

# CANBY CITY COUNCIL

## Regular Session

June 16, 2004

**WORKSHOP – 6:30 PM – City Hall Conference Room – Future Facility Assessment Study**

### **AMENDED AGENDA – 7:30 PM – Council Chambers**

1. OPENING CEREMONIES:
  - A. Call to Order, Flag Salute
2. PRESENTATIONS:
  - A. Employee of the Month
  - B. Department Directors Special Recognition

Pg. 1
3. PROCLAMATIONS:
  - A. Certification of May 18, 2004 Measure 3-125
  - B. Certification of May 18, 2004 Measure 3-126

Pg. 2  
Pg. 3
4. CITIZEN INPUT ON NON-AGENDA ITEMS:
5. CONSENT AGENDA:  
**Minutes – Regular Meeting and Executive Session, June 2, 2004**  
**Accounts Payable - \$390,499.97**  
**Employment Contract for City Treasurer**
6. COMMUNICATIONS:
7. PUBLIC HEARINGS:
  - A. 2003-2004 Supplemental Budget
  - B. 2004-2005 Fiscal Year Budget
  - C. CPA 04-01/ZC 04-02 Plantore/SR Smith

Pg.18
8. NEW BUSINESS:
9. UNFINISHED BUSINESS:
10. RESOLUTIONS & ORDINANCES:
  - A. Res. 862, Amending Canby's System Development Charges to Account for Inflation
  - B. Res. 863, Adopting a Supplemental Budget for the 2003-2004 Fiscal Year
  - C. Res. 864, Adopting Budget, Making Appropriations, and Categorization for the 2004-2005 Fiscal Year Budget
  - D. Res. 865, Authorizing Transfer of Funds in Budget Line Items to Balance 2003-2004 Budget
  - E. Res. 867, Amending the Methodology for Parks and Recreation System Development Charge
  - F. Res. 868, Authorizing the Issuance of Water System Revenue Bonds for a Total Not to Exceed \$2,900,000, and Providing for Publication of Notice
  - G. Ord. 1142, Declaring City's Election to Receive State Revenue for Fiscal Year 2004-2005 (*2<sup>nd</sup> Reading*)
  - H. Ord. 1146, Authorizing Contract with Recreation Resource for the Purchase of Playground Equipment (*2<sup>nd</sup> Reading*)
  - I. Ord. 1147, Authorizing Contract with DLR Group for Future & Immediate Facilities Assessment

Pg.66  
Pg.10  
Pg.13  
Pg.69  
Pg.71  
  
Pg.93  
Pg.94  
Pg.96
11. MANAGER'S REPORT:
12. CITIZEN INPUT:

13. COUNCILORS' ISSUES:
14. ACTION REVIEW:
15. EXECUTIVE SESSION: ORS 192.660(2)(d) labor negotiations and ORS 192.660(2)(h) pending litigation
16. 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.*

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

Name of Nominee: David Biskar Date: May 11, 2004

Department: Swim Center Nominated By: Eric Laitinen

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 items(s) you checked above. Please attach an additional sheet if necessary.

David Biskar should be employee of the month for acquiring the automated external defibrillator and trainer for the Canby Swim Center with no city funds, all through donations. This is typical of the type of work David usually performs. David is a hard worker who is very conscious of the fact that city employees are stewards for the residents in Canby and always conducts himself appropriately. David is also working on finalizing a partnership, along with Ken Schuh, for a partnership with S.R. Smith that will replace a lot of the equipment around the swimming pool. This is a savings to the city of somewhere between \$20,000-\$25,000

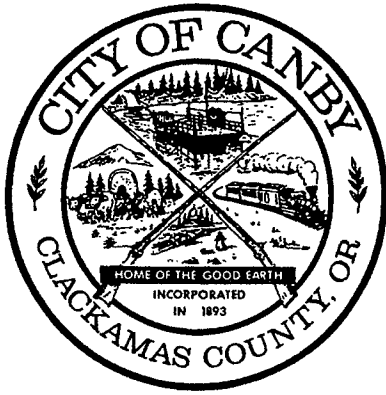
Please return this form to the Department Director of the nominee.

  
Department Director's Signature

Date

5/11/04

5/11/2004



# City of Canby

General Administration Office

## PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Primary Election on May 18, 2004, to consider the following measure:

### MEASURE NO. 3-125

**Shall 1.65 acres located East of S. Ivy and South of SE 13<sup>th</sup> Avenue be annexed into Canby?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Primary Election on May 18, 2004.

**YES - 1,411**

**NO - 1,851**

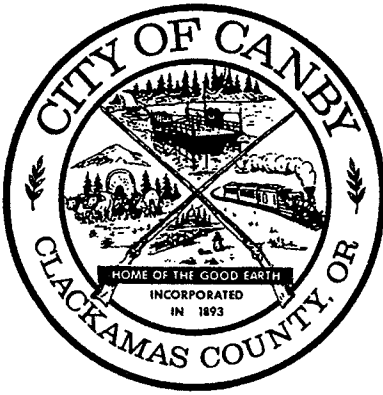
**Over Votes - 0**

**Under Votes - 107**

**NOW, THEREFORE**, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 3, 2004.

Dated this 16<sup>th</sup> day of June, 2004.

\_\_\_\_\_  
Melody Thompson, Mayor



# City of Canby

General Administration Office

## PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Primary Election on May 18, 2004, to consider the following measure:

### MEASURE NO. 3-126

**Shall 19.91 acres located North of NE Territorial, near N Holly be annexed into Canby?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Primary Election on May 18, 2004.

**YES - 964**

**NO - 2,291**

**Over Votes - 2**

**Under Votes - 112**

**NOW, THEREFORE**, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 3, 2004.

Dated this 16<sup>th</sup> day of June, 2004.

\_\_\_\_\_  
Melody Thompson, Mayor

	3-125 CANBY CITY 1.65 ACRES ANNEXATION		3-126 CANBY CITY 19.91 ACRES ANNEXATION		
	Y E S	N O	O V E R V O T E S	U N D E R V O T E S	
PRECINCT 122	402	471	0	30	331
PRECINCT 123	111	164	0	10	68
PRECINCT 124	374	483	0	30	212
PRECINCT 125	287	346	0	23	217
PRECINCT 126	237	387	0	14	136
TOTALS	1411	1851	0	107	964
					540
					206
					645
					415
					485
					2291
					2
					112

RECEIVED

JUN 07 2004

CITY OF CANBY

CERTIFIED COPY OF THE ORIGINAL  
SHERIFF HALL, COUNTY CLERK  
BY: *[Signature]*  
JUN - 3 2004

Memo to: Mayor and City Council

From: John H. Kelley, City Attorney



Date: June 9, 2004

Re: Employment Contract for City Treasurer, Chaunee Seifried

Chaunee Seifried's contract has been changed slightly at the request of Councilor Newton. Chaunee agreed to the change and since I heard nothing from any other councilors regarding other changes, it will be put on the consent agenda for approval at the meeting of June 16th. The change resulted in the elimination of the last sentence of Section 5 (Salary) which provided for an automatic 3% raise annually, unless otherwise agreed by the parties. Any future raises must be approved by the Council first. The contract will go into effect July 1, 2004

Please call me at 266-4021, ext 254 if you have any questions.

## **CITY OF CANBY**

### **EMPLOYMENT AGREEMENT**

This Agreement is made and entered into effective \_\_\_\_\_, 2004, by and between the CITY OF CANBY, State of Oregon, a municipal corporation, hereinafter called "Employer" and CHAUNEE F. SEIFRIED, hereinafter called "Employee", both of whom agree as follows:

WHEREAS, Employer desires to continue to employ the services of Employee as City Treasurer of the Employer; and

WHEREAS, it is the desire of the Canby City Council ("Council") to establish certain conditions of employment, establish certain benefits, and set working conditions of said Employee; and

WHEREAS, Employee desires to continue to be employed as City Treasurer for the Employer;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

#### **Section 1. Duties:**

Employer hereby agrees to continue to employ Employee as City Treasurer for the Employer. She shall continue to perform the functions and duties of the City Treasurer as specified in the City Charter.

#### **Section 2. Term:**

- A. Employee, having been employed by Employer commencing November 6, 1997, herein referred to as the "anniversary date", agrees to continue to be employed by Employer. Employment shall continue until terminated by one or both of the parties in accordance with the terms of this Agreement.
- B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Council to terminate the services of Employee at any time, subject only to the provisions set forth in Section 4, paragraphs A and B, of this Agreement.
- C. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from her position with Employer, subject only to the provision set forth in Section 4, Paragraph C, of this Agreement.

#### **Section 3. Hours of Work:**

Employee shall be available for work in the City Treasurers office Monday through Friday during regular business hours. Employee will be available, when necessary, for night meetings.



#### **Section 4. Termination and Severance Pay:**

- A. In the event Employee is terminated by the Council during her term of employment or any extension thereof and during such time that Employee is willing and able to perform her duties under this Agreement, then, in that event, Employer agrees to pay Employee a lump sum cash payment equal to six months' aggregate salary within 60 days of such termination; provided, however, that in the event Employee is terminated because Employee is convicted of a felony or misdemeanor involving fraud or dishonesty or commits gross negligence in the performance of her duties, Employer shall have no obligation to pay the severance sum described herein.
- B. In the event Employer at any time during the term of this Agreement reduces the salary or other financial benefits of Employee by a greater percentage than an applicable across-the-board reduction for all management employees of Employer, or in the event Employer refuses, following ten days prior written notice, to comply with any other term, condition or provision of this Agreement benefiting Employee herein, or Employee resigns following a suggestion, whether formal or informal, by the Council that she resign, then, in that event, Employee may, at her option be deemed "terminated" as of the date of such act or event and Section 4, Paragraph A shall apply.
- C. In the event Employee voluntarily resigns her position with Employer on grounds other than those set forth in Section 4, Paragraph B during the term of this Agreement, she shall be required to give Employer thirty (30) days prior written notice of such intention. Employee will cooperate with the smooth and normal transfer to the newly appointed treasurer during such 30 day period. Except as set forth in Section 4, Paragraph B, a voluntary resignation does not entitle Employee to severance pay.

#### **Section 5. Salary:**

- A. Employer agrees to pay Employee for her services rendered pursuant to an annual base salary of \$72,360, payable in installments at the same time as other employees of the Employer are paid.
- B. Employer agrees to pay for Employee's participation in the City's 457 Retirement Plan an amount equal to five percent (5%) of Employee's annual salary.
- C. In addition, Employer agrees to increase said base salary and/or other benefits of Employee in such amounts and to such extent as the Council may determine that it is desirable to do so on the basis of an annual salary review of the said Employee made at the same time as similar consideration is given other employees generally.

#### **Section 6. Benefits:**

- A. Employer shall provide Employee with the standard benefit package as is offered other full-time management level employees ("Management Employees") including fully paid medical, dental, vision, life and disability insurance, PERS benefits and sick leave. With respect to PERS benefits, it is recognized between the parties to this Agreement, that Employee is currently a Tier Two Level member and has been since 1998. Employee's PERS status will not change by entering into this Agreement.

- B. Employee shall accrue vacation, sick leave and holidays at the rate same as other Management Employees as set forth in Resolution No 858 and any subsequent amendments there to.
- C. Employee shall be entitled to use and benefit from currently accrued sick leave and vacation days as of the date of this Agreement. In the future, Employee may accrue vacation and sick leave and shall be paid for unused sick and vacation leave upon termination in the same manner as other Management Employees.

#### **Section 7. Dues and Professional Development:**

- A. Employer agrees to budget for and pay the professional dues and subscriptions of Employee necessary for Employee's continued professional development as approved in the budget.
- B. Employer agrees to budget for and pay the reasonable travel, lodging and meal expenses of Employee for training and conferences necessary for Employee's professional development and/or the good of the Employer as approved by the City Administrator.

#### **Section 8. Performance Evaluation:**

The Council may review and evaluate the performance of Employee annually. If agreed between Employer and Employee, the City Administrator may participate at an agreed level in the performance evaluation. If it is agreed that the City Administrator is to conduct Employee's performance evaluation, the evaluation results must be reviewed and approved in writing by the City Council. Further, the Mayor shall provide Employee with a written summary of the performance evaluation findings of the Council and provide an opportunity for Employee to discuss the evaluation with the Council. The performance review shall be in accordance with specific criteria developed jointly and by mutual agreement between Employer and Employee.

#### **Section 9. Indemnification:**

Employer shall pay, protect, defend, indemnify, release, waive any claims of contribution and hold Employee harmless from and against all liabilities, obligations, claims, damages, penalties, causes of action, costs, and expenses (including without limitation, reasonable attorneys' fees and expenses), imposed upon or incurred by or asserted against Employee by reason, directly or indirectly, of Employee's performance of her duties and/or arising, directly or indirectly, as a result of Employee's employment with Employer. It is the parties understanding that Employee will not need to maintain professional liability insurance, and that if professional liability insurance is deemed necessary, Employer will be solely responsible for procuring, maintaining and paying for such insurance coverage.

#### **Section 10. Other Terms and Conditions:**

The Council, upon mutual agreement of Employee, may modify, add or delete the terms and conditions of Employee's employment, provided such modifications, additions or deletions are not inconsistent with, or in conflict with, the provisions of this Agreement, the City Charter or any other law.

#### **Section 11. General Provisions:**

- A. The text herein shall constitute the entire Agreement between the parties.
- B. This Agreement shall be binding upon and insure to the benefit of the parties, their successors, assigns, heirs, devisees, executors, trustees and beneficiaries.
- C. This Agreement shall be amended only by written agreement signed by the parties.
- D. If any provision, or portions thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.
- E. In the event of any suit or action herein, the prevailing party in such suit or action shall be entitled to reasonable attorney's fees to be fixed by the court both at trial and following any appeal, together with prevailing party costs and disbursements incurred therein.
- F. This Agreement shall be construed under the laws of the State of Oregon.
- G. The parties acknowledge and agree they each have had an opportunity to consult with their own legal counsel with respect to this Agreement and the terms and conditions contained herein shall be construed in a neutral manner and not against either party. The recitals contained in this Agreement are hereby made a part of this Agreement.
- H. This Agreement is effective \_\_\_\_\_, 2004, and will remain in effect until terminated or modified pursuant to its terms.

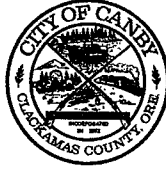
IN WITNESS WHEREOF, the Employer has caused this Agreement to be signed and executed in its behalf by its Mayor and duly attested by its City Recorder, Pro Tem, and the Employee has signed and executed this Agreement, the day and year first above written.

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer City Recorder Pro-tem

\_\_\_\_\_  
Chaunee F. Seifried, Employee



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## CITY COUNCIL MEMORANDUM

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**DATE:** JUNE 7, 2004  
**TO:** HONORABLE MAYOR THOMPSON AND CITY COUNCIL  
**FROM:** CHAUNEE SEIFRIED, FINANCE & COURT SERVICES DIRECTOR  
**RE:** RESOLUTION NO. 863 ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2003-2004 FISCAL YEAR.

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### BACKGROUND:

- The City of Canby Budget for the 2003-2004 fiscal year was approved by the voters of said City at a Tax Base Election on November 6, 1990, and a Supplemental Budget for expenditure of unanticipated cash according to ORS 294.326 will require a public hearing if more than 10% increase of any one fund.

### ISSUE:

Oregon budget law prohibits the spending of monies outside of the adopted budget. This supplemental budget will reallocate unanticipated revenues and expenditures according to ORS 294.

### RECOMMENDATION:

The Finance Department has isolated and identified the monetary requirements for all Funds in the form of a supplemental budget proposal. ORS 294 outlines a specific process that the City must complete to enact a supplemental budget.

- Hold a special hearing to discuss and adopt the supplemental. This is scheduled for the regular council meeting on June 16, 2004. The budget committee is not required to be involved.
- Five days before the hearing, a notice of the hearing is to be published in the Oregonian. This appeared in the edition on June 9, 2004.
- The City Council enacts a resolution to adopt the supplemental budget after the public hearing.

We recommend City Council adopt resolution No. 863 as written.

## **RESOLUTION NO. 863**

### **A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2003-2004 FISCAL YEAR**

**WHEREAS**, the City of Canby Budget for the 2003-2004 fiscal year was approved by the voters of said City at a Tax Base Election on November 6, 1990, and a Supplemental Budget for expenditure of unanticipated cash was approved after a Public Hearing thereon held on June 16, 2004.

**WHEREAS**, the City of Canby has now received unanticipated revenues and a Supplemental Budget is required for the expenditures of such funds according to ORS 294.326 (1). No further voter approval is required.

#### **NOW THEREFORE, BE IT RESOLVED THAT:**

Section 1. The following Supplemental Budget for the City of Canby for the 2003-2004 fiscal year is hereby adopted.

#### **2003-2004 SUPPLEMENTAL BUDGET SUMMARY**

Fund/Department Resources		Requirements	
FLEET COMBINED FUND			
Additional Revenue	5,000	Material & Service	5,000
Total Resources	5,000	Total Requirements	5,000
TRANSIT FUND			
Additional Revenue	64,000	Personal Service	5,000
Grant	49,086	Capital Outlay	46,300
		Material & Service	61,786
Total Resources	113,086	Total Requirements	113,086
GENERAL FUND			
Administration Department			
Additional Revenue	32,000	Material & Service	32,000
Contingency	63,000		
Court Department			
Additional Revenue	32,000	Personal Service	10,000
		Material & Service	22,000

Library Department			
Additional Revenue	13,000	Materials & Service	13,000
Finance Department			
		Personal Service	5,000
Police Department			
Additional Revenue	81,000	Personal Services	60,000
		Material & Service	79,000
<b>Total GF Resources</b>	<b>221,000</b>	<b>Total GF Requirements</b>	<b>221,000</b>

<b>ALL FUNDS Total Resources</b>	<b>339,086</b>	<b>Total Requirements</b>	<b>339,086</b>
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**ADOPTED** by the Canby City Council at a regular meeting thereof on June 16, 2004.

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, City Recorder Pro Tem



## CITY COUNCIL MEMORANDUM

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**DATE:** JUNE 7, 2004  
**TO:** HONORABLE MAYOR THOMPSON AND CITY COUNCIL  
**FROM:** CHAUNEE SEIFRIED, FINANCE & COURT SERVICES DIRECTOR  
**RE:** A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND CATEGORIZATION FOR THE 2004-2005 FISCAL YEAR.

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### BACKGROUND:

The City of Canby passed a Tax Base of \$1,250,000 on November 6, 1990. The City passed a local option levy of \$0.32 per \$1000.00 of assessed property value on May 21, 2002 to fund Swim Center Operations. The City levies the taxes provided for in the adopted budget at the permanent rate of 3.4886 per \$1000. These taxes are hereby levied upon all taxable property within the district as of 1:00 a.m. July 1, 2003. The allocation and categorization subject to the limits of section 11, Article XI of the Oregon Constitution.

### ISSUE:

ORS 294.435 requires the City to hold a public hearing and adopt the budget by June 30, 2004. And ORS 294.555 requires the City to submit the Tax Certification Documents to the County Assessor.

### RECOMMENDATION:

We recommend City Council adopt resolution 864 as recommended by the budget committee.

## RESOLUTION NO. 864

### A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND CATEGORIZATION FOR THE 2004-2005 FISCAL YEAR

**WHEREAS**, the City of Canby passed a Tax Base of \$1,250,000 on November 6, 1990; and

**WHEREAS**, a public hearing for the 2004-2005 City Budget was duly and regularly advertised and held on June 16, 2004; and be it resolved that the City Council of the City of Canby hereby adopts the budget approved by the Budget Committee;

**WHEREAS**, the City of Canby passed a local option levy of \$0.32 per \$1,000.00 of assessed property value on May 21, 2002, with an estimated \$252,000 raised in 2004-2005; this levy is to fund Swim Center Operations.

**RESOLVED** that the City Council of Canby hereby levies the taxes provided for in the adopted budget at the permanent rate of 3.4886 per \$1,000 and a local option levy of \$0.32 per \$1000.00 of assessed property value and that these taxes are hereby levied upon all taxable property within the district as of 1:00 a.m. July 1, 2004. The following allocation and categorization subject to the limits of section 11, Article XI of the Oregon Constitution make up the above aggregate levy;

	Subject to the General Government Limitation	Excluded from the Limitation
Permanent Rate Levy	3.4886	
Local Option Levy	0.3200	
Total Levy	3.8086	

**BE IT RESOLVED** that the amounts for the fiscal year beginning July 1, 2004 and for the purposes shown below are hereby appropriated as follows:

#### **GENERAL FUND**

ADMINISTRATION	2,232,384
COURT	357,254
PLANNING	293,107
LIBRARY	514,117
PARKS	451,203
BUILDING	582,991
POLICE	2,792,184
CEMETERY	134,262
FINANCE	346,903
TOTAL EXPENDITURES AND REQUIREMENTS	7,704,405



**OTHER FUNDS****STREET FUND**

PERSONAL SERVICES	305,836
MATERIALS & SERVICES	232,500
TRANSFERS	334,652
TOTAL EXPENDITURES AND REQUIREMENTS	872,988

**SEWER COMBINED FUND**

PERSONAL SERVICES	602,061
MATERIALS & SERVICES	364,700
DEBT SERVICE	638,866
TRANSFERS	189,919
CAPITAL OUTLAY	317,000
TOTAL EXPENDITURES AND REQUIREMENTS	2,112,546

**911 EMERGENCY**

MATERIALS & SERVICES	199,000
TOTAL EXPENDITURES AND REQUIREMENTS	199,000

**GENERAL OBLIGATION DEBT**

DEBT SERVICE	276,308
TOTAL EXPENDITURES AND REQUIREMENTS	276,308

**PARKS DEVELOPMENT FUND**

CAPITAL OUTLAY	565,529
TRANSFERS	103,471
TOTAL EXPENDITURES AND REQUIREMENTS	669,000

**ENDOWMENT FUND**

MATERIALS & SERVICES	500
CAPITAL OUTLAY	114,300
TOTAL EXPENDITURES AND REQUIREMENTS	114,800

**LOGGING ROAD INDUSTRIAL**

CAPITAL OUTLAY	25,392
TRANSFERS	72,808
TOTAL EXPENDITURES AND REQUIREMENTS	98,200

**STREET RESERVE**

CAPITAL OUTLAY	1,036,983
TRANSFERS	29,090
TOTAL EXPENDITURES AND REQUIREMENTS	1,066,073

**CEMETERY PERPETUAL CARE**

CAPITAL OUTLAY	371,270
TOTAL EXPENDITURES AND REQUIREMENTS	371,270

**CAPITAL RESERVE**

CAPITAL OUTLAY	812,500
TOTAL EXPENDITURES AND REQUIREMENTS	812,500

**FORFEITURE FUND**

MATERIALS & SERVICES	22,000
TOTAL EXPENDITURES AND REQUIREMENTS	22,000

**FLEET SERVICES COMBINED FUND**

PERSONAL SERVICES	171,314
MATERIALS & SERVICES	147,750
TRANSFERS	1,700
CAPITAL OUTLAY	122,600
TOTAL EXPENDITURES AND REQUIREMENTS	443,364

**TECHNICAL SERVICES COMBINED FUND**

PERSONAL SERVICES	16,167
MATERIALS & SERVICES	81,463
CAPITAL OUTLAY	106,200
TOTAL EXPENDITURES AND REQUIREMENTS	203,830

**LID FUND #0100**

TRANSFERS	66,938
TOTAL EXPENDITURES AND REQUIREMENTS	66,938

**TRANSIT FUND**

PERSONAL SERVICES	130,220
MATERIALS & SERVICES	657,784
TRANSFERS	46,280
CAPITAL OUTLAY	332,000
TOTAL EXPENDITURES AND REQUIREMENTS	1,166,284

**SWIM CENTER LEVY FUND**

PERSONAL SERVICES	301,068
MATERIALS & SERVICES	94,100
TRANSFERS	12,000
CAPITAL OUTLAY	43,200
TOTAL EXPENDITURES AND REQUIREMENTS	450,368

<b>TOTAL OPERATING BUDGET</b>	<b>16,649,872</b>
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This resolution is effective June 16, 2004.

**ADOPTED** by the Canby City Council at a regular meeting thereof on Wednesday, June 16, 2004.

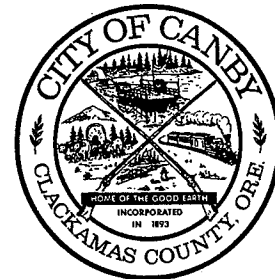
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Melody Thompson, Mayor

ATTEST:

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Kimberly Scheafer, City Recorder Pro Tem



## **M E M O R A N D U M**

**TO:** *Honorable Mayor Thompson and Canby City Council*

**FROM:** *Darren J. Nichols, Associate Planner*

**THROUGH:** *Mark C. Adcock, City Administrator*

**DATE:** *June 7, 2004*

**RE:** *CPA 04-01 and ZC 04-02*

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**Issue:** **CPA 04-01 / ZC 04-01** An application to amend Canby's Comprehensive Plan and to change the zoning designation for a newly adjusted 2.2 acre parcel at the Plantore/SR Smith site. The applicant proposes to amend the Comprehensive Plan designation and Zoning from M-1 Light Industrial to C-M Commercial Manufacturing on Tax Lot 300 of Tax Map 4-1E-05A.

**Synopsis:** City Council has the final approval authority for Comprehensive Plan Amendments and Zone Change applications. The Planning Commission holds a public hearing and makes a recommendation to the Council. After holding a public hearing, the Council then makes a decision on the proposal. If approved, a Comprehensive Plan Amendment and Zone Change are adopted by Ordinance.

**Recommendation:** The Canby Planning Commission recommends that City Council **APPROVE CPA 04-01 / ZC 04-02.**

**Rationale:** The Planning Commission voted 6-0 recommending that the City Council approve the proposal. The Planning Commission finds that the application meets the standards and criteria of the Comprehensive Plan and the Land Development & Planning Ordinance.

**Background:** The subject property contains one 2.2 acre tax lot currently zoned for M-1 Light Industrial development. The proposed Plan Amendment and Zone Change would change zoning on the parcel from M-1 Light Industrial to C-M Commercial Manufacturing. The change would allow commercial development on the Hwy 99E / SW Berg Parkway corner of SR Smith's current industrial development.

The applicant plans to consolidate plant operations, leaving 2.2 acres available for commercial redevelopment. Adjacent properties are zoned for C-2 Highway Commercial and C-M Commercial Manufacturing and several adjacent parcels are currently developed for commercial use.

The enclosed application packet, staff report, Planning Commission findings and approved minutes of the public hearing represent the record for this application and provide more detail for the Council's decision.

Options:

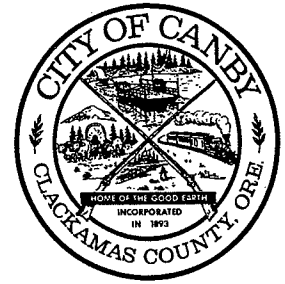
**1. Approve ZC 04-01 as proposed.** The Planning Commission recommends this course of action.

**2. Approve ZC 04-01 with conditions.** The Planning Commission did not find that additional conditions were necessary to bring the application into conformance with the Comprehensive Plan and Planning Ordinance.

**3. Deny ZC 04-01.** This option is not recommended; the Planning Commission finds that the application meets applicable criteria and standards.

Attached:

1. April 30, 2004 Staff Report with exhibits
2. Planning Commission Findings
3. Approved Minutes from the May 10, 2004 Planning Commission Hearing



## **- STAFF REPORT -**

**APPLICANT:**

Group Mackenzie  
0690 SW Bancroft Street  
PO Box 69039  
Portland, OR 97039-0039

**FILE NO.:**

CPA 04-01/ ZC 04-02/ LLA 04-01  
(Plantore / SR Smith)

**OWNER:**

Plantore LLC  
1017 SW Berg Parkway  
Canby, OR 97013

**STAFF:**

Darren Nichols  
Associate Planner

**LEGAL DESCRIPTION:**

Tax Lots 300, 400, 500, 600, 601 & 602  
of Tax Map 4-1E-05A

**DATE OF REPORT:**

April 30, 2004

**LOCATION:**

Southwest corner of HWY 99E and  
SW Berg Parkway (across from Safeway)

**DATE OF HEARING:**

May 10, 2004

**COMP. PLAN DESIGNATION:**

**Current:** M-1 Light Manufacturing  
**Proposed:** C-M Commercial Manufacturing

**ZONING DESIGNATION:**

**Current:** M-1 Light Manufacturing  
**Proposed:** C-M Commercial Manufacturing

**I. APPLICANT'S REQUEST:**

The applicant is seeking to amend the Comprehensive Plan Land Use Map and zoning designation and to reconfigure a 2.20 acre taxlot on the southwest corner of Highway 99E and SW Berg Parkway. The applicant has not submitted a specific development proposal; subsequent development is subject to Site and Design Review approval.

## ***II. APPLICABLE REGULATIONS***

### **City of Canby General Ordinances:**

16.54	Amendments to the Zoning Map
16.58	Lot Line Adjustments
16.88.180	Comprehensive Plan Amendments
16.88	General Standards

## ***III. MAJOR APPROVAL CRITERIA***

### **16.54.040 - Amendments to the Zoning Map Standards and Criteria**

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the City, giving special attention to Policy 6 of the Land Use Element and implementation measures therefor, and the plans and policies of the County, state and local districts in order to preserve functions and local aspects of land conservation and development;
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

### **16.58.030 Lot Line Adjustments Review by Planner and Engineer**

The city planner and city engineer shall review the proposed lot line adjustment and shall determine whether the following criteria have been met:

- A. Each of the remaining parcels and any structures located thereon shall be in full compliance with all regulations of this title, including the setback requirements of Division III. Except, however, that lot line adjustments are permitted on non-conforming lots and lots with non-conforming structures provided that the non-conforming lots and structures will be no less in conformity as a result of the lot line adjustment.
- B. No new lots or parcels will be created as a result of the lot line adjustment without receiving approval as a partition or subdivision.
- C. If the city planner or city engineer deems it necessary to assure the accuracy of recorded information, a survey may be required of the applicant. Such will be at the applicant's cost.

- D. Lot line adjustments shall not be permitted where the result will be the creation of additional building sites in known hazardous locations or where the appropriate development or extension of public facilities will be impaired as a result.

#### **Section 16.88.180 - General Standards and Procedures**

##### **Comprehensive Plan Amendments**

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

- A. The remainder of the Comprehensive Plan of the City, as well as the plans and policies of the county, state or any local school or service districts which may be affected by the amendment;
- B. Whether all required public facilities and services exist, or will be provided concurrent with the anticipated development of the area. (Ord. 740, Section 10.8.80, 1984)

#### ***IV. FINDINGS:***

##### **A. Background and Relationships**

The Plantore/SR Smith development contains approximately 8.97 acres. The parcels proposed for adjustment and rezoning contain 2.20 acres. The two subject parcels are part of existing SR Smith operations and contain five accessory buildings. Buildings on the consolidated parcels are proposed for demolition as part of Plantore/SR Smith restructuring and consolidation of operations.

The Comprehensive Plan Amendment and Zone Change would change the zoning and comprehensive plan designation on the northeast corner of the subject property from M-1 Light Industrial to C-M Commercial Manufacturing. Property to the west of the subject property across the Molalla River is currently outside Canby city limits and zoned for EFU Exclusive Farm Use by Clackamas County. Property to the south is zoned M-1 Light Industrial, including properties owned by OBC Northwest and Canby Disposal. Additional property to the south includes Canby Community Park. To the east is property zoned C-2 Highway Commercial, containing the Safeway/Rite Aid retail complex. Property to the north is zoned C-M Heavy Commercial/ Manufacturing including the Space Age Fuel Station and the Wild Hare Saloon as well as the recently approved subdivision application by Westwood Development Corporation on the northeast corner of S Berg Parkway and Hwy 99E.



**B. Comprehensive Plan Consistency Analysis**

**ii. URBAN GROWTH**

- GOAL:**
- 1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.**
  - 2) TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITHIN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.**

**Policy #1:** Canby shall coordinate its growth and development plans with Clackamas County.

*Analysis:* *The subject property is entirely within the City Limits and within the Urban Growth Boundary. In compliance with this goal and policy, a 'request for comments' form was sent to Clackamas County and to the State Department of Transportation.*

**Policy #3:** Canby shall discourage the urban development of properties until they have been annexed to the City and provided with all the necessary urban services.

*Analysis:* *The property is inside the City limits and is committed to urban level development. All necessary utilities are available on or abutting the property and will be provided during subsequent redevelopment.*

iii. **LAND USE ELEMENT**

**GOAL:** TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.

Policy #1 Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.

Analysis: *The City has recently approved several commercial development projects on adjacent parcels at or near the intersection of Hwy 99E and S Berg Parkway. Increased traffic volume may be a concern with a higher intensity of development, but this property is in close proximity to a fully improved signalized intersection at Highway 99E. A traffic study conducted by the applicant as a part of this application shows that the signal at Highway 99E and S Berg is operating adequately for the proposed change in zoning. ODOT questions the applicability of the applicant's report but indicates that the proposal will not significantly impact traffic functions at or near the site. Actual traffic impacts will be examined more closely upon submission of a specific development application.*

Policy #2 Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.

Analysis: *Under the current M-1 zoning, allowed uses are primarily industrial in nature as is the existing use by SR Smith. Under the proposed C-M zoning, the newly created corner parcel could be used for commercial use and/or for limited industrial use. The intensity of land use will be determined by the actual development of the property and will be reviewed through the Site and Design Review process. The proposed zoning will mirror zoning on the north side of Hwy 99E.*

Staff Report  
CPA 04-01/ LLA 04-01/ ZC 04-02  
Page 5 of 9

Policy #3 Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

Analysis: *Requests for comments were sent to all public facility and service providers (please see discussion under Public Services Element). No problems or issues were raised by utility or service providers.*

Policy #4 Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards

Analysis: *The area is not within an identified hazard area. Although the parent parcel lies along the top of the bank of the Molalla River, the proposed Lot Line Adjustment and rezone would apply to a parcel with little or no direct impact on the River bank.*

Policy #6 Canby shall recognize the unique character of certain areas and will utilize the following special requirements, in conjunction with the requirements of the Land Development and Planning Ordinance, in guiding the use and development of these unique areas.

Analysis: *The property is not identified as an "area of special concern" by the Comprehensive Plan.*

iv. **ENVIRONMENTAL CONCERNS**

**GOALS: TO PREVENT IDENTIFIED NATURAL AND HISTORIC RESOURCES.**

**TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION.**

**TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.**

Policy #1-R-A: Canby shall direct urban growth such that viable agricultural uses within the Urban Growth Boundary can continue as long as it is economically feasible for them to do so.

Analysis: *No part of the property is in agricultural use.*

vi. **PUBLIC FACILITIES AND SERVICES**

**GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.**

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

Analysis: *All needed public facility and service providers were sent a "Request for Comments" form. Canby Fire Department, Public Works, Wastewater Treatment, Canby Utility – Water and Electric, Northwest Natural, Canby School District, Willamette Broadband and ODOT all responded positively, indicating that services are available or will become available to serve the proposal. No concerns were raised with respect to the Zone Change and Comprehensive Plan Amendment.*

Staff Report  
CPA 04-01/ LLA 04-01/ ZC 04-02  
Page 7 of 9

**vii. ECONOMIC**

**GOAL: TO DIVERSIFY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.**

Policy #1: Canby shall promote increased industrial development at appropriate locations.

Analysis: *Industrial development is not specifically part of this application; the proposed rezone of the property would allow a higher diversity of uses and would allow the property to utilize highway exposure for a higher intensity of use.*

**viii. HOUSING**

**GOAL: TO PROVIDE FOR THE HOUSING NEEDS OF THE CITIZENS OF CANBY.**

Policy #2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

Analysis: *The proposed zone change would not allow housing as an outright allowed use or as a conditional use.*

**Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan:**

Staff concludes that the proposed Comprehensive Plan Amendment is consistent with the policies of the Comprehensive Plan. This site is designated for Light Industrial (M-1) on the Comprehensive Plan Land Use Map and the Zoning Map. The proposed Zone Change and Comprehensive Plan Amendment sought by the applicant would change the designation to Commercial Manufacturing (C-M).

**Consistency with Other Plans**

With the exception of the proposed change to the Comprehensive Plan Designation map, there is no conflict with other City plans.

**Other Applicable Criteria**

Necessary public facilities and services either exist or will be provided concurrent with development.

***V. CONCLUSION***

The proposal to amend the Comprehensive Plan Land Use map and Zoning map to change the designation and zoning from Light Industrial (M-1) to Commercial Manufacturing (C-M) is appropriate in light of the Goals and Policies of the Comprehensive Plan. Furthermore, all public facilities and services necessary either exist or will be provided concurrent with the development of the area.

***VI. RECOMMENDATION***

Based on the findings and conclusions presented in this report, and without benefit of a public hearing, staff recommends that the Planning Commission recommend approval to the City Council of CPA 04-01/ ZC 04-02/ LLA 04-01, an application to amend the Comprehensive Plan Land Use Map and Current Zoning Map for Tax Lot 400 of Tax Map 4-1E-05A from Light Industrial (M-1) to Commercial Manufacturing (C-M).

**Exhibits:**

1. Applicant's packet (including site plans and narrative)
2. Traffic Study prepared and submitted by applicant (not reviewed by City Engineer).
3. Request for comment forms
4. Letters from ODOT regarding traffic generation of the proposal.

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: April 20, 2004

TO:

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| <input type="checkbox"/> BIKE AND PED         | <input type="checkbox"/> LANCASTER ENGINEERING           |

The City has received CPA 04-01/ ZC 04-02/ LLA 04-01 an application by Plantore/SR Smith to adjust one lot line and change the zoning on tax lots 300,400,500,600,601& 602 of tax map 4-1E-05-A. Approval of the enclosed proposal requires a comprehensive plan amendment and zone change from M-1 Light Industrial to C-M Commercial Manufacturing. The proposed change would allow an increase in the intensity of use on the subject parcels, including the potential for commercial/retail use. The property is located on the southwest corner of the intersection of Highway 99E and SW Berg Parkway. No specific development proposals are included at this time.

Please review the enclosed application and site map and return with your comments to John Williams by Wednesday, April 27, 2004. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

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**Please check one box:**

- ☐ 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: Don Fairbrough Date: 4-26-04

Title: Fire Marshal Agency: CFD #62

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Signature: Ken Pasqua

Date: 5-20-04

Title: Chuy Agency: \_\_\_\_\_



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**Comments or Proposed Conditions:**

No Issue's on Zone Change

**Please check one box:**

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Signature: Doug Hester

Date: 26 Apr 04

Title: P.W. Supervisor

Agency: City of Canby

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Signature: Kevin Thamel

Date: 4/27/04

Title: Wastewater Supervisor Agency: WWTP

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**Comments or Proposed Conditions:**

The Landscaping and other face-lift efforts on these buildings is appreciated and also helps to improve the aesthetics when entering the park.

**Please check one box:**

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- ☐ Adequate public services are not available and will not become available

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

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## Comments or Proposed Conditions:

Approximate location of size of Northwally fire protection line to be confirmed prior to approval.

## Please check one box:

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Signature: Detrick PlantDate: 4/21/04Title: Water Dept ForemanAgency: CANBY UTILITY

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| <input type="checkbox"/> CITY ENGINEER             | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                       | <input type="checkbox"/> OREGON DEPT. TRANSPORTATION     |
| <input type="checkbox"/> NW NATURAL                | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND      | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL            | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY             | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED              | <input type="checkbox"/> LANCASTER ENGINEERING           |

The City has received CPA 04-01/ ZC 04-02/ LLA 04-01 an application by Plantore/SR Smith to adjust one lot line and change the zoning on tax lots 300,400,500,600,601& 602 of tax map 4-1E-05-A. Approval of the enclosed proposal requires a comprehensive plan amendment and zone change from M-1 Light Industrial to C-M Commercial Manufacturing. The proposed change would allow an increase in the intensity of use on the subject parcels, including the potential for commercial/retail use. The property is located on the southwest corner of the intersection of Highway 99E and SW Berg Parkway. No specific development proposals are included at this time.

Please review the enclosed application and site map and return with your comments to John Williams by Wednesday, April 27, 2004. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

## Comments or Proposed Conditions:

Easement will be required for existing utilities

Utilities will need to be protected during demolition

## Please check one box:

- ☐ 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: John Williams

Date: 4-26-04

Title: Like Foreman Agency: CANBY UTILITY ELEC.

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: April 20, 2004

TO:

<input type="checkbox"/> FIRE	<input type="checkbox"/> CANBY POST OFFICE
<input type="checkbox"/> POLICE	<input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR
<input type="checkbox"/> PUBLIC WORKS	<input type="checkbox"/> CLACKAMAS COUNTY 911
<input type="checkbox"/> CANBY ELECTRIC	<input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION
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Please review the enclosed application and site map and return with your comments to **John Williams** by **Wednesday, April 27, 2004**. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

### Comments or Proposed Conditions:

NO CONFLICTS. SEE ATTACHED MAP. NOTE  
DISCLAIMER

### Please check one box:

- ☐ Adequate Public Services (of your agency) are available
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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: April 20, 2004

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## Comments or Proposed Conditions:

No Comments

## Please check one box:

- ☐ Adequate Public Services (of your agency) are available
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- ☐ Conditions are needed, as indicated
- ☐ Adequate public services are not available and will not become available

Signature: Don BushDate: 4-21-04Title: ENG'R MGRAgency: CTA

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: April 20, 2004

TO:

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## Comments or Proposed Conditions:

This application will have no impact on the school district.

## Please check one box:

- ☒ Adequate Public Services (of your agency) are available
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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_



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(503) 266-9404

FAX 266-1574

DATE: April 20, 2004

TO:

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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

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[503] 266-9404

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DATE: April 20, 2004

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## Comments or Proposed Conditions:

No concerns.

## Please check one box:

- ☐ Adequate Public Services (of your agency) are available
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- ☐ Conditions are needed, as indicated
- ☐ Adequate public services are not available and will not become available

Signature: M. Aileen Elmore Date: \_\_\_\_\_

Title: Chairman Agency: Traffic Safety Comm.

40

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: April 20, 2004

- TO:
- |  |  |
|--|--|
| <input type="checkbox"/> FIRE                    | <input type="checkbox"/> CANBY POST OFFICE               |
| <input type="checkbox"/> POLICE                  | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR       |
| <input type="checkbox"/> PUBLIC WORKS            | <input type="checkbox"/> CLACKAMAS COUNTY 911            |
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Please review the enclosed application and site map and return with your comments to John Williams by Wednesday, April 27, 2004. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

### Comments or Proposed Conditions:

- Maintain bicycle lane on 99E
- Provide adequate sidewalks along 99E and Berg Pkwy.
- Provide at least one bicycle rack in front of new buildings.
- Protect run-off into Molalla River. Protect the <sup>(river)</sup> water!

### Please check one box:

- ☐ Adequate Public Services (of your agency) are available
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- ☒ Conditions are needed, as indicated
- ☐ Adequate public services are not available and will not become available

Signature: Robi Kurth

Date: May 22, 2004

Title: Chair Agency: Bicycle + Ped. Advisory Cmtee 41

*Received on May 11<sup>th</sup>*



# Oregon

Theodore R. Kulongoski, Governor

## Oregon Department of Transportation

ODOT Region 1  
123 NW Flanders St  
Portland, OR 97209  
Telephone (503)731-8200  
FAX (503)731-8259

TO: Bill Adams

FROM: Joseph Auth

DATE: 4/9/2004

RE: PlantOre Rezone TIA Comments

---

Upon review of the *PlantOre Rezoning Transportation Impact Analysis* (TIA) prepared by Group MacKenzie on March 4th, the TIA has some inconsistencies on the methodology used to determine 2018 conditions. Under thorough examination, ODOT Region-1 Traffic has determined not to request a revision of the TIA. This memorandum comments on the completeness of the TIA.

A background growth rate of 2.0% was used in the TIA based on the ODOT 1998 transportation volumes tables. If the TIA used the updated 2002 transportation volumes table, the study would have a background growth rate of 2.8%.

The TIA applied the incoming trips from the Canby Safeway. In review of the Canby Safeway Traffic Impact Study prepared by Lancaster Engineering in November 2001, the consultant used the inappropriate ITE Trip Generation Land Use Code for the grocery store. Lancaster Engineering should have used a "supermarket" trip generation instead of a "shopping center" trip generation.

According to the *City of Canby Transportation Plan*, an extension of Berg Parkway is planned from its current terminus approximately 0.2 miles south of 99E to 0.3 miles west of Elm Street. The Berg Parkway extension will allow additional access to the residential areas and shopping centers south of 99E. I had a discussion with Brian Freeman on April 8<sup>th</sup> who mentioned the extension improves the conditions at the 99E / Berg Parkway intersection. The Lancaster Engineering's TIA for the Canby Safeway appears to support Brian Freeman's conclusion.

The "Trip Generation" section of the TIA used the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 6<sup>th</sup> Edition*. A 7<sup>th</sup> Edition of this manual came out several months ago and should be applied to the trip generation. The TIA also did not use the proper method calculating trips for the Shopping Center land use. According to the *ITE Trip Generation Handbook*, the TIA should have used the "fitted curve equation" instead of the "average rate" for this land use.

Signal timing for the 99E / Berg Parkway intersection should be based on the coordinated system plan derived by ODOT Region-1 Signal Managers. The consultant

representing the land use for this site can obtain a copy of the Signal Manager Sychro files by contacting Nelson Chi at (503) 731-3014.

Overall, in applying the proper background growth, incoming trips, site trips, and using the Signal Managers signal timing; the studied intersections and accesses adhere to the 1999 Oregon Highway Plan volume to capacity ratio (v/c) standards. The 99E / 4<sup>th</sup> Avenue intersection appears to operate at LOS F in 2018 with a v/c close to 0.80. Future transportation impact studies in the proximity should keep an eye on the operation of this intersection.

A westbound right-turn lane is warranted at the 99E / Berg Parkway intersection based on background conditions. Since the proposed rezoning trips do not influence the warrant, ODOT will not request a right-turn lane for this intersection.

Since ODOT has not permitted the change of use for this site, the "rezone" TIA should have an analysis with and without the driveway onto 99E. The "land use" TIA should also conduct an analysis with and without the access onto 99E.

An ODOT Approach Road Permit application needs to be submitted for the driveway on 99E. This application should be submitted to the District 2B Access Coordinator, Loretta Kieffer, at the pre-application stages for a proposed development on the site. Loretta Kieffer can be contacted at (503) 353-8975.

The posted speed for the proposed access along 99E is 45 mph. The location of the existing driveway does not meet the access management spacing standards for private approaches on district highways (OAR 734-051-0115). A deviation would need to be performed for this driveway. Even though the applicant proposes to keep the driveway a right-in / right-out access, an intersection sight distance survey needs to perform for this driveway. The driveway should also provide adequate throat distance. All this information should be submitted with the ODOT Approach Road Permit application including information requested in OAR 734-051-0135.

If you have any questions, feel free to contact me at (503) 731-8225.



# Oregon

Theodore R. Kulongoski, Governor

## Oregon Department of Transportation

ODOT Region 1

123 NW Flanders St

Portland, OR 97209

Telephone (503)731-8200

FAX (503)731-8259

File code:

April 28, 2004

PLA9-2B -81

ODOT Case No: 1526

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

Attn: John Williams, Planning Director

Re: CPA 04-01/ZC 04-02: PlantOre Rezone  
OR 99E and Berg Pkwy

Dear Mr. Williams:

We have reviewed the applicant's proposal to for a comprehensive Plan and zone change amendment with a lot line adjustment at the southwest quadrant of the intersection. The site is adjacent to OR 99E. ODOT has permitting authority for this facility<sup>1</sup> and an interest in ensuring that the proposed land use is compatible with its safe and efficient operation.

### ODOT Standards

According to the Oregon Highway Plan (1999), OR 99E is classified a Regional Urban highway. The posted speed in this section is 45 miles per hour. Based on speed and classification, the access spacing standard is 750 ft. The mobility standard is 0.8 volume to capacity (v/c) ratio.

### ODOT Issues and Requirements

The requirement for an adequate transportation system is identified in both the City's development code and the Transportation System Plan (TSP). These requirements are based on state law (principally the Transportation Planning Rule (TPR) OAR 660-12-060). Although the application materials did not provide findings under this rule, it appears that the proposal does not create a significant impact as defined under the TPR. Based on the Transportation Impact Analysis (TIA), the proposal will meet ODOT's v/c mobility standard, assuming development of a reasonable worst case scenario.

<sup>1</sup> OAR 734-051 website: [http://arcweb.sos.state.or.us/rules/OARS\\_700/OAR\\_734/734\\_051.html](http://arcweb.sos.state.or.us/rules/OARS_700/OAR_734/734_051.html)

Please refer to the attached memo from Joseph Auth, Region 1 Traffic for further comments on the applicants TIA.

#### Recommended Conditions of Approval

ODOT recommends that if the city approves the plan and zone change amendment and lot line adjustment, that it make findings of compliance with the applicable provisions of the TPR, and findings that if an access is not granted to OR 99E, that access and site circulation can meet all ODOT and city access management standards. At this time, ODOT can not determine if a permit will be granted to access OR 99E since it would violate access spacing standards. Whether an access is granted will be determined upon site development review and access permit application to ODOT. An access may be approved, approved for a shared access with the adjoining property owner, limited to right-in/right-out, or denied. The access decision will be made upon permit application and in accordance with Access Management Rules in OAR 734-05100135.

If the city approves the application, it is recommended that the applicant be further notified of the following ODOT requirements for site development:

#### ODOT Permit Information

1. Curb, sidewalk and bikeways shall be constructed consistent with the local Transportation System Plan and Regional Transportation Plan (if applicable) to current local, ODOT/ADA standards to provide pedestrian and bicycle access to the site.
2. Right of way dedication as necessary to accommodate the planned cross section identified in the Transportation System Plan shall be provided through deed to the Oregon Department of Transportation, and demarcated on the final plat.
3. If access is proposed to OR 99E, an ODOT Approach Road Permit shall be obtained for access to the state highway for the proposed use.
4. An ODOT Miscellaneous Permit is required for all work in the highway right of way.
5. An ODOT Drainage Permit is required for connection to state highway drainage facilities. Connection will only be considered if the site's drainage naturally enters ODOT right of way. The applicant must provide ODOT District with a preliminary drainage plan showing impacts to the highway right of way. A drainage study prepared by an Oregon Registered Professional Engineer is usually required by ODOT if:
  1. Total peak runoff entering the highway right of way is greater than 1.77 cubic feet per second; or
  2. The improvements create an increase of the impervious surface area greater than 10,758 square feet.

Contact Loretta Kieffer, ODOT District 2B TITLE, at 503-353-8975 for information on the written permit application process.

Thank you for providing ODOT the opportunity to participate in this land use review. If you have any questions regarding this matter, please contact me at 503-731-8356.

Sincerely,

Bill Adams, AICP  
Region 1 Planning and Development

C: Loretta Kieffer, ODOT District 2B  
John Bosket, ODOT Region 1 Traffic  
Joseph Auth, ODOT Region 1 Traffic





## MEMORANDUM

**To:** Darren Nichols  
**From:** Catriona Sumrain  
**Date:** May 10, 2004  
**Subject:** ODOT comments on PlantOre zone change

---

Darren:

I have reviewed both the traffic study for the PlantOre site's zone change and ODOT's comments regarding the study. To briefly clarify the next few comments, I would like to make a quick statement. Sometimes there are several methodologies for determining the calculations in a traffic study. When this is the case, it becomes a judgment call on the part of the engineer doing the study as to what method to use to calculate the impact. So, in a way, both Group MacKenzie and ODOT have approached the traffic study from proper traffic engineering perspectives.

For example, the trip generation used in the study (and in the original Safeway study that I did some time back) can be done using more than one method. In my opinion, Group MacKenzie's approach is the more justifiable approach. Group MacKenzie followed the methods given in the Handbook for determining when to use the fitted curve or average rates. We can justify that if need be.

Overall, I had a few minor comments on the Group MacKenzie study, but nothing that would change the results of the study. Therefore, I will not go into them here, except to mention that the study should have included a right-turn lane warrant analysis for the highway driveway. But, it should be noted that the Group MacKenzie approach was the less conservative approach, whereas the ODOT approach was the more conservative approach.

ODOT does make one point that should be considered. The zone change will add a certain number of trips to the intersections in the area and use some of the available capacity of these intersections. If these trips are not accounted for in future zone changes or developments in the area (assuming the zone change is approved, of course), you could conceivably be adding trips from multiple zone changes and using the same available capacity at the intersections, eventually allowing more trips through these intersections than they can hold. Future growth in

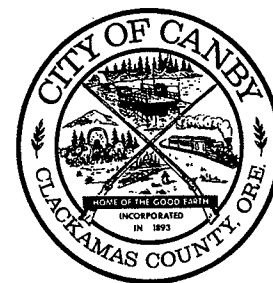


Darren Nichols  
May 10, 2004  
Page 2 of 2

this area should be monitored to ensure that the operation of the intersections does not degrade to unacceptable levels.

If you have any questions, please call me.

CS



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

<b>A REQUEST FOR APPROVAL TO AMEND CANBY'S COMPREHENSIVE PLAN, TO CHANGE ZONING AND TO ADJUST LOT LINES ON A 2.20 ACRE INDUSTRIAL PARCEL</b>	) ) ) ) ) ) )	<b>FINDINGS, CONCLUSION &amp; FINAL ORDER CPA 04-01/ ZC 04-02/ LLA 04-01 (Plantore/SR Smith)</b>
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**NATURE OF APPLICATION**

The applicant is seeking to amend the Comprehensive Plan Land Use Map and zoning designation and to reconfigure lot lines on a 2.20 acre taxlot at the southwest corner of Highway 99E and SW Berg Parkway. The applicant has not submitted a specific development proposal; site development is subject to Site and Design Review approval.

**HEARINGS**

The Planning Commission held a public hearing to consider this application at its meeting of May 10, 2004.

**CRITERIA AND STANDARDS**

**Section 16.88.180 - General Standards and Procedures  
Comprehensive Plan Amendments**

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

- A. The remainder of the Comprehensive Plan of the City, as well as the plans and policies of the county, state or any local school or service districts which may be affected by the amendment;
- B. Whether all required public facilities and services exist, or will be provided concurrent with the anticipated development of the area. (Ord. 740, Section 10.8.80, 1984)

**16.54.040 - Amendments to the Zoning Map  
Standards and Criteria**

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the City, giving special attention to Policy 6 of the Land Use Element and implementation measures therefor, and the plans and policies of the County, state and local districts in order to preserve functions and local aspects of land conservation and development;
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

**16.58.030 Lot Line Adjustments  
Review by Planner and Engineer**

The city planner and city engineer shall review the proposed lot line adjustment and shall determine whether the following criteria have been met:

- A. Each of the remaining parcels and any structures located thereon shall be in full compliance with all regulations of this title, including the setback requirements of Division III. Except, however, that lot line adjustments are permitted on non-conforming lots and lots with non-conforming structures provided that the non-conforming lots and structures will be no less in conformity as a result of the lot line adjustment.
- B. No new lots or parcels will be created as a result of the lot line adjustment without receiving approval as a partition or subdivision.
- C. If the city planner or city engineer deems it necessary to assure the accuracy of recorded information, a survey may be required of the applicant. Such will be at the applicant's cost.
- D. Lot line adjustments shall not be permitted where the result will be the creation of additional building sites in known hazardous locations or where the appropriate development or extension of public facilities will be impaired as a result.

## **FINDINGS AND REASONS**

The Planning Commission deliberated on all testimony presented at the May 10, 2004 public hearing and incorporates the April 30, 2004 staff report and Commission deliberations as support for its decision. The Planning Commission hereby accepts and incorporates findings in the April 30, 2004 staff report, insofar as they do not conflict with the following supplemental findings:

1. The Planning Commission discussed the applicant's proposal that property currently zoned for industrial use be rezoned for commercial use. The Commission finds that the proposed zone change is appropriate considering commercial uses on adjacent properties and considering the parcel's location on Highway 99E at the southern entrance to the city.
2. The Planning Commission finds that the applicant's proposal is in conformance with all applicable elements of Canby's Comprehensive Plan.
3. The Planning Commission finds that public services and facilities are available to adequately serve allowable development on the subject parcel as proposed by the Comprehensive Plan Amendment and Zone Change.
4. The Planning Commission finds that the applicant's proposal to consolidate operations, to adjust one lot line and demolish several existing buildings to create a newly vacant 2.20 acre parcel provides an appropriate aesthetic impact on surrounding properties. Additional consideration will be given to subsequent development impacts through the Site and Design Review process.

## **CONCLUSION**

The Planning Commission of the City of Canby concludes that based on the findings and conclusions contained in the April 30, 2004 staff report, testimony at the May 10, 2004 public hearing and Commission deliberations, CPA 04-01/ ZC 04-02/ LLA 04-01 will comply with all applicable criteria by the application of certain conditions.

## **Comprehensive Plan Amendments**

In judging whether a quasi-judicial plan amendment shall be approved, the Planning Commission and City Council shall consider:

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

*The proposed plan amendment is in conformance with Canby's Comprehensive Plan and conforms to the policies of County, State and local service districts.*

**Findings, Conclusions & Final Order**  
**CPA 04-01/ ZC 04-02/ LLA 04-01**  
**Page 3 of 7**

- B. Whether all required public facilities and services exist, or will be provided concurrent with the anticipated development of the area. (Ord. 740, Section 10.8.80, 1984)

*Public Facilities exist to serve anticipated development on the parcels.*

### **Amendments to the Zoning Map**

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the City, giving special attention to Policy 6 of the Land Use Element and implementation measures therefor, and the plans and policies of the County, state and local districts in order to preserve functions and local aspects of land conservation and development;  
*The proposed zone change conforms to the City's Comprehensive Plan including Policy 6 of the Land Use Element.*
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.  
*Public facilities and services exist to meet the needs of any use or development which would be permitted by the new zoning designation*

### **Lot Line Adjustments**

#### **Review by Planner and Engineer**

The city planner and city engineer shall review the proposed lot line adjustment and shall determine whether the following criteria have been met:

- A. Each of the remaining parcels and any structures located thereon shall be in full compliance with all regulations of this title, including the setback requirements of Division III. Except, however, that lot line adjustments are permitted on non-conforming lots and lots with non-conforming structures provided that the non-conforming lots and structures will be no less in conformity as a result of the lot line adjustment.

*All newly adjusted lots and remaining adjacent parcels are in conformance with the Land Development and Planning Ordinance regarding setbacks, lot sizes and building heights.*

- B. No new lots or parcels will be created as a result of the lot line adjustment without receiving approval as a partition or subdivision.  
*No new lots are created by the lot line adjustment.*
- C. If the city planner or city engineer deems it necessary to assure the accuracy of recorded information, a survey may be required of the applicant. Such will be at the applicant's cost.  
*A recorded survey will record the accuracy of the lot line adjustment.*
- D. Lot line adjustments shall not be permitted where the result will be the creation of additional building sites in known hazardous locations or where the appropriate development or extension of public facilities will be impaired as a result.  
*The proposed lot line adjustment does not create any hazards and does not compromise the extension of public facilities.*

#### **ORDER**

**IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that application **CPA 04-01/ ZC 04-02/ LLA 04-01** is approved, subject to the following conditions:

#### **For the Final Plat:**

1. A final survey map modified to illustrate the conditions of approval shall be submitted to the City Planner for review and approval. The survey map shall reference this land use application:  
**City of Canby File Number CPA 04-01/ ZC 04-02/ LLA 04-01**
2. The final map shall be a surveyed map meeting all of the specifications required by the Clackamas County Surveyor. The survey map shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk. A final copy of the signed, recorded map shall be provided to the Canby Planning Department prior to issuance of building permits.
3. A new deed and legal description for the adjusted parcels shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall also be provided to the Canby Planning Department with the survey map. New deeds are the instrument of recording for a Lot Line Adjustment; without properly recorded deeds, Lot Line Adjustment approval and survey maps shall be null and void.

4. All monumentation and recording fees shall be borne by the applicant.
5. Twelve (12) foot utility easements shall be provided along street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easements.

**Notes:**

6. The final survey map must be recorded with the Clackamas County Surveyor and presented to the City of Canby within one (1) year of approval in accordance with Canby Ordinance 16.58.060. Mylar copies of the final plat must be signed by the City Planning Director prior to recording the map with Clackamas County.
7. Existing buildings must be removed or modified in accordance with local law and/or in compliance with the Uniform Building Code prior to City of Canby approval of newly prepared deeds or plat map for all adjusted lot lines.
8. Subsequent development on the subject parcel shall be subject to Site and Design Review approval by the Canby Planning Commission prior to issuance of building permits.
9. Development of the newly created and newly zoned parcel is also subject to review and approval by the State of Oregon – DEQ for stormwater design and for any industrial contamination mitigation.
10. Further development of the newly zoned parcel is subject to review and approval by the State of Oregon (ODOT). ODOT shall review the traffic impacts of any subsequent proposal and shall determine permission status for any vehicle access onto Highway 99E.



**I CERTIFY THAT THIS ORDER** recommending approval of **CPA 04-01 and ZC 04-02** to the Canby City Council and approving **LLA 04-01** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 14th day of June, 2004.

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**James R. Brown, Chair**  
**Planning Commission**

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**Darren J. Nichols**  
**Associate Planner**

**ATTEST:**

**ORAL DECISION**                      **May 10, 2004**

AYES:                      Able, Brown, Ewert, Helbling, Manley, Molamphy

NOES:                      None

ABSTAIN:                      None

ABSENT:                      Tessman

**WRITTEN FINDINGS**                      **June 14, 2004**

AYES:

NOES:

ABSTAIN:

ABSENT:

**Findings, Conclusions & Final Order**  
**CPA 04-01/ ZC 04-02/ LLA 04-01**  
**Page 7 of 7**

# **MINUTES**

## **CANBY PLANNING COMMISSION**

7:00 PM May 10, 2004  
City Council Chambers, 155 NW 2nd

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### **I. ROLL CALL**

**PRESENT:** Chairman Jim Brown, Geoffrey Manley, Dan Ewert, John Molamphy, Robert Able, Tony Helbling.

**STAFF:** John Williams, Community Development and Planning Director, Darren Nichols, Associate Planner, Carla Ahl, Planning Staff.

**OTHERS PRESENT:** Tom Scott, Catie Fernandez, R. J. Larios, Mike DeDeng, Larry Sorenson, Chuck Sanders, Pat Sisul, Brian Freeman, Ryan Jacobson, Jeff Scott, Kenny Guisinger, Kory MacGregor, Jason Hansen, Jerry Foy, Pat Harmon, Ken Williams, Deborah Wade

### **II. CITIZEN INPUT**

None

### **III. NEW BUSINESS**

None

### **IV PUBLIC HEARINGS**

**SUB 04-04 Postlewait** The applicant is seeking approval to subdivide two parcels located on the west side of N. Redwood St. north of Hwy 99E and south of NE Territorial, containing 7.57 acres into 31 buildable lots of approximately 8,000 – 10,000 sf. for single family homes. One existing house is proposed to remain on a parcel adjacent to the north of the proposed subdivision.

Mr. Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

Darren Nichols, Associate Planner presented the staff report. He explained that the property contains springs and wetland, the applicant will consolidate the wetlands to 1 lot site and will make improvements to Willow Creek. He explained that the State has not approved the plan yet but approval is expected within 1 month.

Darren explained that this subdivision would add a small amount of traffic to the intersection at Hwy 99E and Territorial. He stated that the applicant had done his own traffic counts. The Traffic Engineer responded that the numbers provided by the applicant are what was expected.

Darren stated that the applicant will provide a 12' pedestrian access to the Logging Rd Trail. He has also offered to improve the Logging Rd behind the development by clearing out blackberries and brush, planting trees and installing ground cover. There is a condition and that if the applicant can keep the landscaping alive for 1 year the City would then accept it and take on the maintenance.

Darren stated that most of the Public Utility providers comments were technical in nature and will be addressed in the pre-construction conference. There were comments received from neighbors.

Pat Muller wrote in opposition of the subdivision based on the dwindling amount of open space in Canby and that schools are at capacity. She suggested the Commission hold off on allowing development and annexations for awhile.

Dan Liechner from Northeast Canby Neighborhood Association voiced concerns regarding the volume of traffic on Canby streets especially at Territorial and 99E. They suggested that the development be required to put in bike lanes along N Redwood to facilitate bicycle access.

Darren stated with conditions the proposed application meets the necessary criteria and staff recommends approval of the application.

Darren stated the applicant has requested waiving the solar requirements. He explained that he has done some research and many jurisdictions have abandoned their solar ordinances. The intention of the ordinance is to preserve light and air, but Canby already has setback requirements that provide about 98 percent of solar access. The shading requirement of the ordinance restricts some house plans and the owners modify the plans by removing windows from the affected side.

Mr. Able questioned the approval from the State regarding the wetland remediation. Darren stated he has not spoken with the State, but the applicant has told him that there would be an answer in 30 days which was about a week and a half ago.

Mr. Brown questioned the applicant's traffic count and asked if 3 additional vehicles at Hwy 99E was a reasonable amount. Darren stated he had spoken with the Traffic Engineer who explained that she had anticipated traffic moving differently, but was not surprised by the applicant's traffic count. John explained that they had asked the Traffic Engineer to comment on a traffic study their company had not collected the data for. This study looked at the Redwood and Hwy 99E intersection because it is an intersection that does not have capacity issues. But it is a good intersection to look at how much traffic is turning north.

#### **APPLICANT:**

**Pat Sisul**, Sisul Engineering addressed the Commission. He explained this application is for Phase I of the Postlewait Estates Development. It would create a loop street system through the 31 lot development. Mr. Sisul explained the average lot size will be about 8,200 square feet.

Mr. Sisul stated there is an existing wetland on site, most of the water to this wetland was cut off when the City installed storm drain improvements down the south side of the property along Redwood St., but there is still some underground water that surfaces in the middle of lot 4, it is not real active and not a high quality wetland nor will it ever be because there is no stream to give it water. The applicant has hired a wetland specialty firm to investigate the wetland, map it and to contact DSL and the Corp of Engineers. Through that process the idea came up to mitigate this wetland over in the Willow Creek area which is owned by the City. The neighbors have been contacted and are on board with the proposed improvements to the wetlands which include removal of invasive plants to expand the existing wetlands. That plan has been submitted and approved, what hasn't been approved is the fill permit for this site, but it is in the process and the state has 60 days to make a decision.

Mr. Brown clarified that the applicant has proposed to remove the wetland on this property. In exchange they will improve and create a larger wetland area in Willow Creek which already has a good water supply. Mr. Sisul explained that there will be a small area of wetland left on site due to the permit difference between an individual permit which is quite a lengthy process and the national permit which allows for ½ acre of fill. So the applicant will fill in ½ acre and leave a small remnant piece of wetland.

Mr. Sisul stated the wetland area will be fenced and maintained by the homeowners association. Mr. Brown questioned how the water will make its way to Lot #4. Mr. Sisul stated they will do what they can to direct as much water as possible to the wetlands using perforated pipes and roof drains from the surrounding property. There will be an outlet which will tie into the storm drain system and be raised up from the bottom of the wetlands to provide a permanent pool. He explained the fence would have a gate for maintenance reasons but would be a type (such as vinyl coated chain link) that would prevent people or pets from having access. Mr. Sisul added that the monument wall and fence would be maintained by the Homeowners Association.

Mr. Sisul addressed condition #13 which requires a 5' sidewalk along all street frontages including the frontages of the parent parcel along N. Redwood. Mr. Sisul explained their intent to improve just the part of the parent parcel that is in phase I, the improvements to the remaining frontage would be built along with phase II. He explained there will be utility stubs coming from Redwood that will be needed in phase II and they are not needed at this time. He suggested that the condition be changed to be specific to the part of the parent parcel that will be improved with phase I.

Mr. Sisul stated that when the applicant received the Traffic Engineers report they noticed that it was different than the report that was generated when this property was annexed in 2000, which proposed a 49 lot subdivision, this development is only 31. Mr. Sisul spoke with the Engineer and asked what the figures were based on and was told it was Engineers judgment. Since this is such a big issue the applicant spent 2 days having someone count traffic. What they found was that only 9-12% of the traffic from N. Redwood turned eastbound and of that half turned into Willow Creek. Mr. Sisul stated that since this development is close to the middle of N. Redwood the applicant believes most people will use the signalized intersection to go north on Hwy 99E.

**Tom Scott**, President, Willow Creek Estates, Inc. addressed the Commission. He believes this is a well thought out, well planned development. He explained they have been studying this site for 3 years primarily due to the wetlands issue. Mitigating the wetlands is a long drawn out process they have been working on for a year and a half and are very close to receiving approval from the Division of State Lands.

Mr. Scott explained his company will build out the site and this development would add about a 2 to 2 ½ year supply of building lots at the current sales rate. His company uses local suppliers and builders which supports the local economy.

Mr. Scott believes it is a very functional subdivision. He would like to clean up the Logging Rd and make it more functional for the citizens of Canby. He didn't know if it was a decision the Planning Commission could make but they would like to do it as part of this development.

Mr. Scott stated the development of this site would create a lot of income for the City and the businesses in town. The site is part of a storm water advanced financing district which this site owes about \$120,000 to be paid off through development. Through the build out of phase I there would be SDCs collected including \$135,000 for Parks, \$75,000 for Transportation, \$45,000 for Sewer, \$80,000 for Water System Development Charges, \$35,000 for Electric and \$45,000 to the local Planning and Building Department. At build out of these 31 sites we could expect new tax revenue of \$150,000. There will be \$12 Million dollars that will be spent developing this site, most of which will be spent locally which will help the economy.

Mr. Scott explained that the City needs new residents. The schools need additional revenue, the population needs to grow they can't afford to go backwards.

Mr. Scott stated that the intersection at 99E and Territorial was dangerous, he lives within 500 yards of the intersection, but doesn't use it 95% of the time. He stated the traffic study he did shows people who go north on Redwood St are turning west, heading for the interstate. Many people that turn east off Redwood are going to one of the subdivisions.

Mr. Brown asked where the residents of Postlewait Estates will recreate. Mr. Scott stated there were several parks in that area of town. Mr. Brown questioned what, besides the one time SDCs would the City gain from this development typically the fees and taxes that are raised do not cover the cost of services. Mr. Scott stated that business and industrial is the tax base that is needed in Canby, residents keep those things in town. To increase the industrial tax base you also need to increase the residents to support those businesses.

Mr. Ewert questioned what the price range of these homes would be. Mr. Scott stated they are anticipating them to be in the \$250,000 to \$400,000 range. Mr. Ewert asked what the time frame for the build out was for phase II. Mr. Scott stated they are estimating 2-2 ½ years for phase I and hopefully start phase II within 6 months of completion of phase I, approximately 12-15 homes a year.

Mr. Helbling questioned the wetland area and asked if the applicant had

considered to look at it as a greenspace or a park instead of something that had to be done to mitigate. Mr. Scott explained the parks people had said that small parks are not good for the City, 1 lot parks are harder and more costly to maintain and less likely to be used. Some wetlands needed to be maintained and this was the site of the original wetlands. Mr. Helbling stated that a fenced lot would accumulate trash and asked how it will be maintained. Mr. Scott stated it would be maintained by the Homeowners Association.

## **PROPONENTS:**

**Kory McGregor**, Owner of Roth Heating and Cooling addressed the Commission. He expressed his appreciation of the Commissions commitment to the City. He stated he has lived in Canby for 15 years from Carlton which has no overcrowding in schools or no traffic problems. But Canby is a much better community to live in. He stated his company hires over 80 people and that most of his business is not in the City of Canby.

Mr. McGregor stated that the Scotts have gone to school in Canby, and live right here in the City, even in the subdivisions they have built. They have created businesses and homes that are good for Canby. The Scott's are good members of the Community.

**Deborah Wade**, stated she has lived adjacent to this property for 10 years. She stated she is in favor of this subdivision. She explained there is other land in the City that has very good soil, but this area is not real productive. She would like to see the Scotts build this subdivision because they build quality homes that families that buy from them tend to contribute to the community and are good neighbors. She likes the fact they are willing to improve the Logging Rd since her property abuts it from the other side.

**Ken Williams** stated he has grown up in Canby and used to coach Tom Scott in T-ball. He is in the construction industry and believes the Scotts are good for Canby they contribute a lot of time and money to the City. He stated that Canby will grow, it is inevitable. He stated in other communities homes are going up on 3,000 square foot lots selling for the same amount of money. He believes this property will develop and the Scotts are the best people to make this happen.

**Ryan Jacobson** stated he is a local business owner and does a lot of subcontractor work for LES Inc. He stated that what is in this application for the City of Canby, was that Tom Scott almost always exclusively uses local people which keeps the money in the City. Canby is well served to develop quality homes like this.

**Pat Harmon** state he moved to Canby in 1962 and has seen it grow a lot. Everyone talks about quality of construction, which is great but the state mandates that we get highest and best use of our land, Canby is known for the quality of land but east of Redwood the soil quality start declining. The land was used for pasture and grass goes well with homes.

**Ken Guisinger**, Manager of Canby Building Supply stated that he has lived in

Canby for 30 years and that Canby has high quality builders that aren't found in other towns. It isn't about money, it is the quality of life the employees have by living in town. The City needs to continue to grow in planned circumstances and some of the residents need to be convinced that bringing new lots in a timely manner is important and bringing in larger areas of land doesn't mean it will all develop at once, it takes time. If we don't get new lots in Canby there will be a decline in employment.

## **OPPONENTS:**

None

Mr. Brown closed the public hearing and opened commission deliberations.

Mr. Able expressed his concern the approval from the state at this time and wanted it conditioned. He agrees that the little fenced off wetland areas can become ugly areas of weeds and blackberries. He wished it could have been integrated into the community better than being blocked off. He stated that with a development this large he would have like to have seen a park created.

Mr. Helbling believed this proposal makes sense to approve. The Commission has wanted to rechannel traffic down Redwood and away from the intersection at Territorial and Hwy 99E, this development does that. He agrees with the request from Mr. Sisul to reword condition #13 to specify phase I.

Mr. Manley was also concerned that the wetlands was not something that could be enjoyed, just a boxed off area that could not be seen or enjoyed. He stated that the applicant is asking that the sidewalk standard be waived so they could have curb tight sidewalks. He did not believe it should be waived.

Mr. Molalmpy had concerns about the wetlands also. If it does not get enough water it could become a fire hazard, when it rains will it be a pond or a bog, will it create a mosquito problem? He does not believe all the issues have been addressed.

Mr. Brown believed the solar requirement should be waived and that the code should be looked at. He expressed his concern that phase II should be coordinated with adjacent property owners to come up with a better design.

Mr. Brown read Pat Muller's letter in opposition to this development. He addressed the school issue and explained that the Commission always considers schools but they cannot use schools as the sole reason for denying an application.

Mr. Brown stated it was discussed at the last Planning Commission meeting that subdivisions that created traffic onto Territorial Rd intersection would have their certificate of occupancies tied to the completion of the signal at the intersection.

Darren stated that they have had conversations with the City Attorney and that any roadblocks at any phase of construction either at the start of annexation or the end of building permits basically becomes a defacto moratorium on development and there is concern about the legality of enforcing it. John explained that state law says if you

have a pattern of denying developments it is a defacto moratorium and you have to declare a moratorium. It is do able but there is a process under state law.

Mr. Brown stated this is a major policy decision and would like to have the Mayor and City Council's input. The Commission decided that a determination needed to be made as to what constitutes a "significant" amount of traffic before a policy can be made. It was discussed that it is not the amount of traffic at the intersection that is the problem it is the severity of the crashes at the intersection. It was decided that this was an idea worth pursuing.

It was moved by Mr. Able to approve SUB 04-04 with the amendments of condition #29 waiving the solar standards, #11 changing the typographical error of DEQ to DSL, #13 to include a reference to phase I of the parent parcel and #15 revise to allow curb tight sidewalks only along Redwood St. Seconded by Mr. Molamphy. Motion carried 4-2 with Mr. Manley and Mr. Ewert voting no.

**CPA 04-01/ZC 04-02 Plantore/SR Smith** The applicant is seeking to amend the Comprehensive Plan Land Use Map and zoning designation and to reconfigure a 2.20 acre taxlot on the southwest corner of Highway 99E and SW Berg Parkway. The property would be rezoned from Light Industrial to Heavy Commercial Manufacturing.

Mr. Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

Darren presented the staff report, he explained this application does not include a specific site development proposal, that would be subject to review at a later date. The SR Smith development contains just under 9 acres. The lot line adjustment and rezoning involves just 2.2 acres on the corner. The company has increased their efficiency and the buildings on that corner are no longer needed. They would like to remove those buildings and develop that property as CM, Commercial Manufacturing. To the west is the Molalla River, the property to the south is also zoned M1, light industrial, to the east the property is zoned C2, highway commercial and property to the north is zoned CM, commercial manufacturing.

Darren stated that there would be increased traffic volume at the intersection of Hwy 99E and Berg Parkway but it is a fully signalized intersection. He stated that ODOT has expressed a potential concern regarding the intensity of use but there is no site development proposed.

Darren stated there are no hazard areas identified with this portion of the property. There will be no impact on the Molalla River. All facilities are available and no concerns were expressed from utility providers.

Darren explained that the proposed rezone of the property would allow higher density of use and better utilize the exposure to the highway. The proposed zone change would not allow housing so there is no potential for residential development.

Darren stated that staff concludes the proposal meets all necessary criteria and



recommends approval.

**APPLICANT:**

**Katie Fernandez**, McKenzie Group representing Plantore/SR Smith. She explained they are proposing a zone change, comp plan amendment along with a lot line adjustment with the new zoning boundary. She stated that there is a demolition permit ready to be picked up for the demolition of the existing buildings.

Ms. Fernandez stated that the purpose of this application is to allow the owners more flexibility in redeveloping the site. Right now it is zoned industrial and the commercial manufacturing district allows retail and service type uses along with the industrial use under a conditional use permit.

Ms. Fernandez believes the necessary criteria has been met. There were issues raised by the Fire Department and the Electrical provider that were related to future development of the site and making sure that the utilities are taken care of during demolition.

Ms. Fernandez stated that the State has raised some issues with future development of the site with both the volume to capacity ratio and access to 99E. It is the applicant's wish that these issues be deferred to site and design review when we know what is proposed for the site and what the new tenants transportation needs are and what kind of impact they will have on the system. They have put together a traffic study based on worst case scenario which is a 14,000 square foot retail establishment and 4,500 square foot drive thru restaurant.

Mr. Able asked if there was any pending development or are they considering marketing it. Ms. Fernandez believes that Plantore is interviewing people to market the property. They intend to continue manufacturing at the SR Smith plant.

Mr. Manley questioned the shape of the proposed lot. Ms. Fernandez explained that the new property line is basically 20 feet from existing buildings that will remain on site. Mr. Manley asked if the idea is to share a common access on Berg Parkway. Ms. Fernandez stated that is the intention.

**PROPONENTS:**

None

**OPPONENTS:**

None

Mr. Brown closed the public hearing and opened Commission deliberations. He explained that it was pretty straight forward. The Commission would have another opportunity to look at this during site and design review.

Mr. Able asked what the availability was for commercial property. Mr. Brown

stated this is a desirable corner and could be merchandized many ways. It was discussed that this is the gateway to Canby and whether it should be an area of special concern. John explained that it would be a comprehensive plan amendment.

Mr. Ewert questioned if there were any issues with the City's right-of-way and Berg Parkway. John explained that the work designing the road to 13<sup>th</sup> is underway. The design of the intersection and truck movement would be looked at with the site and design review.

It was moved by Mr. Manley to recommend approval to the City Council of CPA 04-01/ZC 04-02 and to approve LLA 04-01 as written. Seconded by Mr. Ewert. Motion carried 6-0.

## **V FINDINGS**

**SUB 04-02** An application by Nick and Jamie Netter to subdivide two parcels into eleven building lots for the construction of single family homes. The parcels contain 2.98 acres located at 2147 NE Territorial Rd., west of Hwy 99E.

It was moved by Mr. Able to approve the Findings for SUB 04-02 as written. Seconded by Mr. Helbling. Motion carried 4-2 with Mr. Manley and Mr. Ewert voting no.

**SUB 04-03** An application by Primelan Properties requesting to subdivide one 4 acre parcel into twenty building lots for the construction of single family homes at 185 NE Territorial Rd. Located on the southwest corner of N. Juniper and NE Territorial Rd. Existing structures would be removed from the property.

It was moved by Mr. Manley to approve the Findings for SUB 04-03 as written. Seconded by Mr. Able. Motion carried 5-1 with Mr. Ewert voting no.

## **VI MINUTES**

It was moved by Mr. Ewert to approve the minutes of 4-12-04 with the modification of the date which was listed as March 22, 2004. Seconded by Mr. Manley. Motion carried 6-0.

## **VII DIRECTOR'S REPORT**

John asked if the Commission wanted to visit the solar ordinance. It was agreed to have staff work on it.

John addressed the commercial land supply availability, he explained that people have come into the office looking for commercial land, concerned about the price of commercial land and the location of the land that is available. The Commission stated they would like to have staff bring back some information.

John asked if it would be appropriate to have design standards for Highway 99E. There are design standards for the downtown and the industrial areas and it may be appropriate to have standards for the highway.

John asked if there was something the Commission wanted staff to do regarding the intersection at Hwy 99E and Territorial. Mr. Brown asked if there could be a joint meeting with the City Council. John explained there had been a discussion regarding having a meeting about the current land supply, it would be worthwhile having that meeting since there are 6 annexation applications for the next election. It was suggested that a joint meeting be set up to cover both issues.

John stated that the proposal to connect Ardnt Rd with NE 3<sup>rd</sup> St will be presented to the Clackamas County Board of Commissioners on May 25, 2004 at 9:30am. He stated he would confirm with the Commission regarding what will be presented.

John questioned the Commissioners regarding how many hearings they want to hear a night. It was decided to limit the hearings to 3 a meeting. If the backlog gets too large they would prefer to schedule a special meeting.

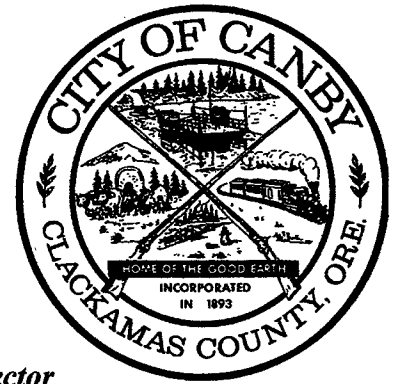
The Commission questioned where the Northwood application was. John explained that the Court of Appeals has had it's hearing and a decision is expected in June.

The Commission questioned what has happened with the Apollo homes subdivision. John explained that it is past the appeal time, but there have been no pre-construction meetings or proposals at this time.

Mr. Brown stated that Habitat for Humanity is looking for reasonably priced property to build on so if anyone has some property and is willing to sell let them know.

## **VIII ADJOURNMENT**

# MEMORANDUM



**TO:** *Honorable Mayor Thompson and City Council*  
**FROM:** *John R. Williams, Community Development & Planning Director*  
**THROUGH:** *Mark C. Adcock, City Administrator*  
**DATE:** *June 8, 2004*

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Issue: Update of System Development Charges.

Synopsis: The Council has requested annual updates to the System Development Charges to compensate for increased costs. The proposed increase is 6.19 percent.

Recommendation: Staff recommends that the City Council **approve Resolution 862, a resolution amending Canby's system development charges to account for inflation.**

Rationale: The Council has requested that the charges be updated annually in the future to avoid large increases. Specifically, Resolution 748 (approved June 2001) states that the annual update shall be based on the changes in the Engineering News Record Construction Index (ENR Index). In the past year, the index has registered an increase of 6.19 percent – due to increases in steel, lumber, and labor costs. Thus, staff has prepared this resolution with that percentage increase (the stormwater increase is a little higher, but it's the first time we've raised it in three years). For a new four-bedroom house the charges will increase as shown below:

	<u>Current rate</u>	<u>Proposed rate</u>
Sanitary Sewer	\$1,901	\$2,019
Transportation	\$1,961	\$2,085
Storm Drainage	\$70	\$80

(Note: the parks SDC is being dealt with as a separate agenda item.)

Options: 1. Based on the resolution adopted in 2001, the Council should adopt the new fees as proposed. Adoption of different rates would require a new plan for updating the SDCs. Frequent updates will ensure that we will not have to double or triple rates in the future, as we did in 2001.

Attached: 1. Resolution 862.

## **RESOLUTION NO. 862**

### **A RESOLUTION AMENDING CANBY'S SYSTEM DEVELOPMENT CHARGES TO ACCOUNT FOR INFLATION.**

**WHEREAS**, Resolution 748, adopted June 2001, specified that the City will review inflationary cost impacts to system development charges annually and update the charges by resolution when appropriate; and

**WHEREAS**, Resolution 748 specified that inflationary calculations are to be based upon changes in the Engineering News Record Construction Index of Portland; and

**WHEREAS**, The ENR index has increased 6.19% since the SDCs were last adjusted in 2002; and

**WHEREAS**, Section 26 (4) of Chapter 459 of Oregon Laws 1991 requires that a governing body, when adopting or amending a fee resolution imposing new rates, may include a provision classifying said fees as subject to or not subject to the limitations set in Section 11 (b), Article XI of the Oregon Constitution; now therefore it is hereby

**RESOLVED** that the system development charges for the City of Canby should be increased to the following rates to account for the 6.19% increase in construction costs:

#### **Sanitary Sewer**

Improvement Fee:	\$1,397.00 per EDU (equivalent dwelling unit)
Reimbursement Fee:	\$622.00 per EDU

#### **Transportation**

Improvement Fee:	\$200.00 per ELNDT (equivalent length new daily trip)
Reimbursement Fee:	\$18.00 per ELNDT

#### **Storm Drainage**

Improvement Fee:	\$6.00 per ELNDT
Reimbursement Fee:	unchanged (\$2.00 per ELNDT)

**BE IT FURTHER RESOLVED** that the Canby City Council hereby classifies the charges imposed herein as not being subject to the limitations imposed by Section 11(b), Article XI of the Oregon Constitution and that the City Recorder is hereby directed to publish notice in accordance with Oregon law.

This resolution is effective June 16<sup>th</sup>, 2004.

**ADOPTED** by the Canby City Council on the 16<sup>th</sup> day of June, 2004.

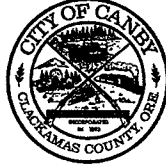
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Melody Thompson, Mayor

**ATTEST:**

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Kim Scheafer, City Recorder Pro Tem



## CITY COUNCIL MEMORANDUM

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**DATE:** JUNE 7, 2004  
**TO:** HONORABLE MAYOR THOMPSON AND CITY COUNCIL  
**FROM:** CHAUNEE SEIFRIED, FINANCE & COURT SERVICES DIRECTOR  
**RE:** A RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN BUDGET LINE ITEMS TO BALANCE THE 2003-2004 BUDGET.

---

### BACKGROUND:

The City's cost and expenditures of certain line items in this year's budget, i.e., 2003-2004 have been less in some cases and more in others, but expenditures of the various accounts have all been within the budget. Transfers of funds within the budget are now required in order to balance this year's budget. We had a change in the Technical Services fund and used Contract Services with the money not used in personal services.

### ISSUE:

The transfers hereby authorized are not prohibited by the City Charter or any law relating to municipal corporations and are authorized by ORS 294.450(1)

### RECOMMENDATION:

We recommend City Council adopt resolution 865 as written.

**RESOLUTION NO. 865**

**A RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN BUDGET  
LINE ITEMS TO BALANCE THE 2003-2004 BUDGET**

**WHEREAS**, the City's costs and expenditures of certain line items in this year's budget, i.e., 2003-2004 have been less in some cases and more in others, but expenditures of the various accounts have all been within the budget. Transfers of funds within the budget are now required in order to balance this year's budget, now, therefore it is hereby

**RESOLVED** that the City Administrator transfer or cause to be transferred as follows:

**FROM**

**TO**

**TECH SERV**

<b>Personal Services</b>	<b>14,000</b>	<b>Materials &amp; Services</b>	<b>14,000</b>
--------------------------	---------------	---------------------------------	---------------

<b>TOTAL RESOURCES</b>	<b>14,000</b>	<b>TOTAL REQUIREMENTS</b>	<b>14,000</b>
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The transfers hereby authorized are not prohibited by the City Charter or any law relating to municipal corporations and are authorized by ORS 294.450 (1).

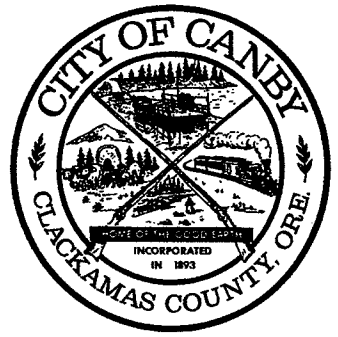
**ADOPTED** by the Canby City Council at a regular meeting thereof on June 16, 2004.

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, City Recorder Pro Tem





# MEMORANDUM

**TO:** *Honorable Mayor Thompson and City Council*  
**FROM:** *Matilda Deas, AICP, Project Planner*  
**THROUGH:** *Mark C. Adcock, City Administrator*  
**DATE:** *June 16, 2004*

---

Issue: Adoption of Amended System Development Charge Methodology

Synopsis: Resolution 867 implements the amended parks SDC methodology (Attachment "A") which brings the City in compliance with State Statute, and more accurately reflects the City's recently adopted Park Master Plan Update and Land Acquisition Plan Addendum.

Recommendation: Staff recommends that the City Council **approve Resolution 867, a resolution amending Canby's park system development charge methodology.**

Rationale: The City has completed an extensive review and update of our Parks Master Plan. The amended SDC methodology is one of two key components necessary to implement the updated Plan. If the Council approves Resolution 867, staff will bring to the Council a land dedication ordinance, which is the second and final component necessary to fully implement the Parks Master Plan and Land Acquisition Addendum.

Options: 1. Council should adopt Resolution 867 and move forward with implementation of the Parks Master Plan.

Attached: 1. Resolution 867  
2. Attachment "A"

## **RESOLUTION NO. 867**

### **A RESOLUTION AMENDING THE METHODOLOGY FOR PARKS AND RECREATION SYSTEM DEVELOPMENT CHARGE.**

**WHEREAS**, the Canby City Council has determined by Ordinance No. 867, that a charge shall be imposed upon new residential development for acquiring funds for capital acquisition, improvements, and for reimbursement of constructed excess capacity for municipal parks; and

**WHEREAS**, said Ordinance No. 867 provides that methodology and charges for capital acquisition, improvements, and reimbursements be amended by resolution; and

**WHEREAS**, ORS 310.145 requires that a governing body, when adopting or amending a fee resolution imposing new rates, may include a provision classifying said fees as subject or not subject to the limitations set in Section 11 (b), Article XI of the Oregon Constitution; and

**WHEREAS**, the City Council has determined that the methodology and rates hereinafter specified and established are just, reasonable and necessary;

**NOW, THEREFORE, BE IT RESOLVED**, that the following methodology for system development charges for the City of Canby, attached hereto as Exhibit "A", be adopted to amend the current parks and recreation system development charge effective immediately.

**BE IT FURTHER RESOLVED** that, except as otherwise specified in Ordinance 867, the City shall review inflationary cost impacts to park system development charges annually and update the charges by resolution when appropriate; such calculations will be measured by the City Recorder based upon changes in the Engineering News Record Construction Index (ENR) of Portland, Oregon, with the current ENR Index as of enactment of this Resolution to be used for the basis of future calculations.

**BE IT FURTHER RESOLVED** that the Canby City Council hereby classifies the charges imposed herein as not being subject to the limitations imposed by Section 11 (b), Article XI of the Oregon Constitution and that this Resolution serves as public notice in accordance with ORS 310.145.

**ADOPTED** by the Canby City Council for the City of Canby, Oregon this 16<sup>th</sup> day of June 2004.

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, City Recorder – Pro Tem

**BEERY, ELSNER & HAMMOND, LLP**  
ATTORNEYS AT LAW

PAMELA J. BEERY\*  
PAUL C. ELSNER  
JOHN H. HAMMOND, JR.

1750 SW HARBOR WAY, SUITE 380 PORTLAND, OREGON 97201-5164  
TELEPHONE (503) 226-7191 FACSIMILE (503) 226-2348  
[WWW.GOV-LAW.COM](http://WWW.GOV-LAW.COM)

THOMAS SPONSLER †  
DAVID F. DOUGHMAN  
SPENCER Q. PARSONS

\* Also admitted  
in Washington  
† Of Counsel

June 10, 2004

**SENT VIA E-MAIL AND FIRST CLASS MAIL**

Randy Carson  
City Counselor  
City of Canby  
P.O. Box 930  
Canby, OR 97013

Re: City of Canby Draft Resolution Authorizing Issuance of Water System Revenue Bonds

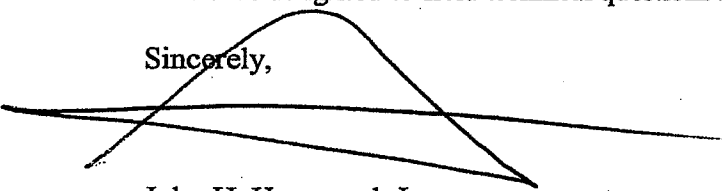
Dear Randy:

Enclosed is a draft Resolution prepared by Harvey Rogers, Bond Counsel for the City of Canby, which, if adopted by the City Council, would authorize the issuance of water system revenue bonds not to exceed \$2,900,000.00. As you are aware, because of the nature of the Canby City Charter, it is necessary for the City of Canby to authorize the issuance of these revenue bonds.

It is my understanding that the City Council will consider adoption of this resolution at their meeting of June 16, 2004. Chair Shawn Carroll, General Manager Dirk Borges, and Finance Manager Jeff Wadsworth will be available at the meeting to answer any questions that the City Council may have regarding the matter. We also asked Harvey Rogers or another representative from Preston Gates to be present at the meeting to be available to answer questions.

If you have any questions, we would be happy to attempt to answer them. I know that Harvey would be delighted to field technical questions relating to bond issuance.

Sincerely,



John H. Hammond, Jr.  
Board Attorney

JHH/ljk  
encl.

cc: Dirk Borges, General Manager, Canby Utility w/encl.  
Harvey W. Rogers, Attorney at Law w/o encl.  
John H. Kelley, Attorney at Law w/encl.  
Jeff Wadsworth, Finance Manager, Canby Utility Board w/o encl.

## **RESOLUTION NO. 868**

### **A RESOLUTION OF CITY OF CANBY, CLACKAMAS COUNTY, OREGON, AUTHORIZING THE ISSUANCE OF WATER SYSTEM REVENUE BONDS FOR A TOTAL NOT TO EXCEED \$2,900,000, AND PROVIDING FOR PUBLICATION OF NOTICE.**

The City of Canby resolves as follows:

#### **Section 1. Findings**

The Council finds as follows:

1.1 It is financially feasible and in the best interests of the City to authorize the issuance of bonds under the Uniform Revenue Bond Act to finance improvements to the City's water system, including storage, treatment and security improvements (the "Projects").

1.2 The City is authorized to issue revenue bonds for any public purpose under Oregon's Uniform Revenue Bond Act (ORS 288.805 to 288.945 or the "Act"). Revenue bonds issued under the Act may be payable from all or any portion of the water system revenues of the City (the "Water System Revenues").

1.3 It is desirable to obtain \$2,900,000 of bonding authority to finance the Projects.

1.4 The City will cause a plan to be prepared showing that the City's estimated Water System Revenues which are pledged to pay each series of bonds authorized by this resolution will be sufficient to pay that series.

#### **Section 2. Bonds Authorized**

The City hereby authorizes the issuance of not more than Two Million Nine Hundred Thousand Dollars (\$2,900,000) in aggregate principal amount of revenue bonds to finance the Projects and pay related costs. The bonds shall be issued and sold in accordance with the Act, and shall be payable solely from the Water System Revenues which the City pledges to pay the bonds. Prior to selling the bonds the City Council shall establish by resolution or delegate the authority to establish the terms and conditions of the bonds pursuant to ORS 288.520.

#### **Section 3. Notice; Procedure**

3.1 No bonds may be sold, and no purchase agreement for the bonds may be executed, until at least sixty (60) days after publication of the Notice of Revenue Bond Authorization, which is attached to this resolution as Exhibit "A" (the "Notice"). The Notice shall specify the last date on which petitions may be submitted, and shall be published in at least one newspaper of general circulation in the City in the same manner as are other public notices of the City.

3.2 If petitions for an election, containing valid signatures of not less than five percent (5%) of the City's electors, are received by the date indicated in the Notice: the question of issuing the bonds shall be placed on the ballot at the next legally available election date; and, no bonds may

be sold under this ordinance until the question of issuing those bonds is approved by a majority of the electors of the City who vote on that question.

#### **Section 4. Bonds Payable Solely from Water System Revenues**

The bonds shall not be general obligations of the City, and neither the authorization nor issuance of the bonds shall authorize the City to levy any additional taxes. The bonds shall be payable solely from the portion of the Water System Revenues which the City pledges to payment of the bonds pursuant to ORS 288.825(1) and the resolution to be adopted by the City pursuant to Section 2 of this resolution.

#### **Section 5. Reimbursement**

The City hereby declares its official intent to reimburse its expenditures on the Projects with the proceeds of the bonds pursuant to United States Treasury Regulation 1.150-2. The City Council hereby authorizes the General Manager or the Finance Manager of the Canby Utility Board to make future declarations of intent to reimburse on behalf of the City.

#### **Section 6. Effective Date**

This resolution takes effect upon adoption by the City Council.

The foregoing Resolution was adopted this \_\_ day of \_\_\_\_, 2004.

**City of Canby**

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Recorder

Exhibit A

Notice of Revenue Bond Authorization

NOTICE IS HEREBY GIVEN that the City Council of the City of Canby, Oregon (the "City"), adopted Resolution No. \_\_\_\_ on \_\_\_\_, 2004, authorizing the issuance of water system revenue bonds to finance improvements to the City's water system, including storage, treatment and security improvements (the "Projects").

The City Council may establish by subsequent resolution all terms, conditions and covenants relating to the bonds and the water system revenues that will be pledged to the bonds.

The revenue bonds described in this notice will not be issued in an aggregate principal amount of more than Two Million Nine Hundred Thousand Dollars (\$2,900,000). The bonds shall be payable solely from the portion of the "revenues" (as defined in the Uniform Revenue Bond Act ORS 288.805 to 288.945, or the "Act") from the City's water system which the City pledges to the payment of the bonds. The bonds shall not be general obligations of the City, nor a charge upon its tax revenues, but will be payable solely from the revenues which the City pledges to the payment of the bonds.

If written petitions requesting an election on the issuance of the bonds, signed by not less than five percent (5%) of the City's electors, are filed at the Office of the City Recorder on or before \_\_\_\_ [insert the 61st day after the date of publication of the notice], the question of issuing the bonds shall be placed on the ballot at the next legally available election date.

The Office of the City Recorder is located at [insert address].

The resolution authorizing the bonds is available for inspection at the Office of the City Recorder.

The bonds will be issued and sold under the Act; this Notice is published pursuant to ORS 288.815(6).

By order of  
THE CITY COUNCIL OF CITY OF CANBY,  
Clackamas County, Oregon

**CITY OF CANBY**  
**Parks and Recreation System Development Charges**  
**Update Methodology Report**

**1.0 INTRODUCTION**

System Development Charges (SDCs) are one-time fees charged to new development to help pay a portion of the costs associated with building capital facilities to meet needs created by growth. Oregon local governments are authorized to enact for capital facilities for transportation, water, wastewater (sewer), stormwater drainage, and parks and recreation facilities, and the City of Canby has implemented for all authorized facilities, and the City's Parks SDC was last updated in 2001.

In February of 2002, the Canby City Council adopted an update to the Parks Master Plan and adopted an acquisition plan as an addendum to the Parks Master Plan prepared by Community Planning Workshop. The Parks Master Plan and Acquisition Plan addendum identifies parks facility needs through the year 2020. In order to implement the updated Parks Master Plan and Acquisition Plan Addendum, staff prepared a Park Land Dedication Ordinance and System Development Charge Methodology for parks that includes park SDCs for residential and non-residential development that reflect growth-required facility needs identified in the Master Plan. This report presents the SDC methodology, documents the calculation of Parks and Recreation SDC rates, and identifies projects to be funded from SDC revenues.

Section 2.0 of this report presents authority and background information including (1) legislative authority for SDCs;  
(2) an explanation of "improvement fee" and "reimbursement fee" SDCs;  
(3) requirements and options for credits, exemptions and discounts;  
(4) guiding concepts for and  
(5) alternative methodology approaches.

Section 3.0 presents the methodology used to develop the updated Parks and Recreation SDCs, section 4.0 presents the calculation of Residential Parks and Recreation SDC Rates, and section 5.0 presents the calculation of Non-residential Parks and Recreation SDC Rates. The Parks and Recreation SDC Capital Improvement Program (CIP), which lists projects which may be funded with SDC revenues, is included as an Attachment to this report.

**2.0 AUTHORITY AND BACKGROUND INFORMATION**

***A. Legislative Authority***

While SDCs have been in use in Oregon since the mid-1970's, State legislation regarding SDCs was not adopted until 1989, when the Oregon Systems Development Act (ORS 223.297 223.314) was passed. The purpose of this Act was to "...provide a uniform framework for the imposition of system development charges...". SB 122, HB 3172, and HB 2980, passed in 1993, 1999, and 2001 respectively, and SB 939 passed in 2003 effective July 1, 2004,



include additional statutory provisions regarding SDCs. Together, these pieces of legislation require local governments who enact SDCs to:

- enact by ordinance or resolution;
- develop a methodology outlining how the SDCs were developed;
- adopt a Capital Improvement Program (CIP) to designate capital improvements that can be funded with "improvement fee" SDC revenues;
- provide credit against the amount of the SDC for the construction of certain "qualified public improvements";
- demonstrate that a particular project is not on the list of SDC eligible improvements in order to deny a credit,
- separately account for and report receipt and expenditure of SDC revenues; and develop procedures for challenging expenditures; and
- use SDC revenues only for capital expenditures (operations and maintenance uses are prohibited);
- ensure that both reimbursement fees and improvement fees are not imposed for the identical capacity,
- replace any misspent amounts with moneys derived from other revenues within one year following a determination that the funds were misspent;
- revise the definition of a capital improvement;
- demonstrate that certain factors were taken into account when establishing improvement fees,
- ensure that improvement and reimbursement fees are proportional to the impact of new development;
- provide written notice to persons who have submitted a written request for notification 90 days prior to the first hearing to adopt or amend a System Development Charge ;and
- provide an annual accounting of expenditures to be completed by January 1 or each year, which includes :
  1. the total amount of system development charge revenues collected for each system and the projects that were funded from the previous fiscal year; and
  2. a list of the amount spent on each project funded, in whole or in part, with system development charges

***B. "Improvement fee" and "Reimbursement fee" SDCs***

The Oregon Systems Development Act provides for the imposition of two types of SDCs: (1) "improvement fee" SDCs, and (2) "reimbursement fee" SDCs. "Improvement fee" SDCs may be charged for new capital improvements that will increase capacity. Revenues from "improvement fee" SDCs may be spent only on capacity-increasing capital improvements identified in the required Capital Improvement Program (CIP) that lists each project, and the expected timing and cost of each project. "Reimbursement fee" SDCs may be charged for the costs of existing capital facilities if "excess capacity" is available to accommodate growth. Revenues from "reimbursement fees" may be used on any capital improvement project, including major repairs, upgrades, or renovations. Capital improvements funded with "reimbursement fee" SDCs do not need to increase capacity, but they must be listed in the CIP.

### ***C. Requirements and Options for Credits, Exemptions, and Discounts***

#### **(1) Credits**

A credit is a reduction in the amount of the SDC for a specific development. The Oregon SDC Act requires that credit be allowed for the construction of a "qualified public improvement" which (1) is required as a condition of development approval, (2) is identified in the Capital Improvement Plan, and (3) either is not located on or contiguous to property that is the subject of development approval, or is located on or contiguous to such property and is required to be built larger or with greater capacity than is necessary for the particular development project. The credit for a qualified public improvement may only be applied against an SDC for the same type of improvement (e.g., a parks and recreation improvement can only be used for a credit for a parks and recreation SDC), and may be granted only for the cost of that portion of an improvement which exceeds the minimum standard facility size or capacity needed to serve the particular project. For multi-phase projects, any excess credit may be applied against that accrue in subsequent phases of the original development project.

In addition to these required credits, the City may, if it so chooses, provide a greater credit, establish a system providing for the transferability of credits, provide a credit for a capital improvement not identified in the Capital Improvement Plan, or provide a share of the cost of an improvement by other means.

#### **(2) Exemptions**

The City may "exempt" certain types of development, such as "non-residential development" from the requirement to pay parks SDCs. Exemptions reduce SDC revenues and, therefore, increase the amounts that must come from other sources, such as bonds and property taxes.

#### **(3) Discounts**

The City may "discount" the amount of the SDC by reducing the portion of growth-required improvements to be funded with SDCs. A discount in the SDC may also be applied on a pro-rata basis to any identified deficiencies to be funded from non-SDC sources. For example, the City may charge new development an SDC rate sufficient to recover only 75% of identified growth-required costs. The portion of growth-required costs to be funded with must be identified in the SDCCIP.

Because discounts reduce SDC revenues, they increase the amounts that must come from other sources, such as bonds or general fund contributions, required to meet Level of Service Standards.

#### ***D. Guiding Concepts***

The Oregon Revised Statutes provides the source of authority for the adoption of an SDC program. There is some dispute whether SDCs are also subject to the requirements of some recent US Supreme Court cases, in particular, *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*. More recent Supreme Court cases, including *Eastern Enterprises v. Apfel* and *Del Monte Dunes v. City of Monterey*, suggest that SDC's are not subject to the requirements of *Nollan* and *Dolan*. Nonetheless, even if SDCs are not subject to the requirements of *Nollan* and *Dolan*, the method described in this report meets those requirements as follows:"

##### **(1) "Essential Nexus" Requirement**

In a 1987 case, *Nollan v. California Coastal Commission*, the U.S. Supreme Court established that government agencies must show that an "essential nexus" (e.g. reasonable connection) exists between a project's impacts and any dedication requirements. For SDCs, the "essential nexus" requirement means there must be a reasonable connection between the nature of the development and the facilities being funded with the SDC revenues. For example, new parks are needed to serve the recreation needs of new development in order to prevent overcrowding of existing facilities and to meet the needs identified in the City's Parks and Recreation Master Plan; therefore an "essential nexus" exists between new development and the SDCs needed to build parks to serve new development.

##### **(2) "Rough Proportionality" Requirement**

In its landmark 1994 decision in *Dolan v. City of Tigard*, the U.S. Supreme Court cited the requirement for "rough proportionality" between the requirements placed on a developer by government and the impacts of the development. This concept of rough proportionality is applied in "improvement fee" SDCs by insuring that new growth is not required to pay (through fees, exactions, or taxes) to upgrade existing deficiencies or provide new facilities beyond a level "roughly proportionate" with the extent of new development's impact; "improvement fee" SDCs can be charged only for the portion of capital facilities costs that are attributable to growth. As an example, if an SDC is designed to provide funding for Neighborhood Parks at a Level of Service (LOS) of 10 acres per 1,000 persons, new development can only be charged a fee sufficient to provide facilities for new residents at 10 acres per 1,000 persons, and cannot be required to pay additional costs that may be needed to eliminate deficiencies.

### ***E. Alternative Methodology Approaches***

There are three basic approaches used to develop improvement fee SDCs; “standards-driven”, “improvements-driven”, and “combination/hybrid”.

#### **(1) Standards-Driven Approach**

The “standards-driven” approach is based on the application of Level of Service (LOS) Standards for facilities such as neighborhood parks, community parks, etc. Facility needs are determined by applying the LOS Standards to the projected future population. SDC-eligible amounts are calculated based on the costs of additional facilities needed to serve growth. This approach works best where current and planned levels of service have been identified but no specific list of projects is available.

#### **(2) Improvements-Driven Approach**

The “improvements-driven” approach is based on a specific list of planned capacity-increasing capital improvements. The portion of each project that is attributable to growth is determined, and the SDC-eligible costs are calculated by dividing the total costs of growth-required projects by the projected increase in population. This approach works best where a detailed master plan or project list is available and the benefits of projects can be apportioned between growth and current residents.

#### **(3) Combination/Hybrid Approach**

The combination/hybrid-approach includes elements of both the “improvements driven” and “standards-driven” approaches. If not already adopted, LOS Standards may be developed and used to create a list of planned capacity increasing projects. The growth-required portions of projects can then be used as the basis for determining the SDC-eligible costs. This approach works best where a detailed master plan or project list of capacity needs has not recently been developed and where sufficient data is available to identify the existing Levels of Service.

### **3.0 PARKS AND RECREATION SDC METHODOLOGY**

The Combination/Hybrid approach has been used to develop the updated Parks and Recreation SDC methodology. The City of Canby’s Parks Master Plan and Acquisition Plan Addendum identified the current park facilities and anticipated future needs through the year 2020 based on the City’s adopted Level of Service Standard of 10 acres per 1000 persons. A list of Capital improvement projects has been developed to address the facility needs for the City’s projected population and employment in the year 2020. The SDC Capital Improvement Plan (see Table 3.8) identifies these projects. Attachment A

identifies the growth-required portion, and the estimated cost of each project listed on the CIP. Table 3.9 summarizes Attachment A.

Parks and recreation facilities benefit City residents, businesses, non-resident employees, and visitors. The methodology used to update the City's Parks and Recreation establishes the required "essential nexus" between a project's impacts and the SDC by identifying specific types of parks and recreation facilities and analyzing the proportionate need of each type of facility for use by residents and employees. The SDCs to be paid by a development meet the "rough proportionality" requirement because they are based on the nature of the development and the extent of the impact of the development on the types of parks and recreation facilities for which they are charged. The Parks and Recreation SDCs are based on population and employment, and the SDC rates are calculated based on the specific impact a development is expected to have on the City's population and employment.

In most communities, some facilities may not be used by employees (e.g. mini and neighborhood parks in exclusively residential areas located miles from commercial and industrial areas) and therefore only a residential parks and recreation SDC may be charged. Wait Park is an example of a mini park that serves both residents and businesses. However, it is likely that future mini and neighborhood parks in Canby will be used primarily by nearby residents. Therefore non residential SDCs shall not be levied for future mini or neighborhood parks. If in the future a mini and/or neighborhood park(s) is developed that serves the non residential community, the City will adjust the SDC methodology to account for those individual parks.

#### ***A. Population and Employment Growth***

The Parks and Recreation SDCs are based on the growth-required capital costs per "capita"(person). Estimates of current and projected population and employment within the City of Canby Urban Growth Boundary (UGB) were based on Canby's 1999 Buildable Lands Inventory, the Population Research Center at Portland State University and employment information provided by Metro. The projected total increases in population and employment created by new development are shown in Table 3.1 below.

**Table 3.1**

**PROJECTED CITY OF CANBY POPULATION AND EMPLOYMENT  
INCREASES FROM NEW DEVELOPMENT 2003- 2020)**

	<u>2020 (Projected)</u>	<u>Estimated</u> <u>2003</u>	<u>Projected Increase</u>
Population:	21,000	13,910	7090
Employment:	7349	3,347	4,002

#### ***B. Persons Per Dwelling Unit***

Parks and Recreation SDC rates are based on costs per capita and are calculated based on the number of persons per dwelling unit. Dwelling units typically house different numbers of persons depending on the type of unit (i.e., single family, multi-family, etc.). Persons per dwelling unit data from the City of Canby's Parks Acquisition Plan are

displayed in Table 3.2 below.

**Table 3.2**

**AVERAGE PERSONS PER DWELLING UNIT**

<u>Type of unit</u>	<u>Avg. Persons Per Dwelling Unit</u>
Single-Family	2.7
Multi-Family	2.0
Manufactured Housing	2.0

***C. Benefit of Facilities***

Facility need must consider the proportionate benefit each type of facility has for residents and employees. A resident is any person whose place of residence is within the Canby UGB. An employee is any person who receives remuneration for services, and whose services are directed and controlled either by the employee (self-employed) or by another person or organization. For purposes of this report, mini-parks and neighborhood parks are considered to be used primarily by residents, rather than employees and other non-residents. Therefore, the identified needs for these types of facilities are based only on population and do not consider employment. For all other facilities including community parks, linear parks, trails and connectors etc. both population and employment were considered in identification of facility needs.

While parks and recreation facilities benefit both residents and employees, the amount of time these facilities are available for use by employees is not the same as for residents; an employee does not create demands for facilities equal to those created by a resident. In order to equitably apportion the need for facilities between employees and residents, an employee-to-resident demand ratio was developed based on the *potential time* these facilities are available for use.

First, estimates for the average number of hours per day these facilities are available for use were identified. Children's ages, adult employment status, work location (inside or outside the City), and seasonal variances were taken into account and are displayed in Table 3.3.

**Table 3.3**  
**ESTIMATES OF AVERAGE DAILY**  
**AVAILABILITY OF PARKS AND RECREATION FACILITIES**

	Non-Employed		Live In/ Work In	Live in/ Work Out	Live Out/ Work In	Total
	<u>Adult (18+)</u>	<u>5-17 kids</u>				
<b>Summer (June-Sept)</b>						
<u>Weekday</u>						
Before Work			1		1	2
Meals/Breaks			1		1	2
After Work			2		2	4
Other Leisure	14	14	2	2		32
Sub-Total	14	14	6	2	4	40
<u>Weekend</u>						
Leisure	14	14	14	14	0	56
Sub-total	14	14	14	14	0	56
Summer Hrs/Day	14	14	8.28	5.43	2.86	44.57
<b>Spring/Fall (april-May, Oct-No</b>						
<u>Weekday</u>						
Before work			0.5		0.5	1
Meals/Breaks			1		1	2
After Work			1		1	2
Other Leisure	10	4	2	2	0	18
Sub-Total	10	4	4.5	2	2.5	23
<u>Weekend</u>						
Leisure	10	10	10	10	0	40
Sub-Total	10	10	10	10		40
Spring/Fall Hrs/Day	10	5.71	6.07	4.29	1.79	27.86
<b>Winter (December-March)</b>						
<u>Weekday</u>						
Before Work			0.5		0.5	1
Meals/Breaks			1		1	2
After Work			0.5		0.5	1
Other Leisure	9	2	1	1		13
Sub-Total	9	2	3	1	2	17
<u>Weekend</u>						
Leisure	9	9	9	9	0	36
Sub-Total	9	9	9	9	0	36
Winter Hrs/Day	9	4	4.71	3.29	1.43	22.43
Annual Wtd. Avg. Hrs	10.75	7.35	6.28	4.32	1.97	30.68

The Annual Weighted Average Hours of availability was calculated for each category of residents and employees using the following formula:

$$(\text{Summer Hours/Day} \times 3 [\text{months}] + \text{Spring/Fall Hours/Day} \times 6 + \text{Winter Hours/Day} \times 3) / 12$$

Next, the Annual Weighted Average Hours (from Table 3.3) were applied to population and employment data (1990 Census) to determine the Total Annual Weighted Average Hours for each category of Resident and Employee. The results of these calculations are displayed in Table 3.4.

**Table 3.4**  
**TOTAL ANNUAL AVAILABILITY**  
**OF PARKS AND RECREATION FACILITIES**

	Non-Employed Adult (18+)	5-17 kids	Live In/ Work In	Live in/ Work Out	Live Out/ Work In	Total
Population & Emp. Data (1990 Census/Metro)	2266	1877	955	3287	812	9197
Annual Wtd. Avg. Hrs.	10.75	7.35	6.28	4.32	1.97	30.67
<b>Total Annual Wtd Avg. Hrs.</b>	<b>24,360</b>	<b>13,796</b>	<b>5,997</b>	<b>14,200</b>	<b>1,600</b>	<b>59,952</b>

Next the available hours from Table 3.4 were allocated between employment-related hours and residence-related hours as displayed in Table 3.5 below.



**Table 3.5**

**TOTAL RESIDENCE AND EMPLOYMENT RELATED  
AVAILABILITY OF PARK AND RECREATION FACILITIES**

	<u>Hours</u>	<u>% of Total</u>
<u>Residence Related</u>		
Resident Non-Employee	52,356	87.33%
Resident Employee	<u>4,016</u>	<u>6.70%</u>
Sub-total	56,372	94.03%
 <u>Employment Related</u>		
Resident Employee	1,979	3.30%
Non-Resident Employee	<u>1,598</u>	<u>2.67%</u>
Sub-total:	3,577	5.97%

Finally, the Employee-to-Resident Parks Demand Ratio was calculated by dividing the total of employment-related hours by the total for residence-related hours (from Table 3.5), with results summarized in Table 3.6 below.

**Table 3.6  
EMPLOYEE-TO-RESIDENT PARKS DEMAND RATIO**

<u>Weighted Avg. Hrs. Residence-Related</u>		<u>Weighted Avg. Hrs. Employment-Related</u>		<u>Employee % of Resident</u>
56,372	94.03%	3,577	5.97%	6.35%

***C. Facility Needs***

The facility needs identified in Canby's Park Master Plan provided the framework for identifying the facilities required to serve new development (the growth-required portion of needs). The growth-required portion was determined based on the application of Level of Service (LOS) Standard expressed in "Units of Facility Per 1,000 Persons". The City of Canby has adopted a Level of Service Standard of 10 acres per 1000 residents. The Canby Park and Open Space Acquisition Plan assessed park needs at the neighborhood level by defining six sub areas which we will refer to as neighborhoods 1 through 6, to provide for efficient, effective, and equitable distribution of parks by type and location for specific neighborhoods.

Table 3.7 presents a summary, by neighborhood, of facilities needed through 2020 for growth needs and to repair deficiencies for current residents and employees, based on the application of the LOS standards. A map of the sub areas is included in the appendix.

**Table 3.7**

	Neighborhood						Total
	One	Two*	Three	Four	Five	Six	
% of Total Population at Buildout**	15.0%	25.9%	16.1%	2.8%	27.5%	12.6%	100.0%
2000 Population	1,921	3,318	2,060	364	3,517	1,610	12,790
2000 Park Need	19.2	33.2	20.6	3.6	35.2	16.1	128
Existing Park Holdings	16.0	30.4	1.8	1.8	6.7	14.5	73.6
Park Surplus/(Deficit)	(3.2)	(3.2)	(18.8)	(1.8)	(28.5)	(1.6)	(54.2)
2010 Population	2,523	4,358	2,706	478	4,620	2,115	16,800
2010 Park Need	25.2	43.6	27.1	4.8	46.2	21.2	168
Existing Park Holdings	16.0	30.4	1.8	1.8	6.7	14.5	73.6
Park Surplus/(Deficit)	(9.2)	(10.2)	(25.3)	(3.0)	(39.5)	(6.7)	(86.7)
2020 Population	3,153	5,447	3,383	597	5,775	2,644	21,000
2020 Park Need	31.5	54.5	33.8	6.0	57.8	26.4	210
Existing Park Holdings	16.0	30.4	1.8	1.8	6.7	14.5	73.6
Park Surplus/(Deficit)	(15.5)	(21.6)	(32.0)	(4.2)	(51.1)	(11.9)	(136.3)
Buildout Population	4,279	7,391	4,590	810	7,837	3,588	28,495
Buildout Park Need	42.8	73.9	45.9	8.1	78.4	35.9	285
Existing Park Holdings	16.0	30.4	1.8	1.8	6.7	14.5	73.6
Park Surplus/(Deficit)	(26.8)	(41.0)	(44.1)	(6.3)	(71.7)	(21.4)	(211.3)

Source: Canby GIS: Analysis by CPW

\*\* Buildout percentage was calculated by dividing the neighborhood population forecast at buildout into the total population forecast at buildout.

Park acreages listed in Table 3.7 above do not include open space or trail facilities, public facilities such as schools or fairgrounds, or Canby Utility property. The data indicate that roughly 136 acres of parkland will need to be acquired by the City in order to meet the 10 acre per 1000 resident parkland standard at 2020. As of 2000, Canby was under its 10-acre-per-thousand parkland standard by 54.2 acres.<sup>1</sup> Based on population, the most underserved neighborhood in Canby at this time is Neighborhood Five with a 28.5-acre deficit of parkland.

SDC revenues must be used only for improvements in growth areas, and may not be used to remedy existing deficiencies in areas where growth is not planned. The City may use improvement SDC revenues for Mini-Parks/Neighborhood Parks and Trails/Pathways only in those areas of the City where growth is planned, and for the portion of the increase in developed Community Parks acreage and indoor Swimming Pool load capacity needed to serve growth. Alternative non-SDC sources of revenue must be used to repair deficiencies.

#### ***D. Reimbursable Costs***

ORS 223.304(1) allows local governments to establish "reimbursement fee" SDCs for excess capacity with the objective of future system users contributing no more than an equitable share of the cost of existing facilities. Canby is currently deficient in parks. The swimming pool is the only facility that has excess capacity to serve future growth. However the City of Canby did not construct the pool, therefore the City may not collect

reimbursement fees for the pool. Once the City has achieved the adopted 10 acre per 1000 standard the City may begin collecting reimbursement fees for improvements that have excess capacity.

#### ***D. Facility Costs***

Canby Parks and Recreation SDC Capital Improvement Plan (CIP) (Table 3.8), identifies facilities to serve both residential and non-residential development through the year 2020. Table 3.9 summarizes Attachment A and shows the total facilities costs, growth share percentage and SDC eligible costs. Residential and non-residential growth required facility costs are displayed in Table 3.10. Because employees need fewer facilities than those required for a resident, the residential share of growth costs is 93.65% of the total for those facilities which benefit both residential and non-residential development (i.e., community parks, trails, etc.), and 100% for those facilities which benefit residential development only (e.g., mini-parks and neighborhood parks).

**Table 3.8**  
**2020 PARKS AND RECREATION**  
**CAPITAL IMPROVEMENT PLAN**

Park Project	Units	Unit Dev Cost	Total Dev. Cost	Land Cost	Total Cost
Regional Park Phase II	13	\$183,245	\$2,382,185		\$2,382,185
13th Ave. Park	5.7	\$195,275	\$1,113,068		\$1,113,068
Eco Park*	19	\$13,535	\$257,165		\$257,165
trail (mi)	1	\$147,415	\$147,415		\$147,415
Acquisition & Development of New Park Land**	136	\$208,135	\$14,203,200	\$14,103,200	\$28,306,400
Swim Center (Replacement/Addition)	30,000	\$334	\$10,020,000		\$10,020,000
				Sub Total	\$42,226,233
	TOTAL COSTS:	\$747,939	\$28,123,033	\$14,103,200	\$42,226,233

\* includes one masterplan@ \$50,000

\*\* includes two masterplans@\$50,00 ea.

Bond for 8M in 2007 to aquire 54.2 acres to make up for deficiency of land (must provide SDC credit)

Bond for 8M in 2012 to replace existing pool (must provide SDC credit)

**Table 3.9**  
**FACILITY NEEDS FOR POPULATION AND**  
**EMPLOYMENT GROWTH AND DEFICIENCY REPAIR**

<u>Facility Type</u>		<u>Needed</u>	<u>Cost</u>	<u>Percentage</u>	<u>Costs</u>	<u>Other Sources</u>
Developed	Land	46.5	4,822,050	49.23%	2,373,752	2,448,298
Mini/Neighborhood	Dev	54	6,157,278	42.39%	2,610,067	3,547,211
Parks (acres)						
Developed	Land	50	5,185,000	65.43%	3,392,535	1,792,465
Community	Dev	82	7,861,100	39.90%	3,136,281	4,724,819
Parks (acres)						
Developed Trails		1	147,415	100.00%	147,415	0
Pool			<u>6,657,915</u>	50.50%	<u>3,362,085</u>	<u>3,295,831</u>
Totals			\$ 30,830,758		\$15,022,135	\$15,808,624

**Table 3.10**  
**RESIDENTIAL AND NON-RESIDENTIAL**  
**GROWTH REQUIRED NEW FACILITY COSTS**

<u>Facility</u>	<u>Total New Facility</u> <u>Growth Share</u> <u>Costs</u>	<u>Residential</u> <u>Growth Share</u> <u>Costs</u>	<u>Non-Residential</u> <u>Growth Share</u> <u>Costs</u>
Mini & Neighborhood Parks	\$4,983,819	\$4,983,819	n/a
Community Parks	6,528,816	6,137,087	391,729
Trails	147,415	138,570	8,845
Indoor Swimming Pool	<u>3,362,085</u>	<u>3,362,085</u>	n/a
Totals	\$15,022,135	\$14,621,561	\$400,574

#### 4.0 RESIDENTIAL PARKS AND RECREATION SDC RATES

The City's Residential Parks and Recreation SDC rates are calculated using a series of sequential formulas which, when completed, yield the total SDC rates for each new dwelling unit in the City. The formulas identify:

- a) the residential improvement cost per capita (Formula 4a, below),
- b) the residential improvement cost per dwelling unit (Formula 4b, page 15),
- c) the compliance/administrative cost per dwelling unit (Formula 4c, page 16)
- d) the residential SDC per dwelling unit (Formula 4e, page 17).
- e) the residential reimbursable cost per capita

The Residential SDC is an "improvement fee" only and does not include a "reimbursement fee" component.

##### **A. Formula 4a: Residential Facilities Cost Per Capita**

The residential facilities cost per capita is calculated by dividing the unfunded residential portion of growth-required facilities costs (identified in Table 3.9, page 13) by the increase in the City's population expected to be created by new development during the next twenty years (from Table 3.1).

Residential new	Population	Residential
-----------------	------------	-------------

$$4a. \quad \text{Facilities Cost} \div \text{Increase} = \text{Improvements Cost Per}$$

Table 4.1 presents the calculation of the facilities cost per capita.

**TABLE 4.1**

**FACILITIES COST PER CAPITA**

Residential

Residential	Population	Facilities Cost
<u>Facilities Costs*</u>	<u>Increase</u>	<u>Per Capita</u>
\$14,621,561	÷ 7090 =	\$2062

***B. Formula 4b: Residential Facilities Cost Per Dwelling Unit***

The Residential Parks and Recreation SDC is based on facilities costs per capita and is calculated based on the number of persons per dwelling unit. Dwelling units typically house different numbers of persons depending on the type of unit (i.e., single family, multi-family, etc.). To determine the appropriate number of persons per dwelling unit, official U.S. Census data gathered in 1990 was analyzed, and the resulting calculations are displayed in Table 4.2.

**TABLE 4.2**

**AVERAGE PERSONS PER DWELLING UNIT**

1990 Census

Avg. Persons

Type of Unit Per Dwelling Unit

Single-Family 2.7

Multi-Family 2.00

Manufactured Housing 2.00

The residential facilities cost per dwelling unit is calculated by multiplying the average number of persons per dwelling unit (from Table 4.2) by the residential facilities cost per capita (from Table 4.1, page 14).

	Residential		Residential	
4b.	Persons Per	x	Facilities Cost =	Facilities Cost Per
	Dwelling Unit		Per Capita	Dwelling Unit

The results of these calculations are displayed in Table 4.3:

**TABLE 4.3**

**RESIDENTIAL FACILITIES COST PER DWELLING UNIT**

	Average		Residential		Residential
	Persons Per	X	Facilities Cost	=	Facilities Cost
<u>Type of Dwelling Unit</u>	<u>Dwelling Unit</u>		<u>Per Capita</u>		<u>Per Dwelling Unit</u>
Single-Family:	2.7		\$2062		\$5567
Multi-Family:	2.00		\$2062		\$4124
Manufactured Housing:	2.00		\$2062		\$4124

***C. Formula 4c: Compliance/Administration Cost Per Dwelling Unit***

The City will incur compliance and administrative costs associated with the Residential Parks and Recreation SDCs. ORS 223.307(5) allows the City to recoup the direct costs of complying with Oregon law regarding SDCs. Recoupable costs include planning, consulting, engineering, and legal fees, as well as the cost of collecting and accounting

for revenues and expenditures. The total compliance/administrative cost is derived from the City of Canby's Cost of Services Study and is \$67 per dwelling unit for administering park SDC's.

***D. Formula 4d: Residential SDC Credit Per Dwelling Unit***

Bonds will likely be used as a source for funding a portion of capacity improvements needed to repair deficiencies in trails/pathways miles and neighborhood parks acreage, and a portion of bond repayments will be from property taxes paid by growth. Therefore, a credit must be calculated to provide for these payments in order to avoid charging growth to repair deficiencies.

A credit has been calculated for each type of dwelling unit using the following assumptions:

- 8. million in G.O. bonds for park improvements issued in 2007
- 8 million in G.O. bonds for park improvements issued in 2012
- 20 year bond term, 5.5% interest,
- 6.0% annual increase in total property tax assessments,
- 3.0% annual increase in assessed property valuations,
- 3.0% annual inflation (decrease in value of money),
- Average 2000 property valuations for new construction at \$159,833 for single family, \$56,584 for multi-family, and \$85,000 for manufactured housing units (\$70,000 for unit, \$30,000 for lot)

Present Value SDC

4d. of Future Property = Credit Per

Tax Payments Dwelling Unit

The amounts of these credits are shown in Table 4.5.

**TABLE 4.5**

**CREDIT PER DWELLING UNIT**

Credit Per

Type of Dwelling Unit Dwelling Unit

Single-Family: \$ 909

Multi-Family: \$ 322

Manufactured Housing: \$ 317

***E. Formula 4e: Residential SDC Per Dwelling Unit***

The residential SDC rate per dwelling unit is calculated by adding the compliance/administration cost per dwelling unit to the residential facilities cost per dwelling unit and subtracting the credit per dwelling unit.

Residential Compliance/ Residential

4e. Facilities Cost +	Admin. Cost -	Credit Per	=	SDC Per
Per Dwelling Unit	Per Dwelling	Unit Dwelling Unit		Dwelling Unit

The results of these calculations are shown in Table 4.6, page 18.

**TABLE 4.6**

**RESIDENTIAL SDC PER DWELLING UNIT**

Residential Compliance/ Residential

Facilities Cost Per + Administration - Credit Per = SDC Per

Type of Dwelling Unit Dwelling Unit Cost/Unit Dwelling Unit Dwelling Unit  
 Single-Family: \$5567 \$ 67 (\$ 909) \$4725  
 Multi-Family: \$ 4124 \$ 67 (\$ 322) \$3869  
 Manufactured Housing: \$ 4124 \$67 (\$ 317) \$ 3874

## 5.0 NON-RESIDENTIAL SDC RATES

The City's Non-Residential Parks and Recreation SDC rates are calculated using a series of sequential formulas which, when completed, yield the total SDC rates for each new employee added by new development in the City. The formulas identify:

- a) the Non-Residential Facilities Cost Per Employee (Formula 5a, below),
- b) the "Compliance/Administration" Cost Per Employee (Formula 5b),
- c) the Credit Per Employee (Formula 5c); and
- d) the Non-Residential SDC Per Employee (Formula 5d, page 21).

The Non-Residential SDC is an "improvement fee" only and does not include a "reimbursement fee" component. The SDC is based on costs required for new development only, and does not assume that costs are necessarily incurred for capital improvements when an employer hires an additional employee.

### *A. Formula 5a: Non-Residential Facilities Cost Per Employee*

The Non-Residential Facilities Cost Per Employee is calculated by dividing the non-residential growth-related facilities costs (from Table 3.9, page 13) by the increase in the City's employment expected to be created by new development through 2020 (from Table 3.1, page 8).

	Non-Residential	Employment		Non-Residential
5a.	Growth-Related ÷	Increase From	=	Facilities Cost
	Facilities Costs	Development		Per Employee

Table 5.1 presents the calculation of the Non-Residential Facilities Cost Per Employee.

### **TABLE 5.1**

#### **NON-RESIDENTIAL FACILITIES COST PER EMPLOYEE**

Non-Residential	Non-Residential
Growth-Related	Increase
Facilities Cost	From Development
\$ 400,574 ÷ 4002 =	Facilities Cost Per Employee
\$ 100	

### *B. Formula 5b: Compliance/Administration Cost Per Employee*

ORS 223.307(5) allows the City to recoup the direct costs of complying with Oregon law regarding SDCs. Recoupable costs include consulting, engineering, and legal fees as well as the cost of collecting and accounting for revenues and expenditures. The total compliance/administration cost is derived from the City of Canby's Cost of Service Study and is \$67 per employee.

### *C. Formula 5c: Non-Residential Credit Per Employee*

The Master Plan identifies capacity improvements for both growth and non-growth needs. Bonds and property taxes will likely be used as a source for funding a portion of these improvements, and a portion of bond repayments and property taxes will be paid by new development. Therefore, a credit must be calculated to provide for these payments in

order to avoid charging twice for the same facilities. A credit has been calculated for each employee expected from new development using the following assumptions:

- 8 million in G.O. bonds for park improvements issued in 2007
- 8 million in GO bonds for park improvements issued in 2012
- 20 year bond term, 5.5% interest,
- 6.0% annual increase in total property tax assessments,
- 3.0% annual increase in assessed property valuations,
- 3.0% annual inflation (decrease in value of money),
- Average 2000 property valuation for non-residential (office) development at \$34.60 per square foot,
- An average of 350 square feet per employee (office)

Present Value of

$$\text{5c. Tax Payments Per Employee} = \text{Credit Per Employee}$$

The amount of this credit is shown in Table 5.3

#### **TABLE 5.3**

##### **CREDIT PER EMPLOYEE**

Credit Per

Employee

Present Value of Tax Payments = \$ 38

##### ***D. Formula 5d: Non-Residential SDC Per Employee***

The Non-Residential SDC Per Employee is calculated by adding the compliance/administration cost per employee (Table 5.2) to the non-residential facilities cost per employee (from Table 5.1), and subtracting the credit per employee (from Table 5.3).

Non-Residential Compliance/ Non-Residential

$$\text{5d. Facilities Cost + Admin. Cost - Credit Per} = \text{SDC Per}$$

$$\text{Per Employee Per Employee Employee Employee}$$

The results of these calculations are shown in Table 5.4.

#### **TABLE 5.4**

##### **NON-RESIDENTIAL SDC PER EMPLOYEE**

Non-Residential Compliance/ Non-Residential

Facilities Cost Per + Administration - Credit Per = SDC Per

\$ 100 + \$ 67(\$ 38) \$ 129

The parks and recreation for a particular non-residential development are determined by:

- 1) dividing the total building space (square feet) in the development by the number of square feet per employee (from the guidelines in Table 5.5, ), and
- 2) multiplying the result (from step 1) by the Non-Residential SDC Per Employee rate (Table 5.4).

For example, the parks and recreation for a 20,000 square foot office building for services such as finance and real estate would be calculated as follows:

- 1) 20,000 (sq. ft. building size) ÷ 350 (sq. ft. per employee) = 57 employees,
- 2) 57 employees X \$129 (SDC rate) = \$7353



For non-residential development where more than one SIC may be used, multiple SIC's may be applied based on their percentage of the total development.

**TABLE 5.5**

**SQUARE FEET PER EMPLOYEE**

(recommended guidelines from *Metro Employment Density Study*)

Standard Industry Square Feet

Classification (SIC)\* Per Employee

Manufacturing:

General 700

Food Related 775

Textile, Apparel 575

Lumber, Wood Products 560

Paper and Related 1,400

Printing and Publishing 600

Chemicals, Petrol,

Rubber, Plastics 850

Cement, Stone, Clay, Glass 800

Furniture and Furnishings 600

Primary Metals 1,000

Secondary Metals 800

Non-Electrical Machinery 600

Electrical Machinery 375

Electrical Design 325

Transportation Equipment 500

Other 400

Wholesale Trade:

Durable Goods 1,000

Non-Durable Goods 1,150

Warehousing:

Storage 20,000

Distribution 2,500

Standard Industry Square Feet

Classification (SIC) Per Employee

Trucking 1,500

Communications 250

Utilities 225

Retail:

General 700

Hardware 1,000

Food Stores 675

Restaurant/Bar 225

Appliance/Furniture 1,000

Auto Dealership 650

Gas Station (gas only) 300

Gas Station (gas and service) 400

Regional Shopping Center 600  
Services:  
Hotel/Motel 1,500  
Health Services (hospital) 500  
Health Services (clinic) 350  
Educational 1,300  
Cinema 1,100  
Personal Services 600  
Finance, Insurance,  
Real Estate, Business Services 350  
Government Administration 300

\* Source: U.S. Department of Commerce Standard Industrial Classification Manual

## **6.0 CONCLUSION**

The City's growth will require a combination of techniques, including system development charges, bond revenues, and other sources of funds to pay for capital facilities needed to serve the parks and recreation needs of current and future residents. As growth occurs and the demographics of the community change, the City's parks and recreation facility needs will also change and should be periodically monitored through the use of opinion surveys and similar techniques. The CIP should be reviewed and updated at least once every two years to reflect changes in parks and recreation facility needs. The System Development Charges methodology should also be periodically updated when significant changes are made to the CIP, and/or when cost estimates become outdated. The City expects to implement 25% of the CIP every 5 years, and will review the CIP at the end of each 5 year interval to insure implementation and funding is on schedule.

**ORDINANCE NO. 1142**

**AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2004-2005.**

**WHEREAS**, a public hearing for the use of state revenue sharing funds was held before the Budget Committee on May 12, 2004 and before City Council on June 2, 2004; 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 2004-2005.

**SUBMITTED**, to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 2, 2004, ordered posted as provided by the Canby City Charter and scheduled for second reading and action of the Canby City Council at a regular meeting thereof on Wednesday, June 16, 2004, commencing at the hour of 7:30 p.m. at the Council Meeting Chambers at the Canby City Hall in Canby, Oregon.

**ENACTED** by the Canby City Council at a regular meeting thereof on June 16, 2004, by the following vote: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, City Recorder – Pro Tem

2nd Reading 93

ORDINANCE NO. 1146

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH RECREATION RESOURCE FOR THE PURCHASE OF PLAYGROUND EQUIPMENT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby wishes to purchase playground equipment for 13<sup>th</sup> Avenue Park; and

WHEREAS, the contract will be made in compliance with ORS 279.015 (1)(g) utilizing an existing solicitation for the State of Oregon under Contract No. 3227; and

WHEREAS, in accordance with ORS 279.015 (1)(g), the City of Canby, as a member of the Oregon Cooperative Purchasing Plan, finds that the original contract met the requirements of ORS chapter 279, the contract allows other public agencies to use the solicitation; and the purchase will be placed against State of Oregon solicitation # 3227 in compliance with the State of Oregon Department of Administrative Services Purchasing Division price agreement for this product; and

WHEREAS, Recreation Resource, of Salem, Oregon submitted the low bid in the State Purchasing Division solicitation process; 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 contract with Recreation Resource, of Salem, Oregon, for the bid amount of \$74,744.76.

Section 2: Emergency Declared

It being necessary for the health, safety, and general welfare of the citizens of Canby that this equipment be put to use as soon as possible, an emergency is hereby declared to exist and this ordinance shall 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 Wednesday, June 2, 2004, 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, June 16, 2004, commencing at the hour of 7:30 PM 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 June 16, 2004, by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

\_\_\_\_\_  
Melody Thompson  
Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder Pro Tem



## CITY COUNCIL MEMORANDUM

---

**DATE:** JUNE 7, 2004  
**TO:** MAYOR MELODY THOMPSON AND CITY COUNCIL  
**FROM:** MARGARET YOCHER, TRANSIT & GENERAL SERVICES DIRECTOR  
**RE:** ORDINANCE #1147

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### Issue:

City Council Goal 4, "Develop a Long-Term Facilities Plan", calls for a facilities needs assessment with emphasis on City Hall, the Library and the Police Station. Ordinance #1147 authorizes the City Administrator to enter into a contract with DLR Group of Portland, Oregon to proceed with a needs assessment.

### Background:

Staff prepared and published an official RFP (request for proposals) for qualified firms to submit proposals on their ability to (1) conduct an immediate and future facilities assessment to determine how to utilize the existing facilities to their fullest potential and (2) assess capital needs based on a five and 30 year cycle, and (3) make recommendations on what additional facilities are needed, where they are to be located, and what funding options are available.

The deadline for proposals was Thursday, April 15, 2004 at 5:00 PM. Three firms submitted proposals:

DLR Group	\$33,535
Arbuckle Costic	\$30,000
Jay Lynch & Assoc.	\$28,800

After lengthy review, and based on the content of the proposals, the judging committee (Mark Adcock, Beth Saul, John Williams & Margaret Yochem) decided to invite back DLR Group & Jay Lynch & Association for a formal presentation. The presentations and the firms' written proposals were rated against weighted criteria that emphasized methodology and experience. DLR Group's presentation was done extremely professionally with a weighted emphasis on public involvement, a very clear strong plan of methodology, performance milestones and deliverables to the City. During the reference check process DLR Group came out strong.

Staff made the unanimous decision to offer the contract to DLR Group of Portland, Oregon. The scores for the two presentations are as follows:

DLR 99.3 points average

Jay Lynch and Associates 80 points average

**Recommendation:**

Staff recommends that Council approve Ordinance 1147, an Ordinance Authorizing the City Administrator to Execute a Contract with DLR Group of Portland, Oregon for an Immediate and Future Facilities Needs Assessment.

## ORDINANCE NO. 1147

### **AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH DLR GROUP OF PORTLAND, OREGON FOR AN IMMEDIATE AND FUTURE FACILITIES NEEDS ASSESSMENT.**

**WHEREAS**, the City of Canby Transit & General Services Director heretofore requested proposals from consultants for an immediate and future facilities needs assessment with an emphasize on Canby City Hall, the Canby Public Library and the Canby Police Station.

**WHEREAS**, the Transit & General Services Director received proposals from three (3) potential providers listed below:

<u>Provider</u>	<u>Address</u>
DLR Group	Portland, Oregon
Arbuckle Costic Architects, Inc.	Salem, Oregon
James Lynch & Associates	Portland, Oregon

**WHEREAS**, the Canby City Council, acting as the City's Contract Review Board, met on June 16, 2004, and considered the quotations and the reports and recommendations of the City Transit & General Services Director; and

**WHEREAS**, the Canby City Council determined that the proposal for the facilities assessment best met the needs of the City was that of DLR Group of Portland, Oregon; now therefore

### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

**Section 1.** The City Administrator is hereby authorized and directed to make, execute and declare in the name of the City of Canby on its behalf, an appropriate contract with DLR Group of Portland, Oregon to conduct an immediate and future facilities needs assessment with an emphasis on the City Hall, the Canby Public Library and the Canby Police Station.

A copy of said contract is attached hereto as "Exhibit A" and by this reference incorporated herein.



**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 16, 2004, 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 7, 2004, 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 7th day of July, 2004, by the following vote:

YEAS \_\_\_\_\_

NAYS \_\_\_\_\_

\_\_\_\_\_  
Melody Thompson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kimberly Scheafer City Recorder - Pro Tem

**To: Honorable Mayor Thompson**  
**City Council**  
**From: Roy Hester**  
**Subject: Public Works Report for May 2004**  
**Date: June 1, 2004**

May

**Street Department**

- Took barricades to NW 1<sup>st</sup> for Farmers & Flea Market.
- Picked up glass beads at Potters.
- Took down Canby Grove banner.
- Put up Jazz Festival banner.
- Repaired flag, spot lights and photo cells at City Hall.
- Sprayed herbicide in area scheduled for Slurry Seal.
- Sprayed herbicide on weeds at shop yard.
- Repaired chemical sprayer pump.
- Removed Jazz Festival banner.
- Put up Canby Grove Camp banner.
- Cleaned and washed down area at the shops.

**Streets:**

- Started hauling rock to 13<sup>th</sup> Street parking lot and blading 5-3-04.
- Hauled rock and bladed at 13<sup>th</sup> Street park 5-4-04.
- Hauled rock and graded at 13<sup>th</sup> Street park 5-6-04.
- Swept streets 5-7-04.
- Started hauling more rock and blading 13<sup>th</sup> Street Park, just about ready to pave 5-11-04.
- Worked at 13<sup>th</sup> Street Park 5-12-04.
- Worked at 13<sup>th</sup> Street Park 5-13-04.
- Swept streets 5-14-04.
- Worked at 13<sup>th</sup> Street Park 5-18-04.
- Finished prep work at 13<sup>th</sup> Street Park paving will start on 5-20-04.
- Patched water leak areas on S Pine for CUB Water Department.
- Paved SE 13<sup>th</sup> Street parking lot.
- Swept streets 5-21-04.
- Returned all materials back to shop form 13<sup>th</sup> Street parking lot project 5-21-04.
- Laid out 13<sup>th</sup> Street parking lot for curbs.
- Finished picking up dirt at 13<sup>th</sup> Street Park 5-25-04.
- Hauled remaining rock away from the cemetery to the shop, which was left from the Slurry Seal project.
- Swept streets and cemetery for Memorial Day.
- **Sidewalks and Curbs:**

**Signs:**

- Replaced (2) stop signs and (1) street name sign.

**Street Lights:**

- Fixed (2) street lights.
- Fixed (5) street lights.

**Street Trees:**

- Trimmed (2) limbs.
- Checked a tree for infestation.
- Removed broken limb in tree on N Redwood.

**Special Projects:**

- Painted Bike Rodeo course at Knights School for Jorge Tro, Canby Police Department.
- Picked up (2) light towers in Salem for Fire Department.
- Inspected Slurry Seal work at Township Village being done by Blackline.
- Blackline completed the Slurry Seal on 5-24-04.

**Sanitary Sewer and Storm Drains:**

- Worked on 34<sup>th</sup> Street lift station, replaced the on/off float.
- Alarm went off at 34<sup>th</sup> Street lift station; reset.
- Replaced sewer lateral broken by others.
- Checked on plugged sewer line on 1000 N Pine, problem on home owner lateral.
- Sewer problem at Burgerville, TV'd the lateral and the main and they were clean. Problem must be inside.
- Repaired sewer TV tractor.
- Washed sewer main behind Burgerville.
- Worked on root problem in sewer lateral on S Elm will dig new lateral in.
- Washed sewer main on N Cedar and injected it with degreaser.

**Locates:**

Twenty-eight (28) locates were done during May.

**Erosion Control:**

- Did (4) erosion control inspections.
- Did (4) erosion control inspections.
- Did (3) erosion control inspections.
- Did (3) erosion control inspections.

**Inspections for the month include the following:**

- Inspected (1) sewer lateral.
- Inspected 2<sup>nd</sup> lift of asphalt at Faist 5 (SE 10<sup>th</sup>)
- Inspected (2) sewer lateral inspections.
- Inspected (1) sewer lateral disconnect on NW 2<sup>nd</sup> for Scott Gustafson.

**Complaint/Inquiry Request:**

- Sixteen (16) complaints/Inquiries for the month of May.

**Meetings/Miscellaneous:**

- Attended pre-construction meeting for Martin Dental Office.
- Worked on staff report for Slurry Seal job in the SE section of town.
- Attended Traffic Safety meeting.
- Attended meeting with County Commissioners along with Mark Adcock and Curt McLeod and discussed the building of a bridge into Canby.
- Attended pre-application meeting for Industrial and RV Storage.
- Attended pre-application meeting for Trend Development (Pioneer Industrial Park).
- Meeting with Pat Sisul, Nick Netter and Darren Nichols.

**To: Honorable Mayor Thompson, City Council**

**From: Mark Adcock**

**Through: Beth Saul**

**Set up by: Jeff Snyder**

**Subject: Parks Report for May, 2004**

**Date: June, 3, 2004**



C.C.C.C. = Clackamas County Correction Crew.

\* = no specific information for this area.

**Adult Center**

- Mowed, string trimmed and edged the turf.
- Cleaned and adjusted irrigation heads, also repaired one head.

**Arneson Garden horticultural park**

- CCCC weeded shrub beds and picked up debris.

**Baker Prairie Cemetery**

- Mowed, string trimmed and edged.

**City Hall\***

**Community Park (River)**

- Mowed and string trimmed.
- String trimmed nature trail.
- Received bid from Parker NW Paving Co. for the road and parking lots.
- Trimmed trees with High Ranger over proposed playground site.
- Excavated playground site, installed borders for the playground.
- Ordered playground safety surfacing.
- Installed playground equipment.
- Installed construction fence and KEEP OUT signs around playground equipment.

**Eco Park natural area\***

**Faist V property**

- Mowed and string trimmed.

**Holly & Territorial welcome sign property\***

**Hulbert's Welcome Sign property**

- Mowed and string trimmed.

**Library\***

**Locust Street Park**

- Mowed, string trimmed and edged the turf.
- Replaced seats on swings.

**Logging Road Trail and Fish Eddy/Log Boom property\***

**Maple Street Park**

- Mowed string trimmed and edged.
- Raked out safety surfacing.
- Removed graffiti.
- Located stab joint irrigation heads, cleaned and cut around them.
- Called Ben Johnston out after hours for plumbing problems in the restroom building.
- Painted over graffiti also painted the picnic tables under the covered picnic area.

**Nineteenth Loop natural area\***

### **Skate Park**

- Mowed and string trimmed.

### **Shop Grounds**

- Mowed and string trimmed.
- Cleaned equipment.
- Cleaned up debris around dumpster.

### **Swim Center**

- Mowed and string trimmed.
- Cleaned irrigation stab joints.
- Met with David Biskar regarding an Eagle Scout project.

### **Thirteenth Avenue, future park property**

- Mowed and string trimmed.
- Reviewed 2-5 year old playground plans, contacted installer and vender regarding pricing / bids.

### **Territorial Estates, Future CLC Park**

#### **Transit Building**

- Coordinated delivery with Deer Creek Nursery of the flower baskets we installed on the 2<sup>nd</sup> Ave. light poles.
- Cleaned and adjusted light pole irrigation system.

#### **Triangle Park**

- Mowed and string trimmed.
- Cleaned and adjusted irrigation heads.
- Lace Leaf Maple was vandalized.

#### **Wait Park**

- Mowed and string trimmed and started to edge the turf.
- Relocated an irrigation head and repaired irrigation heads.
- Installed Men and Women signs on the restroom doors.
- Replaced photo cell in light pole.

### **Willow Creek Wetlands\***

#### **Training/Meetings/Miscellaneous**

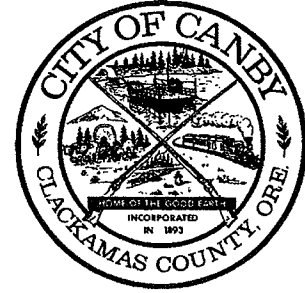
- Attended City Safety Committee meeting and crew Safety Committee meeting.
- E-mailed CCCC work orders.
- Wrote monthly report.
- Met with Curran – McLeod Inc. regarding a fence at Arneson Gardens.
- Had phone conversation with Laura Markhan regarding the Whiskey Hill Jazz Festival.
- Had phone conference with Paul Saylo from U of O regarding the Way Side Master Plan, service levels, amenities, hourly rates ect.
- Attended Budget Committee meeting.
- Attended Park and Recreation Board Meeting.
- Attended a MACS playground installation in Springfield.

# MEMO

DATE: June 2, 2004  
TO: Chaunee Seifried, Finance and Court Director  
FROM: Kathy Mashek, Court Supervisor  
RE: Monthly Report for May, 2004

- 15 attended the March seatbelt class
- Court trials for the month of March were held for 19 defendants
- 392 cases were filed and 444 cases were concluded
- Revenue for the month of August was \$55,751.88
- 41 defendants appeared with attorneys

CANBY PUBLIC LIBRARY  
MONTHLY REPORT  
May 2004



TO: Honorable Mayor Thompson  
and City Council  
FROM: Mark Adcock, City Administrator  
Beth Saul, Library Director  
PREPARED BY: Marty Moretty, Library Coordinator  
DATE: May 1, 2004

Facility:

\*Another ballast was replaced in the main room in the Large Print area!

Programs:

- \*Marty and Hanna were interviewed by Friends Board member Dale Library for an upcoming OCTS program. (Why does that always give me sweaty palms, just thinking about speaking before a camera?)
- \*Hanna and Marty were one of six non-profit groups with a display table at the CommUNITY FESTival at the Fine Arts Center on May 13<sup>th</sup>. It was an opportunity to network with other non-profit groups as well as hand out informational brochures and volunteer applications for the Library as well as the Friends of the Library.
- \*Summer Reading program is in the final stages of preparation. Prizes are still coming in from local businesses and the flyers have been distributed to all Canby area schools. The program will run from June 7-July 31 and this year's theme is "Discover New Trails @ Your Library".
- \*Peggy and Marty went to the Scholastic Books warehouse sale and purchased the books that will be given to all the readers who complete the summer reading program. The funds were donated from our Friends of the Canby Library. Just like two kids in a candy store!!!!!!
- \*Our fifth "Family Evening at the Library" was held on May 27<sup>th</sup> and made possible through the Ready to Read Grant from the Oregon State Library and the Friends. The free program began at 6:30pm and Steve Lattanzi enthralled the crowd of excited (and a few squeamish) attendees of just under 150. I never thought I'd see a lizard giving kisses to kids nor a

python about the color of a summer squash taking six adults to hold! I'll keep my cat!

\*With the assistance of Erika Dalley of the Canby Arts Assn., art work from Eccles School is on display for the summer.

\*Hanna is putting the final touches on the pictures that will be displayed in the main collection area highlighting Canby of days gone by. This project has been made possible by collaboration with the Canby Historical Society and will be on display for the month of June.

#### Volunteers:

\*Contributed 200.5 hrs. this month by assisting in shelving, sorting, pick lists, cataloging and processing, book mending, programs, shelf shifting, and cleaning.

\*Volunteer Jean Whitten put in her last day this month after many devoted years of volunteering. Florida is just a little too far to commute to shelve books and videos - but don't think I didn't ask! We'll miss her.

\*I would be remiss if I didn't thank Friend and volunteer shelf reader Carol Turner for the lovely bouquets of flowers she brings for patrons and staff to enjoy. I think she has the first flowers in Canby to bloom and she even delivers for free!

#### Friends of the Library:

\* Monthly "Friday Surprise" book sale was held off to prepare for the BIG 4<sup>th</sup> of July sale during General Canby Days. Eight more plates sold during the month so there are only a few left as well as the special cookbooks.

\*Purchased new release DVD's Lord of the Rings: Return of the King for the Library which added instant circulation for Canby.

\* Sorting and shelving donations at least twice a week and extra hours preparing and organization for the July 4<sup>th</sup> sale.

\*New Friends of the Canby Library applications are now available, thanks to hard work by Board member Gary Field. Library staff will hand out with new library card applications.

\*Book of the Month Club facilitated by Dale Liberty, met May 11th and discussed the lengthy historical fiction "Russka" by Robert Rutherford. The group will have the whole summer to read our September selection "Almost a Woman" by E. Santiago since the group won't meet in June-July-August.



# Monthly Report

**From:** Eric Laitinen, Aquatic Program Manager

**Date:** 06/07/04

**Re:** May Report

---

May was another busy month for swimming lessons for the Molalla Schools with 1,500 more swims than last year. The Molalla teachers and school children were very happy to get their swimming lessons this year, since they missed out last year. The Molalla Aquatic Center opened this past weekend and they will be teaching lesson for the for their school district next year. We will miss having their fourth graders.

Attendance for last year and this year through May are almost identical both at 61,000 swims. The did move categories a little as public lessons are down for the year and school lessons are up for the year. Revenue shows the same trend, as every category is almost the same as last year except lessons. Lessons are \$7,000 short of last year and we are expecting a check from Molalla School District for \$7,000 this month.

The Summer Schedule starts next week with two public swims and three lap swims daily during the week. Morning lessons and Penguin Club both start for the summer next week. With summer schools and the YMCA coming for rentals the following week.

Watch for the Canby Swim Center's NEW commercial coming soon on your TNT, USA, HGTV and WTBS cable channels. The commercial is in it's final editing phase and I expect it will air starting in July. The commercial is directed to promote swimming as a life long exercise, from infant to senior citizen.

**FROM :** ERIC LAITINEN, AQUATIC PROGRAM MANAGER  
**SUBJECT:** MONTHLY REPORT FOR MAY 2004  
**DATE:** JUNE 6, 2004

CANBY SWIM CENTER MAY 2004	ADMIT 2003	ADMIT 2004	PASS 2003	PASS 2004	TOTAL 2003	TOTAL 2004	YTD TOTAL O2-O3	YTD TOTAL O3-O4
MORNING LAP	42	28	313	282	355	310	3852	3462
ADULT RECREATION SWIM	122	109	431	456	553	565	5387	5580
MORNING WATER EXERCISE	191	194	0	0	191	194	1869	1990
PARENT/ CHILD	189	115	0	0	189	115	1070	700
MORNING PUBLIC LESSONS	0	0	0	0	0	0	5565	3371
SCHOOL LESSONS	350	1862	0	0	350	1862	4452	9970
NOON LAP	41	43	149	159	190	202	2135	2316
FAMILY SWIM	24	27	0	0	24	27	188	255
AFTERNOON PUBLIC	125	94	3	25	128	119	3106	2633
PENGUIN CLUB	0	0	0	0	0	0	908	726
CANBY H.S. SWIM TEAM	0	0	0	0	0	0	2893	2663
CANBY SWIM CLUB	0	0	951	793	951	793	9286	8517
N. MARION H.S. SWIM TEAM	0	0	0	0	0	0	0	0
EVENING LESSONS	1075	864	0	0	1075	864	7179	7386
EVENING LAP SWIM	24	45	70	37	94	82	1029	779
EVENING PUBLIC SWIM	743	530	51	61	794	591	6943	5975
EVENING WATER EXERCISE	155	43	0	0	155	43	1468	1032
ADULT LESSONS	0	7	0	0	0	7	15	7
GROUPS AND RENTALS	660	753	0	0	660	753	4262	3915
WATER POLO	0	0	0	0	0	0	74	0
OUTREACH SWIMMING	0	0	0	0	0	0	247	218
<b>TOTAL ATTENDANCE</b>	<b>3,741</b>	<b>4,714</b>	<b>1,968</b>	<b>1,813</b>	<b>5,709</b>	<b>6,527</b>	<b>61928</b>	<b>61495</b>

# CANBY ADULT CENTER MAY 2004

MAY SERVICE LEVELS		YTD	LAST YEAR
CONGREGATE	60 YEARS (includes congregate, guests)		
1114/month	63 average/day	11,775/year	1054/month
UNDER 60	(includes volunteers, guests and staff)		
113/month	6 average/day	1.081/year	98/month
\$1.79 average donation			\$1.62 average
HOME DELIVERED MEALS (Includes T19)			
1428/month	79 average/day	13,267/ year	1436/month
UNDER 60 (T19)			
18/month	1 average/day	317/year	67/month
\$ 1.12 average donation			\$1.01 average
O.P.I. meals (Project Independence)			
/month	1 average/day	285/year	68/month
TOTAL MEALS			
2685/month	149 average/day	28,356/ year	2723/month

CLIENT SERVICES	MONTH	YEAR TO DATE
59 unduplicated clients		512
Assessments	22	77
Case Monitoring	54	365
Community Outreach	4	92
Info & Referral	151	262

TRANSPORTATION		
10 average rides/day	612.5 miles per month	188 rides/month
7 new riders this month		

VOLUNTEER HOURS	
1031/ month	57 average/day

OTHER CENTER USE (Those who use the center but did not eat or volunteer)  
 1045 people signed in

## FUNDRAISING

\$767.80	Gifts, memorials and donations
\$790.00	Rentals
\$4,563.75	Center Projects
\$325.50	Bingo

## CENTER INFORMATION

May was a month full of decisions. With the advent of the Helen Glasgow Endowment, the Board of Directors and the Friends of CAC had a lot to think about. Deciding how best to carry out Mr. Glasgow's intent and stay within the framework of our Policies and Procedures was a difficult process.

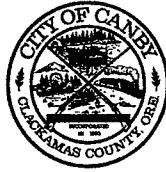
The City of Canby decided not to support our general operating budget this year. That means a loss of at least \$15,000 for the year. They did allot enough (\$5,500) to repair the exhaust system over the dishwasher and after a presentation to the Budget Committee they added \$15,500 to cover the cost of new carpeting and a 10 ton HVAC unit over the Dining Room.

The Center's meal program remains steady. We are seeing lots of new faces lately, many from the Meadows (Hope Village).

Food costs are on the rise again and that will certainly drive our cost per meal up in the future. We are fortunate to have local growers supplying us with produce. We were given the opportunity to once again purchase 2 cell containers for our home delivered meals program. When costs of styrofoam bowls and lids were compared, it was obvious that the 2 cells are less. The down side of this is that we had to buy 25 cases (approximately 3 years worth) and will need to figure out how to store them. The cost will be about \$1900. The only way to purchase these is in bulk (150 cases divided into 4 or 5 Centers) and Milwaukie orders enough for 3 years at a time so it will be awhile before we can get more.


We had a steady rental income this month. At some point in the future we need to discuss the rental fee for seniors. As it's stated now, the charge is \$20 per hour for "direct use by seniors". Quite often, that gets translated into anything that's for seniors, such as a 50<sup>th</sup> Anniversary. If children are renting the building, they get around the \$40 by having a parent or senior come in and do the paperwork. Perhaps it should be \$20 for seniors who are members of the Center and \$40 for everyone else.

Saloon Night was poorly attended yet we made over \$800 thanks to Canby Telephone. I had hoped to see more Board members there. Those who attended had a great time and would like to do it again. Personally, I think it will take more effort on everyone's part to encourage attendance. It's tiring to put forth hours of effort and then have so little response.



## MEMORANDUM

---

**DATE:** JUNE 8, 2004, 2004  
**TO:** MARK ADCOCK  
**FROM:** MARGARET YOCHER   
**RE:** TRANSIT & GENERAL SERVICES UPDATE FOR MAY

---

As you are aware much of May was spent recuperating at home from surgery, however, a few significant things did occur.

- Picked firm for the Immediate & Future Facilities Plan & prepared contract.
- The CAT successfully took over for TriMet's line #35 and increased rider-ship by 10% while better serving the Canby commuters.
- Finished the budget process for Transit, Fleet Services & Technical Services.
- Interviewed and picked summer student intern for Technical Services.
- Preliminary work done on setting up of facilities maintenance program.
- Cleaned out a couple of rooms in the basement for use by the police department in securing their records.

I would like to thank you for your many phone calls of concern while I was out. I also appreciated the flower garden from the council and city staff as well as you taking time out of your busy schedule to visit me in the hospital.

Attached is the May ridership.

## Margaret's Daily Recap

May -2004

WEEKDAY PASSENGER STATS											WEEKEND PASSENGER STATS					OTHER	
DAY	OCX 1 AM	OCX 2 AM	O/C #1	O/C #2	OCX 1 PM	OCX 2 PM	S. Canby	N. Canby	Lift 1	Lift 2	Sat. O/C	Sat. S Canby	Sat. N Canby	Sat. Lift	Special Event	Totals	
1	0	0	0	0	0	0	0	0	0	0	139	57	56	6		258	
2	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	
3	17	17	150	131	5	3	185	115	19	17	0	0	0	0		659	
4	27	20	141	147	11	7	188	121	15	18	0	0	0	0		695	
5	25	16	161	149	8	7	170	97	7	11	0	0	0	0		651	
6	32	14	155	164	13	4	144	88	19	11	0	0	0	0		644	
7	19	16	113	140	15	4	144	92	17	8	0	0	0	0		568	
8	0	0	0	0	0	0	0	0	0	0	137	76	77	11		301	
9	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	
10	21	17	132	145	17	8	187	108	15	10	0	0	0	0		660	
11	30	15	139	120	11	3	176	107	15	15	0	0	0	0		631	
12	20	20	137	125	12	5	187	167	7	9	0	0	0	0		689	
13	28	22	137	147	16	4	169	94	14	30	0	0	0	0		661	
14	15	15	140	133	11	5	143	126	12	9	0	0	0	0		609	
15	0	0	0	0	0	0	0	0	0	0	119	63	63	11		256	
16	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	
17	21	15	160	152	13	7	204	136	12	12	0	0	0	0		732	
18	24	19	121	130	13	12	216	102	12	13	0	0	0	0		662	
19	18	22	136	178	22	17	206	139	12	11	0	0	0	0		761	
20	21	16	146	124	7	9	183	112	17	13	0	0	0	0		648	
21	13	18	124	171	16	9	135	88	15	13	0	0	0	0		602	
22	0	0	0	0	0	0	0	0	0	0	96	79	48	7		230	
23	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	
24	20	23	199	148	7	6	158	96	12	7	0	0	0	0		676	
25	27	18	153	129	9	12	186	118	11	57	0	0	0	0		720	
26	21	20	135	135	14	13	214	167	13	10	0	0	0	0		742	
27	20	19	152	110	9	10	142	108	22	12	0	0	0	0	20	624	
28	14	15	111	140	8	17	184	109	12	5	0	0	0	0		615	
29	0	0	0	0	0	0	0	0	0	0	90	41	40	12		183	
30	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	
31	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	
Totals	433	357	2842	2818	237	162	3521	2290	278	291	581	316	284	47	20	14477	

