

MINUTES
CANBY PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 27, 1995
7:30 P.M.

APPROVED

I. ROLL CALL

Present: Vice-Chair Mihata, Commissioners Ewert, Gustafson, Elliot, and Jackson.

Staff Present: Robert Hoffman, Planning Director, and Joyce Faltus, Secretary.

II. MINUTES

The minutes of **January 9, 1995** were approved as corrected. **Commissioner Ewert moved for approval and Commissioner Jackson seconded the motion and it carried unanimously, 4-0, as Commissioner Elliot had not yet arrived .**

The first 21 pages of the **January 23, 1995** minutes were approved, pending completion. Commissioner Ewert referred to page 9, #29, stating he was under the impression that in addition to the applicant not being able to handle any of the materials not approved within the DEQ permit, the applicant was not to handle any materials not approved within this Conditional Use permit also, and that the applicant would have to come back before the Commission. Mr. Hoffman explained that such intent was definitely included in the Final Order. **Commissioner Gustafson moved to approve the first 21 pages of the January 23, 1995 minutes, which included the review of the Final Order for the Transfer/ Recycling Station portion of the agenda. Commissioner Ewert seconded the motion and it carried 4-0, as Commissioner Elliot had not yet arrived.**

III. CITIZEN INPUT ON NON-AGENDA ITEMS

City Councilman Terry Prince addressed the Commission, explaining first that he and Chairman Schrader prepared the agenda for the next school district meeting which addresses the concerns about the areas the school district is going to use in estimating its square footage [i.e. music room, etc.]. Also, they

are working on a document that would be returned to the City which would incorporate square footage, total student capacity, etc., when the City requests comments regarding future hearings, and would include, but separately, both the grade school and the high school when computing total student capacity. It would also include whether or not the district feels a new school should be considered within the next three years. Hopefully, by keeping a close count, the district would realize when the need was getting closer. The district is supposed to be calculating how much the students have been moved around since the redistricting, and the impacts on the elementary school from the impact of the south side growth in Canby. Mr. Prince stated that he has a problem with the school superintendent's statement that the district could educate all children from the district without any qualifications about room availability or class size.

With regard to METRO, Councilman Prince explained further that there is a local workshop in March 6th for the general public, in the Adult Center, from 7 p.m. to 9 p.m. On March 30th, there will be a business community workshop regarding METRO. He referred to an article in the newspaper that METRO proposed changing the tax status of farmland within the Urban Growth Boundary and noted the farmers' responses. Mr. Prince stated that if METRO was proposing that, he questions how serious they are about preserving farmland. Mr. Hoffman explained that he called the planning representative from the League of Oregon Cities, to remind him of the Priority "A", Priority "B", and Priority "C" concept, explaining that if the subsidy is removed for all of the areas, it will force cities to start developing in some of the other stages. If this was done, Mr. Hoffman suggested it should be phased in and not become the rule immediately. The representative stated many planners have voiced concerns about this issue.

Since the application for the Tatone subdivision on N.E. 34th Avenue was withdrawn, Mr. Prince addressed his concerns:

1. Regarding wetlands designation, Mr. Prince suggested the Commission come up with some criteria that could be used to determine what is a wetland, especially in light of the fact that the City did not accept this area as a wetlands, but the Army Corps of Engineers did recognize it as a wetland. After talking with Jim Sitzman, Mr. Prince was suggested that we might ask the two conflicting groups to state their concerns, i.e., the Division of State Lands and the Army Corps of Engineers, and decide whether or not an area should be considered a wetland. This would remove the City from making the final decision. Another option

for the City would be to choose one or the other as the representative group. Mr. Hoffman explained that both the Army Corps of Engineers and the DSL have conflicting definitions of wetlands. The State is supposed to coordinate the decision-making. For some reason, Mr. Tatone went directly to the Army Corps of Engineers, who reviewed his plan independently of the State. The State ruled there was no wetlands present, but the Corps gave Mr. Tatone guidelines. Ultimately, they decided that the proposal did not affect the wetlands that existed there, if any. Mr. Hoffman explained that, at the State level, there is a committee restudying the whole issue of Goal 5 and wetlands is a large part of that. When the recommendations are in, he will report them back to the Commission. Further, Mr. Hoffman added that when there are two conflicting reports, the most limiting report is accepted. Mr. Prince explained that Mr. Sitzman suggested getting a position paper from all agencies, letting them decide the issue in a joint issue paper, thereby removing the City from having to make the final decision.

2. Mr. Prince asked if the Commission wanted to take a position on the issue of half-street improvements. Looking strictly at the development proposed for N.E. 34th Avenue, he suggested that the Commission could require the lots on the west side of Maple, beginning at the Country Club, to have sidewalks. The Commission pointed out that that property was not in the City limits, and Mr. Prince stated it was developable. It was suggested the Commission delay development in that area until annexation and development leads up to the street widening. Mr. Prince suggested taking that route, or setting a policy that no additional half-street improvements could be made on such narrow of streets such as Maple due to the problems it presents, such as parking and pedestrian restrictions. Furthermore, Mr. Prince stated he did not want the City to find itself in the position of having to develop streets to full width. He suggested exploring areas of the City where this might be a likely occurrence before proposing an ordinance amendment.
3. Regarding the school capacity issue and the number of students in the average family, Mr. Prince explained that there was some concern that the 2.66 children per family figure was too low.

4. Regarding the solar ordinance, Mr. Prince stated that he believed there was 18% compliance at Tatone's Maple Street proposal, due to the exception brought on by the wetlands area. He suggested that with exception areas where it is difficult to orientate houses, there should be a minimum compliance expected. He questioned whether the gain to the developer offsets the loss to the consumer because of higher fuel/energy bills. The Commission pointed out the value of saving trees and maintaining open space in that particular proposal.
5. Responding to an inquiry by the Commission regarding delayed annexation, Mr. Prince stated that there was concern about who would be responsible for the planning of the property before it comes into the City. The County would like the City to take the area surrounding us and do most of the planning for them. Although the concept might be good, he wondered how it would affect the Commission. A suggestion was made to spend some time reviewing West Linn's Delayed Annexation Ordinance.

IV. COMMUNICATIONS

None

V. FINDINGS

DR 95-03 - Paul DuPont

Mr. Hoffman explained that he asked Mr. DuPont if he had any second thoughts about the area between the property line and the curb line. Mr. DuPont would prefer not to build a sidewalk, but was willing to pour concrete in that area. The Commission agreed the reason it accepted no sidewalk on the site was because the street dead-ends in a cul-de-sac, and would serve no useful function as it would go nowhere. **Commissioner Jackson moved** to approve the Final Order for DR 95-03. **Commissioner Elliot seconded the motion** and it carried unanimously.

DR 95-04 - Oregon Custom Cabinets

Commissioner Elliot moved to approve the Final Order for DR 95-04. **Commissioner Ewert seconded** the motion and it carried unanimously.

VI. NEW BUSINESS

None

VII. OLD BUSINESS

None

VIII. PUBLIC HEARINGS

None

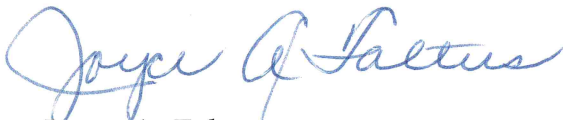
IX. DIRECTOR'S REPORT

Mr. Hoffman discussed meetings he attended, meetings he plans to attend, and other matters.

X. ADJOURNMENT

The meeting was adjourned at approximately 9:15 p.m.

Respectfully submitted,



Joyce A. Faltus