

Canby Planning Commission
Regular Meeting
November 9, 1977

Members Present: Chairman Ross, Commissioners Hulbert, Cutsforth, Shaw, Cibula, Kahut and Edgerton

Others Present: City Attorney Roger Reif, Calvin and Grace Behrens, Robert Thorson, Brig Young and others.

The minutes of the meeting of October 12, 1977, were approved as presented. Chairman Ross announced there would be a joint workshop meeting of the Planning Commission and the City Council on November 30, 1977. He asked the Commission Secretary to send reminders to the Commission members of this meeting.

Chairman Ross announced that due to failure of the Canby Herald to publish a notice of public hearing on the Conditional Use request of Eileen Dodd, the Commission would be unable to hold the public hearing this evening. It was the consensus of the Commission that a special hearing should be held on the 21st day of November, 1977, at 8:00 p.m. This will be the only order of business at this special meeting.

City Attorney Reif informed the Commission they should hold election of officers as it had been over a year since such an election had taken place. *Commissioner Shaw nominated Gordon Ross for Chairman for another year and Ralph Hulbert for Vice-Chairman for another year. The motion was seconded by Commissioner Edgerton and passed unanimously.

The City Attorney informed the Commission that the Oregon Supreme Court had found that Planning Commissions should have a better definition of a "mobile home." Discussion followed on what would happen in Canby if someone were to place a "mobile home" on a permanent foundation. This matter will be discussed at the joint workshop of the Planning Commission and the City Council. The Chairman requested that a memorandum be sent to the Commission reminding them of this matter to be discussed.

Item No. 1: Request for a Minor Land Partition to divide one lot of approximately 1.12 acres in size into two lots. This request is located on the west side of South Locust Street approximately 515 feet south of S. E. Second Avenue and is described as Tax Lot 3300, Section 33DC, T3S, R1E. The applicants are Calvin M. and Grace G. Behrens. Chairman Ross read the staff recommendation in the absence of the Planning Consultant, and Mr. Behrens stated that he and the gentleman wishing to buy the other lot are both willing to give each other an easement for driveway purposes through the property. Commissioner Shaw questioned the right-of-way on South Locust Street. Public Works Director Ferguson stated this "street" has a ten (10) foot right-of-way. The questions arose as to lot coverage and setbacks from easements. Lot coverage is checked by the building inspector at the time a building permit is applied for in the Public Works Department. No additional setback is required from an easement, however no building can be placed on an easement. It was stated that the ingress and egress will be paved. The question arose as to curbing and paving of South Locust Street. Public Works Director Ferguson informed the Commission the City Council wants to request the people on South Locust Street dedicate and improve the entire street - possibly through an L.I.D. This would be the best way to handle the improvement of South

Locust. He further stated that no improvements should be undertaken until all the property dedications have been received. At that time, a proper alignment and grade can be achieved. *Commissioner Edgerton moved the Minor Land Partition be approved with the following conditions: 1) A 22-foot, recorded, perpetual easement be obtained, eleven feet on each side of the proposed boundary line, to provide the necessary aisle for parking movements and access; 2) A 30-foot by 165.01-foot dedication on South Locust Street to the City be provided for future street improvements; and, 3) A waiver of remonstrance be provided for future street improvement. The motion was seconded by Commissioner Custforth and passed unanimously.

Item No. 2: Request for a Minor Land Partition to divide one lot of approximately .54 acres in size into three lots. This request is located on the northeast corner of the intersection of S. E. Township Road and S. E. Locust Street and described as Tax Lot 1600, Section 33DD, T3S, R1E. The applicant is Robert H. Thorson. Chairman Ross read the staff recommendation. The Public Works has requested a 30-foot by 149-foot dedication on the west side of the property for South Locust Street for future street improvements and a waiver of remonstrance. The staff recommendation was for denial due to the road frontage of one lot being only 50 foot. Mr. Robert Thorson, the applicant, requested permission to submit an alternate plan to the Commission. Chairman Ross refused to accept an alternate plan because all agency and staff input had been on the first plan submitted. Some discussion was held regarding the fact that a single family residence is presently located on the property and would have to be moved in order to create the three lots. This residence could be moved and meet the setback requirements. For reference purposes, the lots were numbered with the northwest lot being #1, the southwest corner lot being #2, and the east lot being #3. *Commissioner Edgerton moved to deny this request for a minor land partition due to Lot #3 not being in conformance with the Interim General Plan and the Canby Zoning Ordinance. The motion was seconded by Commissioner Hulbert. After he had seconded the motion, the Commissioner asked why Lot #3 had been designed with only 50 feet of frontage. Mr. Brig Young stated that he had drawn the plan according to properties in the surrounding area without asking about any changes that might have taken place. With this explanation, the Commission voted on the motion which passed unanimously.

Since the Planning Consultant had been unable to attend the meeting, no discussion took place regarding procedures for Interim General Plan Amendments.

The meeting adjourned.

This meeting has been recorded on tape.

Respectfully submitted,



Virginia J. Shirley, Secretary
Canby Planning Commission