

MINUTES

CANBY PLANNING COMMISSION

Regular Meeting

March 24, 1997

7:30 P.M.

I. ROLL CALL

Present: Chairman Ewert, Vice-Chair Stewart, Commissioners Hartwell, Dillon, O'Shea and Keller.

Staff: James Wheeler, Planning Director; Larry Vasquez, Assistant Planner; and Joyce Faltus, Secretary

Others Present: Allen Manuel

II. MINUTES

Commissioner Keller moved to approve the March 10, 1997 minutes, as amended, to reflect that two-story homes and/or apartments will be located on the northern lots in the subdivision. **Commissioner Stewart** seconded the motion and it carried unanimously.

III. CITIZEN INPUT ON NON-AGENDA ITEMS

None

IV. FINDINGS

SUB 97-02 - Manuel/Danforth (6-lot subdivision on the north side of S.E. Township Road, east of S. Ivy Street and west of S. Knott Street)

After a discussion regarding the drywell/stormwater system, and the possible potential problems and the current water retention problems on the south side of S. Township, **Commissioner Keller** moved to approve the Final Order for SUB 97-02, as modified to indicate that an adequate stormwater system plan should be submitted to the Public Works Supervisor who will review it to see whether or not it should be upgraded. Both the finding and conclusion were amended to indicate this review and possible upgrade. **Commissioner Stewart** seconded the motion and it carried unanimously.

VAR 97-02 - Manuel/Danforth (variance to the 60 foot minimum lot frontage)
Commissioner Stewart moved to approve the final Order for VAR 97-02, as submitted. Commissioner Hartwell seconded the motion and it carried unanimously.

MLP 97-02 - Campbell/Spencer (minor land partition on the west side of N. Maple, north of NE 22nd Avenue)

Commissioner Stewart suggested that even though the lots that are being created are not flag lots, any conditions that relate to turnarounds should indicate that the emergency turnarounds are to be approved by the Fire Marshal, rather than the fire district, to remain consistent. Commissioner Stewart moved to approve the final order for MLP 97-02, as amended. Commissioner Keller seconded the motion and it carried unanimously.

V. COMMUNICATIONS

Mr. Wheeler explained that the City is in receipt of a letter from Caffall Brothers requesting that the Logging Road boom site at the very end of N. Maple Street be included in the Urban Growth Boundary when staff undergoes the Periodic Review update, possibly in preparation for developing the portion of the property not in the *Williamette Greenway*, as a marina. When the Periodic Review process for the Comprehensive Plan update begins, this issue will be reviewed, he added.

VI. PUBLIC HEARINGS

None

VII. OLD BUSINESS

None

VIII. DIRECTOR'S REPORT

1. Mr. Wheeler reported that **MLP 97-01 (Guttormsen minor land partition)** was being appealed to City Council and would be heard on April 2, 1997. He further explained that Mr. Morse is trying to protect the vacation of his easement because the Commission's recommendation to vacate the easement cannot be processed before the end of the appeal period. Mr. Wheeler explained that vacation of an easement for street purposes is a formal process and is no different from vacation of a right-of-way for street purposes. The entire process takes too long to complete before the appeal period ends. If Mr. Morse does not file this appeal and waits, he loses the opportunity to appeal, should the Council choose not to vacate the easement. Further, the main issue alluded to in the appeal is that the road should be fully extended in order to automatically vacate the easement. Technically, until this issue is resolved, the minor land partition is not finalized, and cannot be signed.
2. Mr. Wheeler also advised the Commission that another meeting is scheduled for March 26th regarding the Access Management Plan, where the business community's input has been sought, as well as possible input from representatives of the Oregon Department of Transportation. That meeting is scheduled for 7:00 p.m. Afterwards, the Access Management Plan and Transportation System Plan public hearings will come before the Commission, and the Commission's recommendation will then be forwarded to the City Council. Therefore, by attending the joint meeting on March 26th, Commissioners will have a chance to review the business community's input, as well as the Council's input.
3. Staff reminded the Commission of the Access Management Plan workshop on April 2nd, which begins at 6:00 p.m., prior to the City Council meeting. Possible amendments to the Transportation System Plan would also be discussed. Further discussion and clarification of the City's position regarding the Access Management Plan will be discussed, as well the possibility of additional SDC charges for bringing some projects into the 5-year timeframe. The meeting, he explained, would be held at the Library, and dinner will be provided.
4. Chairman Ewert reviewed the last meeting held with regard to the Access Management and the Transportation System Plan. He explained that there are 4 categories/alternatives that the City is exploring for movement of SDC projects into the 1-5 year timeframe, in addition to the public funding of some projects. Three projects:
 - a. The light at Territorial/Highway 99-E
 - b. The light at Redwood/Highway 99-E
 - c. Berg Parkway - which is an SDC-funded project is in the 6-10 year timeframe.

Mr. Wheeler explained that the Berg Parkway project is actually composed of two parts. One is the actual construction of a road from Industrial Seating, through Mr. Kaput's property, to the Cedar Ridge Subdivision. The second part is widening the road from Industrial Seating, north to Highway 99-E. The City is considering whether to move the Berg Parkway project into the 1-5 year timeframe, to at least get Berg Parkway connected to SW 13th Avenue.

d Possible scenarios include:

- i. bringing in both traffic signals, fully funded by SDC funds and building the entire Berg Parkway project.
- ii. bringing in both traffic signals and not actually widening Berg Parkway, but funding a less improved connection.
- iii. fully funding the two traffic signals and leaving the Berg Parkway connection in the 6-10 year timeframe.
- iv. bringing all four projects into the 1-5 year timeframe, funding both parts of the Berg Parkway project and only funding the traffic signals at half funding or partial funding. Mr. Wheeler explained that a discussion was held regarding the impacts on SDC charges and a decision was made to bump them up, possibly raising single family Transportation SDC charges from \$819 a unit, to \$1,000 a unit, and others would be raised accordingly. The City has retained a consultant to review this issue and submit some precisely calculated numbers to justify an increase.

5. Regarding the completion of S. Pine Street, Mr. Wheeler explained that it is not in the 1-5 year timeframe. It was reviewed as a possibility for block grant funding, but it was too low a priority, he explained. There is the possibility for some improvements because the property that has frontage on the west side of S. Pine, from the unimproved portion all the way to the apartments on the west side, is up for sale and it could be improved if it is purchased and developed. Commissioner Keller stated that he felt it would not be developed if the developer would have to put in half-street improvement for the full width because of the small size and long skinny shape of the parcel. He suggested that the City might offer a 50-50 share of funding for improvements so it could be developed. Mr. Wheeler explained that he was unsure if it was an SDC-funded project, so it might have to wait until the Public Works Supervisor felt there was money in the street department's budget to do those improvements and, furthermore, even if money was available,

it would have to go before City Council to be included in the budget process. Mr. Wheeler cited the example of N. Ivy, where improvements were part of a cost-sharing process.

6. Chairman Ewert stated that if a company, like Fred Meyer, did annex a parcel into the City and develop it, the possibility would likely exist that they would fund the signal at Redwood and Highway 99-E.

He also asked that, in the future, Mr. Wheeler should advise the Commission when he learns of interest in the City by such companies like Fred Meyer, so the Commissioners are informed when they have to field both calls and other inquiries, especially if it's already been in the newspaper.

7. Chairman Ewert requested that the full Commission address the possibility of adopting a voter-approved annexation process, using the Corvallis ordinance as a guideline. He explained that he has reviewed the King City Charter Amendment, the Philomath Ordinance, and the Corvallis Ordinance. King City, he explained, is the only one within the Portland Metropolitan Boundary Commission's jurisdiction. Mr. Wheeler explained that there are positive and negative aspects of this process: citizen input is a positive aspect, while the cost of putting it on the ballot for a vote, is a negative aspect. Chairman Ewert explained that such an ordinance does not keep the Commission out of the process, and wording could be added that the Portland Metropolitan Boundary Commission would remain the final step of the process. Mr. Wheeler explained if an applicant went before the Portland Boundary Commission without coming to the City directly, and an application was approved, the City could object and it could be put to a vote. Right now, if the application comes before the City and is not approved, it does not go before the Boundary Commission, although the applicant could try to get it approved before the Boundary Commission if they wanted. The difference would be that after a vote is taken, the Commission and Council would be bound by the outcome. Mr. Wheeler explained that there is a timing issue involved also, especially with industrial sites. Chairman Ewert stated that wording to address industrial sites could be part of the Ordinance.
8. Due to his heavy work load and the importance of the proposed amendments to the Ordinance that are being considered, Mr. Wheeler suggested that the Commissioners each investigate certain portions of the Ordinance that are proposed for amendment. Referring to the previous list of possible amendments, Mr. Wheeler added the item "setbacks for gas station canopies from Highway 99-E," in order to reduce the variance requests that result from such applications. Further, Mr. Wheeler suggested that the Comprehensive Plan standards be incorporated into the Land Development and Planning Ordinance in order to be prepare the City for the limited land use process and expedited land use process, should applicants begin take advantage of these

processes. Another reason for having the Comprehensive Plan standards incorporated into the Land Development and Planning Ordinance is in the subdivision portion, where the policy regarding open space is referred to under the Environmental Element. The policy itself is wide open for various interpretations if the limitation measures that are part of the policy, which explain how the policy is applied, are not addressed. If the standards are applied and addressed in the staff report, and the meaning explained carefully, the general public would understand better how it applies to an application. Under expedited or limited land use decisions, if Comprehensive Plan standards are referred to, they must be included in the criteria in the Ordinance. As nobody has challenged the City yet, the City has chosen not to review applications under the limited land use review process, but an objective interpretation of the language appears to indicate that we are required to review all subdivision, partition, and site and design review applications as limited land use decisions. If challenged, the standards should already be incorporated into the ordinance.

- a. Commissioner Stewart agreed to review cell tower siting and restrictions and stated he would review ordinances from other cities.
- b. Commissioner Ewert agreed to work with staff to decide which Comprehensive Plan standards should be incorporated into the ordinance.
- c. Commissioners Keller and Ewert agreed to review the issue of what information should be required for submittal with applications to assist the hearing body in making informed decisions.
- d. Commissioner O'Shea agreed to review the setback requirement issue.
- e. Commissioners Ewert and Stewart to review access widths approaching subdivisions and road widths at the subdivision entrance to the interior, in order to clarify this issue.
- f. Commissioner Dillon agreed to review the issue of explicit restrictions regarding yard debris collection sites.
- g. The Commission agreed that the appeal period for subdivision and minor land partition applications should be reduced from 30 days to 15 days, in order to safely meet the 120-day rule.
- h. The Commission reiterated that hospital, medical, and dental office uses would be restricted in residential zones.

It was agreed that the first three items on the above list would remain as priorities.

Commissioner Hartwell announced that he was resigning his position on the Planning Commission, as he and his wife are moving to Green Valley, Arizona, south of Tucson, for health reasons. He explained that this would be his last meeting and thanked the Commission for its support.

IX. ADJOURNMENT

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

Respectfully submitted,


Joyce A. Faltus