

CANBY PLANNING COMMISSION
Regular Meeting
January 14, 1991

7:30 p.m.

APPROVED

I. ROLL CALL

Present: Chairman Schrader, Commissioners Mihata, Bear, Westcott, Wiegand, Fenske and Zieg.

Others present: David Nelson; Roger Reif; Ron Tatone; George Wilhelm; Max J. Sherman; Carole Jean Berggren; Earl Oliver; Wayne Scott; Planning Director, Bob Hoffman; John Kelley, City Attorney; and Joyce Faltus, Secretary.

II. MINUTES

The **November 19, 1990** and the **December 10, 1990** minutes were both approved unanimously.

III. CITIZEN INPUT ON NON-AGENDA ITEMS

None

IV. COMMUNICATIONS

None

V. UNFINISHED BUSINESS

Preliminary Discussion - Systems Development Ordinance

The Commission discussed the proposed mandatory Parkland Dedication and System Development Charge draft ordinance and the Rationalization and Methodology for Park System Development Fees for the City.

The Commission explained that the City is looking at a time span of about 8-12 years, to develop a plan incorporating greenway, bike paths, mini-

parks and neighborhood parks, and a distribution plan to distribute parks in the north and south areas of town. Maps will be developed, including mylar overlays, to show the areas of development. Costs and systems development charges are presently being developed.

John Kelley explained that Ballot Measure #5 may affect Systems Development Charges. Some Systems Development Charges may be exempted by legislation as a result of this new session. Depending on how the ordinance is worded and how the charges are set, it could fall under the Measure #5 limitations.

The Commission discussed deleting the term "open space" and making the documents specific to parkland, thus preserving the open space definition from the Comprehensive Plan which includes agricultural land, truck gardening, Hazard Overlay zones, etc. In other words, land that is not being used for anything else, that lends an aesthetic vista.

The Commission further discussed using the Construction Cost Index rather than the Consumer Price Index, as it is updated weekly and more accurately reflects costs for capital construction than does the Consumer Price Index.

Systems Development Ordinance Deliberations

1. To strike the word "Mandatory" from the title.
2. To delete references to the Comprehensive Plan Policies by number designation.
3. To replace "open space" with the term "parkland" wherever it exists.
4. Under "Purpose" (16.90.15) add **concurrently** before ". . . obtain monies for parkland acquisition and parkland capital improvements."
5. The Commission discussed system development charges being ultimately based on the number of bedrooms in a home and paid by the homeowner, when no land is either set aside for parkland or dedicated to the City.

6. Mr. Kelley discussed optional approaches to the systems development procedure. One way is to require land to be dedicated, but a problem lies in evaluating the value of the land versus a payment in lieu. The other is to require a charge for everyone who applies for a building permit, which monies would be used to purchase parkland. Areas that are targeted in the Master Park Plan would most likely require mandatory land dedication, as opposed to a fee, but where the area is not targeted, a fee in lieu would be more appropriate. He reviewed another option, the bond issue. Property could be identified for development, in coordination with the overall Parks Development Plan, and purchased with the bond. The debt could then be retired through the system development charges.

7. The Commission requested input from developers who were present:

Dave Nelson stated that the nice thing about a monetary charge is that the developer would know from the start, what is expected financially. There is also the issue of bringing the property up to park standards, which would be easier for the developer than the City. The land could be developed as a private park or it could be dedicated to the City.

Where a smaller percentage than the required parkland space is developed, it could be used as an offset against the parkland dedication required under the system development charge.

George Wilhelm stated that there should be a way to make it possible to pay money in lieu of dedicating land because, in some small developments, it would not be practical to dedicate land - and in some cases, land that is dedicated would not be practical for the City to develop as a park. He suggested a fee based on the number or size of lots, leaving it up to the developer to prove the land he proposes to dedicate in lieu of the fee is worth what he claims it is. If the developer would prefer to dedicate land, he would have to prove the land is equal to the value of the system development charge.

Ron Tatone stated that the formula should be kept simple. The most workable plan would be a systems development charge that comes with the building permit, with a higher charge for higher density projects.

8. The Commission discussed the need for a larger business community in Canby to meet the needs of residents and try to keep dollars in our own community.
9. The Commission discussed the need for more commercial/industrial type businesses. It was agreed the need would be difficult to fill as there is no direct access to I-5.
10. The Commission discussed the cost of maintenance for dedicated parklands. It was agreed the Park Plan would refer to and make suggestions regarding operations and maintenance.
11. Under 16.90.40, the question of the definition of "major" was addressed by the Commission - whether it included all development, "major" development, or major remodeling (by value). The Commission agreed the system development charge should apply to anything that adds people to the area, and considered applying it to number of bedrooms in a new home or bedroom additions.
12. Mr. Kelley explained the importance of environmental audits when the City is considering land to purchase for parkland and when accepting land for open space. The problem lies in timing the audit prior to accepting the land.
13. Under 16.90.45, regarding land dedication, the Commission discussed having the park plan for the entire subdivision outlined on the plat plan in the same fashion as streets and succeeding phases are outlined.
14. Under 16.90.50, Mr. Kelley explained that this language is unnecessary if the Commission favors cash in lieu of dedicated land to be collected at the building permit stage.
15. The Commission questioned whether staff would need guidelines in an ordinance form for procedures to follow for acquiring parkland,

if dedicated. Mr. Kelley explained this language would only be pertinent to dedicated land. There would be no need for the language if the monies would be acquired by a system development charge.

16. Under 16.90.55 the Commission agreed there would be an offset for public parkland.
17. Under 16.90.60, the Commission agreed the CCI would be more accurate than the CPI.
18. Under 16.90.80, it was agreed the section that includes ". . . 3 acres/100 population. . ." statement should be moved under the 16.90.10, the General Concept section.

Methodology for Park System Discussion

1. Section 1 will be increased to 4 phases - to 29 acres.
2. Under System Development Charge Allocation, it was agreed the percentage would vary, due to using the CCI index. As the area grows, the current parks will become inadequate to meet the needs. The Parks Committee envisions a total of 100 acres of parkland within the City by the time the population reaches 20,000, so newcomers would have to share a greater portion of the burden. Rather than require a fee per person, it appears better to go to a dwelling unit situation. The maintenance and operation should be supported, to a larger degree, by larger lots.
3. The Commission agreed to delete the words "correlation of land" portion.

If possible, a revised Systems Development Charge Ordinance will be submitted at the next meeting, along with a revised methodology.

VI. FINDINGS

Commissioner Westcott moved for approval of CPA 90-02 (Scott) Findings, Conclusions and Order. Commissioner Fenske seconded the motion and it carried unanimously. Commissioner Wiegand was absent.

Commissioner Mihata moved for approval of MLP 90-11 (Perenchief) Findings, Conclusions and Order. Commissioner Bear seconded the motion and it carried unanimously. Commissioner Wiegand was absent.

Commissioner Westcott moved for approval of SUB 90-05 (Lillian's Meadows) Findings, Conclusions and Order. Commissioner Fenske seconded the motion and it carried 5-1, with Chairman Schrader voting no. Commissioner Wiegand was absent.

With reference to the Findings for CUP 90-06, the Commission discussed each of the conditions separately and clearly discussed the public paths issue and the fact that the path will not be paved. The Commission further discussed the maintenance provisions regarding the parkland and the fact that the City Attorney would review the CC&Rs. **Commissioner Fenske moved for approval of CUP 90-06 (Village on the Lochs) Findings, Conclusions and Order, as amended, deleting Condition #3. Commissioner Zieg seconded the motion and it carried 5-1 with Chairman Schrader voting no. Commissioner Wiegand was absent.** The Commission asked that it (and the applicant) be advised when all conditions have been complied with. It was requested that each Commissioner receive a final version of these Findings.

VII. PUBLIC HEARINGS

CUP 90-09, a request by Canby Union High School for approval to construct a pole building to be used by the Agricultural Department on property identified as Tax Lot 701 of Tax Map 4-1E-4B. The site is located adjacent to high school building on the west side of the site. Carried over from December 10, 1990.

Robert Hoffman presented the staff report, explaining that the high school would like to build a farm equipment storage building because the equipment is currently stored outside. Using the larger map, he indicated where the building is proposed to be placed, 34 feet from the western property line, adjacent to the

current agriculture building. As the Design Review Ordinance was adopted, this application must return for such review and the conditions will be modified to reflect this. He stated that the application meets the approval criteria. Staff recommends approval with conditions as stated in the staff report, with the deletion of #3.

1. The applicant shall provide proof, in an affidavit, that the pole building will be used by the same people who are currently served by the existing parking area.
2. No plumbing will be provided.
3. The water easement in the vicinity will be provided protection and the proposed 34-foot setback from property lines shall be provided.

Applicant

Max J. Sherman, 8621 S. Sconce Road, explained the purpose for the building, stressing that all the equipment is stored outside at the present time. He further explained that there will be a lot of student involvement in the site preparation and building itself.

With no further testimony, the public portion of the hearing was closed for Commission deliberation, if any.

Commissioner Westcott moved for approval of CUP 90-09 based on staff's recommendation, with conditions as outlined in the January 4, 1991 staff report, deleting condition #3. Commissioner Zieg seconded the motion and it carried unanimously. Commissioner Wiegand was absent.

VIII. ADJOURNMENT

The meeting was adjourned at 10:50 p.m.

Respectfully submitted,


Joyce A. Faltus