

CANBY PLANNING COMMISSION  
Regular Meeting  
November 8, 1982

MEMBERS PRESENT: Chairman Kahut, Commissioners MacKenzie, Baller,  
Davis and Schrader

ABSENT: Commissioners Cutsforth and Shinn.

ALSO PRESENT: Deputy City Attorney Jennifer James, City Planner  
Bud Atwood, Recorder Pro Tem Marilyn Perkett, Bill  
Hinckley and Lloyd Brooks.

The Chairman opened the regular meeting at 7:36 p.m.

The minutes of the regular meeting of the Planning Commission of  
October 13, 1982, were approved as distributed.

ITEM NO. 1: Request for a Conditional Use to use part of a structure at 309 S.E. First Avenue, Canby, Oregon, for a caretaker dwelling. The property is described as Tax Lot 600, Section 33DC, T3S, R1E, and is owned by the applicant, William Hinckley. City Planner Atwood reviewed the application of the subject property, zoned C-2, Highway Commercial. Mr Atwood reviewed the five (5) findings of fact necessary for approval; services are presently used on the site; caretaker dwelling could meet the criteria of conditional use in a C-2 in conformance with the Comprehensive Plan; existing physical condition of the site comply with State-wide Planning Goals; and if approved the following conditions should be attached to the permit: 1) permit will be cancelled if the present owner terminates the Locksmith business; and 2) permit to be renewed yearly, after staff review. However, staff withheld any recommendation. Chairman Kahut opened the Public Hearing for both pro and con testimony. Floyd Brooks, owner of the Canby Cleaners next to the subject property, addressed the Commission explaining he had no problem with the requested conditional use and felt no one should be "chased out of work". Chairman Kahut closed the Public Hearing. Commissioner Baller expressed that Canby is a "bedroom community" and the Commission should be flexible with the Ordinance, noting that not more than possibly twelve locations would be in question and each should be treated on individual merit. Commissioner Mackenzie also expressed Mr. Baller's views noting that the economic times should be considered. Both Commissioner Davis and Schrader favored the application due to the individual merit of the request. \*\*Commissioner Davis moved to approve the Conditional Use Permit for caretaker dwelling, applicant of Bill Hinckley, subject property located at 309 S.E. First Avenue, based upon the following findings of fact: 1) the proposal is consistent with the comprehensive plan and objectives of the zoning ordinances and other applicable policies of the City; 2) taking into account the location, size, design and operation characteristics the proposal will have minimal adverse impact on livability and value and appropriate development of abutting properties in the surrounding area since it will not be vacant and function as previously; 3) the location and design of the site and structure will be as attractive as the nature of the use and the setting warrants; 4) proposal will preserve assets

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of particular interest to the community, especially in keeping with maintaining a functioning business with caretaker facility; and 5) applicant has a bona fide intent and capability to develop and use the land as proposed and is not motivated solely by such purposes as the alteration of property value for speculative purposes. The approved permit shall also be subject to the following conditions: 1) permit will be cancelled if the present owner terminates the Locksmith business; and 2) permit is to be renewed yearly, after staff review. Motion was seconded by Commissioner MacKenzie and approved unanimously.

ITEM NO. 2: Discuss conditions to be established for operation of a Half-Way House facility in the City of Canby. City Planner Atwood informed the Commission that a request had been made through a Real Estate office regarding proposing a Half-Way House facility and at this time Ordinance No. 690 had no provision for such a request. Commissioner Schrader noted that very strict conditions and burden of compliance should be placed upon any such request. Deputy Attorney James was directed to research other communities regarding their zoning approach to this type of facility and return to the Commission with more information.

ITEM NO. 3: Discuss Ordinance changes concerning dwellings in a Commercial and Industrial Zone. The commission discussed the existing reasons for conditions in the C-2 Highway Commercial zone, specifically the type of allowed business, such as gas stations which are more of a nature of dangerous, and also safety factors due to the highway. The Commission made no recommendation for changes at this time, however, will consider each individual application that may be presented.

Chairman Kahut adjourned the regular meeting at 8:34 p.m.

This meeting has been tape recorded.



Marilyn K. Perkett  
City Recorder Pro Tem