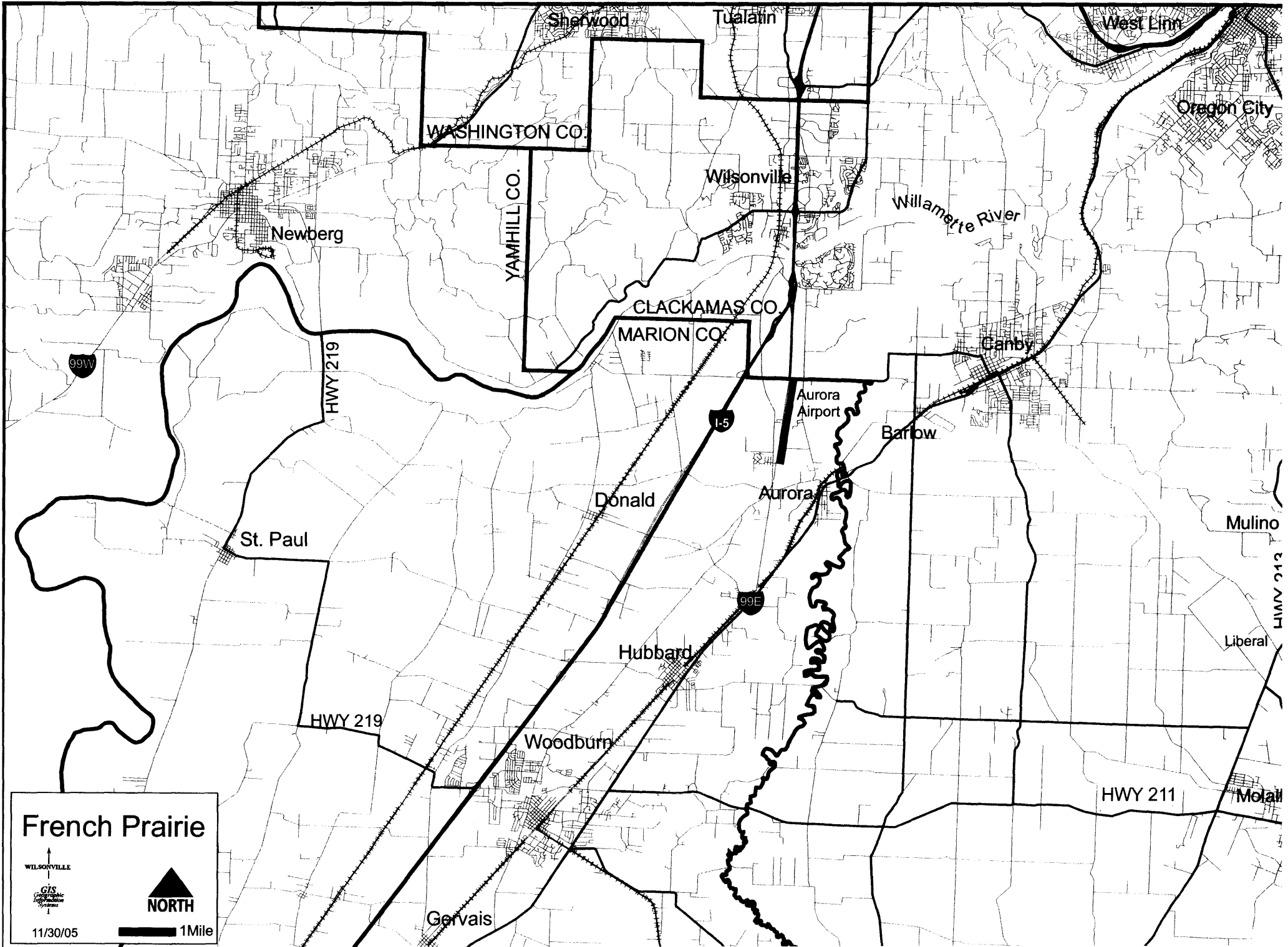
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**City of Canby
Employee of the Month
Nomination Form**

Name of Nominee: Peggy Wickwire Date: 3-31-06
Department: Library Nominated By: Hanna Hofer

Which of these criteria describes the reason for your nomination of this person?

- ☐ Improved quality
- ☒ Timely completion of a project
- ☐ Demonstrates exemplary leadership and integrity
- ☐ Excellent customer service (demonstrating exceptional customer service, an on-going commitment to customers, or innovation or creativity in customer service)
- ☒ Overcame adverse obstacles or worked under unusual conditions
- ☐ Increased program effectiveness or efficiency
- ☒ Saves the City time/money
- ☐ Improved levels of cooperation
- ☐ Exceeds performance expectations

Can you please explain in 3 or 4 more detailed sentences, why you think this person should be nominated for "Employee of the Month", especially as it relates to the item(s) you checked above. Please attach an additional sheet if necessary.

see attachment

I agree wholeheartedly!

Endorsed
[Signature] 4-10-06

Please return this form to the Department Director of the nominee.

[Signature]
Department Director's Signature

3/31/06
Date

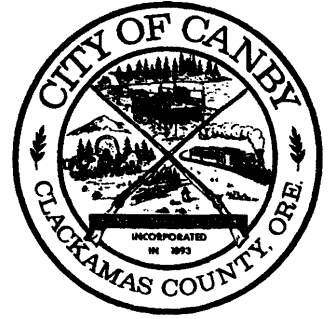
3/30/2006

Peggy Wickwire is responsible for our weekly Storytime, the monthly Family Evenings and our annual Summer Reading Program. All these programs require meticulous planning and innovation.

Despite crucial budget cuts Peggy has been able to ensure the continuation and successful presentation of the above programs. She has been successful in this thanks to her flexibility and patience to work with a wide variety of volunteers of all ages and backgrounds. Without her perseverance we wouldn't be able to provide these services.

Peggy is great ambassador for the library and the City of Canby.

MEMORANDUM



TO: *Honorable Mayor Thompson and City Council*
FROM: *Lt. Jorge Tro & Margaret Yochem*
THROUGH: *Mark C. Adcock, City Administrator*
DATE: *April 12, 2006*

Issue: State Leased Vehicle vs. City owned

Synopsis: The city has one State leased vehicle left in its fleet that is developing severe mechanical difficulties.

Recommendation: Staff recommends that the City Council approve Ordinance #1206 allowing the Mayor and City Administrator to execute the appropriate lease/purchase contract with Canby Ford.

Rationale: The State made some major changes in the IGA between the State and the City last year. One of the changes is that the City is responsible for all maintenance on state leased vehicles. It is the opinion of our Lead Mechanic Joe Witt that we replace the vehicle as soon as possible to avoid potential costly repairs. The original plan was to call this replacement vehicle out through the FY '06-07 budget process, however it has become apparent through the maintenance records over the last several months that we need to move expeditiously on this replacement. We therefore would like to rearrange the police fleet to accommodate one less car for the next three months. We will send the State leased vehicle back, thus saving on the lease payments and not incurring anymore maintenance costs. Proceed to order the new Crown Victoria and use the called out money in the budget for the new vehicle. All police equipment and accessories will be transferred from the State leased vehicle to the new City leased vehicle.

The cost of this vehicle will be \$22,000 over a period of four years. Leftover State lease monies will be used for the remainder of this year and future payments will be called out in future budget years.

THIS HAS BEEN REVIEWED
BY THE FINANCE DIRECTOR
W. D. Smith *Ar.C.S.*

ORDINANCE NO. 1206

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CANBY FORD OF CANBY, OREGON FOR THE LEASE/PURCHASE OF ONE (1) 2006 FORD CROWN VICTORIA POLICE INTERCEPTOR FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby wishes to lease/purchase one (1) 2006 Ford Crown Victoria Police Interceptor with full police equipment package for the Canby Police Department; and

WHEREAS, the cost of the vehicle and equipment will be paid by the Canby Police Department which has budgeted said purchase for the fiscal year 2005-2006 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 written bids were obtained for the purchase of one police interceptor vehicle as follows:

- | | |
|-------------------|--------------|
| 1. Canby Ford: | \$ 22,000.00 |
| 2. Gresham Ford: | \$ 22,360.00 |
| 3. Landmark Ford: | \$ 22,143.00 |

WHEREAS, Canby Ford of Canby, Oregon submitted the lowest quote of \$ 22,000.00 for one (1) vehicle; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this quote, reviewed the staff report and believes it to be in the best interest of the City to purchase this vehicle from Canby Ford; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. 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 lease/purchase contract with Canby Ford of Canby, Oregon for the lease/purchase of one (1) 2006 Ford Crown Victoria Police Interceptor for the quoted amount of \$ 22,000.00.

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 April 19th, 2006, 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 May 3rd, 2006, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

Kimberly Scheafer
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 3rd day of May, 2006, by the following vote:

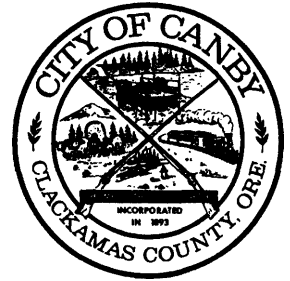
YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer,
City Recorder - Pro Tem



M E M O R A N D U M

TO: Honorable Mayor Thompson and City Council

FROM: Kevin C. Cook, Associate Planner

THROUGH: Mark Adcock, City Administrator

DATE: April 7, 2006

RE: Application for Temporary Hardship Permit
(City File Number SP 06-01 – McKoy)

Issue:

SP 06-01, a Temporary Hardship Permit application, would allow for the placement of a temporary dwelling on a residential lot in the Low Density Residential Zone. The applicants, Kevin and Toni McCoy, requests to house their Father, Harlee McKoy, for the purpose of providing care to him.

Synopsis:

Although temporary dwellings are not allowed outright under city code in the Low Density Residential Zone. The City Council may, however, issue a temporary permit in cases of hardship. The permit would be revoked when the City Council determines it is no longer needed.

Recommendation:

Staff recommends that the City Council ***approve SP 06-01 and authorize staff to issue a temporary hardship permit for the proposed dwelling.*** Staff recommends issuing the permit for one year and requiring annual re-approval. The City Council may specify any duration for the permit and renewal frequency.

Background:

The City Council is authorized to allow temporary hardship permits in any zone under Section 16.44.100 of Canby's Municipal Code. The process is outlined under Section 16.44.100 D. The applicant provided the City with the necessary information, attached to this report as exhibits.

Staff reviewed the applicant's request and sent notice of the application to property owners within 100 feet of the subject property, allowing surrounding property owners 10 days to respond and/or request a public hearing on the issue. No hearing request was received during the 10 day period. Had a request for a public hearing been received, additional public notice would have

been sent to surrounding property owners, allowing 20 days to respond and/or to attend the hearing. No written comments have been received as of the date of this report.

The applicants, Kevin and Toni L. McKoy, live in the home at 780 N Ash Street. The proposed trailer will be located near the north property line, north of the existing home, and between two mature trees. The applicants propose to construct a 6' tall cedar fence around the trailer in order to provide screening to their neighbors. A gate is proposed for side facing the street. Staff recommends that the design of the gate should be subject to the approval of the Fire District, in order to insure proper emergency access to the structure. The Fire District also recommends an additional gate to the east in order to facilitate emergency access and/or escape route. A separate address is also requested by the fire district in order to facilitate adequate emergency response time.

According to City files, the Council has issued several hardship permits in the last ten years. In some cases an annual letter from a doctor was required and in some cases the applicant simply needed to sign a statement confirming that the medical condition still existed. The applicant has submitted a letter from Naim Bouhussein, MD indicating that Mr. Harlee requires medical assistance.

The lot contains approximately 12,120 square feet with room to place a mobile home on a graveled area to the north of the existing residence. The Municipal Code allows for "travel trailers or motor homes" to receive temporary permits and staff believes that the proposed mobile home meets that intent.

Rationale:

Staff believes that this application meets the requirements listed in 16.44.100(E).

Applicable criteria and staff analysis follow:

- 1) No significant adverse impacts on the value or appropriate development of nearby properties will result.

Analysis: Since this will be a temporary dwelling, no significant adverse impacts are expected. City Council approval of this application would allow the applicant to use the trailer as a temporary dwelling for a period of time deemed appropriate by the Council.

- 2) The subject property contains sufficient vacant area to allow for the placement of the temporary unit without overcrowding the lot or the vicinity overall and will result in a reasonable amount of open space in the area.

Analysis: The proposed trailer will fit on the lot with sufficient space on every side of the unit.

- 3) The temporary unit will be connected to all required utilities in a manner which meets Code requirements.

Analysis: Service provision to this lot should not be a problem. The trailer will be required to comply with all local ordinances and with state and local codes.

- 4) The placement of the unit will meet the setback requirements of the zone.

Analysis: The site map shows the trailer meeting all setback requirements with the exception of the side-yard setback to the north. The submitted site plan shows the trailer at 6' from the north property line; the setback requirement for the zone allows for 7'. A condition of approval requires that all required setbacks will be met.

- 5) The hardship situation is legitimate and clearly necessitates the issuance of a temporary permit as an alternative to having all of the affected persons share a single dwelling unit on the property.

Analysis: The applicant has provided a doctor's letter which meets the requirements of this section. Doctor Naim Bouhoussein indicates that Harlee McKoy will benefit from living in close proximity to caregivers. The applicants have indicated that there is not sufficient room in the existing house to accommodate Harlee McKoy's needs, to the degree that he can maintain a degree of independence.

Options:

- 1) Deny the application. Staff did not recommend this option because the application meets applicable criteria.
- 2) Approve the application with the following conditions:
 - a. The applicant must submit an updated letter from a medical doctor indicating the continued need for a Hardship Permit to the satisfaction of the City Staff once every 12 months.
 - b. The mobile home must meet setback requirements of the zone.
 - c. Prior to issuance of a temporary hardship permit the applicant shall sign an affidavit agreeing to remove or cease using the mobile home when the hardship no longer applies on the subject property.
 - d. Prior to occupancy of the mobile home, the proposed 6' fence and shall be installed as shown on the submitted site plan. The proposed west (street side) gate or opening shall meet the requirements of the Canby Fire District.
 - e. A gate or opening shall be installed on the proposed east fence in order to facilitate emergency access / escape route; the east gate shall meet the requirements of the Canby Fire District.
 - f. Prior to occupancy a separate address, to be issued by the City, shall be posted for the temporary dwelling to the satisfaction of the Canby Fire District.

If the council agrees with this recommendation, the following motion would be appropriate:

I move that the City Council approve Special Permit application SP 06-01 allowing Kevin and Toni McKoy to house Harlee McKoy in a mobile home on their property at 780 N Ash Street for the purpose of providing care to Harlee McKoy with the recommended conditions.

Attachments:

Application
Site and vicinity maps
Letter from Naim Bouhussein, MD

SPECIAL PERMIT APPLICATION

Fee: \$100.00

OWNER

APPLICANT*

Name Kevin P. & Toni L. McKay

Name same

Address 780 N. ASH ST.

Address _____

City CANBY State OR Zip 97013

City _____ State _____ Zip _____

Phone 503-266-5275 Fax _____

Phone _____ Fax _____

OWNER'S SIGNATURE Kevin P. McKay / PHONE 503-266-5275

DESCRIPTION OF PROPERTY:

Address 780 N. ASH ST. CANBY, OR 97013-3317

Tax Map 31E32DA 08700 Tax Lot(s) 1 Lot Size 12,120 sqft.
(Acres/Sq. Ft.)

PROPERTY OWNER LIST

Attach a list of the names and addresses of the owners of properties located within ^{100 ft KC} 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2 x 11 sheet of mailing labels (1" x 2-5/8"), just as you would address an envelope.

USE OF PROPERTY

Existing Single family residence

Proposed same

Existing Structures 1560 sqft 3bd 2bath w/attached garage, storage shed

PROJECT DESCRIPTION Need hardship permit to place travel trailer on lot for occupation by Kevin's father (elderly) whom now needs caregiver/monitor in close proximity. Trailer to be connected to all utilities, meet all codes, fenced and landscaped to be out of sight as much as possible.

FOR CITY USE ONLY

File # SP 06-01

Receipt # _____

Received by Gya

Date Received 2-3-06

Completeness Date _____

Pre-App Meeting _____

*If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making application

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**STATESVILLE CARDIOVASCULAR CLINIC, PA
738A BRYANT STREET
STATESVILLE, NORTH CAROLINA 28677
704-873-1189 (F) 704-873-1116
JAMES H. BRADFORD, MD NAIM BOUHUSSEIN, MD
WENDY P. LEWIS, MSN, ANP**

August 5, 2005

City of Canby Oregon

**Re: Harlee McKoy
DOB: 1/11/1931**

To Whom It May Concern:

Mr. Harlee McKoy has a cardiac history of ischemic heart disease, status post revascularization and aortic valve replacement. Due to these conditions he is requesting to be able to place a mobile home on his son's property there in Canby. This way he will be able to move beside his son and his son will be able to assist Mr. McKoy with his medical and caregiver needs.

If there is any other information needed regarding this request, please feel free to contact me at the above address.

Sincerely,

Naim Bouhoussein M.D.

Naim Bouhoussein, MD

NB/ktj

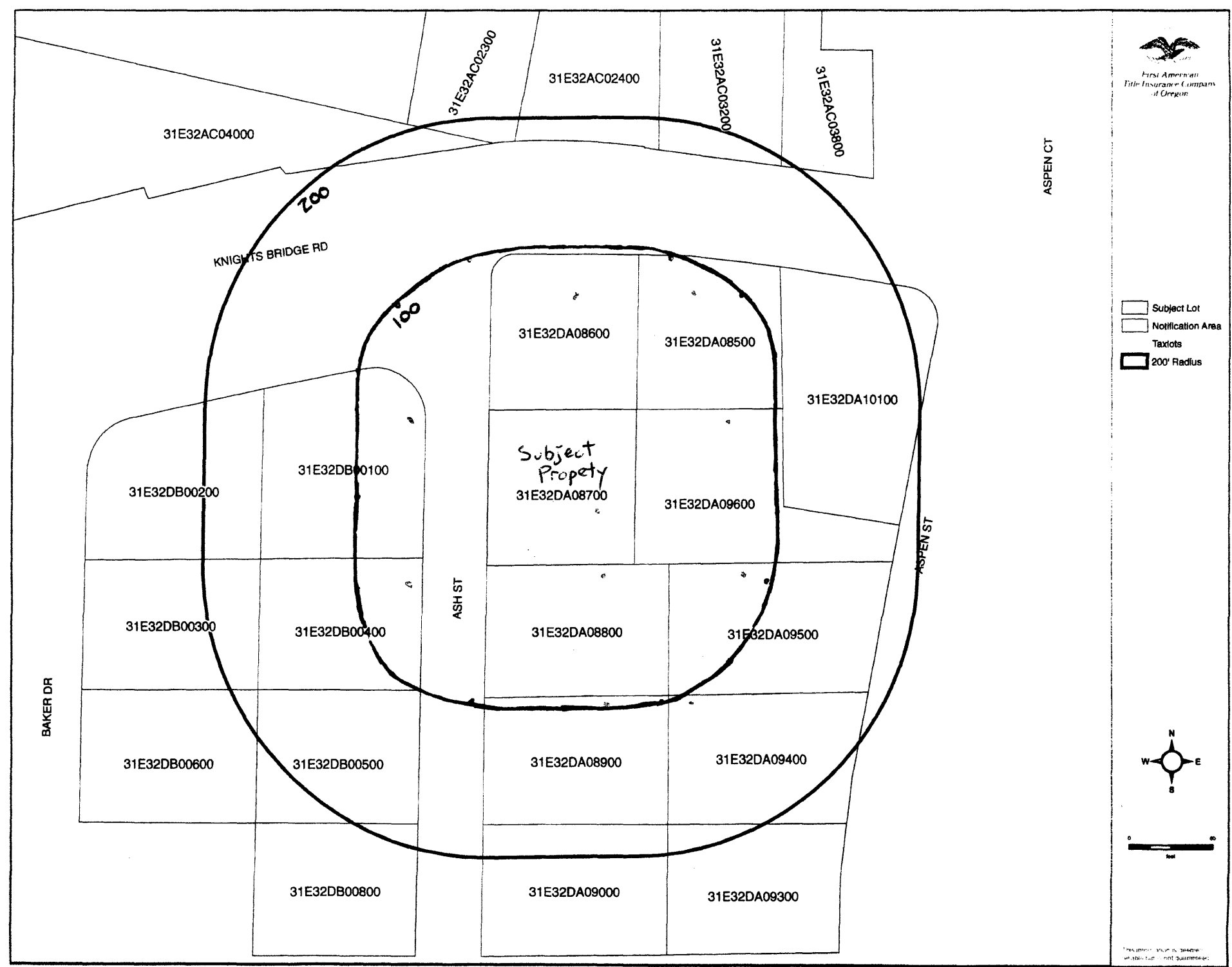


First American
Title Insurance Company
of Oregon

- Subject Lot
- Notification Area
- Taxlots
- 200' Radius



This map is not to be used
as evidence in any court.



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