

MINUTES  
CANBY PLANNING COMMISSION  
Regular Meeting  
October 13, 1997

**I. ROLL CALL**

Present: Chairman Ewert, Vice-Chair Stewart, Commissioners O'Shea, Tallman, Prince, and Keller

Staff: James Wheeler, Planning Director; Jason Kruckeberg, Assistant Planner; and Joyce Faltus

Others Present: Mike Unger, Bill and Pam Kraxberger, Herman Bergman, Kirsten VanLoo, Bill Wagoner, Randy Carson

**II. MINUTES**

There were no minutes to be approved.

**III. CITIZEN INPUT ON NON-AGENDA ITEMS**

No items discussed

**IV. COMMISSION DISCUSSION OF PLANNING ISSUES**

Mr. Wheeler reported what the City Council did at their last meeting.

He reported on the meeting of the technical advisory committee of the industrial park master plan group last Friday. There was a discussion of the design workshop and the layout of the street development.

The location of the cemetery adjacent to the industrial park was discussed.

**V. FINDINGS**

**SUB 97-06 Riverside:** Commissioner Keller moved to approve SUB 97-06 as written. Commissioner Tallman seconded the motion and it carried unanimously.

**SUB 97-07 Manuel:** Commissioner Keller moved to approve SUB 97-07 as written. Commissioner O'Shea seconded the motion with one modification on the last page. It carried unanimously.

## VI. PUBLIC HEARING

**DR 97-05**, an application by U.S. West Communications Wireless for Site and Design Review approval to construct a PCS wireless telephone facility consisting of a 125 foot galvanized steel monopole which will be outfitted with six steel-gray antennas approximately four feet long and six feet wide, mounted vertically on one of three support arms which will extend less than two feet from the sides of the monopole. A GPS antenna will be mounted on the monopole approximately 30 feet above ground and additional space will be provided on the monopole to accommodate a second antenna array as needed. In addition, there will be a set of three steel equipment cabinets, 5 x 7 feet tall, mounted to a concrete pad, which cabinets contain the electronic equipment necessary to transmit the signal. The project location is at the northwest corner of the Inter-Mountain Insulation site at 1004 NE 4th Avenue [Tax Lot 1701 of Tax Map 3-1-33AD and Tax Lot 601 of Tax Map 3-1-33DA].

Chairman Ewert reviewed the hearing process, procedures, and format. Mr. Ewert asked if any Commissioner had a conflict of interest. None was indicated.

Chairman Ewert asked if there had been any ex-parte contact. One Commissioner had visited the site but had drawn no conclusions.

**STAFF REPORT:** The application was explained by Mr. Wheeler as a 125-foot monopole. The fairgrounds are located to the west and apartment buildings to the north. The location is not preferred by staff and feels it is worse than the previous location sought. However, it is permitted outright. The design, siting, and layout is in question and for review. It's approximately 440 feet from the highway and 40 feet from a residential zone but 100 feet from a residential building. A letter was submitted regarding concerns of radio frequency emissions. The Federal Telecommunications Act specifies that the FCC is responsible for RF emission standards. As long as US West has an FCC license they're considered in compliance. The style proposed is using brackets to hold the antennas to the pole. It provides less of a profile.

There were different color options staff recommended that US West supply. Tan, grey and blue was provided. Tan is the preference. Landscaping amounts to 72 percent of the site. Grass and shrubs are located along the west and north. The shrubs are laurel, which will grow to 20 feet. There is a proposal for three trees. Staff recommends the trees be 10- to 12-foot red cedar trees. The compatibility matrix criteria has been met, according to requirements.

There are some conditions of approval recommended by staff: acquiring the appropriate easements for the utilities to be provided to the facility; notification to the office of emergency management, the aeronautical division of ODOT, LifeFlight; a copy of the lease will be recorded; a term of the lease is within 30 days of the end of the lease the facility will be removed; and more antennas than proposed will require a further site review in accordance with city ordinance.

Staff recommends approval.

Commissioners then asked staff questions regarding the design compatibility.

APPLICANT: Mike Unger, 8405 SW Nimbus Avenue, Beaverton, Oregon, representing U.S. West in this matter, spoke in favor of the application. He is in concurrence with staff's recommendations.

Commissioners questioned Mr. Unger regarding the possible health hazards. He stated the emissions are less than one percent of the maximum permitted. They operate at 80 watts and U.S. West does have a license and will provide it to demonstrate they are in compliance with the FCC regulations. The adequacy of the poles was questioned and need for more in the future. The proposed pole could carry an additional carrier. The height of the trees was discussed, and the red cedar's maximum height is 80 feet. It is possible the trees will need to be trimmed in the future. The color of the poles was discussed. The laurels were discussed as the barrier.

PROPOSERS: None

OPPOSERS: None

The public portion of the hearing was closed for Commission deliberation. Issues discussed included:

1. The color was discussed and dark brown was preferred.
2. The height of the tower was discussed and the need for lights on top with a rotating red beacon.
3. An additional three antennas in the future are permitted, but any more will be required to come before Planning Commission.

Based on the findings and conclusions contained in the staff report, on testimony at the hearing, and on Commission deliberations, Commissioner O'Shea moved to recommend approval of DR 97-05 with modifications as stated. Commissioner Prince seconded the motion and it carried unanimously.

ANN 97-08, an application by Harvey and Anne Tofte for approval to annex 11.17 acres into the City of Canby. The property is located on the south side of S.E. 13th Avenue, east of S. Ivy Street [Tax Lot 100 of Tax Map 4-1E-4D]

As everyone in attendance was present for the public hearing, Chairman Ewert did not reiterate the hearing process, procedures, and format. Chairman Ewert asked if any Commissioner had a conflict of interest. None was indicated. Chairman Ewert asked if there had been any ex-parte contact. No contact, but Commissioner Tallman had visited the site but had drawn no conclusions.

Mr. Kruckeberg reported Annexation 97-08 is an application for 11.17 acres located on the south side of S.E. 13th east of S. Ivy. The land use for the area is low density residential, and if the annexation is approved, the city zoning will apply. The current zoning is county EFU, exclusive farm use. The parcel is an island surrounded by land in the city. The annexation of the property would be a step towards eliminating the island. A key issue is the available buildable land within the city. Staff provided tables showing the amount of land and the equivalent buildable lots in the city in different stages of development. There are three years, six months' worth of land within the city limits, not including the HOPE Village project. Adding the 11.17 acres at 4.2 lots per acre adds three months' worth of land. There is no application for development along with this proposal at this time. Long-term vacant land within the city limits was taken out of the comp plan.

On the farming issue, the land could still be used for farming in an R-1 zone. It was reiterated there is no application for development at this time. The subject property does not fit under Measure C. Measure A and C were reviewed as contained in the report. There are some conflicting policies with the comp plan with regard to the island and the nature of the property. Staff feels a higher priority should be given to the annexation priority classification than the agricultural use. All utility providers were sent a request for comments. There were no inadequacies on the comment forms received. Canby Utility Board and Clackamas both mentioned some conditions which are found in the report. In conclusion, staff feels the annexation meets the criteria and recommends the Commission send it on to the City Council with a vote of approval.

Questions on the staff report were answered by Mr. Kruckeberg. The question was raised, when will there be enough. The comp plan states an adequate supply for short-term growth. There are 307 buildable lots available.

APPLICANT: Kirsten VanLoo, 15256 NW Greenbrier Parkway, Beaverton, Oregon, spoke on behalf of the applicant. Approximately three acres of the subject property encompass the personal residence, outbuildings and barn building complex; about eight acres is farmed at this time. The reason for the application is because the applicant is in poor health and wants to take care of his estate plans. The applicant is addressing the comprehensive plan and feels they meet the criteria for annexation. Ms. VanLoo stated the property is within the urban growth boundary, which fronts a street that serves a school and well within the comprehensive plan as priority A land. She concurs with staff's report.

PROPOSERS: None

OPPOSERS: None

With no additional questions, the public portion of the hearing was closed for Commission deliberation. Issues discussed included:

1. The growth of Canby and the annexation of raw land for buildable lots.
2. The need for affordable housing in Canby.
3. The fact the application is for land only with no plan for application of development in the near future.

Based on the findings and conclusions contained in the staff report, on testimony at the hearing, and on Commission deliberations, Commissioner Keller moved to recommend approval of ANN 97-08 as written, to City Council. Commissioner Tallman seconded the motion and it carried unanimously.

## VII. COMMUNICATIONS

None

## **VIII. NEW BUSINESS**

Discussion was had about the requirements of sidewalks in front of houses.

## **IX. DIRECTOR'S REPORT**

New ordinances were discussed which were received in the mail. The joint meeting with the City Council was discussed. The reasons for the Gramor annexation reconsideration before the City Council was discussed. The Air Touch cell tower was discussed and the modifications in the plan and whether it needs to come before the Commission again. The building of a church on Elm and N.W. Fourth was discussed regarding the sidewalk in front of the church being eight feet instead of five. Metro IGA was discussed and the population forecast report. The City and the County are to work together on the population forecast. Update on search for the new commissioner.

## **X. ADJOURNMENT**

The meeting was adjourned.

Respectfully submitted,

Catherine Teach-Schmitz