

**PLANNING COMMISSION
Meeting Agenda
Monday – April 26, 2010
7:00 PM - Regular Meeting
City Council Chambers – 155 NW 2nd Avenue**

**Chair Dan Ewert – Vice Chair Janet Milne
Commissioners Sean Joyce, Charles Kocher, John Proctor, Misty Slagle and Randy Tessman**

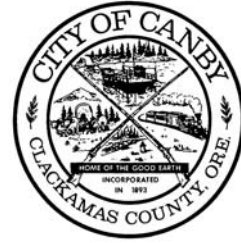
- 1. CALL TO ORDER**
- 2. CITIZEN INPUT ON NON-AGENDA ITEMS**
- 3. PUBLIC HEARINGS**
 - a. City staff recommends that Planning Commission initiate a street name change for N.E. 11th Avenue, in order to change the name to N.E. 11th Place. The subject street is an approximately 570-foot-long 'cul-de-sac' street located in northeast Canby, east of N. Pine Street **SNC 10-01** – Staff: Melissa Hardy, Associate Planner **Page 2**
- 4. NEW BUSINESS**
- 5. FINAL DECISIONS**

Note: These are final, written versions of previous oral decisions. No public testimony.
- 6. MINUTES**

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- 7. ITEMS OF INTEREST/REPORT FROM STAFF**
- 8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION**
- 9. ADJOURNMENT**

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting to Jill Thorn at 503-266-7001.

*A copy of this agenda can be found on the City's web page at www.ci.canby.or.us
City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5.
For a schedule of the playback times, please call 503-263-6287.*



MEMORANDUM

TITLE: STREET NAME CHANGE -
N.E. 11th Avenue to be renamed N.E. 11th Place.

APPLICANT: City of Canby

FILE #: SNC-10-01

STAFF: Melissa Hardy, Associate Planner

REPORT DATE: April 16, 2010

HEARING DATE: April 26, 2010

I. APPLICATION SUMMARY

City staff recommends that Planning Commission initiate a street name change for N.E. 11th Avenue, in order to change the name to N.E. 11th Place. The subject street is an approximately 570-foot-long ‘cul-de-sac’ street located in northeast Canby, east of N. Pine Street (*see Exhibit A – Vicinity Map*).

- When the street name was originally created by recorded plat in 1972, the street was named Kyllø Lane (*see Exhibit B – Plat No. 1788*).
- Subsequently, in 1973 the City Council adopted a street naming ordinance, which changed the name of this street to N.E. 11th Avenue (*see Exhibit C – Ord No. 564*).
- At some point, the City installed a street sign on this street that says “N.E. 11th Place”. Therefore, changing the name of the subject street will be consistent with the existing street signage (*see Exhibit D – Photo of Existing Street Sign*).
- There is another nearby street that is also named N.E. 11th Avenue. Therefore, changing the name of the subject street will eliminate a duplicate street name. The other street named N.E. 11th Avenue will retain the name. (*see Exhibit E – Plat No. 3512*)
- Canby Municipal Code Section 12.04.030.B directs that thoroughfares parallel with the Southern Pacific Company right-of-way shall be called avenues or places. Therefore, changing the name of the subject street from “Avenue” to “Place” is consistent with the municipal code. (*see Exhibit F – CMC 12.04.030.B*)
- Pursuant to Oregon Revised Statute 227.120, the process for renaming a street involves the Planning Commission making a recommendation to City Council, if in the judgment of the Commission it is in the best interest of the City to rename the street. The Planning Commission is not required to hold a public hearing on the question, but City staff believe that the Commission should have an opportunity to hear from residents and property owners on the affected street before forming a recommendation; therefore, staff scheduled and noticed this item as a public hearing. When the City Council receives the Planning Commission’s recommendation, the Council must

hold a public hearing to give interested parties an opportunity to be heard regarding the issue. After the public hearing, the City Council may then either rename the street by ordinance, or may reject the recommendation by resolution. (*see Exhibit G – ORS 227.120*)

II. APPLICABLE CRITERIA

A Street Name Change is not a land use decision. Oregon Revised Statute 227.120 simply states that the Planning Commission should recommend a street name change to City Council if it is judged to be in the best interest of the City to rename the street.

III. PUBLIC COMMENT

Notice of the Planning Commission's April 26th public hearing was posted at City Hall and at the Canby Public Library on April 16, 2010. Notice of the public hearing was published in the April 21, 2010, Canby Herald. And notice of the public hearing was also mailed to all residents of N.E. 11th Avenue, and to all owners of property on N.E. 11th Avenue. No public comments were received as of the date this staff report was prepared.

IV. RECOMMENDATION

Staff recommends that the Planning Commission recommend to City Council that the name of the street section illustrated in Exhibits A and B be changed from N.E. 11th Avenue to N.E. 11th Place, because it is in the best interest of the City to rename the street.

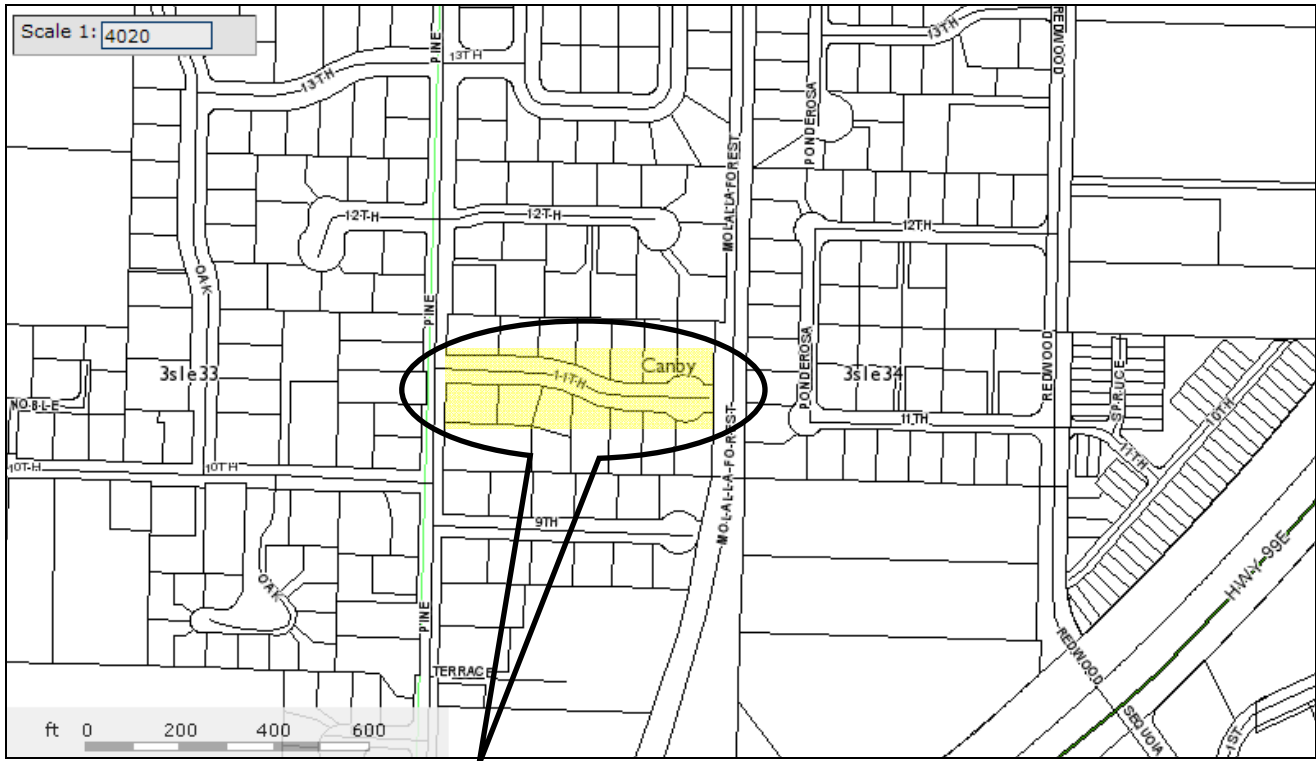
V. NEXT STEP

If the Planning Commission recommends a street name change, the recommendation will be forwarded to City Council, who will hold a public hearing on May 19, 2010, and then either rename the street by ordinance or reject the recommendation by resolution.

EXHIBITS:

- A. Vicinity Map
- B. Plat No. 1788
- C. Ord No. 564
- D. Photo of Existing Street Sign
- E. Plat No. 3512
- F. CMC 12.04.030.B
- G. ORS 227.120

VICINITY MAP



Street proposed to be renamed from N.E. 11th Avenue (*old*) to N.E. 11th Place (*new*)

ORD NO. 564

ORDINANCE NO. 564

AN ORDINANCE NAMING AND DESIGNATING TITLES OF PUBLIC THOROUGHFARES IN THE CITY OF CANBY; REPEALING ORDINANCE NO. 504; DEFINING AND DIRECTING THE INSTALLATION OF STREET SIGNS; AND PRESCRIBING PENALTIES FOR DAMAGING SIGNS.

WHEREAS, Clackamas County and other neighboring cities of Canby are in the process of preparing a uniform street naming and house numbering system as an aid to the Postal Service and to the people of the areas generally; and

WHEREAS, Section 2 of Chapter XII of the Canby City Charter as enacted January 2, 1969, directs the City Council to prepare a "STREET DEVELOPMENT PLAN", and that directive is in the process of being accomplished and this new street naming Ordinance is one phase for completion of that plan; now, therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: The names of all public thoroughfares in the City of Canby, including though not exclusively, those commonly called or designated as street, avenue, road, lane, drive, court, place, way, boulevard or circle shall henceforth be named, designated and known as hereinafter set forth; and shall be referred to collectively in this Ordinance as "thoroughfares" or singly in this Ordinance as "thoroughfare".

Section 2: The City of Canby as divided into four areas by Building Numbering Ordinance No. 501 shall remain so divided for the purposes of this Ordinance; and the street previously designated and now known as Ivy Street shall remain named as Ivy Street.

Section 3: The Canby City Planning Commission is hereby authorized to name all thoroughfares in accordance with the following

guidelines, and shall be responsible for designating such thoroughfares in a manner that will not duplicate nor cause confusing similarity of Clackamas County thoroughfare designations in the Canby Postal District and immediate adjacent areas.

(a) Thoroughfares parallel with Ivy Street shall be called "Streets" or "Courts". The nomenclature of these thoroughfares shall be oriented to plants, trees, shrubs, etc., and shall be sequenced in alphabetical order originating at Ash Street and extending easterly. Directional prefixes of these thoroughfares shall be "North" or "South" depending on whether they are north or south of the Southern Pacific Company right-of-way. The following named thoroughfares shall be exceptions to this nomenclature:

- (1) S. W. Berg Parkway
- (2) N. W. Baker Drive
- (3) N. W. Dahlia Place
- (4) N. E. Country Club Drive

(b) Thoroughfares parallel with the Southern Pacific Company right-of-way shall be called "Avenues" or "Places". These thoroughfares shall be numbered in sequence starting at N. E. 1st Avenue and N. W. 1st Avenue and extending northerly; and starting at S. E. 1st Avenue and S. W. 1st Avenue and extending southerly. Directional prefixes for these thoroughfares shall be related to the quadrant in which located: NE, NW, SE, SW. The following named thoroughfares shall be exceptions to this nomenclature:

- (1) N. W. Knights Bridge Road
 - (2) N. W. Territorial Road
 - (3) N. E. Territorial Road
 - (4) N. E. Fairway Lane
 - (5) N. E. Greenview Way
 - (6) S. E. Township Road
- (c) Thoroughfares parallel with section lines and not extensions of streets or avenues shall be called "Roads".
- (d) Any thoroughfare not named herein and which cannot be designated under any of the foregoing classifications shall be designated by the Canby City Planning Commission as either "Drive", "Way", "Lane", "Circle" or any other appropriate designation.

Section 4: The Canby City Planning Commission is hereby authorized to extend the City of Canby grid of thoroughfare nomenclature and numbering to such limits as are agreeable with the Clackamas County Planning Commission.

Section 5: Thoroughfares in the Northwest (N. W.) area of the City which extend East and West shall be named consecutively commencing with the first Avenue North of the Southern Pacific Company right-of-way as follows: (The names in parentheses in this and all other sections of this Ordinance are existing names and now changed by this Ordinance.)

N. W. 1st Avenue

N. W. 2nd Avenue

N. W. 3rd Avenue

N. W. 4th Avenue

N. W. 5th Avenue	
N. W. 6th Avenue	(N. W. 8th)
N. W. 6th Place	(N. W. 9th)
N. W. 7th Avenue	
N. W. Knights Bridge Road	
N. W. 9th Avenue	(N. W. Virginia Avenue)
N. W. 10th Avenue	(N. W. Wait Avenue)
N. W. 11th Avenue	(N. W. Kylllo Avenue)
N. W. 12th Avenue	(N. W. Boe Avenue, N. W. Memorial)
N. W. 13th Avenue	(N. W. Westwood)
N. W. Territorial Road	

Section 6: Thoroughfares in the Northwest (N. W.) area of the City which extend North and South and commencing with and including Ivy Street are named consecutively as follows:

N. Ivy Street	
N. Holly Street	(Ferry Road)
N. Hawthorne Court	(N. Washington Street)
N. Grant Street	
N. Fir Street	
N. Elm Street	
N. Douglas Street	
N. Cedar Street	
N. Birch Street	(Pendleton Drive, Dahlia Court)
N. Aspen Street	(Eileen Drive)
N. Ash Street	

Section 7: Thoroughfares in the Northeast (N. E.) area of the City which extend East and West shall be named consecutively commencing with the first Avenue North of the Southern Pacific Company right-of-way as follows:

N. E. 1st Avenue	
N. E. 2nd Avenue	
N. E. 3rd Avenue	
N. E. 4th Avenue	
N. E. 5th Avenue	
N. E. 9th Avenue	(N. E. Virginia Avenue)
N. E. 9th Place	(Wait Lane)
N. E. 10th Avenue	(Wait Avenue)
N. E. 11th Avenue	(Kyllo Avenue, Kyllo Lane)
N. E. 12th Avenue	(Boe Avenue, N. E. Locust Place)
N. E. 13th Avenue	(Greta Avenue)
N. E. 14th Avenue	(Evelyn)
N. E. 15th Avenue	(Faith)
N. E. 16th Avenue	(Garden View)
N. E. Territorial Road	
N. E. 20th Avenue	(Libee)
N. E. 22nd Avenue	(Bouncy)
N. E. 23rd Avenue	(Country Club Way)

Section 8: The thoroughfare extending East and West parallel and adjacent to the south line of Clackamas County Fairgrounds from N. E. 4th Avenue across the Southern Pacific Company right-of-way and to the intersection of U. S. 99E shall be named N. E. 4th Avenue.

Section 9: Thoroughfares in the Northeast (N. E.) area of the City which extend North and South and commencing with the first Street East of Ivy Street are named consecutively as follows:

- N. Juniper Court
- N. Juniper Street
- N. Knott Street

N. Locust Street	
N. Lupine Court	(N. Ellen Drive)
N. Manzanita Street	(Aneta Street)
N. Maple Lane	
N. Maple Street	(N. Amrine Street)
N. Noble Street	(Florence Street)
N. Oak Street	
N. Pine Street	(N. Neff Street)

Section 10: Thoroughfares now in the Southwest (S. W.) area of the City which extend East and West shall be named consecutively commencing with the first Avenue (Highway 99E) South of the Southern Pacific Company right-of-way as follows:

S. W. 1st Avenue	
S. W. 2nd Avenue	
S. W. 3rd Avenue	
S. W. 4th Avenue	
S. W. 5th Avenue	
S. W. 6th Avenue	
S. W. 7th Avenue	
S. W. 13th Avenue	(S. W. Mundorff Road)

Section 11: Thoroughfares in the Southwest (S. W.) area of the City which extend North and South and commencing with and including Ivy Street are named consecutively as follows:

S. Ivy Street
S. Holly Street
S. Grant Street
S. Fir Street

S. Elm Street
S. Douglas Street
S. Birch Street
S. Aspen Street (S. Ash Street)
S. Berg Parkway

Section 12: Thoroughfares in the Southeast (S. E.) area of the City which extend East and West and commencing with the first Avenue (Highway 99E) South of the Southern Pacific Company right-of-way are named consecutively as follows:

S. E. 1st Avenue
S. E. 2nd Avenue
S. E. 4th Avenue
S. E. Township Road
S. E. 13th Avenue (S. E. Mundorff Road)

Section 13: Thoroughfares in the Southeast (S. E.) area of the City which extend North and South and commencing with the first Street East of Ivy Street are named consecutively as follows:

S. Juniper Street
S. Knott Street
S. Locust Street

Section 14: The thoroughfare which extends North and South immediately East of the Molalla River shall be named as follows:

N. W. Baker Drive

Section 15: The City Superintendent is hereby directed to procure, erect and maintain within the limits of funds budgeted annually for such purposes, appropriate name signs for all public City thoroughfares in the City. Such signs shall be known as "street signs" which term shall include the name sign, post, column or standard and supporting brackets and hardware.

Section 16: Any person who maliciously, wantonly or willfully destroys, defaces or damages in any manner any street sign shall be punished upon conviction by a fine of not less than Fifty Dollars (\$50) nor more than Two Hundred Fifty Dollars (\$250), or by imprisonment in the County Jail for not less than five (5) days nor more than six (6) months, or both. Any person acting as informer in case of conviction under this Section is entitled to one-half of the fine imposed.

Section 17: New public thoroughfares hereafter constructed in the City of Canby (including those in platted subdivisions where names are suggested by the subdivider and recommended by the City Planning Commission) shall be assigned names or numbers in accordance with Section 3 and Section 4 of this Ordinance; and except names of new thoroughfares which are shown in a subdivision plat approved by the Planning Commission, all new thoroughfare names shall be designated by resolution of the City Council after considering the recommendations of the City Planning Commission.

Section 18: On the linking together of two thoroughfares bearing different names, one name only shall designate the entire length of the thoroughfare, and such name shall be designated by the City Planning Commission.

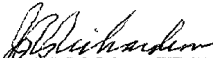
Section 19: Ordinance No. 504 passed by the Canby City Council and signed by the Mayor and City Recorder on January 2, 1968, is hereby repealed; and all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

Passed on first reading of the Canby City Council at a special meeting thereof on the 29th day of January, 1973; ordered

published in The Canby Herald as provided by the Canby City Charter and to come up for final reading and action of the Canby City Council at a regular meeting thereof to be held on the 20th day of February, 1973, at the hour of 8:00 o'clock P.M., Pacific Standard Time, at the Canby City Hall.


PAUL N. ROTH - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder

Passed on final reading of the Canby City Council at a regular meeting thereof on the 20th day of February, 1973, by the following vote: Yeas 5 Nays 0.


PAUL N. ROTH - Mayor

ATTEST:



J. R. RICHARDSON - City Recorder

PHOTO OF EXISTING STREET SIGN



CMC 12.04.030.B

CHAPTER 12.04: STREET NAMING

Section

- 12.04.010 Reference to thoroughfares.
- 12.04.020 Division of city into areas.
- 12.04.030 Authority of Planning Commission; general classification.
- 12.04.040 Extension of system
- 12.04.050 Northwest area: Streets extending east and west.
- 12.04.060 Northwest area: Streets extending north and south.
- 12.04.070 Northeast area: Streets extending east and west.
- 12.04.080 N.E. 4th Avenue.
- 12.04.090 Northeast area: Streets extending north and south.
- 12.04.100 Southwest area: Streets extending east and west.
- 12.04.110 Southwest area: Streets extending north and south.
- 12.04.120 Southeast area: Streets extending east and west.
- 12.04.130 Southeast area: Streets extending north and south.
- 12.04.140 N.W. Baker Drive.
- 12.04.150 Street signs.
- 12.04.160 Defacing or damaging street signs.
- 12.04.170 Naming of new thoroughfares.
- 12.04.180 Linking together of 2 thoroughfares.

§ 12.04.010 Reference to thoroughfares.

The names of all public thoroughfares in the city including, though not exclusively, those commonly called or designated as street, avenue, road, lane, drive, court, place, way, boulevard or circle, shall henceforth be named, designated and known as set forth in this chapter, and shall be referred to collectively in this chapter as thoroughfares, or singly in this chapter as thoroughfare.

§ 12.04.020 Division of city into areas.

The city, as divided into 4 areas by Building Numbering Ord. 501, codified in Chapter 15.08, shall remain so divided for the purposes of this chapter, and the street previously designated and now known as Ivy Street shall remain named as Ivy Street.

§ 12.04.030 Authority of Planning Commission; general classification.

The City Planning Commission is authorized to name all thoroughfares in accordance with the following guidelines and shall be responsible for designating the thoroughfares in a manner that will not duplicate nor cause confusing similarity of Clackamas County thoroughfare designations in the city postal district and immediate adjacent areas:

A. Thoroughfares parallel with Ivy Street shall be called streets or courts. The nomenclature of these thoroughfares shall be oriented to plants, trees, shrubs and the like, and shall be sequenced in alphabetical order, originating at Ash Street and extending easterly. Directional prefixes of these thoroughfares shall be north or south, depending on whether they are north or south of the Southern Pacific Company right-of-way. The following named thoroughfares shall be exceptions to this nomenclature:

- 1. S.W. Berg Parkway;
- 2. N.W. Baker Drive;
- 3. N.W. Dahlia Place;
- 4. N.E. Country Club Drive.

B. Thoroughfares parallel with the Southern Pacific Company right-of-way shall be called avenues or places. These thoroughfares shall be numbered in sequence, starting at N.E. 1st Avenue and N.W. 1st Avenue and extending northerly; and starting at S.E. 1st Avenue and S.W. 1st Avenue and extending southerly. Directional prefixes for these thoroughfares shall be related to the quadrant in which located: N.E., N.W., S.E. and S.W. The following named thoroughfares shall be exceptions to this nomenclature:

- 1. N.W. Knights Bridge Road;
- 2. N.W. Territorial Road;
- 3. N.E. Territorial Road;
- 4. N.E. Fairway Lane;
- 5. N.E. Greenview Way; and

ORS 227.120

ORS 227.120 Procedure and approval for renaming streets.

Within six miles of the limits of any city, the commission, if there is one, or if no such commission legally exists, then the city engineer, shall recommend to the city council the renaming of any existing street, highway or road, other than a county road or state highway, if in the judgment of the commission, or if no such commission legally exists, then in the judgment of the city engineer, such renaming is in the best interest of the city and the six mile area. Upon receiving such recommendation the council shall afford persons particularly interested, and the general public, an opportunity to be heard, at a time and place to be specified in a notice of hearing published in a newspaper of general circulation within the municipality and the six mile area not less than once within the week prior to the week within which the hearing is to be held. After such opportunity for hearing has been afforded, the city council by ordinance shall rename the street or highway in accordance with the recommendation or by resolution shall reject the recommendation. A certified copy of each such ordinance shall be filed for record with the county clerk or recorder, and a like copy shall be filed with the county assessor and county surveyor. The county surveyor shall enter the new names of such streets and roads in red ink on the county surveyor's copy of any filed plat and tracing thereof which may be affected, together with appropriate notations concerning the same. The original plat may not be corrected or changed after it is recorded with the county clerk. [Amended by 2001 c.173 §4]

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – April 12, 2010
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Dan Ewert, Vice Chair Jan Milne, Commissioners Sean Joyce, Chuck Kocher, John Proctor, Misty Slagle and Randy Tessman

ABSENT: None

STAFF: Bryan Brown, Planning Director; Melissa Hardy, Associate Planner; and Jill Thorn, Planning Staff

OTHERS None

PRESENT:

1. **CALL TO ORDER**

2. **CITIZEN INPUT**

3. **PUBLIC HEARINGS** **None**

a. **TA 10-01 – A Canby Municipal Code Amendment, specifically amending Chapter 16.06 of the Land Development & Planning Ordinance (Title 16) regarding appointment of Planning Commission members.**

Chair Ewert read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

Melissa Hardy, Associate Planner, entered the April 12, 2010, staff report into the record.

Applicant: **None**

Proponents: **None**

Opponents: **None**

Neutral: **None**

Rebuttal: **None**

Chair Ewert closed the public hearing.

Commissioner Milne asked if the only change is a phrase that clarifies the process.

Ms Hardy responded that was correct.

Commissioner Milne stated that she believes the application meets the approval criteria.

Commissioner Milne moved that the Planning Commission recommend that the City Council approve TA 10-01, based on the record of the April 12th Planning commission public hearing and the finding in the April 12th staff report. It was seconded by Commissioner Kocher. The motion passed 7-0.

4. NEW BUSINESS **None**

5. FINAL DECISIONS

a. TA 10-01 – City of Canby- It was moved by Commissioner Milne to approve the written findings for TA 10-01 – City of Canby – as presented. It was seconded by Commissioner Slagle. The motion passed 7-0.

6. MINUTES

a. March 22, 2010 - Commissioner Slagle moved to approve minutes of March 22, 2010 as presented. Motion seconded by Commissioner Milne and passed 6-0 with Commissioner Joyce abstaining.

7. ITEMS OF INTEREST FROM STAFF Bryan Brown reminded the Commissioners that the Annual Statement of Economic Interest must be filed by April 15th.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

9. ADJOURNMENT