

**APPROVED**  
**MINUTES**  
PLANNING COMMISSION  
December 9, 2013, 7:00 PM  
City Council Chambers – 155 NW 2<sup>nd</sup> Avenue

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- PRESENT:** Commissioners Tyler Smith, Sean Joyce, Charles Kocher, Shawn Hensley, John Savory, and John Serlet
- ABSENT:** Commissioners John Proctor
- STAFF:** Bryan Brown, Planning Director, Laney Fouse, Planning Staff, Jamie Stickle, Main Street Manager
- OTHERS:** Councilor Ken Rider, Peter Hostetler, Carol Palmer

**1. CALL TO ORDER**

Chair Smith called the meeting to order at 7 pm.

**2. CITIZEN INPUT ON NON-AGENDA ITEMS - None**

**3. PUBLIC HEARINGS - None**

**4. NEW BUSINESS**

***a. Appeal of Planning Director's Zoning Interpretation - Moving Home to Vacant C-2 Zoned Property***

Mr. Brown entered his staff report into the record. He said Peter Hostetler would like to move a historic residence to a vacant lot in a C-2 Zone although the code does not allow it. Mr. Brown said he tried to find a way to get this house moved but the code is pretty specific about not allowing new detached single-family use within the C-2 District.

***Applicant***

Mr. Hostetler said he was appealing Mr. Brown's interpretation based on the intent of the code, past precedent, and previous experience. He said he was attempting to get land use approval to relocate a residential historic landmark from a lot in a C2 zone to another lot in a C2 zone.

Mr. Hostetler said he believes it is the intent of the code to gradually transition residential uses from this district to commercial uses but not eliminate residential uses outright. He said this historic landmark is currently an obstacle to further development on the lot it is on. He said he is pursuing this proposal because he has done something like it before and the project

was permitted as a residential alteration. Mr. Hostetler said the interpretation by previous staff was that relocation could be defined as an alteration.

### ***Proponents***

Carol Palmer, Canby Historic Review Board member presented an historical review of the house and passed out information about the Mack House.

### ***Discussion***

Mr. Brown said in the previous house move indicated by Mr. Hostetler, the home was actually on a single tax lot under single ownership and the move was allowed because it was a continuing residential use of that property.

Commissioner Kocher said he felt we were being too strict and that the code does not allow common sense and by allowing the home to be moved we would be saving the history of Canby. He said under the circumstances he thinks the move should be allowed.

Chair Smith said staff's interpretation of the 16.28 of the code is correct. He suggested however that they consider approval of this under code section "16.28.010.Q - Similar commercial uses as determined by the Planning Commission." Chair Smith said they might be able to accomplish the common sense aspect with the exceptions written into the code.

### ***Motion***

Commissioner Joyce moved to make the determination that moving this historic home is appropriate and within the guidelines of 16.28.010.Q based upon the specific criteria of 1) it is being moved to a location surrounded by like uses which are residential, 2) it is one of three historic homes in Canby which gives it special status in the community, and 3) it is being moved from a C-2 Zone to a C-2 Zone so it is not changing its zoning. Commissioner Kocher seconded.

Chair Smith amended the motion to include 4) Planning Commission heard testimony on the historical nature of the house that adds a peculiar historical/commercial aspect to this particular project which puts it under Section 16.28.010.Q - Similar commercial uses as determined by the Planning Commission. Commissioner Joyce seconded, amendment passed 6/0. Motion with amendment passed 6/0.

### ***b. Presentation on City's Landscaping Ordinance***

Mr. Brown discussed the recent work session held with the City Council who had wanted information on the City's landscaping ordinance, particularly with regard to Downtown.

Commissioners and staff discussed parts of the landscaping code which made no sense for certain projects such as 1) landscaping requirements for zero setback properties, 2) the church which was required to put in a park bench to give it more points on the Site Design

Review Menu, and 3) the issue with the amount of landscaping required for the library design.

Mr. Brown talked about the intent of the landscaping provisions and how the standards were meant to enhance the City's environmental and aesthetic quality. He said we have not had any problems meeting the percentages for landscaping in any other zone except the downtown zone which is 7.5% of the site and it's a question about its application has only been raised twice including the recent library project.

Chair Smith said there should be some discussion about the language which limits the planting of trees anywhere to be listed on the City's list of approved tree species and to also remove the reference to the Sunset Western Garden Book.

Mr. Brown said he too thought the 7.5% landscaping requirement was somewhat out of character for the existing building and development pattern we have in the downtown. He said with the buildings we have, there is not that much landscaping in the downtown today and if it was fully redeveloped it would be greener than today.

Chair Smith said that they should wait for further direction from the Council.

Mr. Brown said the Commissioners could also make suggestions for changes in the code on their own.

Commissioners and staff agreed code changes should be done at least annually.

**5. FINAL DECISIONS - None**

**6. MINUTES**

*a. November 25, 2013 Planning Commission Minutes*

***Motion:***

Commissioner Savory moved to approve the minutes as written, Commissioner Serlet seconded the motion. Motion passed 6/0.

**7. ITEMS OF INTEREST/REPORT FROM STAFF**

*a. Service Recognition for Commissioners Charles Kocher and Sean Joyce*

Chair Smith presented thank you letters and recognition plaques to Commissioners Kocher and Joyce for their years of service.

*b. Next regularly scheduled meeting is Monday, January 13, 2014*

**8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION**

**9. ADJOURNMENT**

Commissioner Savory made a motion to adjourn, Commissioner Hensley seconded. Motion passed 6/0. Meeting adjourned at 8:32 pm