

MINUTES
CANBY PLANNING COMMISSION
Regular Meeting
September 27, 1999
6:30 PM

ROLL CALL

Present: Chairman Keith Stewart, Commissioners Craig Harper, Geoff Manley, Jim Brown, Jean Tallman, Derek Bliss, Teresa Blackwell

Staff: Jason Kruckeberg, Planning Director, Carla Ahl, Planning Staff

Others Present: Jerry Pineau, Community Development Director, Carol Meeuwsen, Chairperson Urban Renewal Task Force, Lisa Weygandt

CITIZEN INPUT ON NON-AGENDA ITEMS

Jerry Pineau introduced Carol Meeuwsen, Chairperson of the Canby Urban Renewal District Task Force, which has been working on this project since December 1998. Ms. Meeuwsen stated that she was anxious to see what people have to say, and what questions they come up with. Jerry stated that the task force will still be involved with this process until the final approval of the plan and will be involved in working on the financial budget for it. It will be an on going community communication.

Jerry stated that the implementation of the Urban Renewal District does not impose any additional taxes within the city or within the Urban Renewal District, the tax rate remains the same. He then explained where the money comes from, who is affected by the city receiving a larger portion of the general fund, how the city receives the money, where and how it can be spent and where the money comes from to repay the loans. He then fielded questions from the Commissioners.

Commissioner Brown asked when would the money become available, if it would be available from the start or does it accrue? Jerry responded that the money would accrue, he would like to get the URD established before January 1 so that they could pick up the assessed valuation increment. The first time the city would collect any funds would be November of the year 2000. Any substantial money would probably not be available until approximately 4 years.

Commissioner Tallman asked what would happen to the tax money if the Urban Renewal

District was not established. Jerry responded that the Fire Department, School Districts, Clackamas County and Clackamas Community College were the entities that would be affected. Ms. Tallman asked if the other entities are willing to give the money up. Jerry answered that under Oregon Law they had no choice. The Urban Renewal District is willing to go into a joint facility with the School District. The Fire District is most affected since they have no other source of funding coming in, the URD can pay for Capital Improvements in proportion to the need for the use in the URD, for example if the district needs a ladder truck, they will figure out how much of that need is directed toward the use in the URD and then pay for that percentage of the equipment. Clackamas Community College is unconcerned about the reduction, Clackamas County is happy to do it because it benefits the County and the Port of Portland is not even interested.

Commissioner Brown asked what the Planning Commission could do to assist the continuing implementation of the URD, for example making sure the areas inside the URD are used to their best/highest use, (so the increment is as high as it can be). Jerry responded that the Commissioners could also do a Downtown Core Area Master Plan and an Economic Development Program (the basis to help private citizens to work with the Urban Renewal Agency). The URD is set up to follow the comprehensive plan or any derivative document under that. The Urban Renewal Agency does not sit in the place of the Planning Commission, there needs to be an exchange of information between the two Agencies to make sure they are headed in the same direction. Commissioner Brown suggested that the URA be notified of Planning Commission decisions just as the fire department, police and public works are now.

Commissioner Stewart asked how projects that are sponsored by the Urban Renewal Agency would be brought before the Commissioners, procedurally how would it work. Jason Kruckeberg responded that it would be the individual home owners that would front the application. Commissioner Stewart stressed the importance of having it clearly defined what the process and Commissions role would be.

Commissioner Bliss asked how the Urban Renewal District would effect a business in downtown Canby in regards to the amount of taxes it would pay. Jerry responded the business would pay the same taxes, to the same place they have always paid before, but the increment amount would go to the city in a separate account. Mr. Bliss asked if this would encourage the County Assessor to come out and reassess property? Jerry stated that through his discussions with Clackamas County his impression is that the assessor does not have time to do that. Matilda Deas, Project Planner responded that when she was employed by the city of Harrisburg they had a Urban Renewal Agency and that she worked closely with the business owners in the Downtown Revitalization Project. In the 4 years she was employed there, they had no issues with the Assessor coming more often than the 6 year cycle that was already established.

Commissioner Tallman asked if getting the increase was tied to how much development takes place in the Industrial Area. Jerry responded that it would become a big factor after about 5 years when generated funds would be over a million. Commissioner Stewart asked if the Industrial Park was still a popular project. Jerry responded that he refers calls on that project to

the Clackamas County Economic Development Group. Jason added that the City Council had asked staff what the three biggest issues were with the development of the Industrial Area. They also asked the Industrial Area Association to come up with what were their three biggest concerns are, right now it is still in the information phase

Commissioner Harper asked for an explanation of why the Urban Renewal District was shaped the way it was and if the boundaries could change. Jerry explained that the URD can be no more than 25% of the size of the city of Canby, so the boundaries could not be changed to increase the size. The Task Force had to decide what issues were most important to the community (family wage jobs and a city that is livable and viable) . The Task Force worked backwards, looking at what amenities were available in the area, then reached out the URD to include the amenities, in case there was an industrial user that had a need for a high volume of water or electricity. Jerry stated it is important to include these things now instead of having a major Plan Amendment later that would take 6 months.

Commissioner Bliss asked Commissioner Brown what his explanation of best/highest use was and how it applied to the URD. Commissioner Brown gave an example of property on the fringe of the Downtown Commercial District that had included a residential duplex, if you were to go by the doctrine of best/highest use it would have been thrown it out, stating that what should have been done was to put as dense a commercial business in that area as possible. For example if someone wanted to put a 600 acre daycare center in the middle of Phase 2 Industrial Park, it may be a great project, but it is not using the land to its best/highest use.

CITIZENS IN-PUT ON NON AGENDA ITEMS

NONE

MINUTES

Commissioner Tallman noted 2 typographical errors in the minutes. Commissioner Brown moved to approve the minutes of 8-23-99 as amended, seconded by Commissioner Tallman. Motion passed 5-0 with Commissioners Stewart and Harper abstaining.

FINDINGS

Commissioner Tallman stated that the new verbiage for establishing the overpass to connect North and South Canby in the TSP is unclear as to where the overpass is located and what the time frame is.

Commissioner Stewart stated his reasons for the negative vote on the TSP at the last meeting, in his opinion items that are sent up to the City Council should be as complete as the Commission can make them. Commissioner Brown asked Jason if there was a mechanism in place to revise an earlier recommendation to the City Council. Jason replied that any citizen,

staff or Commissioner could initiate an amendment, it still has to go through the process of public hearing and notice. Commissioner Bliss stated that he appreciated the explanation of Commissioner Stewart's vote, and wished it would have been expressed at the Sept. 13th meeting. Jason commented that his recommendation and the direction of the TSP was that the decisions the City Council will have to make are case by case policy decisions that are not going to necessarily be in the text of the TSP. The Commission can't write down a parking and bicycle plan for every segment of street in Canby. What the Planning Commission can do is clean up the language to the point where it will have flexibility in it. There are reasons we don't want to push ahead with a bike plan right now, there is still a lot of discussion to be done as a community. Commissioner Stewart stated that he wanted to make sure the City Council is aware that the TSP has a couple of holes in it, he feels one of his responsibilities is to make sure as items go forward they are as good as the Commission can get them.

Jason stated there are millions of dollars of projects in the TSP and with the Access Management Policy there is a window of opportunity for us with the Department of Transportation and other political considerations. Jason stated that he thinks it is a very good future transportation plan for the city. However there are some issues even the City Council is not going to be able to deal within one meeting. Commissioner Stewart asked for the Commissioners support in making sure future items that go on to the City Council are as complete as the Commissioners can make them whenever possible, some things may have to go forward and some things may have to be revisited. Commissioner Stewart withdrew any objection he had stating the TSP was a good "stand alone" document and he will support it.

Mr. Brown moved that the Commission approve CPA 99-01/TA 99-01 as amended, seconded by Mr. Brown, motion passed 7-0.

PUBLIC HEARINGS

NONE

NEW BUSINESS

NONE

DIRECTORS REPORT

Jason reported on the meeting that was held Wednesday September 22nd on the Canby Land Use Code Update "Smart Development Code Assistance Program". The first phase of the audit was for the consultant group to look through the Code and locate possible problem areas that may be barriers to flexible and efficient development. The purpose of the first meeting was to present their findings. The consultant group received feedback from a cross section of people,

representatives from developers, councilors, commissioners and citizens and went back with some additional ideas and highlights of issues that need further discussion.

The second phase involves an intensive public involvement process, using this report as a base line to get interest in Code work and Comprehensive Plan work. The project will involve meeting with the City Council and the Planning Commission to see what issues need to be addressed in regards to modifying land development and planning ordinances. When asked if any major issues came up at the meeting Jason responded that parking was a big concern in both residential and commercial zones in regards to parking reductions. Also Canby's zones don't allow setback reductions as lots get higher in density, and allowing different types of dwellings was an issue. There was discussion on Lot Size Averaging which would allow a variable size of lot in a development if the average of all lots met the square foot requirements.

Commissioner Stewart asked if there were any citizens that had brought up not making Canby more attractive to developers due to the fact that Canby's residential growth has been at 2.8% a year. Jason responded that there were some citizens that expressed the desire to keep the low density residential zones intact, not to modify the R1 zone too drastically.

Commission Tallman commented that at the meeting they talked about more creative use of front yard setbacks for porches and the use of alleys allowing houses to be brought forward. Commissioner Stewart asked if developers had commented that the codes had precluded them from building houses in Canby, since he had not seen any new and innovative ideas. Jason responded that it is partly a function of the way the code is written. There's not a lot of options for flexible type development. The developers that were present at the meeting stated that they had concerns about the rigidity of setbacks and the difficulty of doing mixed use development in the Downtown Commercial Zone.

Jason stated that the consultants reviewed our comprehensive plan and most of their comments were positive. They stated that it's written in very broad language and allows for flexibility. Commissioner Tallman added that there were negative comments in regards to private roads in Planned Unit Developments. Typically in a PUD the streets are private, meaning they are maintained by the home owners, and the history is that sometime in the future the owners will want the city to take over maintenance of the roads which are not up to city standards.

Jason gave a quick update on the Downtown Plan Grant he met with the Grant Manager last week and suggested some revisions to the scope of the grant; together they agreed that the amount was a little low and it has been resubmitted. The city should hear the results shortly, and should have requests for proposals out for consultants by the end of October or early November and hopefully be contracted with someone by the holidays.

Jason stated they are scheduling work on the bike plan and project refinements on the TSP but at this point there is no schedule in front of the City Council because the scheduling of the bike plan issues and will inform the Commission of the schedule so interested commissioners could attend.

Commissioner Brown stated that the City Council had gone through a difficult situation with one of the Commissions decisions an appeal on the casa verde application. He stated that he had the opportunity to view the whole thing and would like to commend the council on their work. It was clear they had the opportunity to listen to some of the things we had discussed and had taken those things seriously. Mr. Brown stated "they had a hard decision to make and I would commend the city council for their decision and their process thank them for their time and upholding the decision of the Commission".

Commissioner Bliss stated he attended the Bicycle and Pedestrian Committee meeting there was a lot of discussion between the downtown merchants, bicycle and pedestrian advisory committee. Councilman Lucas was there to mediate. He stated that when you are caught up in the discussion it's hard to think outside the box, because you may have your own agenda or you may be representing people with their agenda. Then afterwards you realize there was a mix up, we were on the same page just a different dialog, for example, in the discussion about widening Ivy, what he found out afterwards is that they probably meant the curbs wouldn't go any wider, just widening the asphalt. Mr. Bliss stated that his idea of widening the streets was pushing the curbs back farther. He also asked the staff if they see a situation where people aren't communicating to try and mediate, help keep the meeting on track.

Commissioner Harper announced that he had accepted a position with the Rogue Valley Council Governments in Central Point and he will be starting October 18. This is his last meeting. He is excited about the position as he is the Water Resources Program Manager, but he has mixed emotions and regrets having to leave the Planning Commission. Commissioner Stewart stated that he appreciated Mr. Harpers pointed and salient comments and thanked him for his involvement.

Commissioner Manley asked Jason about the planned joint meeting between the Planning Commission and City Council. It's been a couple of months and wondered if anything more had been planned Jason responded that there has been discussion about setting up another meeting but nothing is scheduled at this time.

Commissioner Stewart asked about the Citizen Involvement Committee, Jason responded that the next step would be to get in contact with members of the committee to see if a date can be established for the first meeting.

ADJOURNMENT