

MINUTES

CANBY PLANNING COMMISSION

Regular Meeting
February 26, 1996
7:30 p.m.

I. ROLL CALL

Present: Chairman Schrader, Commissioners Ewert, Jackson, Dillon, Gerber, Stewart.

Staff: James Wheeler, Assistant Planner, and Joyce Faltus, Secretary.

II. MINUTES

None

III. CITIZEN INPUT ON NON-AGENDA ITEMS

None

IV. NEW BUSINESS

None

V. OLD BUSINESS

None

VI. FINDINGS

None

VII. COMMUNICATIONS

None

VIII. PUBLIC HEARINGS

None

IX. COMMISSION DISCUSSION OF PLANNING ISSUES

The Commission discussed, for the benefit of new Commissioners, various resolutions, ordinances, handouts, and other information Commissioners have received in the past.

In particular, Chairman Schrader referred to information about the Community Services Department; Resolution 91-01, a resolution authorizing the City Planner to require information from applicants that is requested by the Planning Commission; a handout regarding landscape review dated January, 1993; and statistics about Canby [i.e. population, households, ages, housing, employment, income, economic base, census figures, etc.]. Additionally, he referred to a handout written by Timothy Sercombe regarding *Land Use Decision Making*, from a legal standpoint, for both legislative and quasi-judicial hearings. A handout entitled "*Planning Commission Effectiveness*," prepared by Ardis Stevenson was also referred to, along with Ms. Stevenson's "*Steps in the Decision-Making Process*," "*Ten Techniques to Demonstrate Fairness*," and "*Eight Ideas to Improve Relationships with Governing Body*." A handout prepared by John Andersen, a Gresham Planning Director, entitled "*Working with Professional Staff*," was included in the handout package, as was a handout prepared by Lorna Stickel, Multnomah County Planning Director, entitled "*The Planning Commission's Rights as a Part of the Planning Team*." A document published by the Oregon School Boards Association's, "*What Makes a Good Planning Commission Member?*" was also included. Resolution #469, establishing policy regarding submittal of information for proper decision-making by the Planning Commission was also referred to.

Chairman Schrader then referred to a list of suggestions for Land Development and Planning Ordinance Changes that staff submitted some time ago, along with possible Ordinance Changes/Improvements recently submitted by Chairman Schrader and Commissioner Jackson. Dr. Schrader's suggestions for discussion during the Design Review Workshop between Council and the Commission was also included.

Commissioner Schrader suggested that the Commissioners all read the section about Priority annexations. He explained that there is still plenty of Priority "A" and Priority "B" lands remaining for annexation. Further, he explained that the Commission should keep in mind that services can be extended to Priority "A" and "B" lands without difficulty. Developers, he added, will come before the Commission complaining that large subdivisions cannot be built on the smaller Priority "A" and "B" lands. The whole idea of proper land use planning, Chairman Schrader added, is to encourage the development community to infill first, and make use of land that is already available. The concept of S.B. 100 is to leave big, farmable acreages the last for annexation, and as infill occurs, the City will expand to its Urban Growth Boundary. As decisions must be based on land use law, one would see there is still 81% of Priority "A" that has not been annexed.

Commissioner Stewart shared information regarding the monopole. He explained that he spoke with a representative of the FAA who explained that two regulations apply to monopoles: if a monopole is over 200 feet high, it must be lighted with a beacon. Beneath 200 feet, if it is within 4 statute miles of an airport with a runway greater than 3200 feet, it must be lighted. He suggested that, in the future, the onus should be on the developer, to insure that regulations are met and proper permits are obtained prior to the hearing. The FAA representative recommended that the Commission investigate whether or not there are any obstructions for helicopters. It was further suggested that the City get longitudinal and latitudinal readings and write to the National Oceanographic and Atmospheric Association to get copies of aerial charts when they are updated, to insure that the monopoles are listed as obstructions. The City should also contact the County Emergency Services and list not only the latitude and longitude of the obstruction, but the geographic reference point.

Those who attended the workshop with City Council reviewed Council's input:

- a. City Council favors Design Review, especially the Transportation Element. New definitions or criteria should be investigated.
- b. Apartments are covered only under Design Review, where traffic issues, schools, etc. could be considered.
- c. The Council felt that the Planning Commission's interpretation of Design Review is based on vague criteria.
 - I. Color and Compatibility need further definition.

- ii. Signs - need further definition, including the length of time a sign can be up, sign color, etc.
- iii. Theme - there was concern that the business core area has been working with the downtown revitalization committee, and that the Planning Commission should be working together with them. Rather than working with a theme, the committee is working with aesthetic appeal.
- iv. Corporate Signage - to build something into the sign ordinance specifically about corporate signs requirements and corporate signage sponsorship changes.
- v. Buffering concept for industrial areas.
- vi. Criteria for the M-2 zone - more specificity about compatibility, with reference to Design Review.

The Commission review Dr. Schrader's suggestions for possible ordinance changes/improvements, rating them either "major" or "minor" and assigning each issue to certain Commissioners.

- 1. The Commission discussed setting up a matrix to rate Design Review approvals.
- 2. The Commission suggested submitting ordinance changes to City Council in approximately 2 -3 months, and discussed breaking down the possible revisions that each Commissioner would review, as follows:

Major:

- a. Commissioners **Stewart, Gerber, and Ewert** would work with **Jim Wheeler** regarding standards for parking requirements. Minimum parking requirements are included in the ordinance and the Planning Commission has the discretion for reducing the requirements, but there are no standards for the reductions. This should be tied into Design Review compatibility issues.
- b. Commissioner **Schrader** would review the 'Right-To-Farm' issue.
- c. Commissioner **Gerber** would review the issue of the prevailing attorney preparing the Final Order.
- d. Commissioner **Schrader and Jim Wheeler** would review the issue of Delayed Annexation for implementation and work toward implementing this with Clackamas County.
- e. Protecting downtown from Heavy Industrial (or something like a Fred Meyer). Also editing the list of permitted uses in a Conditional Use in a residential area. Compatibility issue with regard to Conditional Uses.
- f. Transportation issues - standards for the City, traffic warrants for Canby vs. State - Commissioner **Jackson**

- g. Hiring a Traffic Engineer to do traffic study for any residential project in excess of 10 units/lots, and any commercial/industrial project in excess of 25,000 square feet and/or 25 employees - to be paid for by developer - [numbers to be checked] - **Commissioner Ewert**
- h. Screening requirements for loading berth areas should be revised - more permissive requirements are needed. The ordinance does not allow them to be seen from a public right-of-way. **Commissioner Ewert**
- l. Each jurisdiction in charge of neighboring rural reserves [IGAs]. Would be good to meet with representatives from Oregon City, Clackamas County, Wilsonville, and Barlow to discuss the issue of growth and competing demands for space. This may be obsolete now in view of decision regarding METRO 2040 Plan.
- m. Reducing the red tape for commercial/industrial applications, especially Design Review and fees. Would include better definition of compatibility.
- n. Delete the possibility of homeowners associations from inclusion in ordinance, as the associations' credibility diminishes with each ensuing homeowner.

Minor Issues:

- a. Time limits for filing lot line adjustments and partitions - There are no time expiration limits for filing in the Ordinance, which makes tracking difficult. **Jim Wheeler**
- b. Whether or not to allow the applicant to apply for an extension of a conditional use permit by returning before the Planning Commission for the extension within one year from the original Planning Commission approval. **Ewert**
- c. Requiring compact parking spaces to be marked - **Jim Wheeler**
- d. Accessory structures - **Stewart**
- e. School growth issue - **Commissioner Gerber**
- f. No walls or fences around subdivisions in order to generate "community feeling" as opposed to "exclusive" subdivisions - **Kurt Schrader**
- g. Maximum lot coverage by building (residential) - **Kurt and Jim Wheeler**
- h. Mobile home park owners to inform tenants of landscaping requirements or covenants - **Jim Wheeler and Commissioner Ewert**
- l. Sign Ordinance Update - **Commissioner Jackson and Jim Wheeler**
- j. Design Review criteria for adequate transportation with regard to apartment buildings (subdivision criteria brought into Design Review) - **Jim Wheeler**
- k. Occupancy regulations with regard to apartments - **Commissioner Ewert**
- l. Responsibilities of off-site owners - **Commissioner Ewert**
- m. Reviewing effectiveness of DR conditions that planting will cover an area in 3 years time. As far as the initial planting spacing, the City is requiring

the ODOT standards, which are relatively dense, Mr. Wheeler explained. Further, Mr. Wheeler explained the difficulty in holding a bond for 3 years, while a business is starting up. Additionally, developers would feel the City lacks trust in their ethics. He suggested a separate bond for landscape maintenance over the three year period.

- n. Reconfiguration of standards for maximum development of homes off of a private drive, which ties in with non-public road standards for development. The way the ordinance is presently worded there can be more houses developed off a private drive, than off a public road, in some cases. Additionally, there are no standards for private roads in subdivisions, which is necessary because the possibility exists that the City could eventually take the responsibility for the road. Section 16.46 discusses the number of units permitted on loop drives, width of drives, number of accesses, etc., but which is complicated and confusing. These issues should be revised so as to develop standards based on how many units the City wants to allow per number of access points.
- o. Setting minimum distance standards between residential driveways and intersections.
- p. Determining a maximum density reduction which is permitted with changes, necessary to meet the solar ordinance which, although leeway can be granted, would give staff more direction.
- q. Exempting C-1 multi-family residential development [when in conjunction with 75% commercial usage of ground floor] parking standards, which would allow for and encourage more commercial development in the downtown corridor.
- r. C-R zone development standards: minimum lot size 7,000 square feet **except** for residential development, which corresponds with the zoning [either R-1.5 or R-2].
- s. Occupancy requirements on apartments - **Ewert**
- t. Accessory structure on residential lots. If less than 120 square feet, to be permitted to be as close as 3 feet from the side and/or rear property lines, if they are at least 60 feet from a street. The question of whether a differentiation would have to be made between carports and garages arises within this issue. Mr. Wheeler explained that he would like to eliminate a change made two years ago **Keith Stewart and Jim Wheeler**
- u. Designate permissible actions for administrative review, with Planning Commission notification.
- v. Public Facilities - adding to 16.49.040(1), a (d) to ensure adequate public facilities (infrastructure) are in place adequate to handle the development.
- w. **Jim Wheeler** to review whether Res. 91-01 and 469 request adequate information to be submitted to the Planning Commission.

3. The Commission discussed school issues and agreed to leave that issue up to the Long Range Planning Committee formed by the school district.

X. **DIRECTOR'S REPORT**

The Commission agreed there would be no meeting March 11, 1996 and that since there were no hearings scheduled for March 25, 1996, a meeting would be held just to discuss ordinance revisions.

X. **ADJOURNMENT**

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Joyce A. Faltus". The signature is written in a cursive style with a large initial "J".

Joyce A. Faltus