

Canby Planning Commission  
Regular Meeting  
September 13, 1978

MEMBERS PRESENT: Chairman Ross, Commissioners Hulbert, Kahut, Edgerton and Cutsforth

MEMBERS ABSENT: Commissioners Cibula and Hart

OTHERS PRESENT: City Attorney Roger Reif, Planning Consultant Eldon Edwards, Public Works Director Ken Ferguson, Rufus Kraxberger and Dave Bury

The minutes of the Planning Commission meeting of August 23, 1978 were approved as presented.

Item #1: Request for approval of the final plat containing four lots known as "Canby Country Estates No. 2". This property is located just south of the north city limits on the east side of the extension of N. Juniper Street. The applicant is G & T Construction. Planning Consultant Eldon Edwards reviewed his original presentation of June 14, 1978 and recommended approval. \*Commissioner Kahut moved that the final plat of Canby Country Estates No. 2 be approved. The motion was seconded by Commissioner Cutsforth and passed unanimously.

Item #2: Request for a Zone Change from R-20, Single Family Residential, (Clackamas County Zoning) to R-1, Single Family Residential, (City of Canby) for property located on the south side of N.E. Territorial Road approximately 250 feet east of Country Club Drive, described as Tax Lot 1601, Section 28DD, T3S, R1E, and recently annexed to the City of Canby. The applicant is Rufus Kraxberger. Planning Consultant Eldon Edwards made his presentation and recommended denial. Discussion pointed out that the Comprehensive Plan states that 20% of the residential units in the city be multiple family and that the other 80% be single family. At this point, City Attorney Reif read a letter of June 20, 1978 regarding "Legal Opinion on Conformance of Zoning Map with Interim General Plan". This letter has been made a part of these minutes. City Attorney Reif pointed out this zone change request meets the "Fasano Requirements" in that 1) it conforms to the comprehensive plan as it is a less intensive use than the comprehensive plan, 2) there is a public need because it was recently annexed and the testimony was that there was a need of additional land to be added to the corporate city of Canby, 3) since this is the most restrictive use of land, it would make a good residential development, 4) as far as no other available property, we could cite the same examples which we have been through many times before about finding lots in this town, and 5) regarding public health, safety and welfare, it has access on a public road and sewer and water facilities are available. \*Commissioner Kahut moved that the zone change for Rufus Kraxberger from R-20 (County Zoning) to R-1, Single Family Residential, be approved subject to the "Findings-of-Fact" that City Attorney Reif had just stated, and to include the statement made by Planning Consultant Edwards concerning the fact that the Interim General Plan states there should be 20% multiple family residential units and we are at that point now. The motion was seconded by Commissioner Edgerton and passed unanimously.

There being no further business before the commission, Commissioner Hulbert asked for clarification on minor land partitions and flag lots. He felt the Planning Commission should have a policy established whereby there would be stipulations that would have to be followed on flag lots. He also didn't think that the pole portion of the flag lot should be included in the square footage of the buildable portion of the lot. Discussion followed on whether the Planning Commission was being consistent regarding policy on allowing flag lots. Also discussed was land use planning in relation to R-1 and R-2 zones concerning multiple family dwellings. Commissioner Edgerton felt that the city ordinances regarding R-2 zones were not specific enough. Planning Consultant Edwards mentioned an area where specific plans and policies were laid down in a multi-family zone and there were still some areas that were poorly kept up. Planning Consultant Edwards felt that a "Design Review Board" was the best answer in setting up specific guidelines in an R-2 zone.

The meeting was adjourned at 9:00 p.m.

This meeting has been recorded on tape.

  
Virginia J. Shirley, Secretary  
Canby Planning Commission