

# PLANNING COMMISSION AGENDA

June 27, 2005

6:00 PM - Workshop

7:00 PM - Regular Meeting

City Council Chambers  
155 NW 2<sup>nd</sup> Avenue



**6:00 Workshop in the City Hall conference room to discuss the Public Facilities Plan**

## I. ROLL CALL

## II. CITIZEN INPUT ON NON-AGENDA ITEMS

## III. PUBLIC HEARING

**SUB 05-03 Bristol** The applicant is seeking approval to subdivide the subject property located at 465 SW 3rd Ave. (SW corner of SW 3rd and S Fir), into four lots, maintaining the existing house on one lot and building three new units (one detached and two attached single family dwellings).

**VAR 05-01/SUB 05-08/PUD 05-01 Pine Station** An application to create 11 lots consisting of four duplexes and one triplex at 1063 NE Territorial Rd (SW corner of NE Territorial Rd and N of Pine St.). The applicant is requesting a major variance in order to allow a Planned Unit Development (PUD) to be considered by the City on the subject parcel. A variance is required because a PUD requires a minimum lot size of one acre, whereas a survey of the parcel indicates the current lot area is 0.976 acres.

**DR 05-03 Broetje** The applicant is requesting site and design review approval for one 9,600 square foot industrial building located West of S. Redwood St, SE of 4th Ave. and S of Township Rd. The building will be accessed via existing driveways on S. Redwood Street.

## IV. NEW BUSINESS

## V. FINDINGS

*Note: these are the final, written versions of previous oral decisions. No public testimony.*

**SUB 05-07** (Knutson/Sprague)

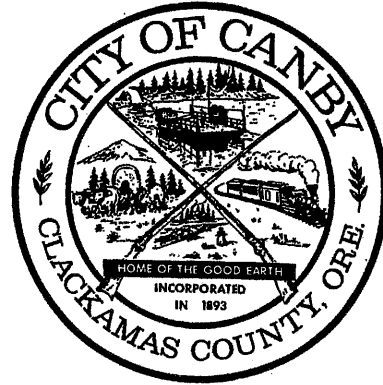
**SUB 05-09** (Canby Business Park LLC/Dant)

## VI. DIRECTORS REPORT

## VII. ADJOURNMENT

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to  
Carla Ahl at 503-266-9404*

# MEMORANDUM



**TO:** *Planning Commission*

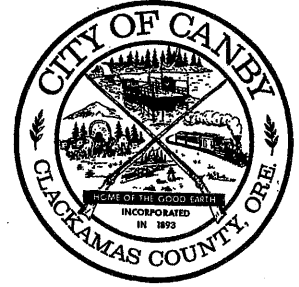
**FROM:** *Matilda Deas, AICP, Project Planner mb*

**DATE:** *June 17, 2005*

**RE:** *Bristol Hearing for SUB 05-03*

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The Commission granted Mr. Bristol's request to reopen the public hearing for SUB 05-03 in order that the Applicant could present additional information regarding issues of concern raised at the initial public hearing on April 25, 2005. The hearing has been renoticed at the applicant's expense. Staff has included the original staff report and the applicant's new material in your packet for the June 27<sup>th</sup> hearing. Please contact me if you have questions or concerns regarding this application. Thank you.



## **- STAFF REPORT -**

**APPLICANT:**

Kenneth Sandblast  
7160 SW Fir Loop Suite 201.  
Portland, OR 97223

**FILE NUMBER:**

SUB 05-03  
(Bristol)

**OWNER:**

Jason and Jeanne Bristol  
983 S Redwood St  
Canby, OR 97013

**STAFF:**

Matilda Deas, AICP  
Project Planner

**LEGAL DESCRIPTION:**

Tax Map 4-1E-4BA, Tax Lot1602

**DATE OF REPORT:**

April 15, 2005

**LOCATION:**

465 SW 3<sup>rd</sup> Ave.  
SW Corner of SW 3<sup>rd</sup>  
And S. Fir St.

**DATE OF HEARING:**

April 25, 2005

**COMPREHENSIVE PLAN DESIGNATION:**

High Density Residential

**ZONING DESIGNATION:**

High Density Residential

**I. APPLICANT'S REQUEST:**

The applicant is seeking approval to subdivide the subject property into four lots, maintaining the existing house on one lot and building three new units (one detached and two attached single family dwellings).

## **II. APPLICABLE APPROVAL CRITERIA:**

### **A. SUBDIVISION - City of Canby Code Section 16.62.020**

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

1. Conformance with the text and applicable maps of the Comprehensive Plan.
2. Conformance with other applicable requirements of the land development and planning ordinance.
3. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
4. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

### **B. Other Applicable Policies and Regulations**

City of Canby General Ordinances:

- 16.10 Off Street Parking/Loading
- 16.20 R-2 High Density Residential Zone
- 16.62 Subdivision - Applications
- 16.64 Subdivisions - Design Standards
- 16.66 Subdivisions - Planning Commission Action
- 16.68 Subdivisions - Final Procedures and Recordation
- 16.88 General Standards
- 16.95 Solar Access Standards for New Development

## **III. FINDINGS:**

### **1. Location and Background**

The subject property is zoned R2, high density residential. Surrounding properties are zoned high density residential. As shown on the plot plan (included in Exhibit 1) the lot currently has one house with a detached garage. The garage is to be relocated to the NE corner of Parcel 4. The applicant is proposing three lots that have access from S. Fir Street, and one lot with frontage and access on SW 3<sup>rd</sup> Avenue.

### **2. Comprehensive Plan Consistency Analysis**



## ***LAND USE ELEMENT***

**GOAL: TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.**

### ***Applicable Policies:***

Policy #1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.

*Analysis: The proposed development of residential housing on the subject parcel is an approved use of the property according to Comp Plan designation of R-2 High Density Residential.*

Policy #2: Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.

*Analysis: Currently there is one single family dwelling on this property. The proposed subdivision would increase density to the minimum 14 unit per acre requirement of the R2 zone.*

Policy #3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

*Analysis: A "Request for Comments" has been sent to all public facility and service providers (please see discussion under Public Services Element).*

## ***ENVIRONMENTAL CONCERNS ELEMENT***

**GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.**

**TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION.**

**TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.**

*The subject property is surrounded by urbanized parcels and has no known steep slopes, historic resources, expansive soils, or wetlands, and is not located in a flood plain.*

Policy #3R: Canby shall require that all existing and future development activities meet the prescribed standards for air, water and land pollution.

*Analysis: Subsequent development of the proposed subdivision must meet stormwater management approval from DEQ, the City Engineer and Canby Public Works prior to the issuance of building permits*

Policy #4-R: Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.

*Analysis: Noise will be expected as a result of residential construction. Once the subdivision is developed, noise generation should be insignificant. Residential construction noise is regulated by the City's Noise Ordinance.*

Policy #8R Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.

*Analysis: No open spaces are required in the area by the Canby Parks Master Plan and none have been proposed in this application.*

## **TRANSPORTATION ELEMENT**

**GOAL: TO DEVELOP AND MAINTAIN A TRANSPORTATION SYSTEM WHICH IS SAFE, CONVENIENT AND ECONOMICAL.**

### *Applicable Policies:*

Policy #1: Canby shall provide the necessary improvements to city streets...in an effort to keep pace with growth.

Policy #4: Canby shall work to provide an adequate sidewalk and pedestrian pathway system to serve all residents.

*Analysis: No street improvements are required. A new sidewalk will be required along S. Fir Street within the project limits, and a new ADA ramp shall be required at the intersection of S. Fir and SW 3<sup>rd</sup>. Avenue.*

Policy #6: Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.

*Analysis: The Canby Police Department and Canby Fire District received notice of the proposed partition and did not report any concerns relating to access.*

## ***PUBLIC FACILITIES AND SERVICES ELEMENT***

**GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.**

### ***Applicable Policies:***

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

*Analysis: All needed public facility and service providers were sent a "Request for Comments." Returned comment forms are shown in Exhibit 2. The Police Department, Fire Department, Traffic Safety Committee, Canby Utility-Water, Waste Water Treatment, , City Engineer, Willamette Broadband and Canby Telephone Association responded that services will become available through development, assuming the standard utility conditions are applied.*

*The Public Works Supervisor (in a pre application meeting) noted that sidewalks will be required on S. Fir and that rain drains cannot drain into the public right-of-way. Two erosion permits will be required for this development.*

*The City Engineer's comments are noted under the Transportation Element of the staff report.*

Neighborhood Comments:

*The applicant held a neighborhood meeting on February 11, 2005. Several neighbors expressed design concerns. They wanted assurance that the development would be compatible with the neighboring homes as per quality construction, adequate landscaping, off street parking and aesthetics. (see Meeting Notes in applicant's packet).*

**ECONOMIC DEVELOPMENT**

**GOAL: TO DIVERSIFY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.**

The proposed subdivision is not located on commercial or industrial land; it will contribute to the City's economy by providing housing for consumers and by providing employment for local builders and contractors.

**HOUSING ELEMENT**

**GOAL: TO PROVIDE FOR THE HOUSING NEEDS OF THE CITIZENS OF CANBY.**

Applicable Policies:

Policy #2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

*Analysis: The proposed subdivision is located in a high density residential zone.*

Policy #4 Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the City.

*Analysis: The applicant is not proposing any low income housing in this subdivision.*

**CONCLUSION REGARDING CONSISTENCY WITH THE POLICIES OF THE CANBY COMPREHENSIVE PLAN:**

Review of the goals, policies, and implementation measures of the Comprehensive Plan indicates that the proposed subdivision, with the recommended conditions of approval, is consistent with Canby's Comprehensive Plan. Development of the lots will need to comply with all applicable provisions of the City of Canby Land Development and

Planning Ordinance, Building Codes, and other County and State Codes and Regulations.

### 3. Evaluation Regarding Subdivision Approval Criteria

- A. Conformance with the text and with the applicable maps of the Comprehensive Plan.

*See discussion in part III.2, above.*

- B. Conformance with all other requirements of the Land Development and Planning Ordinance.

*With the recommended conditions, the proposed Subdivision will be in conformance with all other applicable requirements of the Land Development and Planning Ordinance, including subdivision design standards for streets, easements, lots and improvements.*

- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.

*With recommended conditions, the proposed Subdivision will be functional and will provide building sites, necessary utility easement and access facilities. Proposed parcels meet density and coverage requirements of the R-2 zone. Surrounding properties are all single family residences.*

*Street trees will be required on parcels 1, 2, and 3.*

- D. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

*All required public facilities are available or will become available through development. (See discussion in part III.2, above.)*

### IV. CONCLUSION

1. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;
2. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with other applicable requirements of the Land Development and Planning Ordinance;

3. Staff concludes that, with the recommended conditions, the overall design and arrangement of the proposed parcels will be functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties; and
4. Staff concludes that all necessary public services will become available through the development of the property to adequately meet the needs of the proposed land division.

## V. RECOMMENDATION

Based on the application and drawings submitted and based on the facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve *SUB 05-03* with the following conditions:

### **For the Final Plat:**

1. The final plat shall reference this land use application (City of Canby, File No. SUB 05-03) and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits.
2. The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying land title, plat security, and plat recordation.
3. Easements shall be provided as follows:
  - Six (6) foot wide public utility easements along all interior lot lines and exterior lot lines where neighboring lots have provided easements of at least four (4) feet.
  - Ten (10) foot wide public utility easements along non-street exterior property lines where neighboring lots have dedicated utility easement of less than four (4) feet.
  - Twelve (12) foot wide public utility and tree planting easements along all street frontages.
4. All monumentation and recording fees shall be borne by the applicant.

### **Prior to the signing of the Final Plat:**

5. The subdivision development fee, as provided in the Land Development and Planning

Ordinance Section 16.68.040 (G), shall be paid.

6. The land divider shall follow the provisions of Section 16.64.070 Improvements, in particular, but not limited to subparagraph (0) Bonds, which requires a surety bond, personal bond or cash bond for subdivision improvements for any improvement not completed prior to the signing of the final plat. The bond shall provide for the City to complete the required subdivision improvements and recover the full cost of the improvements.
7. A copy of the CC&Rs that will be filed with the subdivision, if any, shall be submitted to the City Planning Department, prior to the signing of the final plat, and shall include a statement that street trees will be planted along street frontages, within the street tree planting easement. The CC&Rs must also include a statement notifying home owners of their responsibilities under the current Tree Ordinance for maintenance of street trees.
8. A contract between the developer and a certified landscape contractor must be approved by the City prior to the signing of the final plat. The contract must include a street tree and planter strip planting plan (as appropriate) with the types and locations of trees to be planted and timing of the planting. The landscape contractor must be licensed in all phases of landscape contracting by the Oregon Landscapers Contractors Board.

**Prior to construction:**

9. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, natural gas, telephone, and cable television shall be approved by the appropriate utility provider. Final approval of site and utility plans is required prior to the issuance of any building permit. To facilitate this fifteen (15) copies of pre-construction plans shall be given to the City to be reviewed and approved by the Canby Utility Board, the Canby Telephone Association, the City and other required utility provider prior to the pre-construction conference. The construction plans shall include the street design, storm water, sewer, water, electric, telephone, gas, street lights, mail boxes and street trees.

**As part of construction:**

10. A five foot sidewalk including curb is required on the property's full frontage along S. Fir Street. As necessary the sidewalk shall swing around mailboxes, newspaper boxes, or fire hydrants, such that it is unobstructed for its full width.
11. A new ADA ramp shall be constructed at the intersection of SW 3<sup>rd</sup> Avenue and S. Fir Street.
12. All City erosion control regulations shall be followed during construction as specified

by the Canby Municipal Code. Two erosion control permits are required for this development.

13. Parcels 1, 2 and 3 require street trees.

**After construction:**

14. "As built" drawings shall be submitted to the City within sixty (60) days of completion. A copy of the "as built" drawings shall be submitted on a computer disk in AutoCad or other acceptable format.

**Notes:**

15. House numbers shall be visible from the street but numbers painted on the curb shall not be the primary method of meeting this requirement.

16. The applicant is responsible for all costs associated with the relocation of utilities.

17. The final plat must be submitted to the City within one (1) year of the approval of the preliminary plat (CMC 16.68.070).

18. The approval of this application will be null and void if the final plat is not submitted to the County within six (6) months after signing the final plat by the Planning Director.

19. All setback requirements must be met on the existing house with respect to the new lot lines.

19. Any relocation of existing utilities required due to construction of the development shall be done at the applicant's expense.

**Exhibits:**

1. Applicant's Packet
2. Responses to Request for Comments



CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

ATE: April 1, 2005

- TO:
- FIRE
  - POLICE
  - PUBLIC WORKS
  - CANBY ELECTRIC
  - CANBY WATER
  - WWTP
  - CITY ENGINEER
  - CTA
  - NW NATURAL
  - WILLAMETTE BROADBAND
  - CANBY DISPOSAL
  - CITY ATTORNEY
  - CANBY POST OFFICE
  - CLACKAMAS COUNTY ASSESSOR
  - CLACKAMAS COUNTY 911
  - CLACKAMAS COUNTY TRANSPORTATION
  - TRAFFIC SAFETY COMMITTEE
  - CLACKAMAS COUNTY
  - CANBY SCHOOL DISTRICT
  - TRANSPORTATION ENGINEER
  - ODOT/REGION 1/DIST 2B
  - STATE OF OREGON/REVENUE
  - CANBY BUSINESS REVITALIZATION
  - BIKE AND PEDESTRIAN COMMITTEE

The City has received SUB 05-03 (Bristol), an application by Jason & Jeanne Bristol to construct a 4 Lot Subdivision on .3 acres. The site is located between S. Elm & S. Fir Streets. The site has street frontage on S. 3<sup>rd</sup> Avenue and S. Fir Street and there are no other points of access. (Tax Map 41 E 4 BA, Tax Lot 1602)

Please review the enclosed application and return comments to Matilda Deas by Wednesday, April 13, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

N/A

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: [Signature]

Date: 05 APRIL 2005

Title: EMERGENCY COMM. DATA SPEC.

Agency: CLACKAMAS Co. 911

EXHIBIT  
# 2

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: April 1, 2005

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| TO: | <input type="checkbox"/> FIRE                 | <input type="checkbox"/> CANBY POST OFFICE               |
|     | <input type="checkbox"/> POLICE               | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR       |
|     | <input type="checkbox"/> PUBLIC WORKS         | <input type="checkbox"/> CLACKAMAS COUNTY 911            |
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|     | <input type="checkbox"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
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**Comments or Proposed Conditions:**

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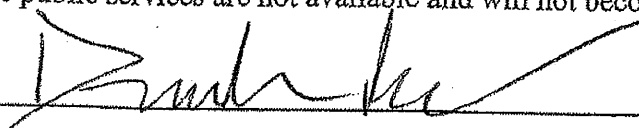
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- Adequate Public Services (of your agency) are available
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Signature:  Date: 4-8-05

Title: ASSOCIATE ENGINEER Agency: CTA

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

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DATE: April 1, 2005

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Signature: [Signature] Date: 4-8-05

Title: CONSTRUCTION MANAGER Agency: WILLAMETTE BROADBAND

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P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: April 1, 2005

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| <input type="checkbox"/> FIRE                   | <input type="checkbox"/> CANBY POST OFFICE               |
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Please review the enclosed application and return comments to Matilda Deas by Wednesday, April 13, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

**Comments or Proposed Conditions:**

If @ all possible svc's for lots 1 & 2 to be located @ PL  
set NOT IN DRIVEWAY.  
Same with Lot 3

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Patrick [Signature] Date: 4/8/05

Title: WATER DEPT. FOREMAN Agency: CANBY Utility

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

ATE: April 1, 2005

- TO:
- |   |  |
|---|--|
| <input checked="" type="checkbox"/> FIRE      | <input type="checkbox"/> CANBY POST OFFICE               |
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Signature: Len Harbrough Date: 4.8.05

Title: Fire Marshal Agency: CFD #62

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

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[503] 266-9404

FAX 266-1574

**DATE:** April 1, 2005

- TO:**
- |   |  |
|---|--|
| <input type="checkbox"/> FIRE                 | <input type="checkbox"/> CANBY POST OFFICE               |
| <input checked="" type="checkbox"/> POLICE    | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR       |
| <input type="checkbox"/> PUBLIC WORKS         | <input type="checkbox"/> CLACKAMAS COUNTY 911            |
| <input type="checkbox"/> CANBY ELECTRIC       | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER          | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE        |
| <input type="checkbox"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                  | <input type="checkbox"/> TRANSPORTATION ENGINEER         |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL       | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY        | <input type="checkbox"/> BIKE AND PEDESTRIAN COMMITTEE   |

The City has received SUB 05-03 (Bristol), an application by Jason & Jeanne Bristol to construct a 4 Lot Subdivision on .3 acres. The site is located between S. Elm & S. Fir Streets. The site has street frontage on S. 3<sup>rd</sup> Avenue and S. Fir Street and there are no other points of access. (Tax Map 41 E 4 BA, Tax Lot 1602)

Please review the enclosed application and return comments to Matilda Deas by Wednesday, April 13, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

**Comments or Proposed Conditions:**

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Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

**Signature:** Van Jagan **Date:** 4-6-05  
**Title:** Chief **Agency:** Police

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: April 1, 2005

- TO:
- FIRE
  - POLICE
  - PUBLIC WORKS
  - CANBY ELECTRIC
  - CANBY WATER
  - WWTP
  - CITY ENGINEER
  - CTA
  - NW NATURAL
  - WILLAMETTE BROADBAND
  - CANBY DISPOSAL
  - CITY ATTORNEY
  - CANBY POST OFFICE
  - CLACKAMAS COUNTY ASSESSOR
  - CLACKAMAS COUNTY 911
  - CLACKAMAS COUNTY TRANSPORTATION
  - TRAFFIC SAFETY COMMITTEE
  - CLACKAMAS COUNTY
  - CANBY SCHOOL DISTRICT
  - TRANSPORTATION ENGINEER
  - ODOT/REGION 1/DIST 2B
  - STATE OF OREGON/REVENUE
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Please review the enclosed application and return comments to Matilda Deas by Wednesday, April 13, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Construct sidewalk along S. Fir Street within project limits.

Construct New ADA ramp at the intersection of S. Fir St & S. 3rd Ave.

We recommend the access to the existing house (Lot 4) to be at the most westerly end on S. 3rd Ave and the most southerly on S. Fir Ave.

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: [Handwritten Signature] Date: 4/6/05

Title: Project Engineer Agency: Curran McLeod, Inc

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

**DATE:** April 1, 2005

- TO:**
- |   |   |
|---|---|
| <input type="checkbox"/> FIRE                 | <input type="checkbox"/> CANBY POST OFFICE                          |
| <input type="checkbox"/> POLICE               | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR                  |
| <input type="checkbox"/> PUBLIC WORKS         | <input type="checkbox"/> CLACKAMAS COUNTY 911                       |
| <input type="checkbox"/> CANBY ELECTRIC       | <input checked="" type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER          | <input checked="" type="checkbox"/> TRAFFIC SAFETY COMMITTEE        |
| <input type="checkbox"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                           |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT                      |
| <input type="checkbox"/> CTA                  | <input type="checkbox"/> TRANSPORTATION ENGINEER                    |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B                      |
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Please review the enclosed application and return comments to Matilda Deas by Wednesday, April 13, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

**Comments or Proposed Conditions:**

*More cars on 3<sup>rd</sup>, but otherwise there is adequate lights for entrance on 99 E from S. Elm + S. Grand.*

**Please check one box and sign below:**

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

**Signature:** Marlene Elmer **Date:** 4-10-05

**Title:** Chairman **Agency:** Traffic Safety Comm



# - STAFF REPORT -

**APPLICANT:**

S.T.J., LLC  
214 SW 2nd Ave  
Canby OR 97013

**FILE NO.:**

SUB 05-08 / PUD 05-01  
(Pine Station Subdivision)

**OWNER:**

S.T.J., LLC  
PO Box 1067  
Canby, OR 97013

**STAFF:**

Kevin Cook  
Associate Planner

**LEGAL DESCRIPTION:**

Tax Lot 1500 of  
Tax Map 3-1E-28DD

**DATE OF REPORT:**

June 13, 2005

**LOCATION:**

The southwest corner of NE  
Territorial Rd. and N Pine St.  
1063 NE Territorial Rd.

**DATE OF HEARING:**

June 27, 2005

**COMP. PLAN DESIGNATION:**

High Density Residential (R-2)

**ZONING DESIGNATION:**

High Density Residential (R-2)

**I. *APPLICANT'S REQUEST:***

The applicant is seeking approval to subdivide a 42,520 sq. ft. (0.976 acres) parcel into a Planned Unit Development with 11 lots consisting of a total of four duplexes and one triplex. The site is located at 1063 NE Territorial Road on the southwest corner of N.E. Territorial Road and N. Pine Street. This application conforms to the standards for the R-2 zone and could only be approved pending Planning Commission approval of the concurrently submitted Variance (VAR 05-01).

## II. APPLICABLE CRITERIA:

### 1. SUBDIVISIONS - 16.62.020

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

- i. Conformance with the text and applicable maps of the Comprehensive Plan.
- ii. Conformance with other applicable requirements of the land development and planning ordinance.
- iii. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
- iv. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

### 2. PLANNED UNIT DEVELOPMENT

#### **16.76.010 Minimum Requirements:**

- A. Planned Unit Developments require "a minimum of ten percent of the gross area of the development shall be devoted to park and recreational purposes, and shall be located in a common area or dedicated to the public."
- B. The average area per dwelling unit shall not be less than that allowed within the zoning district in which the subdivision is located. The average area shall be calculated by dividing the number of dwelling units into the gross area of the total land development, minus that area occupied by streets. Except, however, that the commission may grant a density bonus of not more than fifteen percent to planned unit developments where it is found that unique, beneficial design features (such as solar efficiency, recreation facilities, or other community assets) warrant such a bonus. The commission shall clearly state its findings in support of granting or denying a requested density bonus. (Ord. 740 section 10.5.50, 1984)
- C. The size of the original tract under application shall not be less than one acre, except as specified in Chapter 16.78. (Ord. 890 section 57, 1993)

#### **16.76.030 Standards and Criteria:**

Section 16.76.030 of the Canby Municipal Code specifies 12 (A through L) standards and criteria for judging planned unit developments. Items J and K apply only to the conversion of existing residential units into condominiums.

- A. The site approval as acted upon by the Commission shall be binding upon the developer and variations from the plan shall be subject to approval by the Commission.
- B. All land within the planned unit development may be subject to contractual agreements with the City and to recorded covenants providing for compliance with the City's requirements.
- C. The development of the property in the manner proposed will be in keeping with the requirements of this title, other than those provisions allowing for special treatment of PUD's.
- D. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities.
- E. The development must be designed so that the land areas and buildings around the perimeter of the project do not conflict with the adjoining properties. The Commission may establish special conditions for the perimeter of the development to minimize or mitigate the potential conflicts.
- F. Each planned unit development shall be a complete development considering all previous requirements. The Commission may, in addition, require the inclusion of facilities such as special curbs, sidewalks, street lights, storm drainage, sanitary sewers, underground power and telephone lines, landscaping and adequate easements for utilities.
- G. Land which is not intended for physical development, such as building or street uses, may be required to remain in open space usage perpetually. Maintenance of such open space areas shall remain the responsibility of the individual owner or owners' association, in a manner outlined in the by-laws of such association.
- H. The manner in which any open space or park and recreational area are to be maintained shall be presented along with the preliminary copy of the proposed owners' association by-laws and contractual agreements shall be submitted with the preliminary subdivision. In the case of an individual owner, the Commission may impose special requirements to assure long-term maintenance.
- I. The Planning Commission may, and in the case of single story or townhouse structures, shall, require the separation of utilities from one unit to the next.
- J. In reviewing an application for the conversion of existing residential units to condominiums, the commission shall utilize the general standards as are applied to the new construction of planned unit developments. A proposed conversion which is not found to meet the standards customarily applied to planned unit developments will not be approved.
- K. In reviewing an application for the conversion of existing residential units to condominiums, the Planning Commission shall consider the vacancy rates of multiple-family rental units throughout the city to assure that there is at least one suitable rental unit available and vacant for each unit

converted to condominium ownership.

- L. No fence/wall shall be constructed throughout a planned unit development where the effect or purpose is to wall said project off from the rest of the community unless reviewed and approved by the Planning Commission.

### 3. **Other Applicable Policies and Regulations:**

City of Canby General Ordinances:

- 16.10 Off Street Parking/Loading
- 16.20 R-2 High Density Residential Zone
- 16.62 Subdivision - Applications
- 16.64 Subdivisions - Design Standards
- 16.66 Subdivisions - Planning Commission Action
- 16.68 Subdivisions - Final Procedures and Recordation
- 16.70-16.76 Planned Unit Development Standards
- 16.86 Street Alignment
- 16.95 Solar Access Standards for New Development

## III. **FINDINGS:**

### 1. **Location and Background**

The subject property is currently zoned R-2, high density residential. The applicant is requesting a variance in order to allow the PUD process to be applied to this property. The applicant wishes to apply the PUD process primarily in order to allow a five foot setback from property lines between buildings on proposed lots 1 and 2, 4 and 5, 6 and 7, 10 and 11, and from the interior driveway for Lots 2 and 10. Additionally, a reduction to 10 feet for the street side yard for lot 3 is sought.

The parcel is 0.976 acres and was annexed to the City in January 2005 (via voter approval in November 2004). The parcel became zoned R-2 at the time of the annexation. The parcel currently contains one dwelling and a number of accessory buildings. All existing improvements are in the process of being removed.

The parcel is located at the southwest corner of N.E. Territorial Road and N. Pine Street. The parcel currently has access along N.E. Territorial Road. The proposed access will be along N. Pine Street. The Willamette Valley Country Club lies to the north; T&J Meadows Subdivision to the east; to the south there is a residential lot located outside of the city limits; to the west there are two lots zoned R-1, low density residential.

## 2. Comprehensive Plan Consistency Analysis

### **URBAN GROWTH ELEMENT**

- GOALS:**
- 1) **TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.**
  - 2) **TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITHIN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.**

#### Applicable Policy:

Policy #1: Canby shall coordinate its growth and development plans with Clackamas County.

*Analysis: The subject property is entirely within City limits and the Urban Growth Boundary. The property to the south is within the Urban Growth Boundary but still outside of City Limits.*

### **LAND USE ELEMENT**

- GOAL: TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.**

#### Applicable Policies:

Policy #1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.

*Analysis: All properties in the area are designated for residential use. This particular property is considered desirable for higher density development because of its proximity to a future signalized intersection at N.E. Territorial Road and Highway 99E. The proposal offers a new option (individually saleable lots in a dense development) in an area with an existing diversity of housing types.*

Policy #2: Canby shall encourage a general increase in the intensity

and density of permitted development as a means of minimizing urban sprawl.

*Analysis:* The R-2 zone requires a minimum density of 14 units per net acre. In order to achieve this density and still be able to offer a subdivision of separately saleable single-family homes, the applicant has requested approval as a Planned Unit Development. The Planned Unit Development Ordinance allows for exceptions from the normal requirements of the zoning code. In this case, the applicant is requesting variations to the standard R-2 code which include the following:

1) A modification of the standard side-yard setback from 7 feet to 5 feet. This setback would still allow 10 feet between the buildings. The applicant's intention is to create smaller, more affordable lots, while maintaining a community feel to the overall development; this desire coupled with the non-rectangular shape of the lot has created the conditions for the reduced setbacks. Staff feels that the smaller setbacks are suitable to the overall design of development.

2) A request to modify the required street side-yard setback for lot 3 from 15 feet to ten feet. A total of 13 linear feet of building 3 would encroach into the setback area for a total of 33.5 sq. ft. The reason for the reduced setback relates to the 15 foot side yard setback for lot 9. Fifteen feet is the minimum required setback between medium density and high density zoning designations. In this case, lot 1600 to the south is currently outside the city limits, but within the urban growth boundary. The Comprehensive Plan designation for lot 1600 is for medium density. The proposed 15 foot setback on lot 9 anticipates future annexation and development of lot 1600. The result of maintaining the 15' setback for lot 9 means that building 3 encroaches towards the Territorial Road right of way. Staff believes that the ten foot separation between building 3 and the Territorial Road right of way is adequate.

3) A request for stacked parking is a modification to the long-standing City interpretation of what constitutes a parking space. Typically, parking spaces are not allowed to be stacked (where one parked car blocks another) in Canby. This is not specifically stated in the code, but it is a long-standing interpretation that has been used, however, the Commission approved stacked parking in the Garden

*Crossing Subdivision in 2003. Staff does not see a problem in extending this approval.*

*4) A waiver of the solar access requirements for the entire project. It appears that the project cannot comply with any of the design standards specified in section 16.95.030 because the site is not oriented for solar access. Due to the relative density of the project and the orientation of the buildings staff feels that this exemption is appropriate.*

Policy #3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

*Analysis: Request for comments have been sent to all public facility and service providers (see discussion under Public Services Element).*

Policy #4: Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.

*Analysis: No natural hazards have been identified on the subject property.*

Policy #5: Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.

*Analysis: The proposed subdivision will be consistent with the land use map. The applicant will be building to the minimum allowed density for the R-2 zone.*

## ***ENVIRONMENTAL CONCERNS ELEMENT***

**GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.**

**TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION.**

**TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.**

*The subject property has no known steep slopes, historic resources, or wetlands, and is not located on a flood plain.*

*Applicable Policies:*

Policy #4-R: Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.

*Analysis: Noise will be expected as a result of residential construction. Once the subdivision is developed, noise generation should be insignificant. Residential construction noise is regulated by the City's Noise Ordinance.*

Policy #7-R: Canby shall seek to improve the overall scenic and aesthetic qualities of the City.

*Analysis: The subject area has been designated for residential use and this is the use being proposed. All new utilities (telephone, cable, electricity, gas, water, sewer) will be placed underground, with only street lights and ground-placed pedestals being above ground.*

Policy #8-R: Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.

*Analysis: There are no parks required in the area by the Canby Parks Master Plan*

## **TRANSPORTATION ELEMENT**

**GOAL: TO DEVELOP AND MAINTAIN A TRANSPORTATION SYSTEM WHICH IS SAFE, CONVENIENT AND ECONOMICAL.**

### Applicable Policies:

Policy #1: Canby shall provide the necessary improvement to City streets, and will encourage the County to make the same commitment to local County roads, in an effort to keep pace with growth.

#### Analysis:

*Half street improvements are proposed along the frontage of both N. Pine Street and N.E. Territorial Road (Condition #16).*

*The City Engineer has suggested the half street improvements as well as a minimum of a 5 ft. tangent between the curb bumpout and the curb reverse curve (Condition #14). Additionally, the Engineer suggests a*



*commercial driveway approach at the access location. Public Works has also requested specific paving requirements to be met as well as an erosion control permit and DEQ permits (Conditions 9 & 11). Public Works also asks for a Manhole detail for the storm system (Condition #6), an easement for the storm line in Tract A (Condition #5), and a 5 foot wide sidewalk inclusive of curb (Condition #13). The Fire District requests 'no parking' signs in place and/or curbs painted with 'no parking' (Condition #15). The Fire District also request the Homeowner' Association be responsible for parking enforcement within the development (Condition #5).*

Policy #3: Canby shall attempt to improve its problem intersections in keeping with its policies for upgrading or new construction of roads.

*Analysis: The traffic study submitted with this application did not identify any concerns at nearby intersections. The added traffic to and from Territorial Road generated by this project should be alleviated somewhat when the new signal is installed at the intersection of Hwy. 99 and Territorial.*

Policy #4: Canby shall work to provide an adequate sidewalk and pedestrian pathway system to serve all residents.

*Analysis: Sidewalks already exist along the east side of N. Pine St and along the south side of Territorial Road east of N Pine St. Sidewalks are proposed along the property's frontage along both Territorial Rd. and N. Pine St. The sidewalks proposed are curb-tight in order to match up with existing sidewalks along Territorial Road. The sidewalk on N. Pine is to be located behind a the planter strip (Condition #13).*

Policy #6: Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.

*Analysis: The Police Department has signed off on the project as proposed. The Fire District has indicated that the access, as proposed, is adequate provided parking is enforced (Conditions 5 & 15).*

Policy #7: Canby shall provide appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy

efficient vehicles.

*Analysis:* The Traffic Study recommends maintaining the existing bike lane on the south side of Territorial Road along the property's frontage.

## ***PUBLIC FACILITIES AND SERVICES ELEMENT***

**GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.**

### ***Applicable Policies:***

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

*Analysis:* All needed public facility and service providers were asked to comment on this application. Returned comment forms are shown in Exhibit 3. Canby Utility Water and Electric, Canby Telephone, and all stated that service provision was available or would become available through development. Parks and Rec. and the Fire Dept. did not offer comment.

Canby Utility Water provided comment on Systems Development Charges and requested that the developer consult with the Water Department prior to ordering meter vaults (Condition #6).

Canby Telephone indicated that existing telephone facilities will be located on the N.E. corner of N. Pine St. and Territorial Rd. will need to be relocated. Additionally, trenches for service to the development as well as to the individual units are recommended (Condition #20).

Policy #5: Canby shall assure that adequate sites are provided for public schools and recreation facilities.

*Analysis:* No schools are planned for this area. Public open space will be provided on site.

## ***ECONOMIC ELEMENT***

**GOAL: TO DIVERSIFY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.**

*The proposed subdivision is not located on commercial or industrial land; it will contribute to the City's economy by providing consumers and providing employment for local builders and contractors.*

### ***HOUSING ELEMENT***

**GOAL: TO PROVIDE FOR THE HOUSING NEEDS OF THE CITIZENS OF CANBY.**

*Applicable Policies:*

Policy #2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

*Analysis:* *The proposed subdivision is located on property zoned for high density residential development.*

Policy #4: Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the City.

*Analysis:* *The applicant states that a reason for the submitted design (smaller lots etc.) is to create affordable units.*

### ***ENERGY CONSERVATION ELEMENT***

**GOAL: TO CONSERVE ENERGY AND ENCOURAGE THE USE OF RENEWABLE RESOURCES IN PLACE OF NON-RENEWABLE RESOURCES.**

*Applicable Policies:*

Policy #1: Canby shall encourage energy conservation and efficiency measures in construction practices.

*Analysis:* *Energy conservation and efficiency measures will be reviewed through the building permit process.*

Policy #2: Canby shall encourage development projects which take advantage of wind and solar orientation and utilization.

*Analysis:* *Solar access was previously discussed above as a part of the analysis of the requested exemptions allowed as a part of a Planned Unit Development.*

**CONCLUSION REGARDING CONSISTENCY WITH THE POLICIES OF THE CANBY COMPREHENSIVE PLAN:**

Review of the goals, policies, and implementation measures of the Comprehensive Plan indicates that the proposed subdivision, with the recommended conditions of approval, is consistent with Canby's Comprehensive Plan. Development of the lots will need to comply with all applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State Codes and Regulations.

### 3. Evaluation Regarding Subdivision Approval Criteria

- A. Conformance with the text and the applicable maps of the Comprehensive Plan.

*With the recommended conditions, the application will be in conformance with the Comprehensive Plan (see discussion in part III.2, above.)*

- B. Conformance with all other requirements of the Land Development and Planning Ordinance.

*Analysis: With the recommended conditions, the application will be in conformance with all other applicable requirements of the Land Development and Planning Ordinance, including subdivision design standards for streets, easements, lots, and improvements.*

- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties.

*With the conditions below, the proposed subdivision meets these requirements for design, arrangement, and access to lots.*

- D. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

*All required public facilities are available or will become available through development. (See discussion in part III.2, above.)*

## IV. CONCLUSION

### *Subdivision*

1. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;

2. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with other applicable requirements of the Land Development and Planning Ordinance;
3. Staff concludes that, with the recommended conditions, the overall design and arrangement of the proposed parcels will be functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties; and
4. Staff concludes that, with the exception of schools, all necessary public services will become available through the development of the property, to adequately meet the needs of the proposed land division.

***Planned Unit Development***

**16.76.010**

- A. A minimum of ten percent of the gross area of the development is set aside as open space area (shown as Tracts A and B on the Plans).
- B. The average area per dwelling unit will not be less than that allowed within the R-2 Zoning District.
- C. If the request for a variance, submitted concurrently with this application, is approved by the Commission, this standard will be waived.

**16.76.030**

- A. The site approval as acted upon by the Commission shall be binding upon the developer and variations from the plan shall be subject to approval by the Commission.
- B. All land within the planned unit development may be subject to contractual agreements with the City and to recorded covenants providing for compliance with the City's requirements.
- C. Staff believes that the development of the property in the manner proposed will be in keeping with the requirements of this title, other than those provisions allowing for special treatment of PUD's.
- D. Staff believes that the plan for the proposed development presents a unified and organized arrangement of buildings and service facilities.
- E. Staff believes that the development is designed so that the land areas and buildings around the perimeter of the project do not conflict with the adjoining properties.
- F. Staff believes that, with conditions, the planned unit development is a complete development considering all previous requirements.
- G. The applicant will deed restrict tract A & B in order to insure they remain open space. A homeowners association will oversee maintenance.
- H. The applicant has stipulated to this standard and will record CC&Rs in accordance with the standard.
- I. The placement of utilities is to be determined by the utility providers.

- J. The proposal does not include the conversion of existing units to condominium units.
- K. The proposal does not include the conversion of existing units to condominium units.
- L. No fences or walls are proposed to be constructed throughout a planned unit development where the effect or purpose is to wall said project off from the rest of the community.

## **VI. RECOMMENDATION**

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve SUB 05-08 and PUD 05-01 with the following conditions:

### **For the Final Plat:**

1. The final plat shall reference these land use applications (City of Canby, File No. SUB 05-08/ PUD 05-01 and VAR 05-01) and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits.
2. The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying, land title, plat security, and plat recordation.
3. Easements shall be provided as follows for exterior lot lines of the parent parcel:
  - Five (5) foot wide public utility easements along all interior lot lines except for common wall boundaries.
  - Ten (10) foot wide public utility easements along non-street exterior property lines.
  - Twelve (12) foot wide public utility and tree planting easements along all street frontages.

### **Prior to the signing of the Final Plat:**

4. The land divider shall follow the provisions of Section 16.64.070 Improvements, in particular, but not limited to, subparagraph (O) Bonds, which requires a surety bond, personal bond, or cash bond for subdivision improvements for any improvement not completed prior to the signing of the final plat. The bond shall provide for the City to complete the required improvements and recover the full cost of the improvements.

5. A copy of the CC&Rs that will be filed with the subdivision shall be submitted to the City Planning Department, prior to the signing of the final plat, and shall include, at a minimum, the following:
  - Land which is not intended for physical development, such as building or street uses, is required to remain in open space usage perpetually. Maintenance of such open space areas shall remain the responsibility of the individual owner or owners' association, in a manner outlined in the by-laws of such association.
  - The manner in which any open space, park and recreational area, and parking areas are to be maintained shall be presented along with the preliminary copy of the proposed owners' association by-laws and contractual agreements shall be submitted with the preliminary subdivision.
  - Any other covenants necessary to ensure the long-term maintenance of the Planned Unit Development and its facilities.
  - An easement for the storm line in Tract A.

**Prior to construction:**

6. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, natural gas, telephone, and cable television shall be approved by the appropriate utility provider. Final approval of site and utility plans is required prior to the issuance of any building permit. To facilitate this, twelve (12) copies of pre-construction plans shall be given to the City to be reviewed and approved by the Canby Utility Board, the Canby Telephone Association, the City, and other required utility providers prior to the pre-construction conference. The construction plans shall include the street design, storm water, sewer, water, electric, telephone, gas, street lights, mail boxes and street trees. Utilities shall be separated from one unit to the next.

**As a part of construction:**

7. Traffic control signs shall be provided at the developer's expense as required by the Director of Public Works. A sign that reads "End of City Maintained Street" or similar wording shall be placed at the entrance of the development.
8. Street lighting shall be provided by the developer as necessary and shall be provided for all private streets to meet City street lighting standards.
9. An erosion control permit is required. All City erosion control regulations shall be followed during construction as specified by the Canby Municipal Code.
10. As necessary, sidewalks shall swing around obstructions such as mailboxes,

newspaper boxes, or fire hydrants, such that they are unobstructed for their full width.

11. The applicant shall construct an approved curb cut and approach apron at the drive entrance to each parcel. Access improvements and sidewalks and paving shall be inspected and approved by Canby Public Works prior to installation.
12. Vegetation planted along N. Pine Street shall be limited to two feet in height in order to maintain vision clearance from the entrance to the development.
13. Five (5) foot sidewalks inclusive of curb shall be constructed along all street frontages. Where mailboxes, fire hydrants or other obstructions must be located at the curb, sidewalks shall swing away from the curb such that the walkway remains unobstructed for a full five-foot width. The sidewalk along N.E. Territorial shall be curb-tight, whereas the sidewalk on N. Pine shall be located behind a planter strip. Bicycle lanes shall also be maintained to the specifications of Canby's Transportation System Plan as part of street improvements along N.E. Territorial Road.
14. A minimum five foot tangent between the curb bump-out and the curb reverse curve shall be maintained.
15. No parking signs and/or painted curbs indicating no parking shall be placed in front of all areas not intended for parking on the approved site plan.
16. Half street improvements are required along N.E. Territorial Road as well as along N. Pine Street. Street improvements shall be constructed to City standards and shall be approved by the City Engineer and Canby Public Works prior to construction.

**After construction:**

17. "As-built" drawings of all public improvements shall be submitted to the City within sixty (60) days of completion. A copy of the "as-built" drawings shall be submitted on a computer disk in an AutoCAD format.

**Notes:**

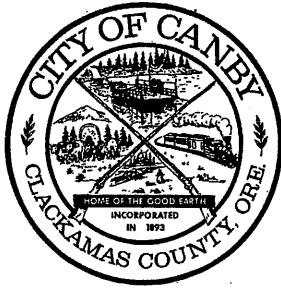
18. The final plats must be submitted to the City within one (1) year of the approval of the preliminary plat according to Section 16.68.020.
19. The approval of this application will be null and void if the final plat is not submitted to the County within six (6) months after signing of the plat by the chairman of the Planning Commission (Section 16.68.070).



20. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
21. Sanitary system and storm drainage plans shall be approved by DEQ prior to construction.
22. The site approval as acted upon by the Commission shall be binding upon the developer and variations from the plan shall be subject to approval by the Commission.

**Exhibits:** Shared with VAR 05-01

1. Applicant's packet (including site plans and narrative)
2. Responses to request for comments
3. Traffic Study
4. Copy of neighborhood meeting summary
5. Letter from Northeast Canby Neighborhood Association
6. Arborist's report
7. Architectural Renderings
8. Minutes of the pre-application meeting



## **- STAFF REPORT -**

**APPLICANT:**

S.T.J., LLC  
214 SW 2<sup>nd</sup> Ave  
Canby OR 97013

**OWNER:**

S.T.J., LLC  
PO Box 1067  
Canby, OR 97013

**LEGAL DESCRIPTION:**

Tax Lot 1500 of  
Tax Map 3-1E-28DD

**LOCATION:**

The southwest corner of NE  
Territorial Rd. and N Pine St.  
1063 NE Territorial Rd.

**COMP. PLAN DESIGNATION:**

High Density Residential (R-2)

**FILE NO.:**

VAR 05-01  
(Pine Station Subdivision)

**STAFF:**

Kevin Cook  
Associate Planner

**DATE OF REPORT:**

June 13, 2005

**DATE OF HEARING:**

June 27, 2005

**ZONING DESIGNATION:**

High Density Residential (R-2)

**I. APPLICANT'S REQUEST:**

The applicant is requesting a major variance in order to allow a Planned Unit Development (PUD) to be considered by the City on the subject parcel. A variance is required because a PUD requires a minimum lot size of one acre (Section 16.76.010.C);

whereas a survey of the parcel indicates the current lot area is 42,520 sq. ft. (0.976 acres).

**II. APPLICABLE CRITERIA:**

This is a quasi-judicial land use application. In judging whether a major variance should be approved, the Planning Commission must consider the following standards:

**16.53.020.B Standards and Criteria.**

A variance may be granted only upon determination that **all** of the following conditions are present:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the City and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control; and
2. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone; and
3. Granting of this variance will not be materially detrimental to the intent or purposes of the City's Comprehensive Plan or the Land Development and Planning Ordinance; and
4. Granting of this variance will not be materially detrimental to other property within the same vicinity; and
5. The variance requested is the minimum variance which will alleviate the hardship; and
6. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives, acting in deliberate violation of these or other City regulations.

**III. OTHER APPLICABLE CRITERIA:**

- A. 16.76.010 Minimum requirements for a residential planned unit development.

#### **IV. BACKGROUND:**

The applicant is seeking an 11 lot subdivision consisting of four duplex units and one triplex. The applicant seeks to develop the site through the PUD process, which would allow for a greater degree of flexibility in site design.

The Clackamas County Assessors office indicates the subject parcel is one acre in area. However, a recent survey of the parcel shows a total area of 42,520 sq. ft. or 0.976 acres, which is 1,040 sq. ft. less than one acre. Section 16.76.010.C states "The size of the original tract under application **shall not be less than one acre**, except as specified in Chapter 16.78." The only exception allowed for the one acre standard is for condominium projects involving new construction of six or fewer units as addressed in Section 16.78. The proposed development does not meet the criteria for the exception to the one acre minimum; thus, a variance is required in order for a PUD to occur on the subject parcel.

#### **V. REVIEW FOR CONFORMANCE WITH SECTION 16.53.020.B (Variance criteria):**

Note: The applicant has provided a narrative regarding the variance criteria (see Exhibit 1). Please refer to this narrative along with staff's analysis.

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the City and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control.

**Analysis:** Staff believes this criterion has been met. Prior to the survey completed in April 2005 the most reliable information regarding the area of the parcel came from the Clackamas County Assessor's office, which lists the parcel size as exactly one acre; this fact alone qualifies as a circumstance over which the owners had no control. It is reasonable to assume that the owners believed the subject parcel was exactly one acre until a more accurate survey proved otherwise.

- B. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone.

**Analysis:** The property is close enough to one acre in size that it should be allowed to enjoy the same benefits as a one acre parcel in terms of allowing the

PUD process to occur for the benefit of design flexibility. The criterion is met.

- C. Granting of this variance will not be materially detrimental to the intent or purposes of the City's Comprehensive Plan or the Land Development and Planning Ordinance.

*Analysis:* The granting of this variance will not detrimentally conflict with either the Comprehensive Plan or the Land Development and Planning Ordinance. In fact, the variance offers the potential for greater support of the Comprehensive Plan by way of allowing the PUD process to be applied to the proposed development. The criterion is met.

- D. Granting of this variance will not be materially detrimental to other property within the same vicinity.

*Analysis:* There are no substantial differences between the subject parcel and a one acre lot with a similar configuration in a similar location. The granting of a variance to allow a PUD is not, in itself, a detriment to other properties in the vicinity. The criterion is met.

- E. The variance requested is the minimum variance which will alleviate the hardship.

*Analysis:* The granting of this variance will allow the PUD process to be applied to the subject property. The variance request does not go beyond the PUD question in scope. The criterion is met.

- F. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives, acting in deliberate violation of these or other City regulations.

*Analysis:* The applicant is not responsible for the fact that the lot is somewhat less than one acre in size because the best information available to the applicant prior to the recent survey indicated that the parcel is exactly one acre in size. Staff believes this criterion is met.

## **VI. CONCLUSION**

Staff concludes that the variance request by S.T.J., LLC meets the criteria.

**VII. RECOMMENDATION:**

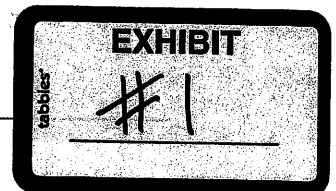
Based upon the findings and conclusions in this report, the information submitted by the applicant, and without benefit of public hearing, staff recommends approval of VAR 05-01.

**Exhibits:** Shared with SUB 05-08 / PUD 05-01

1. Applicant's packet (including site plans and narrative)
2. Responses to request for comments
3. Traffic Study
4. Copy of neighborhood meeting summary
5. Letter from Northeast Canby Neighborhood Association
6. Arborist's report
7. Architectural Renderings
8. Minutes of the pre-application meeting

**Application for Subdivision, PUD, Variance,  
and Site and Design Review**

Applicant	S. T. J., LLC 214 S.W. Second Avenue Canby, OR 97013 (503) 266-5488 Contact: Tom Scott
Representative	Sisul Engineering 375 Portland Avenue Gladstone, OR 97207 (503) 657-0188 Contact: Pat Sisul
Location	1063 NE Territorial Road; South of Territorial Road and west of Pine Street
Legal Description	Tax Lot 1500, Sec. 28, T3S R1E WM (Assessor Map 3 1E 28DD)
Comprehensive Plan Designation	High Density Residential
Zone	R-2 High Density
Site Size	0.98 Acre (42,520 square feet)
Proposal	Subdivision and PUD to create 11 lots for single family attached residences and Site & Design Review, with variance to PUD area standard.





## SITE & PROPOSAL DESCRIPTION

This application requests approval for a subdivision to create 11 lots for attached single family dwellings, with Site and Design Review ("SDR") for the attached dwelling structures. The application includes a request for a variance for interior side yard setbacks, to allow a five foot setback from property lines between buildings on lots 4 and 5, and Lots 6 and 7, and from the interior driveway for Lots 2 and 10.

The site is in an area that was recently annexed and zoned R-2. The site is south of Territorial Road and west of Pine Street. To the north is the Willamette Valley County Club and Country Club Estates. East of the site, across Pine Street is the T & J Meadows subdivision. South of the site, outside the city limits are several large, unimproved lots. West of the site are two larger lots inside the City of Canby.

The site has frontage on both Territorial Road and Pine Street. Territorial Road borders the site along the north and is roughly 20 degrees from being perpendicular to Pine Street. The interior driveway will connect to N. Pine Street.

One old home and several outbuildings, all of which are being removed, occupy the site. The site is fairly flat, which a little fall from northwest to southeast and has no identified natural resources or physical hazards. Trees are scattered around the site, with a cluster of conifers near the intersection of NE Territorial Road and North Pine Street.

The proposed residential development will create 11 individual residences on small lots, a tract for common recreation area and a tract for the internal driveway. All lots will have frontage on the new interior driveway that will provide a single point of access to N. Pine Street. Additional guest parking spaces will be provided at the north and south ends of the interior driveway.

The following table lists adjacent uses:

### Uses Adjacent to the Site

North	NE Territorial Road, Willamette Valley CC, County Club Estates
East	North Pine Street, single family subdivision, apartment site
West	Single family residences on large lots (R-1 Zone)
South	Single family residence on large lot; not within the city limits

NE Territorial Road and N. Pine Street do not presently meet City street standards. Additional right of way will be dedicated, and pavement and sidewalk added along both frontages.

Public sewer and water are available to the site in both adjoining streets. A public storm drain system is available in Territorial Road to drain the public street system.

## Applicable Criteria and Standards

### Identification of Applicable Criteria and Standards

The following sections of the City of Canby Comprehensive Plan and Land Development and Planning Ordinance (“LDPO”) apply to this application:

1. Comprehensive Plan

Urban Growth Element

Land Use Element

Housing Element

2. Land Development and Planning Ordinance:

Division III Zoning

16.10 Off-Street Parking and Loading

16.20 R-2 High Density Residential Zone

16.21 Residential Design Standards

16.46 Access Limitations on Project Density

16.49 Site & Design Review

16.53 Variances

Division IV Land Division Regulations (sections pertinent to subdivisions)

16.56 General Provisions

16.64 Subdivisions – Design Standards

16.66 Subdivisions – Planning Commission Action

16.68 Subdivisions – Final Procedures and Recordation

Division V Planned Unit Development and Condominium Regulations

Division IX Solar Access Requirements

16.95 Solar Access Standards for New Development

## Discussion of Criteria and Standards

### COMPREHENSIVE PLAN GOALS AND POLICIES

#### Urban Growth Element

*Goal 1) To preserve and maintain designated agricultural and forest lands by protecting them from urbanization.*

*Goal 2) To provide adequate urbanizable area for the growth of the city, within the framework of an efficient system for the transition from rural to urban land use.*

*Policy No. 3: Canby shall discourage the urban development of properties until they have been annexed to the city as provided with all necessary urban services.*

Response: The subject site is within the City's Urban Growth Boundary and is part of the land intended to accommodate the City's projected population. The proposal supports the Urbanization Element of the Comprehensive Plan.

Wise use of land within an urban growth boundary reduces the need for expanding the boundary, and impacting farmland. Higher densities, where appropriate, further this goal.

Public facilities and services are generally available to the site.

Public sewer and water are available in both Territorial Road and Pine Street. The applicant has been advised that the City has adequate capacity to serve the site. The public storm drain system in front of the site has adequate capacity to serve the improved public streets surrounding the site. Roof drain and driveway storm water will be managed on the site, as with most surrounding developments.

Public schools generally have capacity, though limited, in the area north of U.S. Highway 99E. Children from this site will attend Knight Elementary School. For 2005, enrollment is projected at 105.6% occupancy. The Ackerman Middle School, for fall 2005, is projected to have occupancy of 94.8%. Canby High School occupancy is projected to be 105.7%. The School District is aware of capacity issues and the plans for the new middle school are in the City approval process. When the new middle school is constructed, the District will change the use of existing buildings to accommodate students.

The subject site is reasonably close to commercial areas (downtown and Fred Meyer's) and connects to major streets (Highway 99E).

The proposal supports the City's Urban Growth Goals and Policies.

Land Use Element

*Goal: To guide the development and uses of land so that they are orderly, efficient, aesthetically pleasing, and suitably related to one another.*

*Policy No. 1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses while grouping compatible uses.*

*Policy No. 2: Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.*

*Policy No. 3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.*

*Policy No. 4: Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.*

*Policy No. 6: Canby shall recognize the unique character of certain areas and will utilize the following special requirements in conjunction with the requirements of the Land Development and Planning Ordinance, in guiding the use and development of these unique areas.*

Response: The City's Comprehensive Plan designation for the site calls for higher density residential development. The proposal is an opportunity for a different housing opportunity within the context of the residential areas of the community.

Public facilities are available to the site. Sanitary sewer is provided by the City and is available from a line in North Pine Street, which has sufficient capacity for this development. Public water is provided by Canby Utility and is available from NE Territorial Road. A piped storm water system is available for public streets surrounding the site. Onsite storm water disposal is not provided as a public facility, but will be managed through on site collection, treatment, and infiltration, as necessary to comply with City and Department of Environmental Quality standards. Public schools capacity is limited but is being addressed by the school district. Other public facilities and services, such as police, fire, telephone, electricity, etc., are generally available to be extended onto the site.

A traffic problem existed at the intersection of Territorial and Highway 99E until ODOT constructed an interim traffic management device, eliminating left turns onto the highway from Territorial Road. A project to construct a signal at this intersection is funded for construction and anticipated to be completed in 2006.

There are no natural hazards associated with the site, and no wetland or other environmental concerns.

The site is not designated as an "Area of Special Concern" in Policy No. 6.

Based on this review of relevant policies, the proposal has been shown to support the Land Use Element of the Comprehensive Plan.

Transportation Element

*Goal: To develop and maintain a transportation system which is safe, convenient and economical.*

*Policy 1. Canby shall provide the necessary improvement of City streets, and will encourage the County to make the same commitment to local County roads, in an effort to keep pace with growth.*

*Policy 2. Canby shall work cooperatively with developers to assure that new streets are constructed in a timely fashion to meet the City's growth needs.*

Response: NE Territorial Road is classified as an Arterial by the Transportation System Plan. A signal is proposed for the intersection of Territorial and Highway 99E in 2006, facilitating vehicular movements in the area. The applicant would expect to construct the street frontages to "urban" standards to accommodate anticipated traffic at the time of any future development.

*Policy 6. Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.*

Response: The layout for any future development can be designed to provide multi-directional access for all lots and facilitate access for emergency vehicles. This will be demonstrated in the context of a subdivision application.

A traffic impact study was conducted when the property was annexed into the City and is being updated for the application.

Housing Element

*Goal: To provide for the housing needs of the citizens of Canby.*

*Policy No. 2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.*

*Policy No. 3: Canby shall coordinate the location of higher density housing with the ability of the city to provide utilities, public facilities, and a functional transportation network.*

Response: The site has been designated as appropriate for higher density development and the proposal is consistent with that designation.

The site is well located for higher density development, at the intersection of two major streets, with connections to the established area of Canby, including downtown and the shopping area along Highway 99E.

Based on this review of relevant policies, the proposal has been shown to support the Housing Element of the Comprehensive Plan.

## **LAND USE AND DEVELOPMENT ORDINANCE**

### *Division III Zoning*

#### *Chapter 16.10 Off-Street Parking and Loading*

The parking requirement for single family dwellings is two spaces per dwelling unit (Table 16.10.050). This requirement can be satisfied by a single car garage for each dwelling, and an additional space available in the driveway area in front of the garage so long as the clear vision area is maintained.<sup>1</sup> Three parking spaces are provided at each end of the interior driveway, for a total of six additional parking spaces on the site to accommodate guests. In addition parking will be available on the street frontages which could accommodate an additional 12 guest parking spaces.

#### *Chapter 16.20 R-2 High Density Residential Zone*

The proposal for subdivision will create 11 new lots for attached single family dwellings. The proposed residential use is allowed outright in the zone (Sec. 16.20.010.B).

New lots in the R-2 Zone are required to meet the development standards specified in Sec. 16.20.030, except as modified through the PUD review.

Development standards for structures can be verified when plans for building permits are submitted.

The following table lists requirements and how the application proposes to satisfy each standard.

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<sup>1</sup> A similar parking arrangement has been approved for other townhouse-type developments in the R-2 zone.

Section 16.20.030 R-2 Zone Dimensional Standards

Requirement	Proposed
16.20.030.A Minimum Residential Density: 14 dwellings per acre	Total Site Area = 42,520 sq. ft. (0.98 acre) Net Developable Area (less dedications, open space) = 32,729 sq. ft. (0.75 acre)  Minimum Density (R-2) = 14 units per acre Minimum number of units required = 10.5 Lots proposed = 11
16.20.030.B Minimum width and frontage: 20 feet	All lots have a minimum width and frontage of at least 20 feet.
16.20.030.C Minimum yard requirements:  Street yard, 20 feet for the side with driveway  Other street yards, 15 feet  Rear yard, 20 feet for two story building  Interior yard: seven feet, or zero lot line  Buffer area, 15 feet required adjacent to R-1 or R-1.5 zoned property	20 ft. from the front lot line or 19 feet from the back of sidewalk.  10 ft. from NE Territorial* and 15 ft. from N Pine  26.5 to 26.7 feet to the east and 20 feet to the south for two story buildings.  Five feet for non-zero lot line sides*  Required for this site along the west property boundary. (southern parcels are County zoning)
16.20.030.D Maximum building height: 35 feet	Buildings will be two stories in height, or approximately 24 feet in height. (18' at wall)
16.20.030.E Maximum lot coverage: 70% for single family residences	The minimum lot area is proposed to be 1,885 sq. ft. with an average lot area of 2,313 sq. ft. "Typical" building dimensions are 20 feet by 45 feet, or 900 sq. ft. for an average lot coverage of 36.96% (varies somewhat with lot area and building, from 27.2% to 47.8%).  For the entire site, the lot coverage is 38.9% of the lots or 32.4% of the subdivision including Tracts A and B.
16.20.030.F.4 Minimum recreation area/open space: 150 sq. ft. per unit with 1,500 sq. ft. minimum	Tract A (4,366 sq. ft.) and Tract B (850 sq. ft.) together provide 5,216 sq. ft. of open space and recreation area, or 13.8% of the gross site area after dedication.

\*PUD modification is requested to this standard.

*Chapter 16.21 Residential Design Standards*

Residential Design review is required for multi-family dwellings or for development that contain 3 or more units on a single lot in any zone. This project is considered “multi-family,” since there are more than three dwellings on the property.<sup>2</sup>

A design review application for multi-family dwellings shall be considered to be compatible if it (1) the Design Menu standard is met, (2) a minimum of 65 percent of the total possible points are accumulated for the development, and (3) the application has received a minimum of one point in each applicable category

<b>Design Menu for Street Facades</b>	<b>Yes</b>	<b>No</b>
Dormers		X
Gables, hips, gambrel roof form	X	
Recessed entries	X	
Covered porch entries	X	
Bay windows		X
Eaves of 20 inches or greater		X
Off-set of 16” or greater on face or roof	X	
Minimum 15% of front façade windows & doors		X
Window trim	X	
Balconies or porch rail		X
Shakes, shingles, brick, other decorative material	X	
<b>Total</b>	<b>6</b>	<b>5</b>

<b>Parking</b>	<b>Points rewarded</b>	<b>Points available</b>
Screening loading facilities	1	2
Landscaping	1	1
Parking lot lighting	1	1
Location	0	2
<b>Total</b>	<b>3</b>	<b>6</b>

<b>Tree Retention</b>	<b>Points rewarded</b>	<b>Points available</b>
Trees outside building footprint	3	3
Replacement of trees	0	0
<b>Total</b>	<b>3</b>	<b>3</b>

<b>Orient Buildings to Public/Private Streets</b>	<b>Points rewarded</b>	<b>Points available</b>
Primary entrance face street	0	2
Frontage has buildings within 25’	1	2
<b>Total</b>	<b>1</b>	<b>4</b>

<sup>2</sup> Staff interpretation, based upon the buffer requirements for three or more units on the same property, in Section 16.20.030.C.4.



<b>Design</b>	<b>Points rewarded</b>	<b>Points available</b>
Horizontal length	2	2
Roofs	1	1
Windows/doors on street façade	0	1
Garages	1	2
Exterior design	2	2
<b>Total</b>	<b>6</b>	<b>8</b>

<b>Screening of Storage Areas</b>	<b>Points rewarded</b>	<b>Points available</b>
Trash receptacles are screened	1	1
Trash receptacles are located away from pl's	2	2
Transformers, pads & boxes are screened	1	2
<b>Total</b>	<b>4</b>	<b>5</b>

<b>Private Open Space</b>	<b>Points rewarded</b>	<b>Points available</b>
Private open space in addition to base requirement	2	2
Automatic irrigation provided	3	3
# of non-required trees	0	1
<b>Total</b>	<b>5</b>	<b>6</b>

<b>Street &amp; Block Framework</b>	<b>Points rewarded</b>	<b>Points available</b>
<b>Total</b>	<b>0</b>	<b>0</b>

<b>Bonus Points</b>	<b>Points rewarded</b>	<b>Points available</b>
2 or more trees at least 3" caliper	0	0
Park open space retention for public use	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

<b>Total</b>	<b>22</b>	<b>32</b>
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The proposed application meets the Design Menu standard, has over 65 percent of the total possible points and has received a minimum of one point in each applicable category. Therefore the standards of Chapter 16.21 are met.

*Chapter 16.46 Access Limitations on Project Density*

The development proposes to create single family residences on individual lots, with structures that are most similar to a multi-family or townhouse type structures. Therefore Sec. 16.46.010B is the applicable standard.

A 30-foot wide driveway will connect to North Pine Street. The driveway will enter North Pine Street with a clear width of 30 feet across the site frontage. Each dwelling will have its own frontage and driveway (12 feet wide) connecting to the interior shared driveway. Six guest parking spaces are provided for joint use, at both the north and south

ends of the interior driveway. This is sufficient to satisfy the requirements in Sec. 16.46.010.B for width of access and number of dwelling units.

### *Chapter 16.49 Site and Design Review*

Site and Design Review is required for all new development, except for single family dwellings and duplexes (16.49.030). This project is considered "multi-family," since there are more than three dwellings on the property.<sup>3</sup>

The proposed subdivision requires approval of the Board, according to the criteria found in Sec. 16.49.040.1 and the design review matrix:<sup>4</sup>

*A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and*

*B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and*

*C. The location, design, size, color, and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.*

*E. The "Design Review Matrix" shall be used to determine compatibility for purposes of B and C.*

The proposed development will create 11 lots suitable for new attached single family residences in four two-dwelling buildings and one three-dwelling building, as shown on the site plan. The intention is to create smaller, and therefore more affordable, lots while maintaining a feeling of community through the similarity of building design, landscaping, shared open space for recreational area, and other elements of the site development.

Parking is provided for each dwelling, with one space in a garage, a space in front of the garage, and guest parking.

The proposed point of access for the new private access driveway to North Pine Street complies with the intersection spacing distance required in the Code. The new private access drive entering the site is proposed to have a width of 30 feet, satisfying the width

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<sup>3</sup> Staff interpretation, based upon the buffer requirements for three or more units on the same property, in Section 16.20.030.C.4.

<sup>4</sup> Criteria and design review matrix factors are discussed in the order presented, with an explanation of how the applicant believes that each criterion and standard, and each element of the design review matrix are met or exceeded by the proposed development, followed by the matrix.

required for access (16.10.070.B.8 and 16.46.010.B). Pedestrian/bicycle access is provided from the new public sidewalk that will be constructed across the site's frontage on North Pine Street and NE Territorial Road, and by way of the new private access drive.

Several trees are on the site, as shown on the "Existing Conditions" map (Sheet 3) and several will be retained. New landscaping will be installed as part of an overall landscaping plan, see Sheet 5.

A sign is not part of the application.

Buildings will be two stories in height and constructed of wood, with siding and trim materials in subtle "earth tone" colors (see color renderings). Structures will have "Hardy Plank" siding, with a decorative shingle look on upper portions. Building facades will have at least two colors, two siding materials and trim. The application includes architectural renderings of the proposed buildings.

Landscaping will include shrubs along the front, side and rear of each external unit and extensive lawn areas. Several existing trees will be maintained onsite and in the adjacent street right-of-ways. A professional landscape company paid for by the homeowners association will maintain all site landscaping.

For a development in a residential zone, the required landscaped area is 30% of the total developed land area (Sec. 16.49.080.2.C). Recreation area/open space within the development in Tracts A and B total 5,216 square feet, or 13.8% of the gross site area. An additional 10,410 square feet of landscaped area is available on the lots within the site, 27.4% of the site. The total area available within the development that will be landscaped amounts to 15,626 square feet, or approximately 41% of the development site.

The applicant expects to comply with reasonable conditions placed on the approval of this project, as provided in Sec. 16.49.050. Pedestrian and bicycle facilities have been provided within the project, to the extent possible on the small site (Sec. 16.49.065).

Landscaping will comply with City requirements (Sections 16.49.070ff). As previously discussed. Please refer to the landscaping plan provided with this application.

The purposes of Site and Design Review include encouraging development that adds to the appeal of the community by providing a pleasant living environment. The applicant believes that the goals of Chapter 16.49 are accomplished by creating buildings that are compatible with adjacent developments and direct and convenient connections for pedestrians both on and off of the site, as demonstrated by this discussion of requirements and the attached design review matrix in which the project scores nearly 72 percent of the total points possible, above the 65 percent required.. For these reasons, the applicant believes that the requirements of this chapter are satisfied.

<b>Parking</b>	<b>Points rewarded</b>	<b>Points available</b>
Screening loading facilities	1	2
Landscaping	1	1
Parking lot lighting	1	1
Location	0	2
Number	0	2
<b>Total</b>	<b>3</b>	<b>8</b>

<b>Traffic</b>	<b>Points rewarded</b>	<b>Points available</b>
Distance to intersection	0	2
Access drive width	0	1
Pedestrian access from public sidewalk	2	2
Pedestrian access from parking lot	2	2
<b>Total</b>	<b>4</b>	<b>7</b>

<b>Tree Retention</b>	<b>Points rewarded</b>	<b>Points available</b>
Trees outside building footprint	3	3
Replacement of trees	0	0
<b>Total</b>	<b>3</b>	<b>3</b>

<b>Signs</b>	<b>Points rewarded</b>	<b>Points available</b>
<b>Total</b>	<b>0</b>	<b>0</b>

<b>Building Appearance</b>	<b>Points rewarded</b>	<b>Points available</b>
Style	2	2
Color	2	2
Material	1	1
Size	1	1
<b>Total</b>	<b>6</b>	<b>6</b>

<b>Types of Landscaping</b>	<b>Points rewarded</b>	<b>Points available</b>
# of non-required trees	0	1
Amount of grass	1	2
Location of shrubs	1	1
Automatic irrigation	4	4
<b>Total</b>	<b>6</b>	<b>8</b>

<b>Bonus Points</b>	<b>Points rewarded</b>	<b>Points available</b>
2 or more trees at least 3" in caliper	0	0
Park/open space for public use	0	0
Trash receptacle screening	1	0
<b>Total</b>	<b>1</b>	<b>0</b>

<b>Total</b>	<b>23</b>	<b>32</b>
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## *Chapter 16.53 Variance*

The Assessor map shows an area of 1.00 acre for the site (included with this application). However, a more accurate survey revealed that the site actually has an area of 0.98 acres, 1,040 square feet less than one acre. For practical purposes, the area is “an acre” however the standard of Section 16.76.010.C is unequivocal, and a variance is requested for the standard that requires a minimum site area of an acre for a Planned Unit Development.

### *16.76.010 Minimum requirements.*

*The minimum requirements for a residential planned unit development shall include the following two items:*

*A. A minimum of ten percent of the gross area of the development shall be devoted to park and recreational purposes, and shall be located in a common area or dedicated to the public, except in the case of conversions of existing rentals to unit ownership, where the Planning Commission may permit a lesser requirement if it is found that adequate recreation facilities exist for the units.*

*B. The average area per dwelling unit shall not be less than that allowed within the zoning district in which the subdivision is located. The average area shall be calculated by dividing the number of dwelling units into the gross area of the total land development, minus that area occupied by streets. Except, however, that the commission may grant a density bonus of not more than fifteen percent to planned unit developments where it is found that unique, beneficial design features (such as solar efficiency, recreation facilities, or other community assets) warrant such a bonus. The commission shall clearly state its findings in support of granting or denying a requested density bonus*

*C. The size of the original tract under application shall not be less than one acre, except as specified in Chapter 16.78.*

Note that the minimum requirements “shall include the following two items” though three items are listed. This may be a typographical error, or it may recognize that Item C is not a critical element. Indeed, 16.76.010.C provides reference to an exception in Chapter 16.78, which deals with condominium conversions of existing developments with six or fewer dwellings. If the minimum may be less than one acre in the context of an existing development, perhaps the standard may be modified for a proposed development. (See also Section 16.76.030.J, which requires that a condominium conversion that does not otherwise satisfy PUD standards shall be rejected.)

The purpose of the minimum site size for a PUD probably was to assure that all elements of the PUD could be accommodated on the site, and that in particular, sufficient open space could be made available to justify any waivers requested. As will be shown in

the discussion in this narrative and on the plans, all necessary elements of the PUD and most of the standards for the R-2 Zone can be satisfied. Modifications through the PUD process could be proposed as variances, however the package seemed to make more sense when considered as a whole.

*Section 16.53.020 Major Variances*

The variance request is not a modification of a setback by less than 10%, therefore must be reviewed as a major variance by the Planning Commission.

*B. Standards and Criteria. A variance may be granted only upon determination that all of the following conditions are present:*

*1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the city and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control. Actions of previous owners do not constitute other exceptional or extraordinary circumstances; and*

*2. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone; and*

*3. Granting of this variance will not be materially detrimental to the intent or purposes of the city's Comprehensive Plan or the Land Development and Planning Ordinance; and*

*4. Granting of this variance will not be materially detrimental to other property within the same vicinity; and*

*5. The variance requested is the minimum variance which will alleviate the hardship; and*

*6. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives.*

Criterion 1: Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the city and within the same zone. These include the size of the site, which is 0.98 acre, within 1,040 sf of the minimum standard for a PUD. The shape of the site is not a standard rectangle, but is formed by the angle of NE Territorial's intersection with N Pine Street. The non-rectangular shape provides unique challenges for arranging the buildings on the site, however does offer the opportunity for an open space/recreation area along NE Territorial that serves aesthetic purposes from the street and from the development.

This criterion is satisfied because the property owner did not control the original creation of the property (which probably was "assumed" to be an acre prior to a more accurate survey and, in fact, is shown as "1.00 acre" on the Assessor's map) in an odd form and size.

Criterion 2: Any owner of one acre can develop the property as a PUD, assuming all other requirements for PUD and subdivision are satisfied. This property is within 2.5% of meeting the standard for minimum site size, close enough to reasonably be considered "rounding up" to 1.0 and within the notion that this would allow the applicant to maintain "substantially the same property rights" as possessed by other property owners.

This criterion is satisfied.

Criterion 3: Granting of this variance will not be materially detrimental to the intent or purposes of the Comprehensive Plan or LDPO. The PUD offers modifications within a project if the project offers benefits to the community, such as open space. The variance would allow the additional requirements to be imposed, to guarantee a development more in keeping with the City's overall vision.

The proposed use, single family attached housing, is permitted in the R-2 Zone, and therefore supports both the Comprehensive Plan and complies with the LDPO.

This criterion is satisfied.

Criterion 4: Granting of the variance will not be materially detrimental to other property in the vicinity; in fact, the variance will not create a detriment at all but will provide an additional set of standards and criteria for review of this project that will guarantee that adjacent properties are protected according to applicant requirements.

The use is permitted in the zone, and therefore the project will not be detrimental to adjacent properties.

Criterion 5: The variance request is the minimum necessary to alleviate the problem. The site has an area of 0.97 acre and the variance requests modification of the standard to allow the property to be developed as a PUD that is 0.03 acre less than the specified minimum area. Therefore, this criterion is satisfied.

Criterion 6: The unusual circumstances of this property were not created by the applicant, but by the original creation of the lot and arrangement of adjacent streets. This criterion is satisfied.

Conclusion: This discussion of standards and criteria for consideration of a major variance demonstrates that all are satisfied and that the variance should be approved. The remainder of this narrative will proceed on the assumption that the project can be developed using the PUD process.

As an alternative, the applicant considered requesting variances to minimum side yard setbacks and to the minimum distance for the street side yard setback on NE Territorial. Reduced side yard setbacks were necessary to accommodate the required density and work within the non-rectangular shape of the site. Moving all buildings on the west side lots (Lots 3 through 9) to the north by 5.5 feet, thereby encroaching on the 15 foot side street yard setback for a distance of approximately 13 feet (building area within the setback, approximately 33.5 square feet), provided sufficient space at the south end of the driveway for an additional three on-site guest parking spaces. Note that the extra right of way width for NE Territorial means that the distance from the nearest corner of the building to the back of the sidewalk will be 22.7 feet, greater than the usual street side configuration and greater than the distance of Buildings 1 and 11 to the sidewalk on the North Pine Street frontage (19.5 feet).

The applicant felt that these modifications could be approved as variances to applicable standards. However, it made more sense to consider the development as a whole, particularly since the standard for open space could be satisfied. Therefore, the modifications are requested as part of a PUD rather than individual variances.

#### *Division IV Land Division Regulation*

#### *Chapter 16.62 Subdivisions-Applications*

An application that satisfies the filing procedures and information required in Sec. 16.62.010 has been submitted.

Standards and criteria for approval of a subdivision are set forth in Sec. 16.62.020, as follows:

- A. Conformance with the text and applicable maps of the Comprehensive Plan;*
- B. Conformance with other applicable requirements of the Land Development and Planning Ordinance;*
- C. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;*
- D. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.*

Goals and policies of the Comprehensive Plan are discussed in other sections of this narrative, demonstrating that the proposed uses conform to applicable criteria.



Standards and criteria of the LUDO are also shown to be satisfied or modified through PUD process, in other sections of this narrative and on the maps included with the application.

The overall design and layout of the site is functional and provides adequate building sites, as demonstrated by the dwelling footprints shown for each proposed lot. Access for each lot is provided by a private access drive, with a connection to North Pine Street. Development of adjacent properties will not be affected, as adjacent properties are already developed and have frontage on a public street.

All necessary public facilities and services are available to the site, as discussed in other sections of this narrative and as shown on the plans and maps included with the application.

Based on this discussion of approval standards and criteria, the proposed subdivision has been shown to comply with all relevant requirements.

#### *Chapter 16.64 Subdivisions Design Standards*

##### *Section 16.64.010 Streets*

The access driveway is proposed to be private, owned and maintained by the homeowners. The interior access driveway connects to North Pine Street, and does not propose connections to adjacent properties, which are already developed.

Proposed pavement width is 30 feet at the entrance, 24 feet along the fronts of units 3 through 9, allowing for two travel lanes. No parking will be permitted along the shared driveway, though 3 parking spaces are provided at each of the north-south portion of the driveway. A minimum pavement width of 20 feet is allowed for residential developments (Sec. 16.10.070.B.8 and 16.45.010.B).

A sidewalk/pathway is provided along the private access drive, connecting to NE Territorial Road and to North Pine Street.

##### *Section 16.64.015 Access*

The site does not propose access to a state highway; this section does not apply.

##### *Section 16.64.020 Blocks*

The City requires subdivisions to be designed to accommodate blocks that provide lots of suitable size and access in multiple directions. This project does not include blocks because of the small size and discrete nature of the development. In addition, the project involves the redevelopment of a small lot with surrounding properties that are already developed. A typical block arrangement is not feasible for this project for these reasons.

### *Section 16.64.030 Easements*

Easements will be provided as necessary to satisfy requirements of the City and to provide for necessary and appropriate access for each lot within the development.

### *Section 16.64.060 Grading of Building Sites*

Minor grading will be accomplished on the site according to create suitable building sites and the interior driveway.

### *Section 16.64.070 Improvements*

Improvements for the subdivision will be accomplished as required by this section. Plans have been submitted as part of this application to show the arrangement of streets and sidewalks/pathways, public utilities, and other improvements necessary to provide for the convenience, health, and safety of future residents of this community and of the City. Please refer to specific plans for details; more detailed construction plans will be filed with the City following approval of the preliminary plan.

## *Division V Planned Unit Development and Condominium Regulations*

### *Chapter 16.70 General Provisions*

#### *16.70.010 General provisions.*

*Planned unit developments may constitute a subdivision involving unique design methods or the development of a single tract without property divisions. Where proposed as a subdivision, the regulations of Division IV as well as the requirements of this division shall apply. Where proposed as an overall development of a single tract without property division, a planned unit development shall be considered a conditional use in any zoning district. Planned unit development regulations shall not be used for, or apply to, partitions.*

Unique design methods are necessary to utilize the site, which is non-rectangular and constrained by two street frontages. These features include attached single family dwellings on small lots, shared driveways, and expanded setbacks along boundaries of the site bordering adjacent residential properties. As discussed in the preceding section, the proposed development satisfies requirements of Division IV for a subdivision.

#### *16.70.020 Purpose.*

*1. The purpose of this division is to prescribe the procedures for the development of a planned unit project or subdivision. It is also the purpose of this division to enable the development of planned unit projects or subdivisions in order to permit a degree of flexibility and diversification in the use of land through grouped buildings or large-scale land planning and the arrangements of specific structures and open*

spaces within such development. For these reasons and to permit the accomplishment of this purpose, the provisions of this division are superimposed upon the regulatory provisions of Division III and IV.

2. It is therefore the purpose of a planned unit development, as the term is employed in this title, of permitting the development of land in a manner which would be as good as, or better than, that resulting from the traditional lot-by-lot development while generally maintaining the same population density and area coverage permitted in the zone in which the project is located. A planned unit development will also permit flexibility in design, placement of buildings, use of open spaces, circulation facilities, off-street parking areas and the best utilization of site potentials characterized by special features of geography, topography, size, location or shape.

The proposed development is proposed as a subdivision that incorporates a grouping of buildings in a manner that allows both private and common open spaces. The flexibility through the PUD process enables the unique arrangement of buildings and uses on the site that is constrained by the shape and size of the site, and frontage on two major streets.

Chapter 16.72

16.72.010 General requirements.

The requirements of Divisions III and IV governing application procedures for conditional use permits and tentative subdivision plats, as applicable, must be met for planned unit development proposals.

The proposed subdivision complies with requirements of Division IV, as previously discussed and as shown on the plans.

16.72.020 Who may apply.

Planned unit development projects may be applied for by:

1. The owner of all the property involved, if under one ownership;
2. An application filed jointly by all owners having title to all of the property in the area proposed for the planned unit development project, if there is more than one owner;
3. An authorized agent acting on behalf of all property owners; or
4. A government agency.

The applicant is the property owner.

Section 16.72.030 Form and content.

An application that satisfies the requirements of this section has been submitted.

## *Chapter 16.74 Uses Permitted*

Permitted uses in the zone are allowed in a PUD. As noted in the response to Section 16.20 R-2 Zone requirements, two and three family dwellings are permitted uses.

## *Chapter 16.76 Requirements*

### *16.76.010 Minimum requirements.*

*The minimum requirements for a residential planned unit development shall include the following two items:*

*A. A minimum of ten percent of the gross area of the development shall be devoted to park and recreational purposes, and shall be located in a common area or dedicated to the public, except in the case of conversions of existing rentals to unit ownership, where the Planning Commission may permit a lesser requirement if it is found that adequate recreation facilities exist for the units.*

*B. The average area per dwelling unit shall not be less than that allowed within the zoning district in which the subdivision is located. The average area shall be calculated by dividing the number of dwelling units into the gross area of the total land development, minus that area occupied by streets. Except, however, that the commission may grant a density bonus of not more than fifteen percent to planned unit developments where it is found that unique, beneficial design features (such as solar efficiency, recreation facilities, or other community assets) warrant such a bonus. The commission shall clearly state its findings in support of granting or denying a requested density bonus.*

*C. The size of the original tract under application shall not be less than one acre, except as specified in Chapter 16.78.*

Standard A: Tract A (4,366 square feet) and Tract B (850 square feet) are proposed to be retained as common area, totaling 5,216 square feet or 14% of the site area after dedications. The portion of Tract A fronting NE Territorial Road will be developed as recreational area, including a sidewalk connection from the interior sidewalk to NE Territorial Road. Tract B, including the stormwater detention area, will be landscaped to provide a buffer and screen along North Pine Street.

Standard B: The density satisfies the standard of Section 16.20.030.A.

Standard C: The size of the original tract is 0.98 acre, and a variance is requested to modify this requirement. As noted, the Assessor's Map shows the area of the site as "1.00 acre" and the property was probably assumed to be "an acre" prior to an accurate survey.

*Section 16.76.020 General Requirements*

The application includes information as required by this section.

*Section 16.76.030 Standards and criteria*

The following requirements apply in addition to any requirements of Divisions III and IV:

*A. The site approval as acted upon by the commission shall be binding upon the developer, and variations from the plan shall be subject to approval by the commission.*

*B. All land within the planned unit development may be subject to contractual agreements with the city and to recorded covenants providing for compliance with the city's requirements.*

The developer expects to comply with reasonable requirements of the City's LUDO.

*C. The development of the property in the manner proposed will be in keeping with the requirements of this title, other than those provisions allowing for special treatment of PUD's.*

All standards and criteria of the LUDO can be satisfied, as discussed in this narrative and shown on the plans. Exceptions to side yard and side street yard setbacks are discussed in response to Section 16.76.040.

*D. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities.*

Please refer to the plans that are part of this application, which show the arrangement of buildings and open space within the development.

*E. The development must be designed so that the land areas and buildings around the perimeter of the project do not conflict with the adjoining properties. The commission may establish special conditions for the perimeter of the development to minimize or mitigate potential conflicts.*

The required buffer between single family and multi-family development is provided along the west property line. This measure should be sufficient to minimize conflicts with adjoining developed properties.

*F. Each planned unit development shall be a complete development considering all previous requirements. The commission may, in addition, require the inclusion of facilities such as special curbs, sidewalks, streetlights, storm drainage, sanitary sewers, underground power and telephone lines, landscaping and adequate easements for utilities.*

The developer expects to comply with reasonable requirements of the City's LUDO.

*G. Land which is not intended for physical development, such as buildings or street uses, may be required to remain in open space usage perpetually. Maintenance of such open space areas shall remain the responsibility of the individual owner or owners' association, in a manner outlined in the by-laws of such association.*

The developer will provide that Tracts A and B will remain in open space through the plat. Maintenance will be assured through a homeowners' association that will be created through deed restrictions and filed with the final plat.

*H. The manner in which any open space or park and recreational area is to be maintained shall be submitted, along with the preliminary copy of the proposed owners' association bylaws and contractual agreements, with the preliminary subdivision. In the case of an individual owner, the commission may impose special requirements to assure long-term maintenance.*

The developer has submitted preliminary copies of the homeowners association bylaws.

*I. The Planning Commission may, and in the case of single story or townhouse structures shall, require the separation of utilities from one unit to the next.*

Separate utility connections are provided for each dwelling, as shown on the preliminary utility plan.

*J. In reviewing an application for the conversion of existing residential units to condominiums, the commission shall utilize the general standards as are applied to the new construction of planned unit developments. A proposed conversion which is not found to meet the standards customarily applied to planned unit developments will not be approved.*

*K. In reviewing an application for the conversion of existing residential units to condominiums, the Planning Commission shall consider the vacancy rates of multiple-family rental units throughout the city at the time of the application. It is the intent of the city to assure that there is at least one suitable rental unit available and vacant for each unit converted to condominium ownership.*

The proposal is not for a condominium conversion; these requirements do not apply.

*L. No fence/wall shall be constructed throughout a planned unit development where the effect or purpose is to wall said project off from the rest of the community unless reviewed and approved by the Planning Commission.*

No fence or wall is proposed; landscaping along the street frontages will be designed to provide screening and buffering to enhance aesthetics for the community and for the development.

### *Section 16.76.040 Exceptions*

Exceptions are requested for the following:

1. Reduce side yard setbacks between buildings on Lots 1 and 2, 4 and 5, 6 and 7, 10 and 11. These yards are either the non-zero side yards (4 and 5, 6 and 7), interior street side yards (2 and 10), or the side to open space setback (1 and 11).
2. Reduce the street side yard setback from 15 feet to 10 feet for Building 3, which will be within the setback for approximately 13 feet and an area of 33.5 square feet.

The Planning Commission may approve modifications to requirements of the zoning district, including yard setback requirements (16.76.040.A), with approval of the preliminary subdivision plat.

Building height will be less than permitted in the zoning district, with two story buildings proposed at approximately 24 feet in height (16.76.040.B).

Off street parking complies with Table 16.10.050, providing two spaces for each residence and an additional six spaces for guest parking on-site (16.76.040.C).

### *Division IX. Solar Access Requirements*

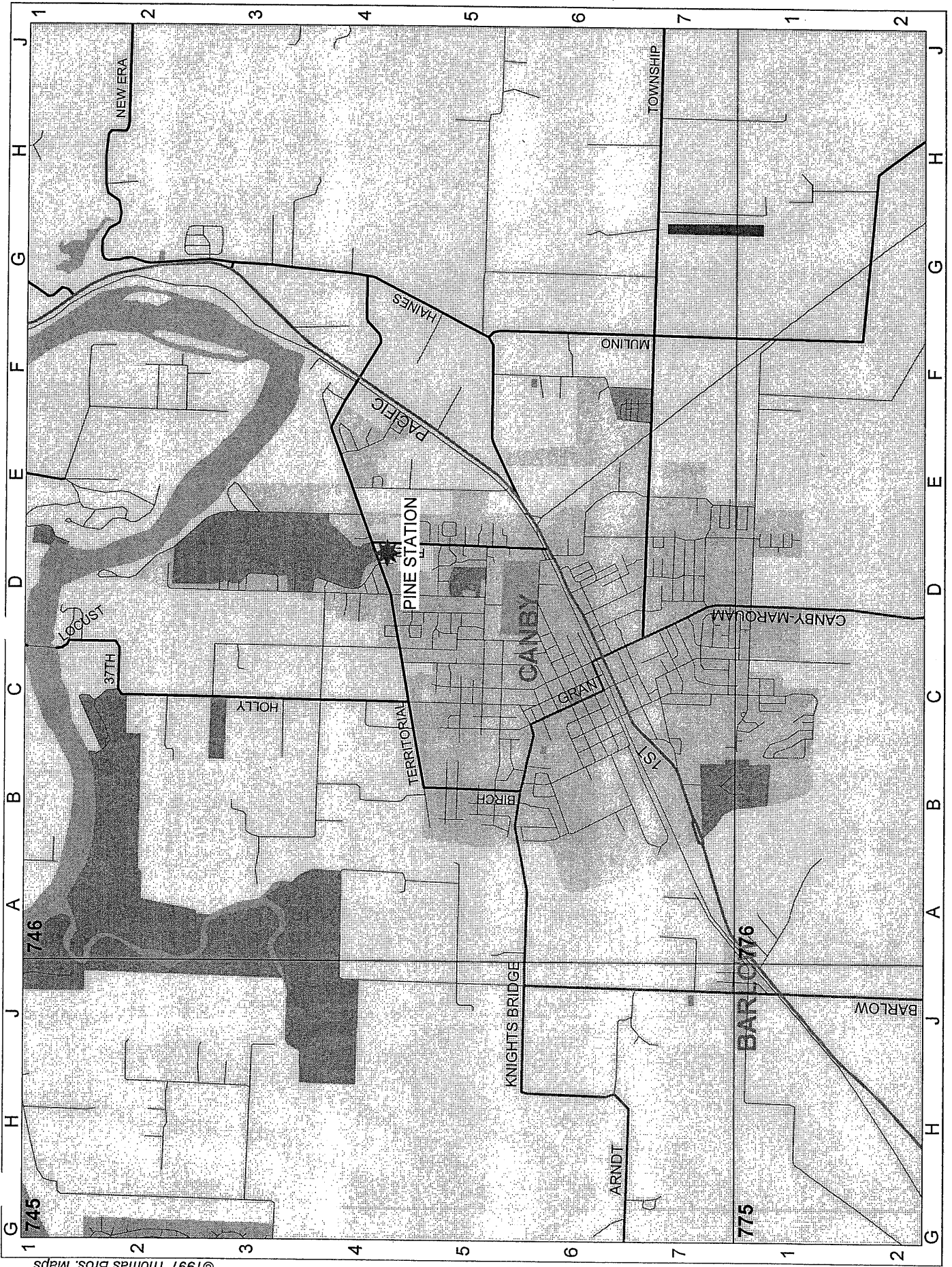
#### *Chapter 16.95 Solar Access Standards for New Development*

The proposed development cannot comply with any of the design standards specified in Section 16.95.030 because the site is not oriented in a manner to accommodate a street designed for solar access (i.e. the interior street must be oriented in a north/south direction). Only lots 1, 2, 10, and 11 are oriented in a north/south direction. Proposed lots are small to accommodate the required density, making any of the protected building line and performance options impossible to accomplish. Therefore, complete exemption from solar requirements is requested.

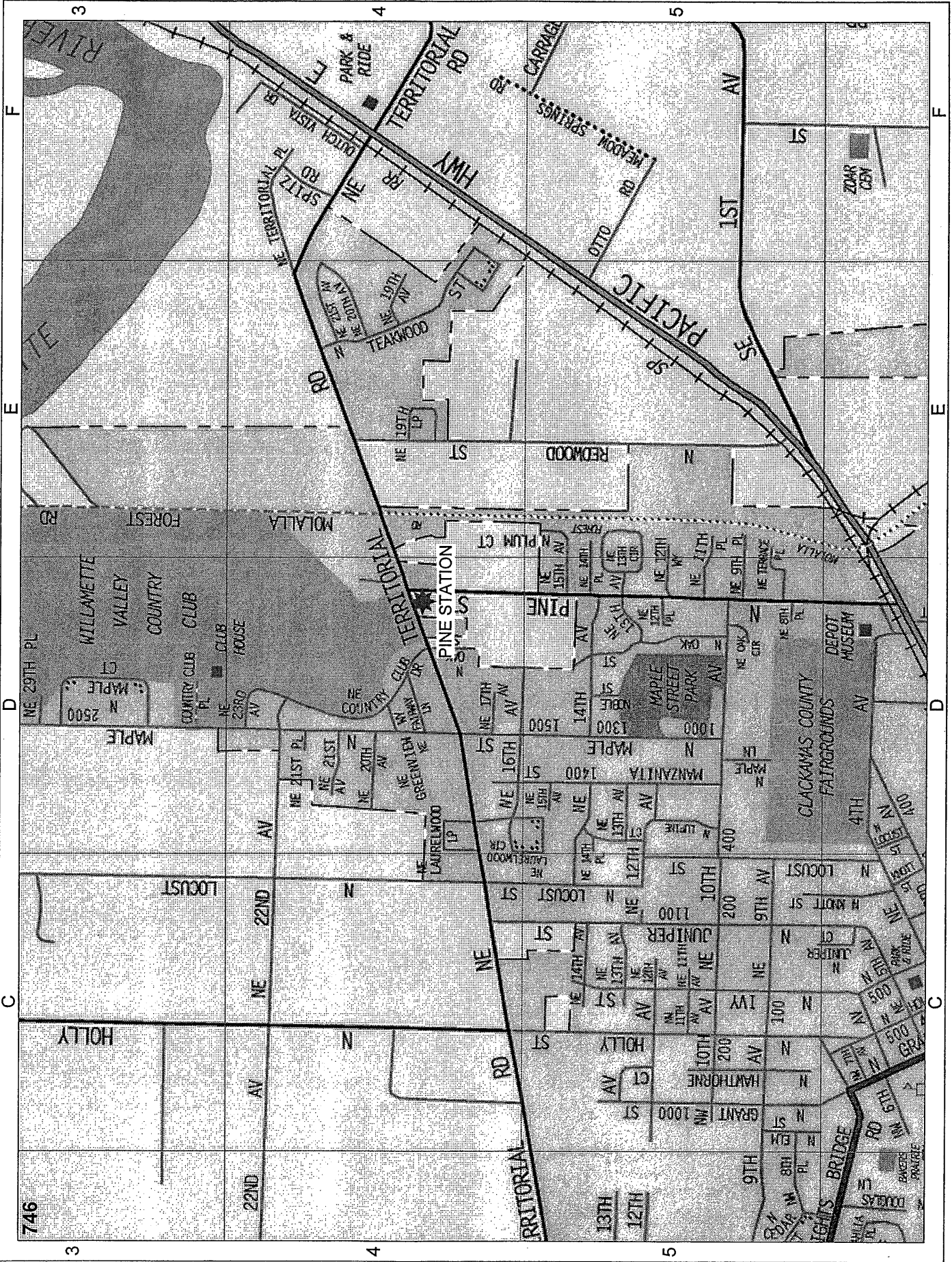
Shade from new structures will not affect potential solar use on adjacent sites, owing to the positioning of new buildings and the numerous mature trees in the neighborhood that provide shade.

### **CONCLUSION**

The foregoing narrative and accompanying plans and documents, together demonstrate that the subdivision and PUD is generally in conformance with applicable criteria and standards identified and that site design review for the proposed structures complies with purposes and requirements of the City's code. Therefore, the applicant requests that the Planning Commission, also acting in its capacity as Design Review Board, approve the proposal.







This map was prepared for assessment purpose only.

SE 1/4 SL SEC. 28 T3S. R1E. W.M.

CLACKAMAS COUNTY

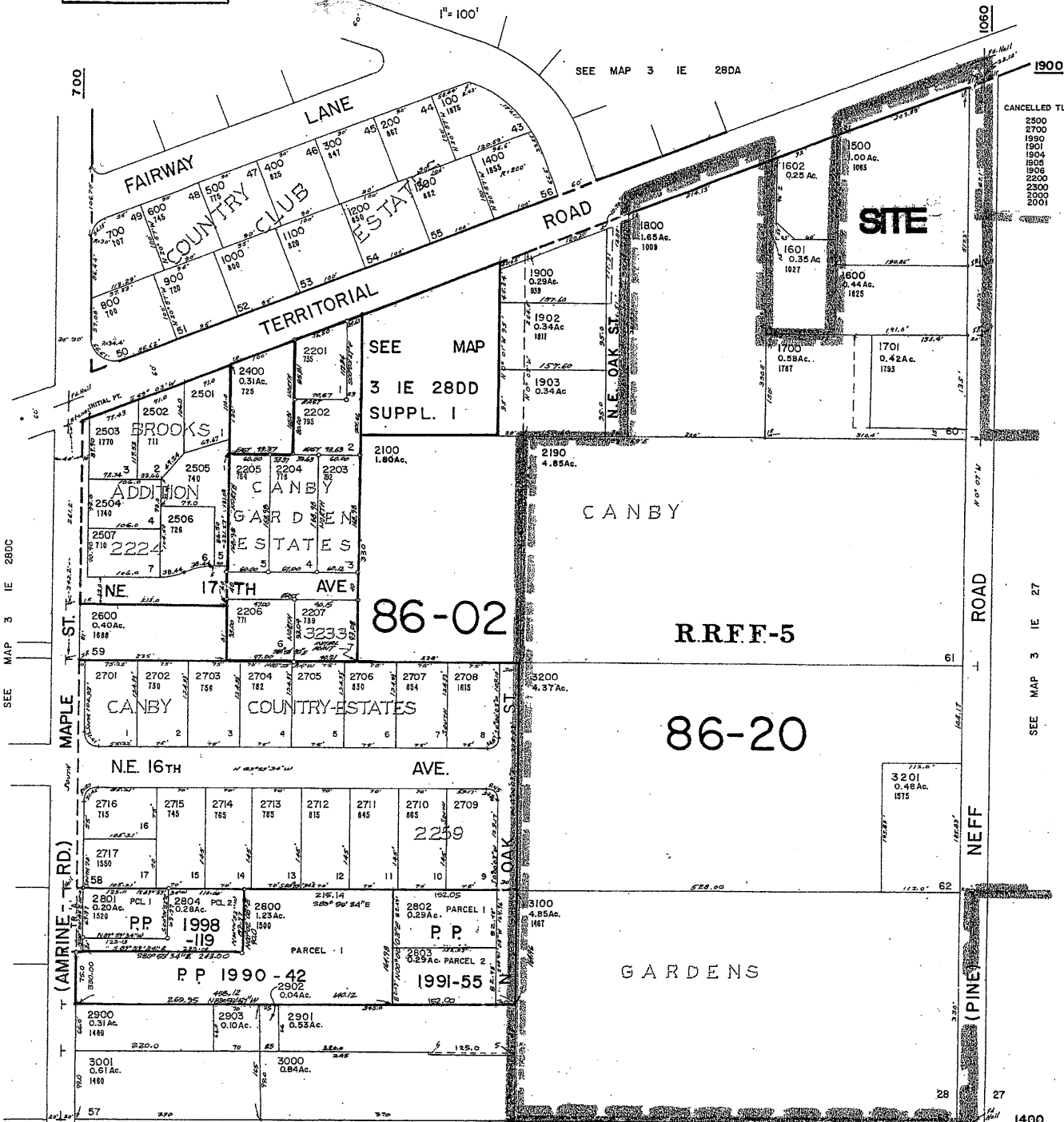
3 IE 2  
CANBY

1" = 100'

SEE MAP 3 IE 28DA

CANCELLED T1'S

2500  
2700  
1990  
1901  
1804  
1805  
1905  
2200  
2300  
2000  
2001



SEE MAP 3 IE 28DC

SEE MAP 3 IE 27

SEE MAP 3 IE 33AA

BOOK 28

3 IE 28DD

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404 FAX 266-1574

**DATE:** June 1, 2005

**TO:** FIRE, POLICE, PUBLIC WORKS, CANBY ELECTRIC, CANBY WATER, WWTP, CITY ENGINEER, CTA, NW NATURAL, WILLAMETTE BROADBAND, BIKE AND PEDESTRIAN COMMITTEE, TRAFFIC SAFETY COMMITTEE, CANBY SCHOOL DIST., PARKS AND REC.

The City is preparing **SUB 05-08**, an application to subdivide one parcel into 11 residential lots consisting of 4 duplexes and one triplex. Please review the enclosed application and return comments to **Kevin Cook** by **June 15, 2005**. The Planning Commission will review this application on June 27th, 2005.

**Comments or Proposed Conditions (attach extra pages if needed):**

good design - Better visability  
entering Territorial from Paine -

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Title:** \_\_\_\_\_ **Agency:** \_\_\_\_\_



# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404 FAX 266-1574

DATE: June 1, 2005

TO: FIRE, POLICE, PUBLIC WORKS, CANBY ELECTRIC, CANBY WATER, WWTP, CITY ENGINEER, CTA, NW NATURAL, WILLAMETTE BROADBAND, BIKE AND PEDESTRIAN COMMITTEE, TRAFFIC SAFETY COMMITTEE, CANBY SCHOOL DIST., PARKS AND REC.

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### Comments or Proposed Conditions (attach extra pages if needed):

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Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Jan Poyano Date: 6-9-05

Title: Chief Agency: Police

### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404 FAX 266-1574

DATE: June 1, 2005

TO: FIRE, POLICE, PUBLIC WORKS, CANBY ELECTRIC, CANBY WATER, WWTP, CITY ENGINEER, CTA, NW NATURAL, WILLAMETTE BROADBAND, BIKE AND PEDESTRIAN COMMITTEE, TRAFFIC SAFETY COMMITTEE, CANBY SCHOOL DIST., PARKS AND REC.

The City is preparing SUB 05-08, an application to subdivide one parcel into 11 residential lots consisting of 4 duplexes and one triplex. Please review the enclosed application and return comments to Kevin Cook by June 15, 2005. The Planning Commission will review this application on June 27th, 2005.

**Comments or Proposed Conditions (attach extra pages if needed):**

SDC's would look like:  $(11 \times \$1656^{09}) + (11 \times \$100^{09}) = \$19,316^{09}$   
Would suggest Residential Service Lines be Sch 80 PVC.  
Please consult w/ W.D. prior to ordering meter vaults.

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Danick J. [Signature] Date: 6/6/05  
Title: FOREMAN WATER DEPT. Agency: CANBY UTILITY

CANBY PLANNING DEPARTMENT  
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Comments or Proposed Conditions (attach extra pages if needed):

Is Pine St being considered for bicycle lanes?

Are sidewalks planned for the rest of Pine St?

Is a Crosswalk planned for entrance of Pine St at Terry? Is it necessary to have <sup>(crosswalk)</sup> it striped? Is it law? (See plans; front page)

\* Make sure any drainage grates are positioned so they will not catch a tire.

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

rails should be perpendicular to tire traffic in bicycle lanes so tires will not get stuck

Signature: Fobi Kerth

Date: 6/14/05

Title: Chair

Agency: Bicycle/Ped. Advisory Committee

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

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**Comments or Proposed Conditions (attach extra pages if needed):**

① The developer should construct half-street improvements along the site frontage with Territorial Rd and N Pine St.

② We suggest a minimum of 5ft tangent between the curb bump out and the curb reverse curve.

Construct a Commercial Driveway approach at the access location.

Please check one box:

Adequate Public Services (of your agency) are available

Adequate Public Services will become available through the development

Conditions are needed, as indicated

Adequate public services are not available and will not become available

Signature: [Signature] Date: 7/9/05

Title: Project Engineer Agency: Cuman McLeod, Inc

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

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DATE: June 1, 2005

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### Comments or Proposed Conditions (attach extra pages if needed):

Page 4 - Detail FOR Pine Street Section shall be  
 1 1/2" AC over 2" AC one year after initial construction.  
 City Erosion Permit Required.  
 DEQ Sanitary Permit "  
 DEQ Storm Water permit "  
 Signage FOR Development will be installed by  
 City and billed to Visual Engineering.  
 Supply Manhole Detail - FOR Storm System.  
 Easement to City FOR Storm line in Tract A.  
 Page 4 Sidewalk Detail - Sidewalk 5 feet inclusive  
 of curb not 5.5 feet

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Ray Hester Date: 3 June 05

Title: P.W. Supervisor Agency: City of Canby



### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

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[503] 266-9404 FAX 266-1574

DATE: June 1, 2005

TO: FIRE, POLICE, PUBLIC WORKS, CANBY ELECTRIC, CANBY WATER, WWTP, CITY ENGINEER, CTA, NW NATURAL, WILLAMETTE BROADBAND, BIKE AND PEDESTRIAN COMMITTEE, TRAFFIC SAFETY COMMITTEE, CANBY SCHOOL DIST., PARKS AND REC. *Canby Telephone*

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**Comments or Proposed Conditions (attach extra pages if needed):**

PLEASE SEE ATTACHMENT,

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: *[Handwritten Signature]* Date: 6-8-05

Title: ASSOCIATE ENGINEER Agency: CTA

# Canby Telephone ASSOCIATION

## PINE STATION

The existing telephone facilities on the N.E. corner of Pine St. and Territorial Rd. will have to be relocated for this project. If Developer provides the trenches for Canby Telephone Association there will be no additional charges for this relocation.

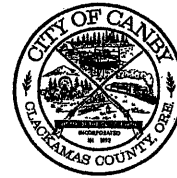
If Canby Telephone Association is required to provide the trench the cost will be passed on to the Developer. This relocation is separate from the requirements within the development.

Within the project the Developer is required to provide all trenches for underground placement of Canby Telephone Association's facilities. There will also be a development construction fee of \$120.00 per address.

David Hill  
Engineering Manager  
Canby Telephone Association



# CITY OF CANBY COMMENT FORM



If you are not able to attend the Planning Commission hearing of this application, you may submit written comments on this form or in a letter to the Planning Commission.

Please send comments:

By mail: Planning Department, PO Box 930, Canby, OR 97013

In person: City Hall at 182 N. Holly Street

E-mail: [cookk@ci.canby.or.us](mailto:cookk@ci.canby.or.us)

**APPLICATION:** Pine Station: Subdivision of approximately 0.98 acres into 11 lots consisting of four duplexes and one triplex; a Planned Unit Development to allow nonstandard yard setbacks; a Variance to allow a Planned Unit Development to occur on a lot of less than one acre in size.

**APPLICANT:** S.T.J. LLC.

**CITY FILE #:** SUB 05-08, PUD 05-01, VAR 05-01

**COMMENTS:** *Dir Sirs -*

*Because Territorial is getting to be a freeway and the bottle necks at 99E. I feel it is not wise to increase the traffic and help make this a bed room for Portland and elsewhere. To me the .98 acre has room for 4-5 nice homes. The Ray Brown property is going to add more traffic. Business people generally see only dollar signs! Thank you for letting express my opinion!*

**YOUR NAME:** *Francis M. Garnier*

**ORGANIZATION/BUSINESS (if any):** \_\_\_\_\_

**ADDRESS:** *939 N.E. Territorial rd*

**PHONE # (optional):** *503-264-7749*

**DATE:** *6-13-05*

Thank You.

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

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[503] 266-9404 FAX 266-1574

**DATE:** June 1, 2005

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**Comments or Proposed Conditions (attach extra pages if needed):**

• No PARKING SIGNS IN PLACE, &/OR CURBS PAINTED  
NO PARKING.

• HOME OWNERS ASSOC. TO ENFORCE NO PARK'G

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

**Signature:** Kevin Cook **Date:** 6-16-05

**Title:** Fire Marshal **Agency:** CFD # 62



June 1, 2005

John Williams  
City of Canby  
182 N Holly Street  
Canby, OR 97013

*RE: Pine Station*

Dear Mr. Williams:

As you requested, we have completed our analysis of the Pine Station site in Canby, Oregon. The results of the analysis are reported in this letter and supporting data is included in the attached technical appendix.

The site is located in the southwest quadrant of the N Pine Street at NE Territorial Road intersection. It was recently annexed into the City limits and is proposed for development with 11 townhouse units. Access to the site will be through a driveway connection onto N Pine Street approximately 190 feet south of NE Territorial Road.

N Pine Street is under the jurisdiction of the City of Canby and is classified by the City as a Local Street. It has a posted speed of 25 mph. There is existing curb, gutter and sidewalk on the east side of the road. The west side of the roadway currently has no curbs, gutters or sidewalks. Sidewalks should be installed on the west side of N Pine Street with development of the Pine Station site.

NE Territorial Road is classified by the City of Canby as an Arterial. The south side of the roadway currently has no curb, gutter or sidewalks along the property frontage. On the East side of N Pine Street, the south side of NE Territorial Road has existing curb, sidewalk and gutter. There are existing bike lanes on the north and south sides of the roadway. Sidewalks should be installed on the south side of NE Territorial Road along the property frontage with development of the Pine Station site. The bicycle lanes should also be maintained on NE Territorial Road along the property frontage.

The Speed Zone Order for Territorial Road shows the section from Highway 99E to Molalla Forest Road as a 45-mph section and from Molalla Forest Road to N Holly Street as a





John Williams  
June 1, 2005  
Page 2 of 4

35-mph section. Currently, the eastbound 45-mph speed sign is placed east of Redwood Street, but should be located at Molalla Forest Road to conform to the existing Speed Zone Order. At the request of the Oregon Department of Transportation, the speed zone will be changed to 30 mph from Redwood Street to Highway 99E due to grade and stopping sight distance issues along Territorial Road near the railroad right-of-way. The application for the new speed zone will be submitted in the near future and the new speed zone will likely go into effect when the traffic signal at Territorial Road/Highway 99E intersection is installed.

#### *Trip Generation and Distribution*

To estimate the number of trips generated by the site, trip rates from *TRIP GENERATION*, Seventh Edition, were used. The trip rates were from land-use code 230, *Condominium/Townhouse*. The trip rates are based on the number of dwelling units and were calculated for a total of eleven units.

As shown in the table below, the residential site would add a total of five morning peak hour trips, six evening peak hour trips, and 64 daily trips.

<b>TRIP GENERATION SUMMARY</b>			
<b>Pine Station</b>			
	<u>Entering Trips</u>	<u>Exiting Trips</u>	<u>Total Trips</u>
<i>Condominium/Townhouse (11 units)</i>			
AM Peak Hour	1	4	5
PM Peak Hour	4	2	6
Weekday	32	32	64

The directional distribution of the site trips from the proposed development was estimated based on the existing traffic patterns in the study area and the location of surrounding highways, residential areas, and commercial areas where trips to the site may originate or terminate.



John Williams  
June 1, 2005  
Page 3 of 4

### *Operational Analysis*

The intersection of NE 19<sup>th</sup> Court and N Pine Street is offset approximately 40 feet north from the proposed driveway access. This offset alignment will allow vehicles traveling on N Pine Street to make left turns into the proposed development and onto NE 19<sup>th</sup> Court simultaneously without interfering with each other or causing traffic blockages.

Vehicles simultaneously turning left from the proposed driveway access and from 19<sup>th</sup> Court could potentially conflict with one another. However, left-turning vehicles can see the opposing offset approach clearly to avoid these conflicts. The expected frequency of this type of conflict is also extremely low, since left turns will be infrequent at both locations.

### *Sight Distance*

Sight distance was measured at the location of the proposed driveway access to the site. In accordance with guidelines in *A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS*, published in 2001 by the American Association of State Highway and Transportation Officials (AASHTO), sight distance was measured at a point 15 feet from the edge of the existing travel lane, with a driver's eye height of 3.5 feet to an oncoming driver's eye height of 3.5 feet.

The posted speed on N Pine Street is 25 mph. A speed of 25 mph requires at least 280 feet of sight distance in either direction. Sight distance at the proposed driveway location is currently limited by large trees in the right-of-way. These trees would occlude a driver's view of oncoming traffic as they exit the proposed driveway. The three Douglas Fir trees on the south side of and closest to the existing driveway location should be removed in order to provide adequate sight distance for safe operation. The existing bushes, tall grass and small trees should be removed in order to provide an unobstructed view for vehicles exiting the driveway. Any landscaping installed should have a maximum height of two feet at full growth. The tree shown in the site plan does not obstruct sight distance and may remain on site.

Once the aforementioned obstructions are cleared, sight distance should be adequate to the south, and to NE Territorial Road to the north. Sight distance should be re-measured after the existing vegetation is cleared in order to ensure that minimum sight distance requirements are met.



John Williams  
June 1, 2005  
Page 4 of 4

If there are any questions about this traffic report, please do not hesitate to call me.

Yours truly,

Michael Ard, PE  
Transportation Engineer

Attachment: Technical Appendix



EXPIRES: 12/31/05

6/2/05





*TECHNICAL APPENDIX*



## TRIP GENERATION CALCULATIONS

*Land Use:* Residential Condominium/Townhouse  
*Land Use Code:* 230  
*Variable:* Dwelling Units  
*Variable Value:* 11

### AM PEAK HOUR

*Trip Rate:* 0.44

	Enter	Exit	Total
Directional Distribution	17%	83%	
Trip Ends	1	4	5

### PM PEAK HOUR

*Trip Rate:* 0.52

	Enter	Exit	Total
Directional Distribution	67%	33%	
Trip Ends	4	2	6

### WEEKDAY

*Trip Rate:* 5.86

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	32	32	64

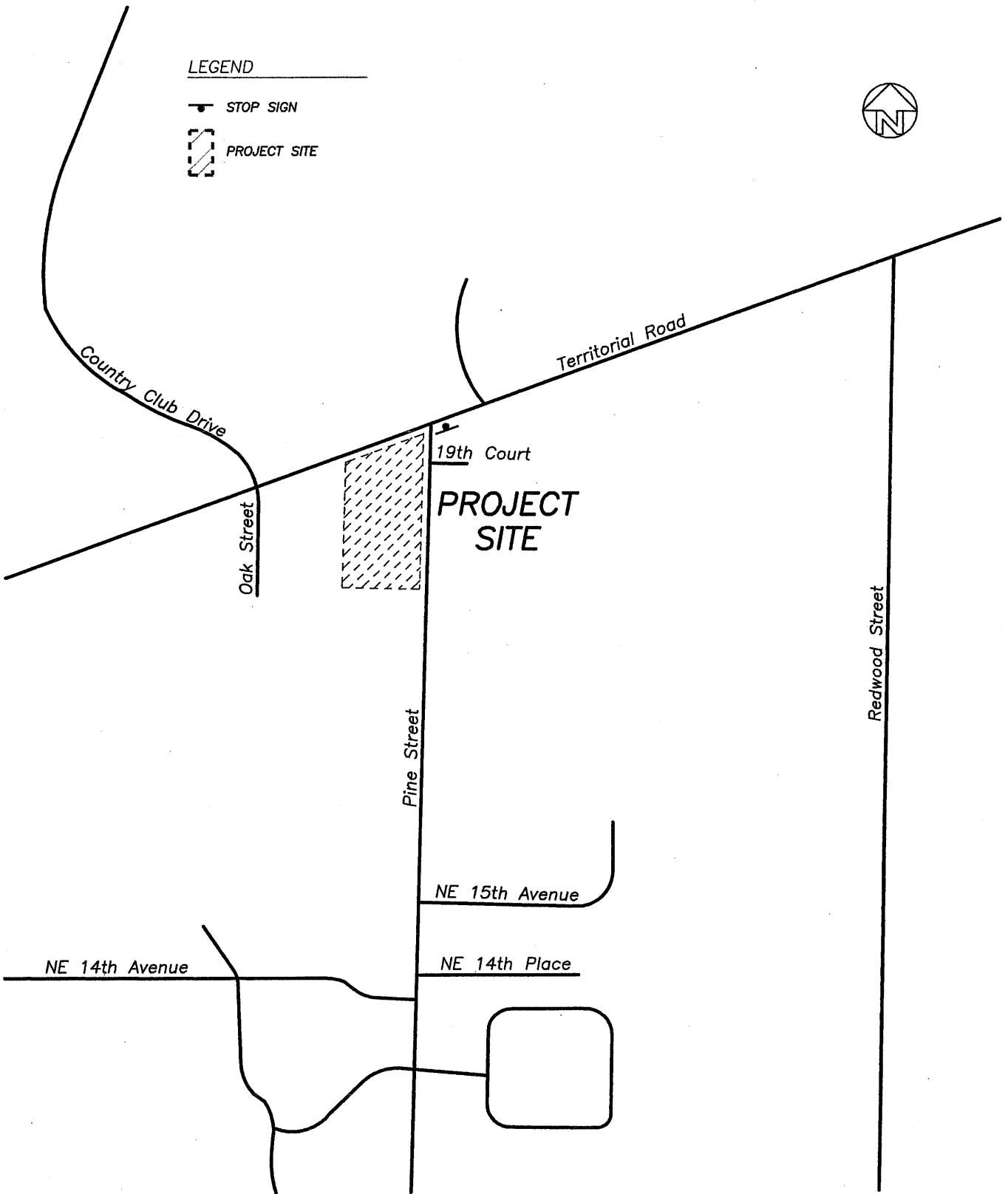
### SATURDAY

*Trip Rate:* 5.67

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	31	31	62

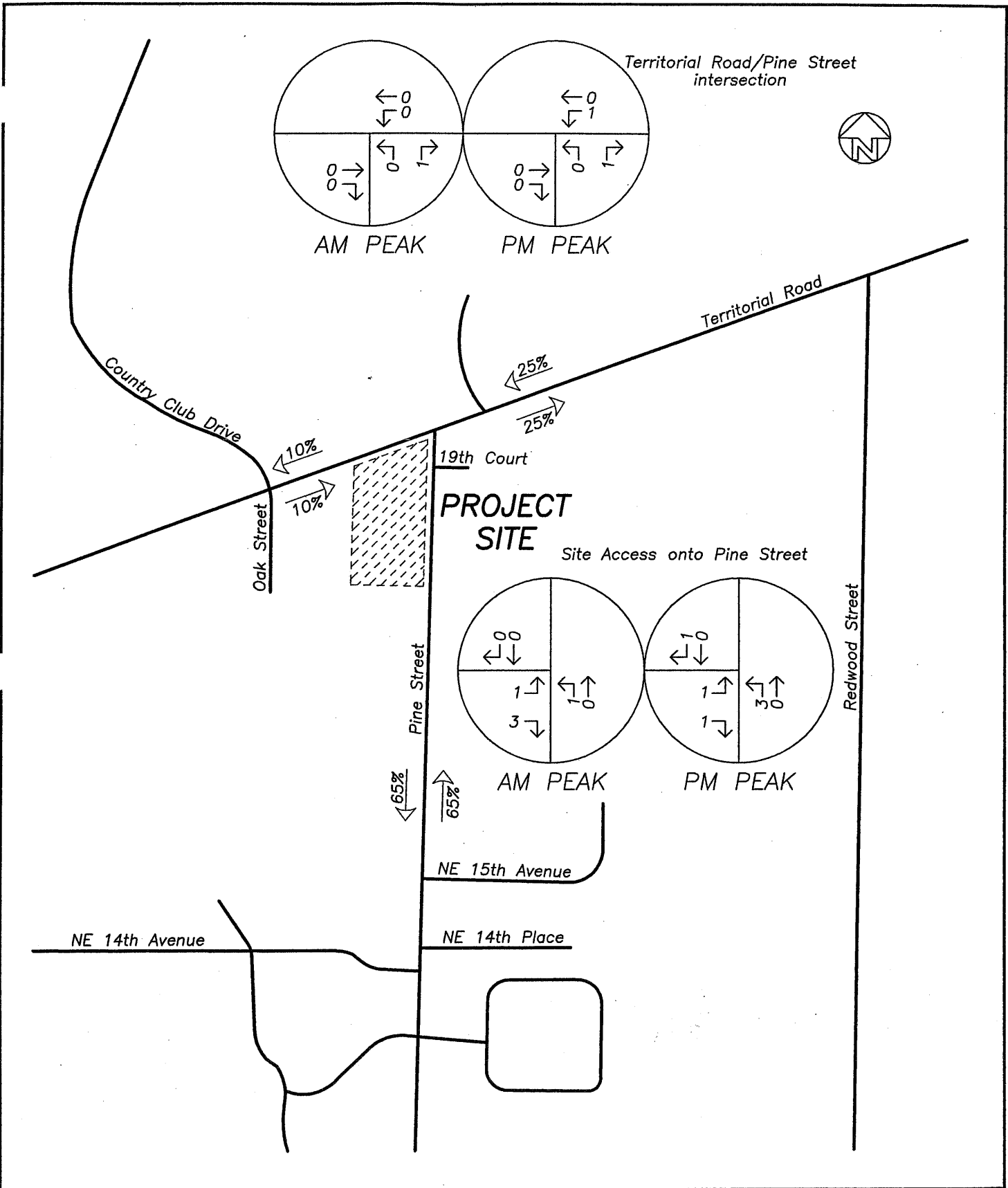
LEGEND

- STOP SIGN
- PROJECT SITE



Le

VICINITY MAP  
Existing Intersection Configurations  
& Traffic Control Devices



**SITE TRIP DISTRIBUTION**  
 Inbound & Outbound Percentages  
 AM Peak Hour

*Le*

**S.T.J., LLC**  
**214 SW 2<sup>nd</sup> Avenue**  
**Canby, Oregon 97013**  
**503-266-5488**  
**503-266-4570 fax**

April 7, 2005

City of Canby – Planning Department  
Attention: John Williams

**RE: Northeast Neighborhood Association & Property Owners Meeting – Pine Station Subdivision**

John:

Enclosed is the summary of the Neighborhood Meeting that was held for our proposed subdivision on North Pine Street. The summary includes the names and addresses of the citizens that were in attendance as well as the questions and comments that were raised during the meeting.

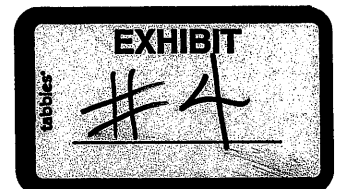
There were not any serious issues raised nor was there any opposition to the development. All questions and comments were answered to the best of our ability and all in attendance seemed to be satisfied with our response. We believe that all citizens in attendance were supportive of our plan.

Northeast Neighborhood Association Member, Dan Leischer, indicated that he would prepare a letter on behalf of the association in response to the meeting and the proposed development.

If you have any questions, please let me know.

Sincerely,

Thomas AW Scott  
Member



# S.T.J., LLC

214 SW 2<sup>nd</sup> Avenue  
Canby, Oregon 97013  
503-266-5488  
503-266-4570 fax

April 15, 2004

RE: Neighborhood Meeting – Pine Station Subdivision Application – Tax Lot 1500 of Tax Map 3-1E-28DD – .97 Acre

To Whom It May Concern:

A neighborhood meeting was held at Canby Adult Center on Wednesday, April 6, 2004 at 7:00pm for discussion on our proposed subdivision. All property owners living within 500 feet of the subject property and all members of the Northeast Neighborhood Association were notified at least fourteen (14) days in advance. The following citizens were in attendance:

- Thomas AW Scott – Applicant
- Patrick Sisul – Sisul Engineering – Applicant's representative
- Leonard Walker – 1526 N Plum Court – Canby
- Fred & Bettie Postlewait – 1629 N Redwood St. – Canby
- Dan Leischer – 1341 N Maple St. – Canby
- Bill Scott – 1027 NE Territorial Rd. – Canby
- William Dawes – 1203 NE Territorial Rd. Canby

The following is a list of comments and questions raised during the meeting:

- What is the timeline of the development?
- What will be the average sales price of the homes?
- We are glad to see that apartments are not proposed!
- What are the obstacles to approval of this design?
- Will any fences be installed on exterior boundaries?
- What are the requirements of the R-2 zone?
- What is a Planned Unit Development (PUD)?
- Asking for reduced side yard setbacks make sense for overall development!
- Will you propose a variance to the requirements of the R-2 zone?
- Will there be a homeowners association?
- Can the HOA be voided or removed?
- Will any trees on the property be saved?
- Will there be any open space provided?
- Do you intend for these properties to be rental units?
- What are the required setbacks of these units?
- We appreciate the overall design of the project!
- Will be glad to see the property cleaned up!
- Will the site clearance at the intersection of North Pine and NE Territorial be improved?

All in attendance seemed to be satisfied with our response to the above questions and voiced support of our proposal. No serious issues were raised during the meeting.

Thank you for your time.

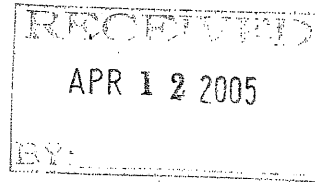
Sincerely,

Thomas AW Scott  
Member

# Northeast Canby Neighborhood Association

Canby, Oregon

Canby Planning Commission  
City of Canby  
182 North Holly  
Canby, OR 97013



April 11, 2004

RE: Proposed Development of 1063 NE Territorial

To the Canby Planning Commission:

On April 6, 2004, the Northeast Canby Neighborhood Association (NECNA) attended a public meeting to discuss the proposed development at 1063 N.E. Territorial Road. The developer (S.T.J., LLC) is proposing to create 11 attached, single-family residences on an approximately one-acre parcel zoned R-2 (high-density).

The NECNA supports the development of this property, as proposed by S.T.C., LLC. This development will help maintain the aesthetic value of the surrounding neighborhood, while at the same time making efficient use of this particular parcel. We are also supportive of the following:

- **Planned Unit Development** – We support the development of this parcel as a Planned Unit Development because this will ensure that both the layout, and the building design, will not change. We support the designs as presented, but our members would be as supportive of design changes that would create long strings of attached units.
- **Reduced Side-Yard Setbacks** – We are supportive of reducing the side-yard setbacks, as proposed, in order to create increased setbacks from the adjoining residential properties.
- **Reduced Setback from Territorial Road Right-of-Way** – We support the reduced setback, as proposed, between the NE Territorial right-of-way and the northernmost unit. This reduced setback will allow for more on-site parking, thereby reducing the need for parking along N.E. Pine Street or N.E. Territorial Road.

Thank you for considering this statement from the Northeast Canby Neighborhood Association as you make your decisions about this proposed development.

Sincerely,

A handwritten signature in black ink that appears to read "Dan Leischner".

Dan Leischner  
NECNA Chairman  
1341 N. Maple Street  
Canby, Oregon  
266-5612

cc: Tom Scott (S.T.J., LLC)  
Pat Sisul (Sisul Engineering)





## ARBORIST REPORT

Address of the Report: 1063 NE Territorial Rd.  
Canby, OR

Date of the Report: March 24, 2005

Report Submitted To: Scott Investments      FX: 503-266-5488  
Attn: Tom Scott  
214 SW 2<sup>nd</sup> Ave.  
Canby, OR 97013

The trees proposed for removal are trees in poor health or hazardous conditions, trees #4, 6, 9, 10, 11, 12, 14, 17, 24, 26, 27, 37, 41, 49, 50, 51, 52.

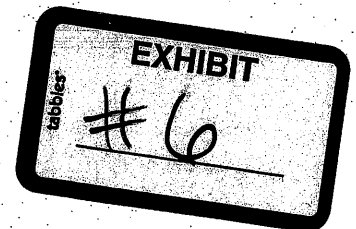
In addition these trees will need to be removed to accommodate site development, trees #1, 2, 18, 22, 23, 30, 31, 32, 33, 34, 35, 36, 38, 39, 42, 44, 45, 46 & 48.

Once staking of the site and grading changes are made, additional trees may have to be removed.

Please call if I can be of further service.

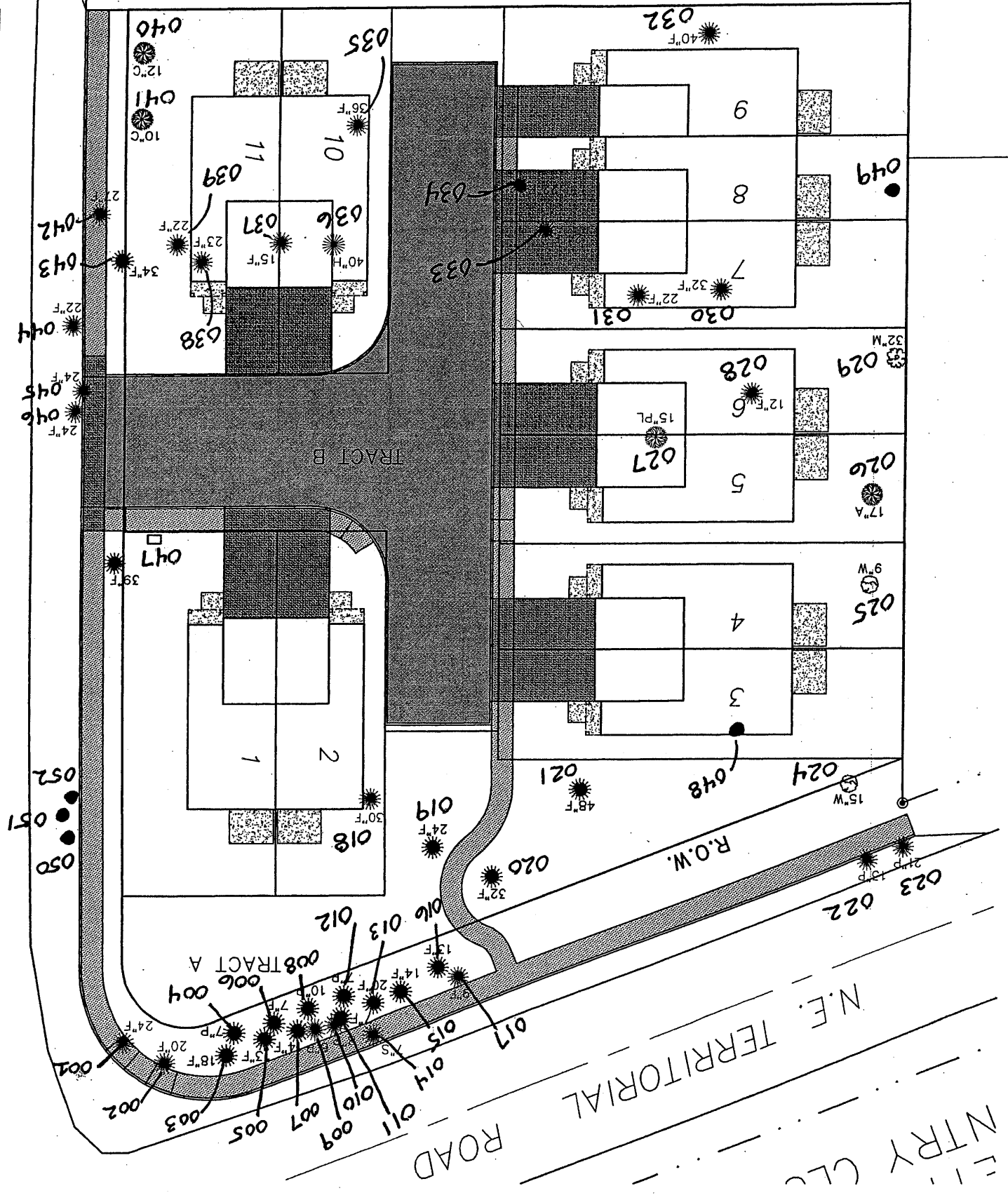
Respectfully,

Raymond Myer, General Manager  
Tree Care & Landscapes Unlimited, Inc.  
Certified Arborist by the International  
Society of Arboriculture, Lic. # PN-0160  
Oregon Landscape Contractors Lic. # 11604  
Oregon Dept. of Agriculture, Commercial  
Pesticide Applicators License # 00187





N. PINE STREET



ROAD

N.E. TERRITORIAL

ENTRY CL

040 12"C

041 10"C

035

039

037 15'F

036 40'F

038

042 22'F

043 34'F

044 22'F

045 24'F

046 24'F

047 38'F

050

051

052

001 24'F

002 20'F

003 18'F

004 7'F

005 15'F

006 10'F

007 7'F

008 TRACT A

009 14'F

010 20'F

011 15'F

012 13'F

013 14'F

014 20'F

015 18'F

016 13'F

017

018 30'F

019 24'F

020 32'F

021 48'F

022

023

024 15'W

025 9'W

026 17'A

027 15'PL

028 12'F

029 32'W

030 22'F

031 32'F

032 40'F

033

034

036

037

038

039

040

041

042

043

044

045

046

047

048

049

050

051

052

1

2

3

4

5

6

7

8

9

TRACT B

R.O.W.



## TREE ASSESSMENT

March 23, 2005

Scott Investments  
Tom Scott  
214 SW 2<sup>nd</sup> Ave.  
Canby, OR 97013

Fax: 503-266-5488

RE: 1063 NE Territorial Rd.  
Canby, OR

Tree #	Common Name	Specie	DBH	Condition	Additional Comments
001	Douglas Fir	Pseudotsuga menziesii	26	Good	
002	Douglas Fir	Pseudotsuga menziesii	23	Good	
003	Douglas Fir	Pseudotsuga menziesii	20	Good	
004	Pine	Pinus	8	Poor	Suppressed
005	Douglas Fir	Pseudotsuga menziesii	15	Good	
006	Douglas Fir	Pseudotsuga menziesii	8	Fair	Suppressed, leans south 10 degrees
007	Douglas Fir	Pseudotsuga menziesii	15	Good	
008	Pine	Pinus	10	Good	
009	Pine	Pinus	6	Poor	Suppressed
010	Pine	Pinus	8	Poor	Suppressed, lost top, w/new leader
011	Douglas Fir	Pseudotsuga menziesii	7	Poor	Suppressed
012	Pine	Pinus	8	Poor	Suppressed
013	Douglas Fir	Pseudotsuga menziesii	14	Good	
014	Spruce		7	Poor	Suppressed
015	Douglas Fir	Pseudotsuga menziesii	21	Good	
016	Douglas Fir	Pseudotsuga menziesii	13	Good	
017	Pine	Pinus	9	Poor	Suppressed, leans northwest
018	Douglas Fir	Pseudotsuga menziesii	29	Good	
019	Douglas Fir	Pseudotsuga menziesii	23	Good	
020	Douglas Fir	Pseudotsuga menziesii	33	Good	
021	Douglas Fir	Pseudotsuga menziesii	48	Good	
022	Pine	Pinus	14	Good	
023	Pine	Pinus	20	Fair	Lost top, w/ new leaders
024	Walnut	Juglans	16	Dead	
025	Walnut	Juglans	10	Good	

Residential and Commercial Spraying • Fertilizing • Pruning • Landscape Installation • Landscape Maintenance • Consultation  
MEMBER: National Arborist Association • International Society of Arboriculture • Oregon Association of Nurserymen

Oregon Golf Course Superintendents' Association • Oregon Landscape Contractors Association

State Licensed Tree Service #62635 • Landscape Contractor #5659 • Chemical Application #000231 • Insured

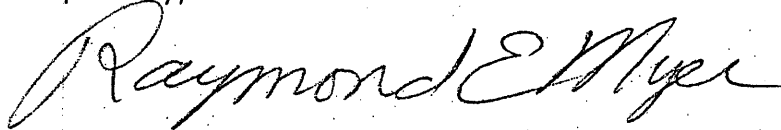
P.O. Box 1566 • Lake Oswego, OR 97035 • 503-635-3165 • Vancouver 360-737-2646 • FAX 503-635-1549

Visit our website at [www.treecarelandscapes.com](http://www.treecarelandscapes.com)

Tree #	Common Name	Specie	DBH	Condition	Additional Comments
026	Apple	Malus	14	Poor	Stag headed
027	Plum	Prunus	11,14	Poor	2-stems, stag headed, crossing scaffolds
028	Douglas Fir	Pseudotsuga menziesii	13	Good	
029	Big Leaf Maple	Acer macrophyllum	32	Good	
030	Douglas Fir	Pseudotsuga menziesii	30	Good	
031	Douglas Fir	Pseudotsuga menziesii	24	Good	
032	Douglas Fir	Pseudotsuga menziesii	39	Good	
033	Douglas Fir	Pseudotsuga menziesii	24	Good	Electrical insulator screwed into trunk at 12' above ground level north side, yard light fastened to trunk at 15' above ground level north side
034	Douglas Fir	Pseudotsuga menziesii	31	Good	Ivy on trunk, ground level to 20' above ground level
035	Douglas Fir	Pseudotsuga menziesii	35	Good	Light Ivy on lower trunk
036	Grand Fir		38	Good	
037	Douglas Fir	Pseudotsuga menziesii	17	Poor	Broken top
038	Douglas Fir	Pseudotsuga menziesii	25	Good	
039	Douglas Fir	Pseudotsuga menziesii	22	Fair	Offset in trunk at 50' above ground level, suspect old lost top w/ new leader
040	Cherry	Prunus	6,10,6	Fair	3-stems, topped, decay in one 6" stem
041	Cherry	Prunus	6,9	Poor	2-stems, topped
042	Douglas Fir	Pseudotsuga menziesii	30	Good	Clearance pruning on east side for power lines 12' above ground level to 40' above ground level
043	Douglas Fir	Pseudotsuga menziesii	32	Fair	Old cat face west side, 1' above ground to 3' above ground with insects & decay
044	Douglas Fir	Pseudotsuga menziesii	22	Good	Power line clearance pruning east side 12' above ground level to 40' above ground level, wire fence against east side ground level to 3' above ground level
045	Douglas Fir	Pseudotsuga menziesii	26	Good	Power line clearance pruned 12' above ground level to 40' above ground level

Tree #	Common Name	Specie	DBH	Condition	Additional Comments
046	Douglas Fir	Pseudotsuga menziesii	25	Good	Power line clearance pruned 12' above ground level to 40' above ground level
047	Douglas Fir	Pseudotsuga menziesii	37	Fair	Lost top
048	Magnolia		6,6,5	Fair	3-stems
049	Big Leaf Maple	Acer macrophyllum	8,6	Poor	2-stems, broken top
050	Apple	Malus	8	Poor	
051	Apple	Malus	6	Poor	
052	Apple	Malus	8	Poor	

Respectfully,



Raymond Myer, General Manager  
 Tree Care & Landscapes Unlimited, Inc.  
 Certified Arborist by the International  
 Society of Arboriculture, # PN-0160  
 Oregon Landscape Contractors Lic. #11604  
 Oregon Dept. of Agriculture, Commercial  
 Pesticide Applicators License #77915



# Tree Protection Plan

(REVISED 3/27/03)

Follow the below listed instructions in order to provide the proper protection before, during and after construction.

## **I. Before Construction:**

- a. Identify and number the trees to be protected, verify by mapping and/or tagging and note their size in D.B.H. (Diameter at Breast Height), variety, health and structural conditions, review plans.
- b. Check with local government agencies for tree protection ordinances.
- c. Remove any low limbs that may be in the way of construction equipment, and prune as needed to adhere NAA standards.
- d. Leave a protective covering on the soil, i.e., existing groundcover or mulch.
- e. Notify all other contractors that these trees are to be saved and protected.
- f. Install a temporary 6' high metal no-climb fence to protect the trees and their root systems. Install tree protection sign on fence. Posts located 10' on center as a general rule. For every inch in diameter of the trunk (D.B.H.) allow up to 1 foot of radius from the trunk as the protected area. (Example: 24" D.B.H. = 24' radius of protected root system.) Ideally, we need to protect more than the drip zone. The drip zone into the trunk is the support roots that hold the tree up. The roots from that drip zone out provide nutrition, water and oxygen. Try to avoid loss of more than 30% of root on any one side. This allows some encroachment within the drip line. This should be determined on a case by case site conditions reviewed.
- g. Identify any insect or disease problems that may require treatment.
- h. Engineer and design proposed structures and construction to avoid root loss. Bridge type foundations can save major roots.
- i. Design landscape islands and planting areas large enough to accommodate trees at maturity.
- j. Plant the right tree in the right place. Avoid future conflicts with buildings and utilities.
- k. Have an experienced Arborist review landscape plan to assure the right tree is planted in the right place and proposed changes don't kill retained mature trees.
- l. Consider tree removals adjacent to trees to be saved for wind related stability concerns.

- m. Check for past and proposed grade and drainage changes, consider the effects.
- n. Check trees for stability.
- o. Remove all trees that would not survive the effects of change. Remove all hazardous trees.
- p. Minimize environmental changes.

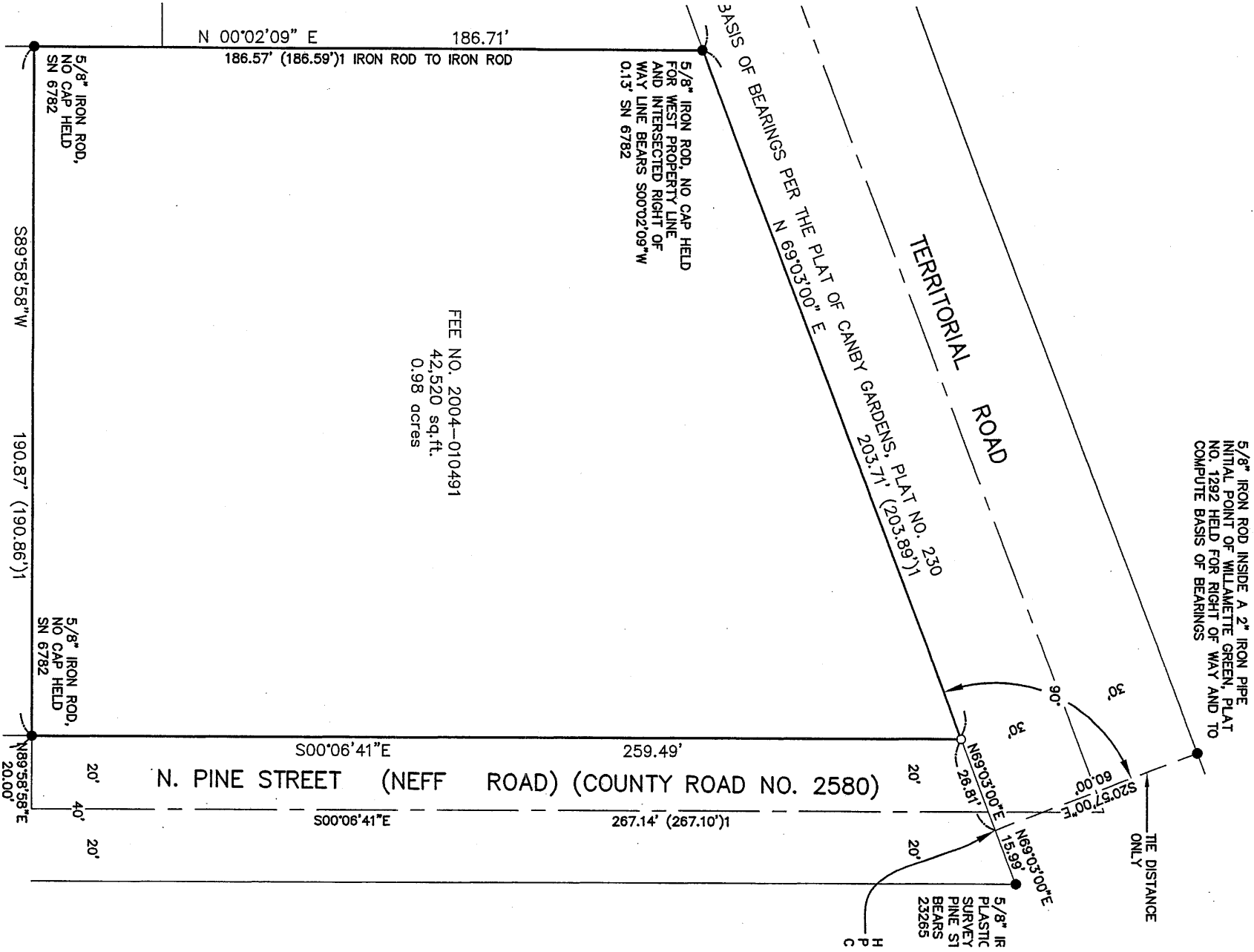
**II. During Construction:**

- a. Keep equipment off of the root system to avoid compaction.
- b. Keep equipment away from structure to prevent damage to trunk and limbs.
- c. Don't allow chemicals to be dumped on the ground near the tree, i.e., gasoline, diesel, paint, herbicide, cleaner, thinners, etc.
- d. Provide means of temporary irrigation if the project runs through the summer.
- e. If roots or limbs are cut or damaged, have them inspected by an ISA Certified Arborist and repaired or treated according to his/her recommendations.
- f. Protect the trees from excessive heat, i.e., equipment, paving and/or burning.
- g. Avoid trenching through the root systems, boring under them or hand digging can save roots.
- h. Contact the ISA Certified Arborist familiar with the site prior to and during any activity within the drip zone or tree protection fencing for consultation.

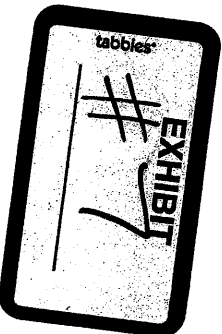
**III. After Construction:**

- a. Carefully landscape the area under the tree, being careful of the roots and structure. Use plantings that will live under the same conditions as that of the tree.
- b. Provide insect and disease control, fertilization and pruning as needed or adhere to long term protection plan if provided.
- c. Avoid direct irrigation spraying onto the trunk. The amount of irrigation needed to keep new plantings alive can often be enough to kill mature trees.
- d. Do not cover existing root systems with more than 2" of soil. The more soil you add, the greater the chances of damaging the root system.
- e. Provide irrigation and/or drainage to emulate pre-construction conditions.

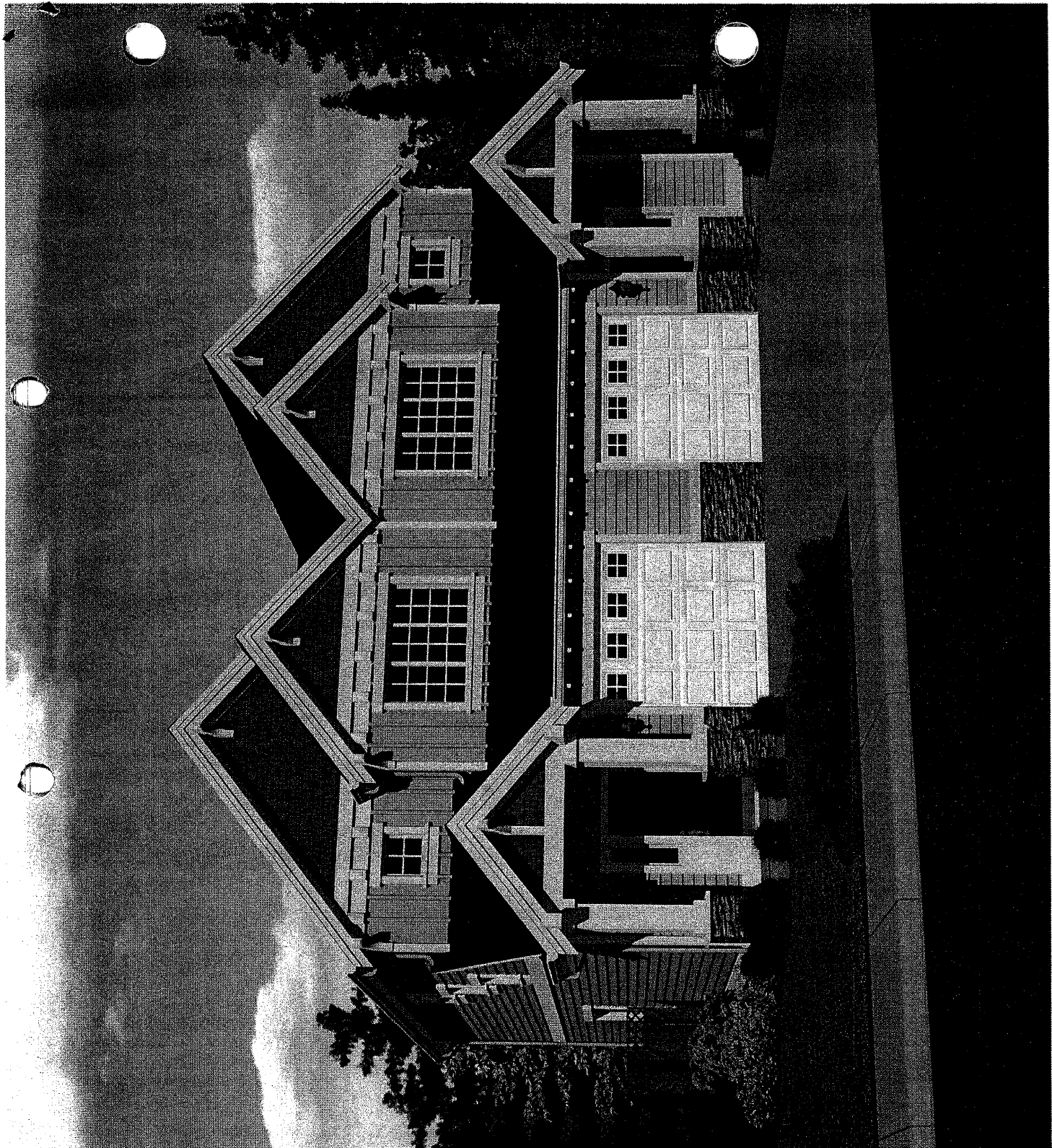
**NOTE:** It would be impossible to provide all of the above protection measures, however the more roots that can be saved and the least amount of surrounding environmental changes that we can prevent; the greater the chances of saving existing trees. Often it is best to replant with the right tree in the right place so it can grow in the new environment.

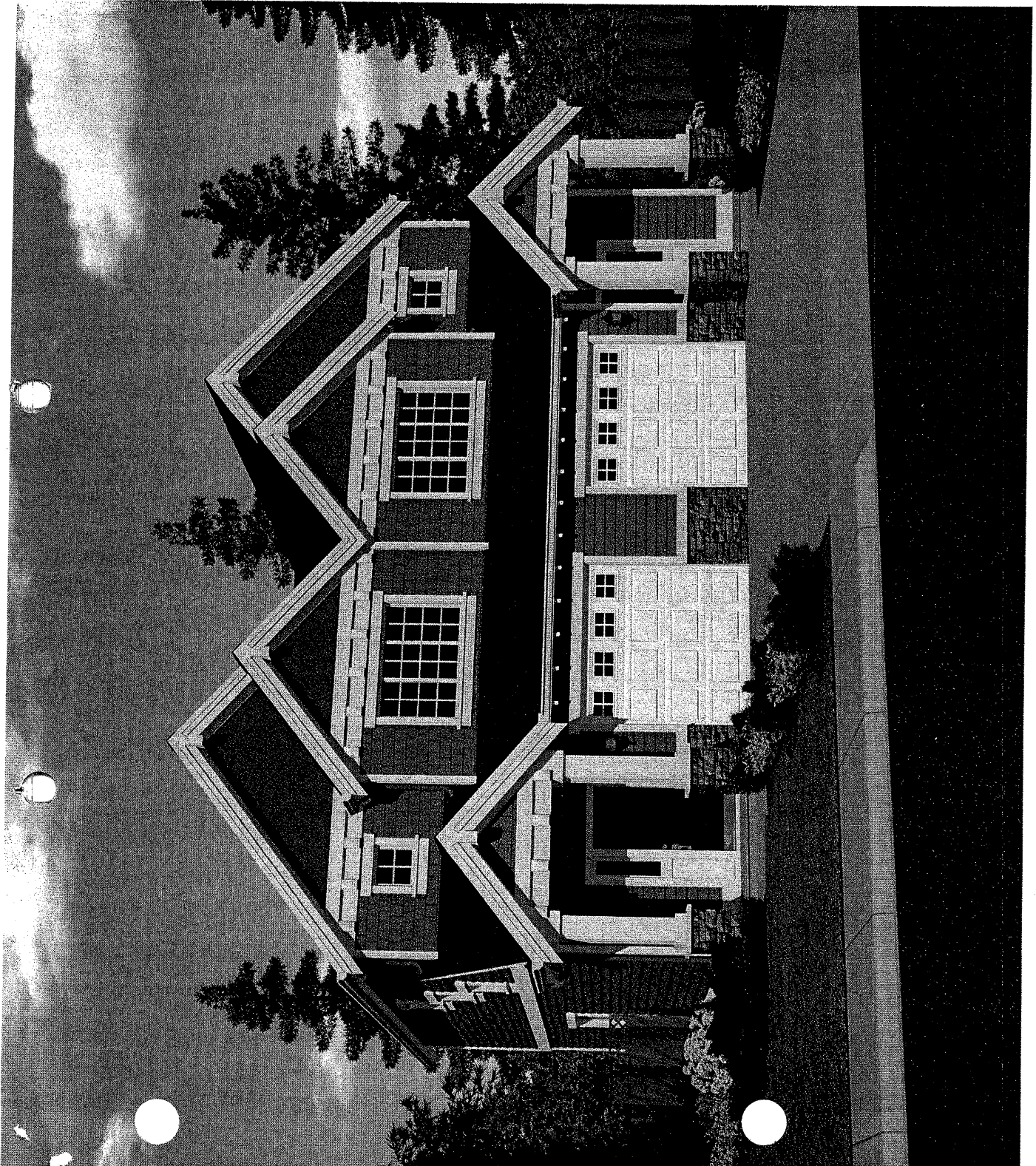


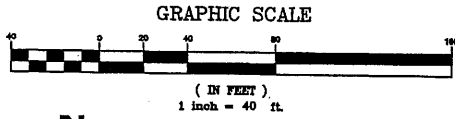












OWNER/APPLICANT: S.T.J., LLC  
 214 S.W. 2nd AVENUE  
 CANBY, OR 97013  
 PHONE: (503) 266-5488  
 FAX: (503) 266-4570

SITE ADDRESS: 1063 NE TERRITORIAL ROAD

LEGAL: T3S, R1E, SECT 28DD,  
 TAX LOT 1500

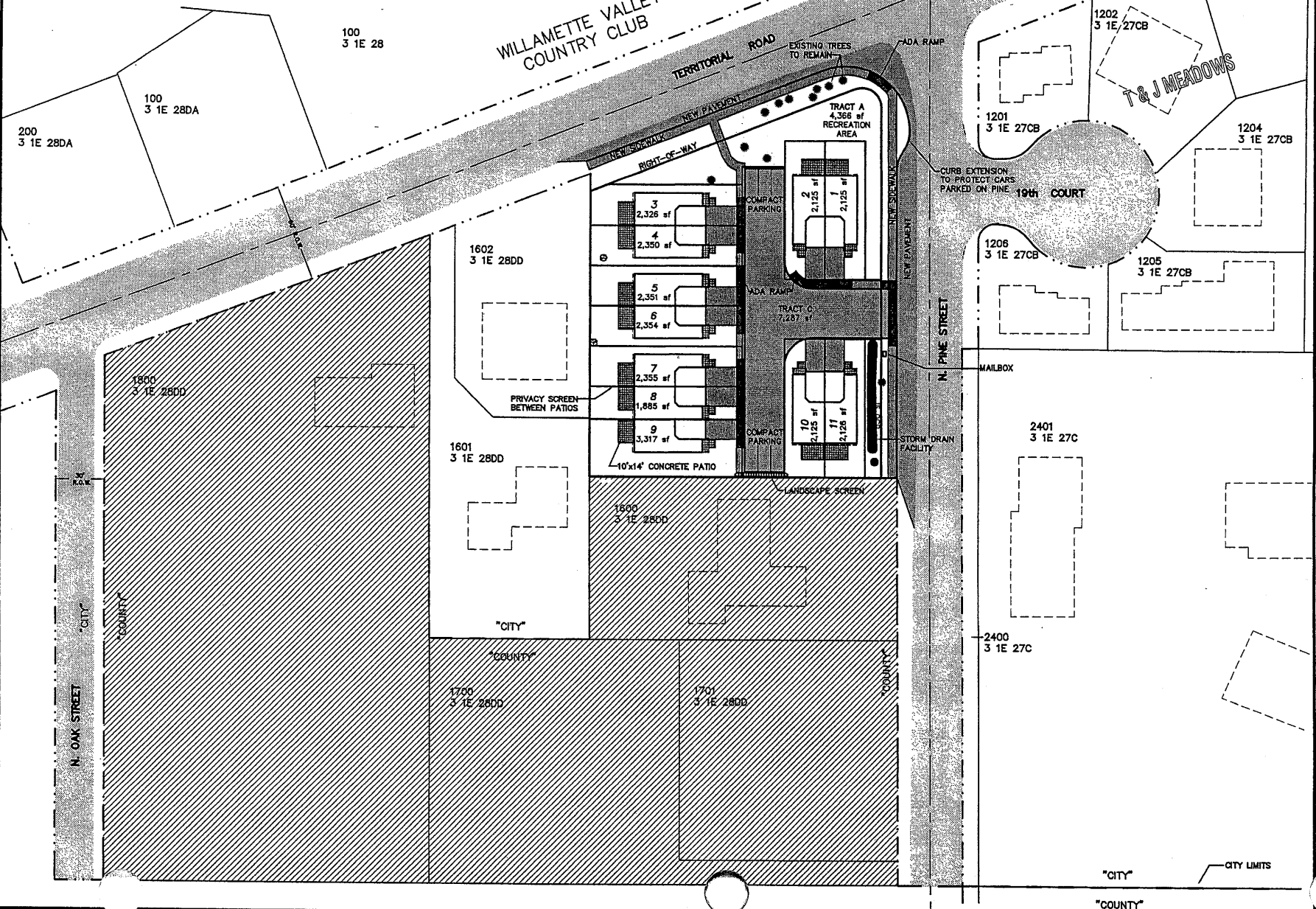
SITE SIZE: 42,520 sq. ft., 0.98 Ac.  
 DEDICATION: 4,575 sq. ft.

2002  
 3 1E 27C SUPP.

2022  
 3 1E 27C SUPP.

2044  
 3 1E 27C SUPP.  
 COMMON PROPERTY

WILLAMETTE VALLEY  
 COUNTRY CLUB



REVISIONS	BY

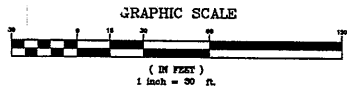
PINE STATION  
 S.T.J., LLC

Site Plan

**SISUL ENGINEERING**  
 375 PORTLAND AVENUE  
 GLADSTONE, OREGON 97027  
 (503) 657-0188

DATE	APRIL, 2005
SCALE	1" = 40'
DRAWN	PS
JOB	SGL 04-031
SHEET	1
	5 SHEETS





100  
3 1E 28

WILLAMETTE VALLEY  
COUNTRY CLUB

TERRITORIAL ROAD

TRACT A  
4,366 sf  
RECREATION  
AREA

1202  
3 1E /27CB

1201  
3 1E 27CB

19th COURT

1206  
3 1E 27CB

1205  
3 1E 27CB

1602  
3 1E 28DD

1601  
3 1E 28DD

1600  
3 1E 28DD

1700  
3 1E 28DD

1701  
3 1E 28DD

2400  
3 1E 27C

2401  
3 1E 27C

N. PINE STREET

120  
3 1

T & J MEADOWS

REVISIONS	BY

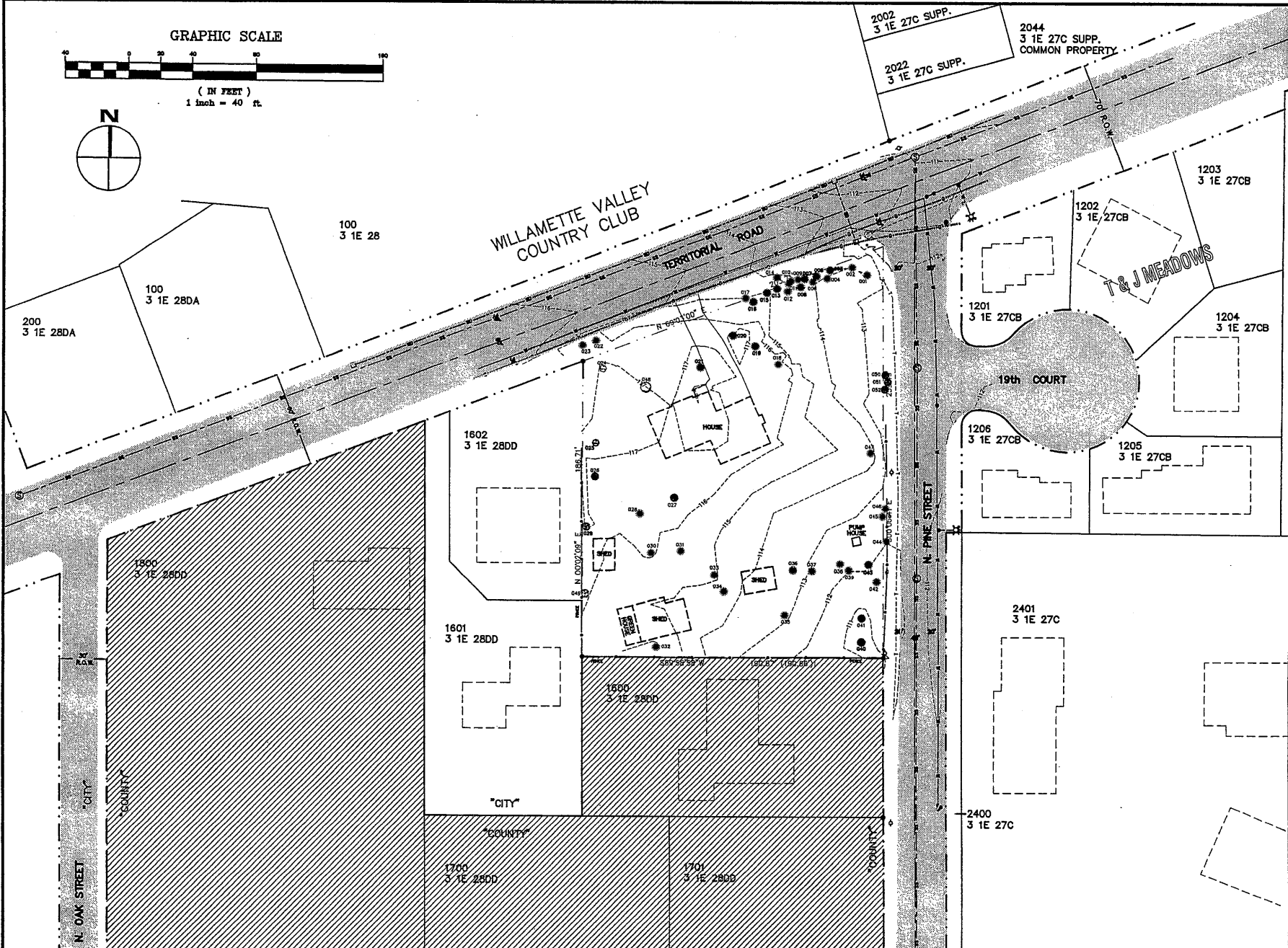
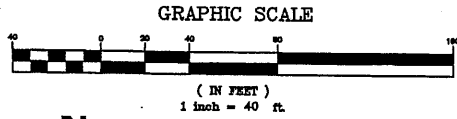
PINE STATION

S.T.I., LLC

Dimension Plan

**SISUL ENGINEERING**  
375 PORTLAND AVENUE  
GLADSTONE, OREGON 97027  
(503) 657-0188

DATE	APRIL, 2005
SCALE	1" = 30'
DRAWN	PS
JOB	SGL 04-031
SHEET	<b>2</b>
OF 5 SHEETS	



REVISIONS	BY

PINE STATION  
S.T.I., LLC

Existing Conditions

**SISUL ENGINEERING**  
374 PORTLAND AVENUE  
CLATSOP COUNTY, OREGON 971027  
(503) 657-0188

DATE	APRIL, 2005
SCALE	1" = 40'
DRAWN	PS
JOB	SGL 04-031
SHEET	<b>3</b>
5 SHEETS	

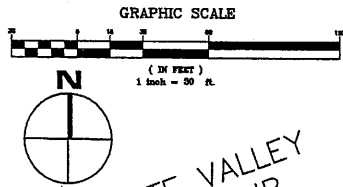
TREE #	SPECIES	DBH	CONDITION	RETAIN
001	DOUGLAS FIR	26	GOOD	
002	DOUGLAS FIR	23	GOOD	
003	DOUGLAS FIR	20	POOR	RETAIN
004	PINE	8	POOR	
005	DOUGLAS FIR	15	GOOD	RETAIN
006	DOUGLAS FIR	8	FAIR	
007	DOUGLAS FIR	15	GOOD	RETAIN
008	PINE	10	GOOD	RETAIN
009	PINE	6	POOR	
010	PINE	8	POOR	
011	DOUGLAS FIR	7	POOR	
012	PINE	8	POOR	
013	DOUGLAS FIR	14	GOOD	RETAIN

TREE #	SPECIES	DBH	CONDITION	RETAIN
014	SPRUCE	7	POOR	
015	DOUGLAS FIR	21	GOOD	RETAIN
016	DOUGLAS FIR	13	GOOD	RETAIN
017	PINE	9	POOR	
018	DOUGLAS FIR	29	GOOD	
019	DOUGLAS FIR	23	GOOD	RETAIN
020	DOUGLAS FIR	33	GOOD	RETAIN
021	DOUGLAS FIR	48	GOOD	RETAIN
022	PINE	14	GOOD	
023	PINE	20	FAIR	
024	WALNUT	16	DEAD	
025	WALNUT	10	GOOD	RETAIN
026	APPLE	14	POOR	

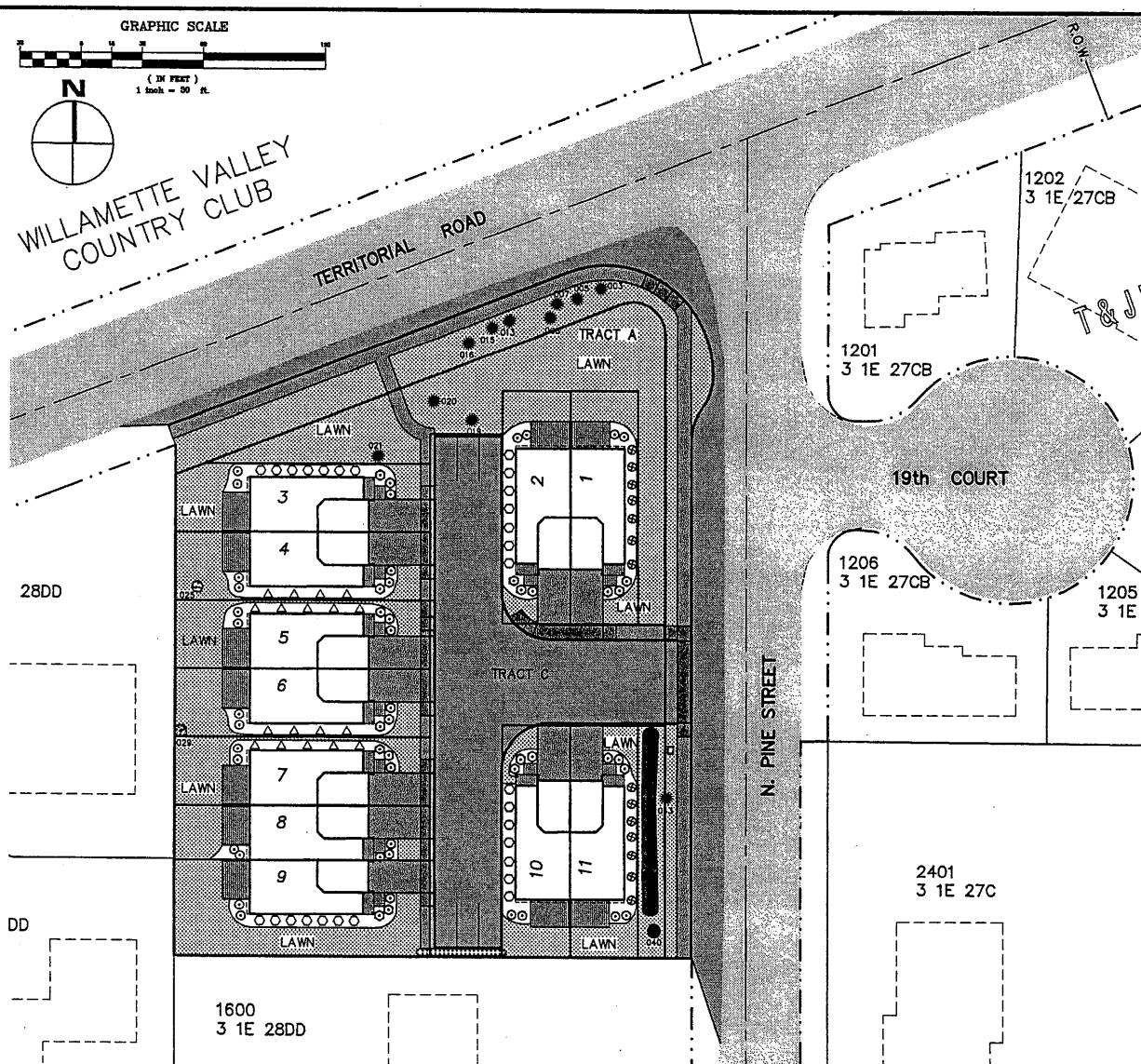
TREE #	SPECIES	DBH	CONDITION	RETAIN
027	PLUM	11, 14	POOR	
028	DOUGLAS FIR	13	GOOD	
029	BIG LEAF MAPLE	32	GOOD	RETAIN
030	DOUGLAS FIR	30	GOOD	
031	DOUGLAS FIR	24	GOOD	
032	DOUGLAS FIR	39	GOOD	
033	DOUGLAS FIR	24	GOOD	
034	DOUGLAS FIR	31	GOOD	
035	DOUGLAS FIR	35	GOOD	
036	WALNUT	38	GOOD	
037	DOUGLAS FIR	17	POOR	
038	DOUGLAS FIR	25	GOOD	
039	DOUGLAS FIR	22	FAIR	

TREE #	SPECIES	DBH	CONDITION	RETAIN
040	CHERRY	6,10,8	FAIR	
041	CHERRY	6, 9	POOR	
042	DOUGLAS FIR	30	GOOD	RETAIN
043	DOUGLAS FIR	32	FAIR	
044	DOUGLAS FIR	22	GOOD	
045	DOUGLAS FIR	28	GOOD	
046	DOUGLAS FIR	25	GOOD	
047	DOUGLAS FIR	37	FAIR	
048	MAGNOLIA	6,5,5	FAIR	
049	BIG LEAF MAPLE	5, 6	POOR	
050	APPLE	8	POOR	
051	APPLE	8	POOR	
052	APPLE	8	POOR	





WILLAMETTE VALLEY  
COUNTRY CLUB



**PLANTING KEY**

- (22) 15-18" Rhododendron, Lord Robert, Red
- (14) 5 Gallon, Pieris Japonica, Mt. Fire
- (28) 5 Gallon, Ilex Crenata, Convexa
- △ (18) 5 Gallon, Spirea, Anthony Waterer
- (33) 2 Gallon, Osmanthus, Goshiki
- ▬ (10) 4-5' Arborvitae, Emerald Green

REVISIONS	BY

PINE STATION

Landscape Plan

S.T.I., LLC

**SISUL ENGINEERING**  
376 PORTLAND AVENUE  
GLADSTONE, OREGON 97027  
(503) 657-0188

DATE APRIL, 2005

SCALE 1" = 30'

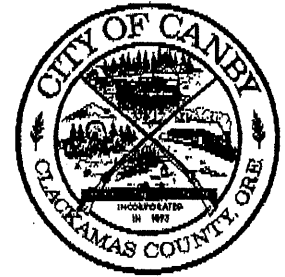
DRAWN PS

JOB SGL 04-031

SHEET

**5**

5 SHEETS



## Pre-Application Meeting

Pine Station  
**February 11, 2005**  
**10:30 AM**

### Attended by:

Pat Thurston, CU Water Distribution Dept., 503-263-4309  
 Darren Nichols, Planning Department, 503-266-9404  
 Hassan Ibrahim, Curran-McLeod, 503-684-3478  
 Karl Hansen, CU AGM, 503-266-1156

Tom Scott, Owner, 503-266-5488  
 Roy Hester, Public Works Dept., 503-266-4021  
 Pat Sisul, Sisul Engineering, 503-657-0188  
 Dinh Vu, Canby Telephone, 503-266-8201

*This document is for preliminary use only and is not a contractual document.*

### SISUL ENGINEERING, Pat Sisul

- This will be a townhouse development with an interior private street system, private utilities and a public sewer stub off of Pine Street with private laterals, I plan on running water lines to the property instead of running water lines through there. There is some storm drainage out in front and we would only run the street runoff to them. The roofs and interior driveways would be through an infiltration system and swale. Some of the trees will have to come out, which trees will be up to the City Staff. We intend to do have street improvements with curbs and sidewalks on Territorial and N Pine Street.
- We propose a 35' radius on the corner of N Pine and Territorial.

### CITY OF CANBY, PLANNING DEPARTMENT, Darren Nichols

- A traffic study will have to be done.
- Five foot side yards with the minor variance process, you are allowed produce setbacks up to 10%, which is .7 feet.
- Ten percent of the complete site is set aside for open space.

### CITY OF CANBY, PUBLIC WORKS DEPARTMENT, Roy Hester

- The most of trees you show on the print can remain, except a couple on the radius. The 39" tree has to be taken down because it is heaving up and the 34" tree is questionable which we can discuss later. PGE's power pole will need to be moved.
- The City will be only responsible for the sewer main and the development will be responsible for the laterals.
- The City will not maintain the private street.
- If you dig up Territorial Road it will have to be put back to its original condition, which is a cement base.
- The existing septic tank will need to be pumped and removed.

### TOM SCOTT, OWNER

- We will hire an arborist to look at the trees.
- We will need an irrigation meter.





**CANBY UTILITY, ASSISTANT GENERAL MANAGER, Karl Hansen**

- We will talk to PGE about their power pole and I will contact you (Tom Scott) on our findings.
- The power will more than likely come from 19<sup>th</sup> Court.
- The standard duplex fees apply.

**CANBY TELEPHONE ASSOCIATION, Dinh Vu**

- We have to have our manhole raised and the pedestal moved in Territorial.
- I will go back to the office and figure out how much it will cost to move our facilities and let you know.

**CURRAN-MCLEOD ENGINEERING, Hassan Ibrahim**

- Discussion was held on the driveway entrance in comparison to the other driveways and the intersection of N Pine Street and Territorial Road.

**CANBY UTILITY, WATER DISTRIBUTION DEPARTMENT, Pat Thurston**

- This water service basically resembles the project at Territorial and Redwood. I would like to get everything as close as possible to cut down on unnecessary road openings. On Territorial we have a 12" PVC water line and any multiple tapping done needs to be spaced at a 2-foot interval. Pine Street has an 8" ductile iron water main and the taps will have to be at 1-foot intervals.
- Pat discussed having an 8" line coming into the property and has two water meter pits and the water service coming out of it.
- You could use the well for irrigation if you wanted.
- Pat would like to know if this project is a PUD or a multi-family residential. The SDC's for this project will be \$1,656.00 for a 5/8 x 3/4" and irrigation is \$3,785.00 for a 5/8 x 3/4". If you use an irrigation meter, for a small meter, you will be paying \$10.93 a month and you will also pay the highest per hundred cubic feet volume charge \$1.81 per hundred cubic feet.

**TO:** Chair Brown and Commissioners  
City of Canby Planning Commission  
Canby, OR 97013

**FROM:** Mr. Jason Bristol  
Applicant and Property Owner

**DATE:** June 9, 2005

**RE:** **SUB 05-03 – 4 Lot Subdivision on SW 3<sup>rd</sup>/Fir  
Re-opening of Public Hearing on June 27, 2005**

---

Thank you for the opportunity to address the concerns raised during the public hearing on April 27, 2005. To date, the Planning Commission has found that this application satisfies 3 of the 4 applicable approval criteria for this subdivision application. In the findings, four reasons are given for this application not meeting the one remaining approval criteria, specifically 16.62.020(C). This memorandum and attachments are provided to specifically respond to each of the four reasons for initial denial in the above application.

The information provided is factual and based on data gathered from representatives in the city, recent photographs, and site-specific details. These facts establish that this application does satisfy the approval criteria of Section 16.62.020(C) which states:

*The overall design and arrangement of the proposed parcels will not be functional and will not adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.*

#### **REASON #1**

- *The Commission discussed access to the site, and the impact of additional traffic and on-street parking on the surrounding area. Public testimony from residents living in the area cited traffic related issues on SW 3<sup>rd</sup> Avenue as a major concern. Neighbors noted that SW 3<sup>rd</sup> is currently a very congested street, with on-street parking on both sides of the street usually at capacity. School buses travel on SW 3<sup>rd</sup> in the morning and afternoon of every school day, and have a very difficult time navigating the street. The near capacity on-street parking situation effectively makes SW 3<sup>rd</sup> Avenue a one lane street. School buses must travel very slowly to navigate the narrow roadway and resident drivers frequently have to alternate right of way with on coming vehicles due to the narrow roadway. Neighbors testified that the combination of near capacity on-street parking effectively narrowing the roadway to a single lane and on going traffic congestion creates an unsafe situation for children in the neighborhood, and that the proposed subdivision would negatively impact an already serious traffic situation.*
- **Applicant Response:** The photographs attached herein as Exhibits 1, 2, 3, and 4 are of SW 3<sup>rd</sup> and S Fir during the times when buses are running. The times referenced

are 8:30am, 11:30am, 3:30pm, and 7:00pm. While the comprehensive plan and code don't require the city to provide adequate amounts of on-street parking, these pictures establish that both streets are not congested and on-street parking isn't near capacity at any of the four times of the day.

In speaking with Barb Kirwin, Traffic Safety Committee Member as well as the Manager of First Student (School Bus Services), numerous buses were rerouted off of SW 3<sup>rd</sup> at the request of individuals living on the street. It is only to be used by buses for the drop off and pick up of children living on SW 3<sup>rd</sup> (Currently there are a total of four trips per day). Additionally, as of June 2006, the bus parking facility will be relocated to the north side of Canby. With the moving of the bus parking facility, bus traffic in the general area will be minimized.

SW 3<sup>rd</sup> and SW 2<sup>nd</sup> were previously looked at for traffic revisions. According to Marlene Elmore, Traffic Safety Committee Member, two proposals for SW 3<sup>rd</sup> and SW 2<sup>nd</sup> were presented at a town hall meeting about 4 years ago. Proposal 1 involved converting both roads into one-way streets with parking on both sides. Proposal 2 involved keeping the roads two-way streets but allow parking on one side only. Neither was well received by the neighborhood, nor implemented by the city. The neighbor's rejection of city recommendation to resolve traffic concerns suggests that the neighbors did not see the traffic situation as being serious enough to make any changes. The proposal seeks only one additional access to SW 3<sup>rd</sup> that will serve the single family dwelling. The other two structures will have street access on to S Fir, a quiet side street. The proposed development will have a negligible impact on either street.

## REASON #2

- *The Planning Commission discussed the increased demand for on-street parking that the proposed subdivision would likely generate and noted that SW 3<sup>rd</sup> on-street parking is currently at capacity, and that S. Fir can only accommodate parking on one side due to road width requirements. The Commission noted the number of vehicles entering and exiting the site which would result in traffic safety concerns and found that the proposal would unduly hinder the use of adjacent properties; and*
- **Applicant Response:** There are no specific comprehensive plan or code criteria that require the city to provide adequate amounts of on-street parking. However, Exhibits 1, 2, 3, and 4, establish on-street parking on SW 3<sup>rd</sup> and S Fir isn't near capacity. Exhibits 5 and 6 establish that the cars parked on the streets belong to occupants of houses with off-street parking occupied by non-operating vehicles and those using off-street parking for alternative uses. I attempted to address these issues during my neighborhood meeting on June 13 to little avail.

All of the development proposed through this application will conform to the CDC 16.10.050, requiring a minimum of two off-street parking places per dwelling. In fact, for the existing house located at 465 SW 3<sup>rd</sup>, I propose an additional off-street parking place for a total of three off-street parking places, making a total of nine parking spaces available to serve four houses. This can be seen in Exhibit 7A, outlined by stakes, as well as the updated site plan, Exhibit 7B. This concession will provide over 1,900 square feet of front yard inside of the sidewalk for landscaping. As shown on Exhibit 8, the front yard area proposed for 465 SW 3<sup>rd</sup> is larger than houses in close proximity. I am also proposing that the driveway for Parcel 3 be

placed on the east side of the property so vehicles entering and exiting Parcels 3 and 4 have greater sight distance, minimizing traffic safety concerns on SW 3rd.

Parcels 1 and 2 are on the west side of S Fir where on-street parking isn't allowed and driveways to these parcels will not take away any on-street parking. Driveways providing at least two parking spaces for each of these parcels will be provided; thereby preserving on-street parking on S Fir for use by others. Since on-street parking is prohibited on the west side of S Fir, vehicles entering and exiting Parcels 1 and 2 have unlimited sight distance, eliminating any traffic safety concerns on S Fir.

Exhibit 6 establishes that occupants of both houses on S Fir are using off-street parking places for uses other than parking cars. Exhibit 9 establishes that the house located at 431 SW 3<sup>rd</sup> at the intersection of S Fir has adequate off-street parking as well as 154 feet of curb with on-street parking. Exhibit 10 establishes that the vacant lot east of 462 SW 3<sup>rd</sup> at the intersection of S Fir has over 50 feet of curb with on-street parking for current and future use. All in all, the infrastructure on SW 3<sup>rd</sup> and S Fir will accommodate the minimal demand of on-street parking and minimal traffic created by entering and exiting all proposed parcels. Further, CDC 16.62.020(C) does not include parking issues associated with development as one of the factors to be considered in deciding whether it will hinder neighborhood development.

The comprehensive plan calls for adequate access to all proposed sites. Public services stated that this criterion was satisfied throughout the application process, including the staff report. The fire and police departments as well as the city engineer all concurred that the proposed subdivision will not negatively impact the transportation system and that no new street improvements are required to improve access. Additionally, the proposed access points are the best possible for the application.

### REASON #3

- *The Commission finds that the proposal would result in unacceptable traffic situations at SW 3<sup>rd</sup> and S Fir considering current infrastructure; and*
- **Applicant Response:** The current zoning as well as the comprehensive plan designate the subject property R-2 zoning and suitable for high density residential development. With this, an increase in density is anticipated for this property as well as adjacent properties. The proposed subdivision meets the minimum density requirement for property zoned R-2 of four dwellings and for the reasons summarized above, will have a negligible impact to the neighborhood.

Based on traffic accident reports for the last three months, Exhibit 11A and 11B, no traffic accidents have occurred on either SW 3<sup>rd</sup> between S Ivy and S Elm or S Fir between SW 3<sup>rd</sup> and SW 4<sup>th</sup>. In the past, the Traffic Safety Board proposed changes to SW 3<sup>rd</sup> that weren't well received by the neighborhood or implemented by the city. Based on this evidence, it is clear that the neighborhood and the city didn't see the traffic situation as being serious enough to make any changes.

### REASON #4

- *The Planning Commission discussed concerns about the impact of the proposed subdivision on the neighborhood and noted that the proposal is in an established older neighborhood with predominantly single-family homes on larger lots. Adjacent*

*property owners testified that the subject proposal would create an isolated high-density residential corner with small lots which would not integrate well with the surrounding neighborhood. Therefore, the Planning Commission finds that neighboring properties currently used would be unduly hindered by the proposed development.*

- **Applicant Response:** The application represents a gradual increase in housing density for the neighborhood as called for in the comprehensive plan. The conclusion that the application would be creating a “high density corner” and would be incompatible with the surrounding neighborhood is untrue. Exhibit 12 establishes that within one block of 465 SW 3<sup>rd</sup>, there are 8 multi-family structures. Six are duplexes, one is a five-plex and another is a six-plex. A duplex at 474 / 484 SW 4<sup>th</sup>, with a rear property line adjoining proposed Parcel 2, was partitioned and developed in 2003. The duplex lot is 3,500 square feet, approximately 1,750 square feet per unit. This application calls for two parcels each measuring 2,350 square feet, one parcel measuring 2,730 square feet, and one parcel measuring 5,545 square feet. These are all larger than that created two years ago.

The proposed development on Parcel 1 and 2 is for shared wall housing that could be owned individually. This represents a step toward home ownership and differentiates this proposed development from the other 8 multi-family structures, Exhibit 12A.

As the photographs in Exhibit 8 show, many existing homes within one block of 465 SW 3<sup>rd</sup> have setbacks that don't meet the current standards. Without setbacks typical of single family homes, these homes project the feeling of high density. While the proposed parcels are smaller than some in the neighborhood, all proposed construction can and will meet setback requirements mandated in CDC 16.20.030(C) for all new construction in R-1, R-1.5 and R-2 zoning. As such, it will give the appearance of lower density single-family housing. This application will provide balance with the existing homes and blend in aesthetically with the neighborhood.

Based on the proposed lot size and required setbacks, two story housing with single car garages on Parcels 1 and 2 could be no more than 1,780 square feet each and on Parcel 3, 1,422 square feet. According to Vince Pavlicek, Real Estate Broker for Coldwell Banker, this type of development will compliment the neighborhood housing as well as address strong demand for a home in the price range of \$175,000 - \$225,000 on smaller lots, Exhibit 13. Additionally, ORS 197.307 and Goal 10 require that local governments must provide adequate amounts of affordable, decent, and safe housing opportunities. In order to do this each local government must adopt a needed housing inventory, which is created by counting the number of housing units available for development under the existing zoning. Approving this application to redevelop the property consistent with the existing zoning will result in compliance of ORS 197.307 and Goal 10. Thus the city will be able to provide housing necessary to serve the anticipated growth within the city.

There are also some great narrow house designs that would fit well into the neighborhood. Enclosed are copies of drawings and plans from Living Smart, Big Ideas for Small Lots published by the City of Portland to provide a visual idea of creative development on small lots, Exhibit 14.

**CONCLUSION**

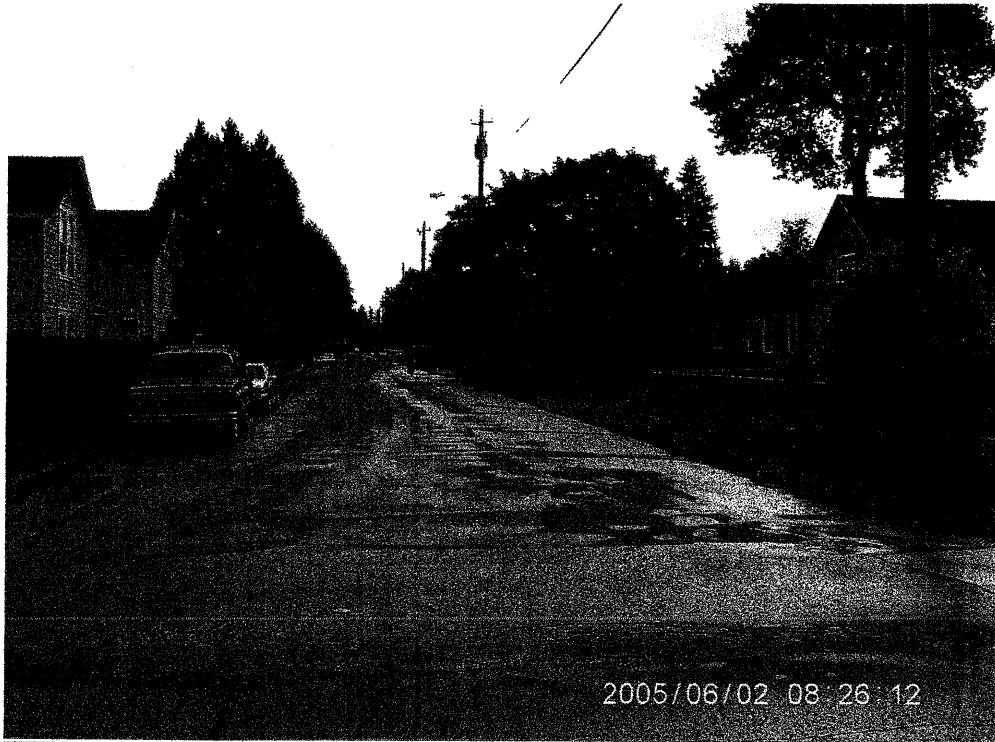
Based on the evidence and analysis attached herein, it is clear that the overall design and arrangement of the lots will be functional, provide adequate building sites and access facilities without unduly hindering the use and development of adjacent properties. For this reason, I respectfully request that the Planning Commission approve this application

Please place this letter along with the attached Exhibits in the record as part of this proceeding.

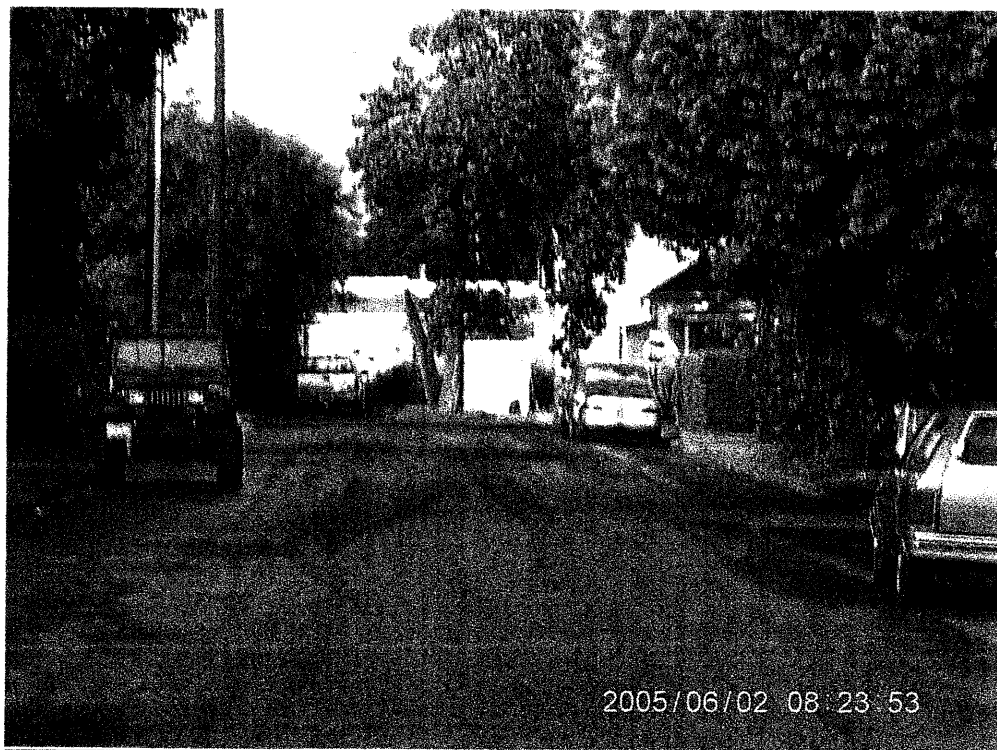
Respectfully submitted:

Jason Bristol

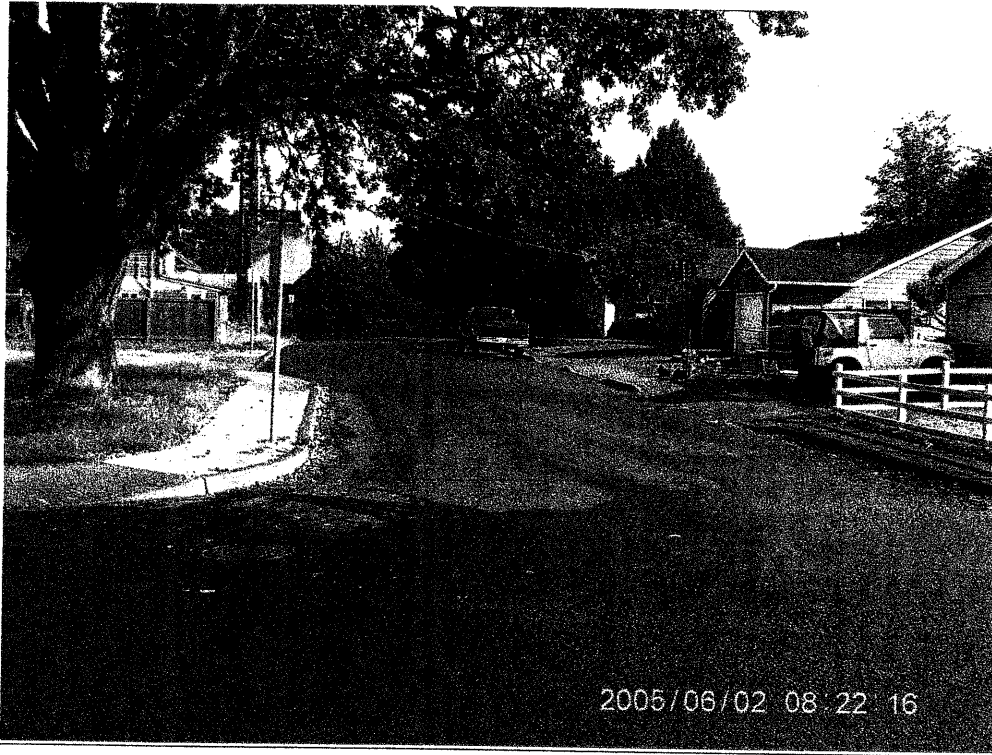
**EXHIBIT 1: SW 3<sup>rd</sup> and S Fir at morning**



**Figure 1: SW 3rd from Elm - On-street parking isn't near capacity**



**Figure 2: SW 3rd looking west towards Elm - On-street parking isn't near capacity**



**Figure 3: S Fir St from SW 4th - On-street parking isn't near capacity**



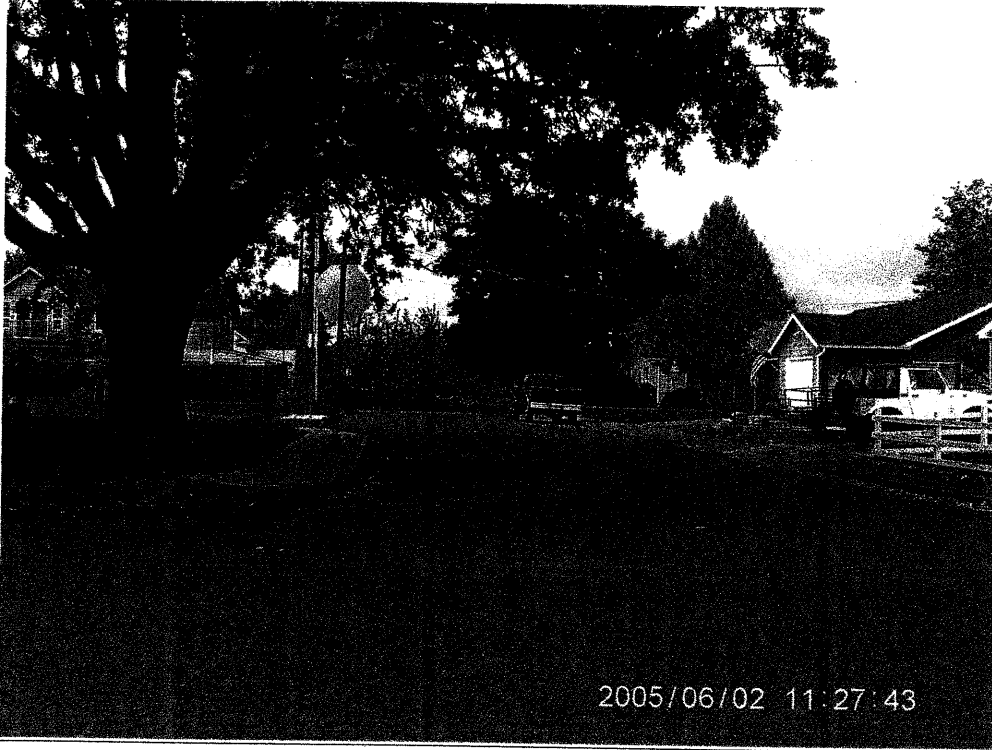
**EXHIBIT 2: SW 3<sup>rd</sup> and S Fir at late morning**



**Figure 1: SW 3rd from Elm - On-street parking isn't near capacity**

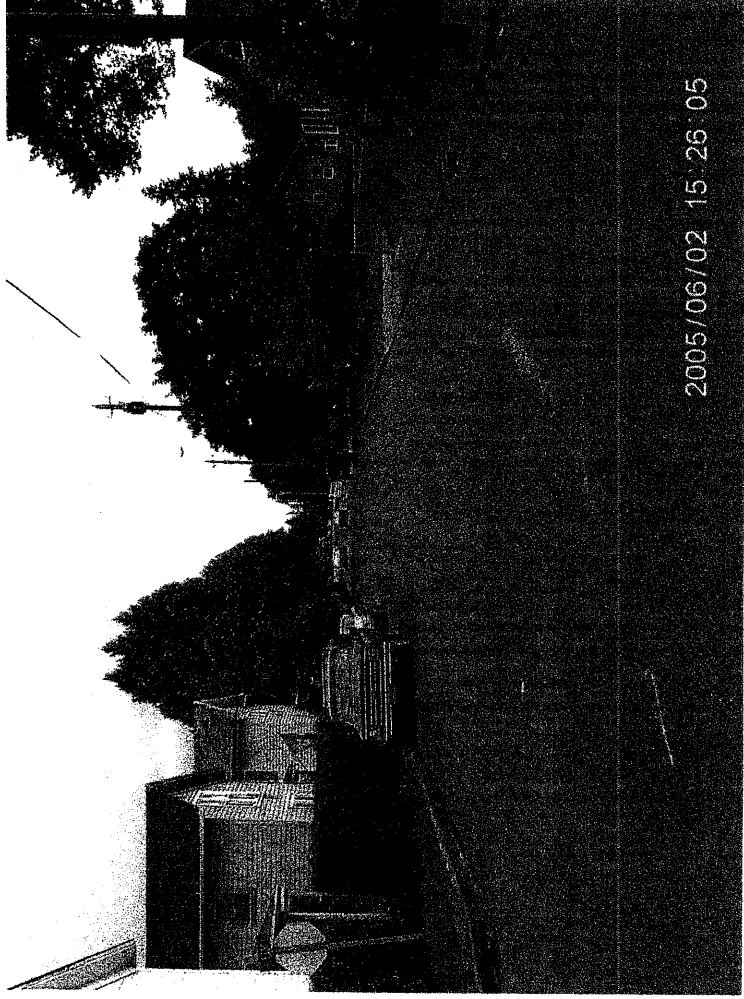


**Figure 1: SW 3rd looking west towards Elm - On-street parking isn't near capacity**

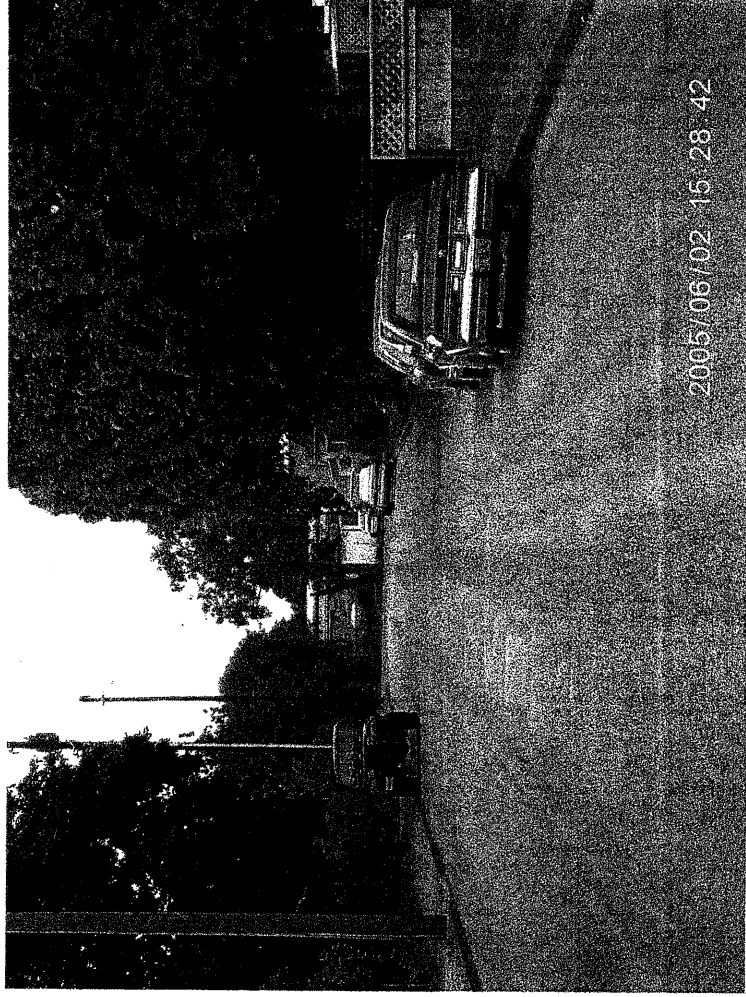


**Figure 2: S Fir St from SW 4th - On-street parking isn't near capacity**

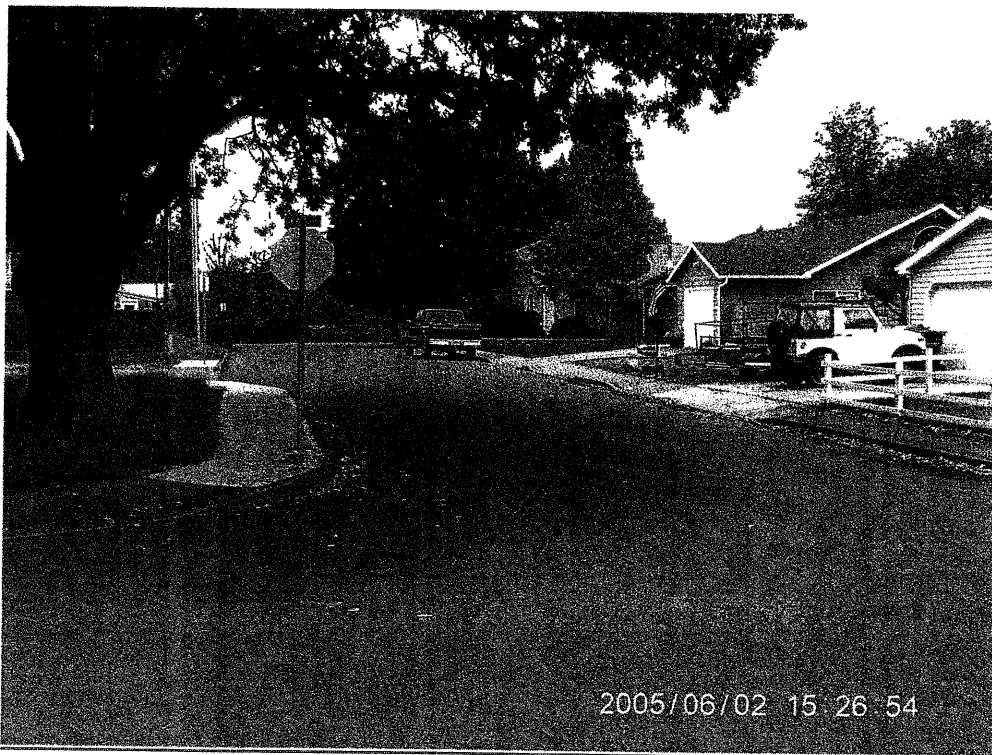
**EXHIBIT 3: SW 3<sup>rd</sup> and S Fir at afternoon**



**Figure 1: SW 3rd from Elm - On-street parking isn't near capacity**



**Figure 2: SW 3rd looking west towards Elm - On-street parking isn't near capacity**

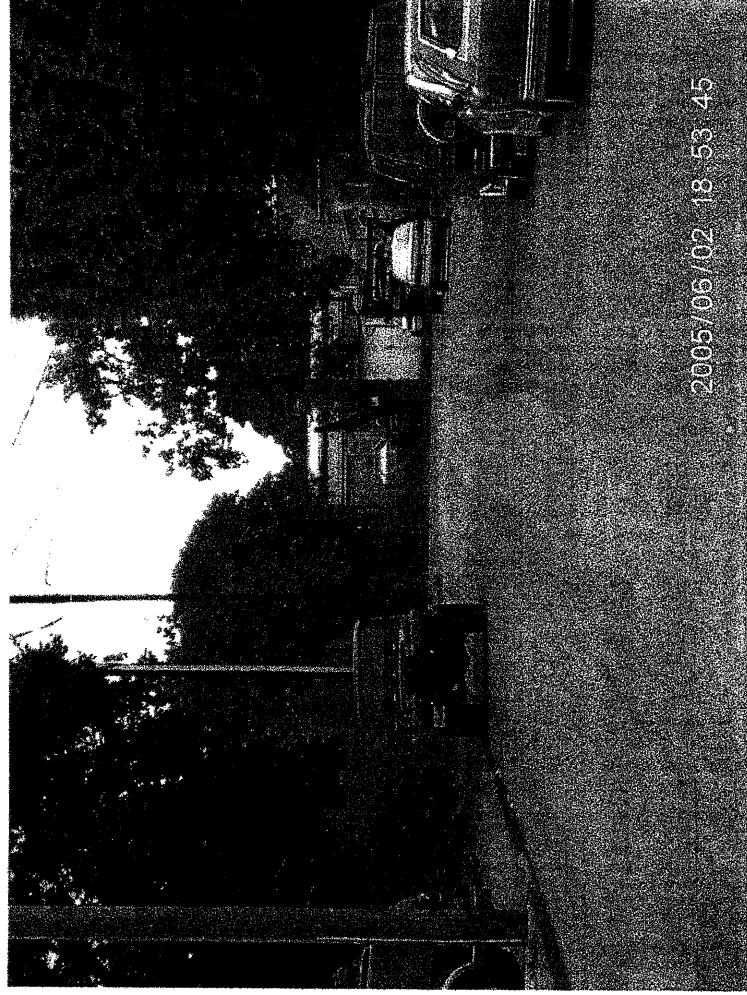


**Figure 3: S Fir St from SW 4th - On-street parking isn't near capacity**

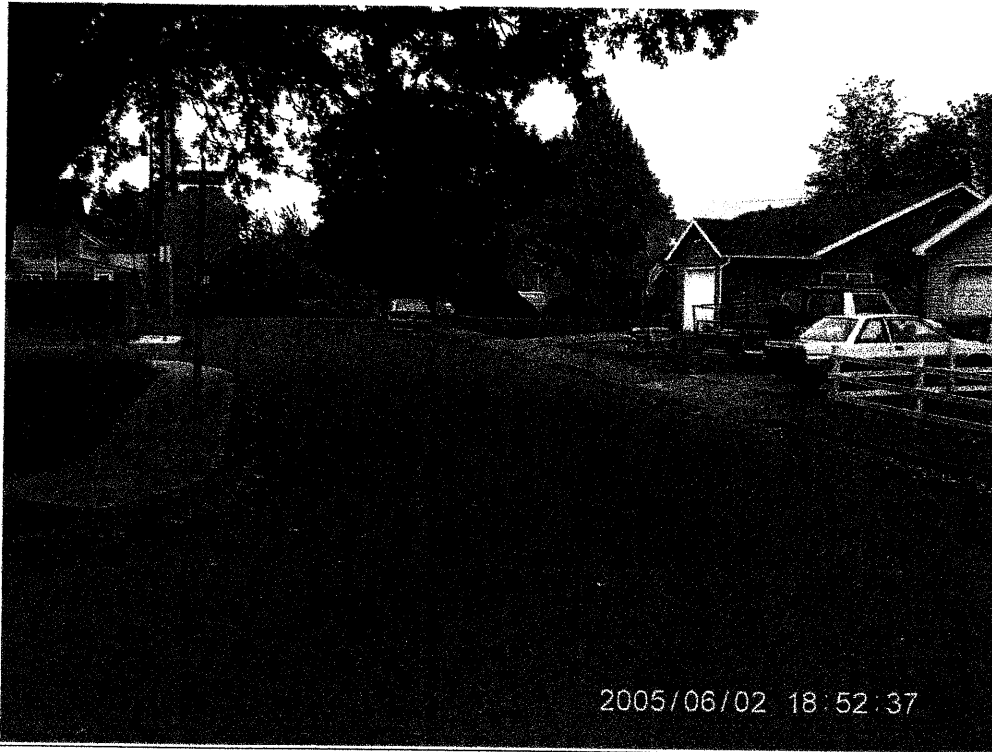
**EXHIBIT 4: SW 3<sup>rd</sup> and S Fir at evening**



**Figure 1: SW 3rd from Elm - On-street parking isn't near capacity**

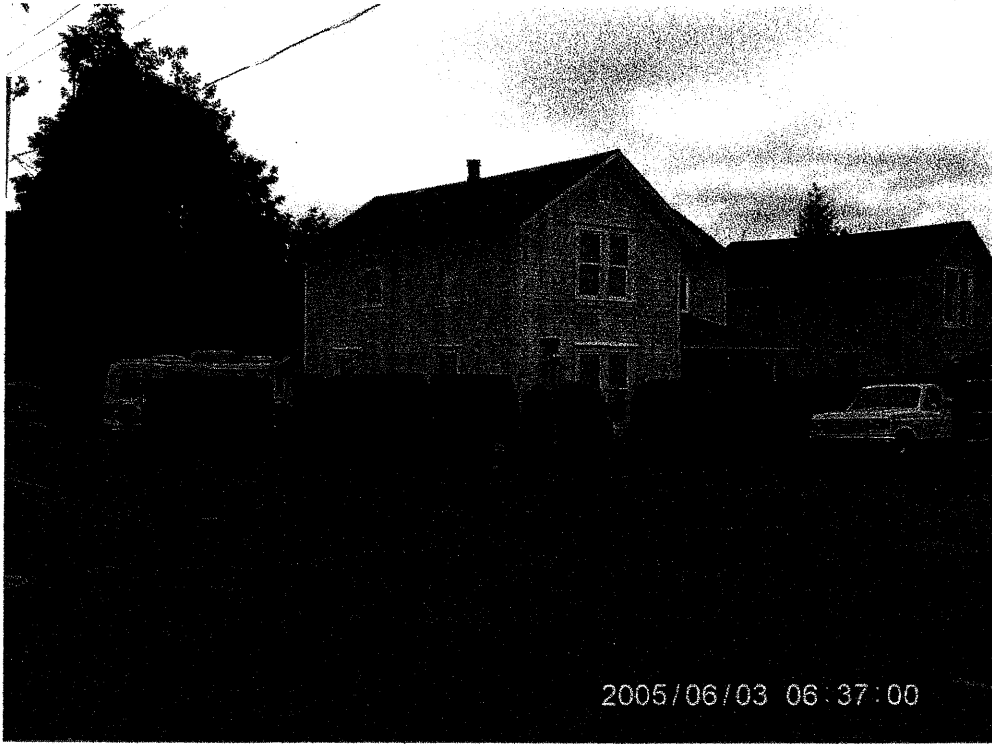


**Figure 2: SW 3rd looking west towards Elm - On-street parking isn't near capacity**



**Figure 3: S Fir St from SW 4th - On-street parking isn't near capacity**

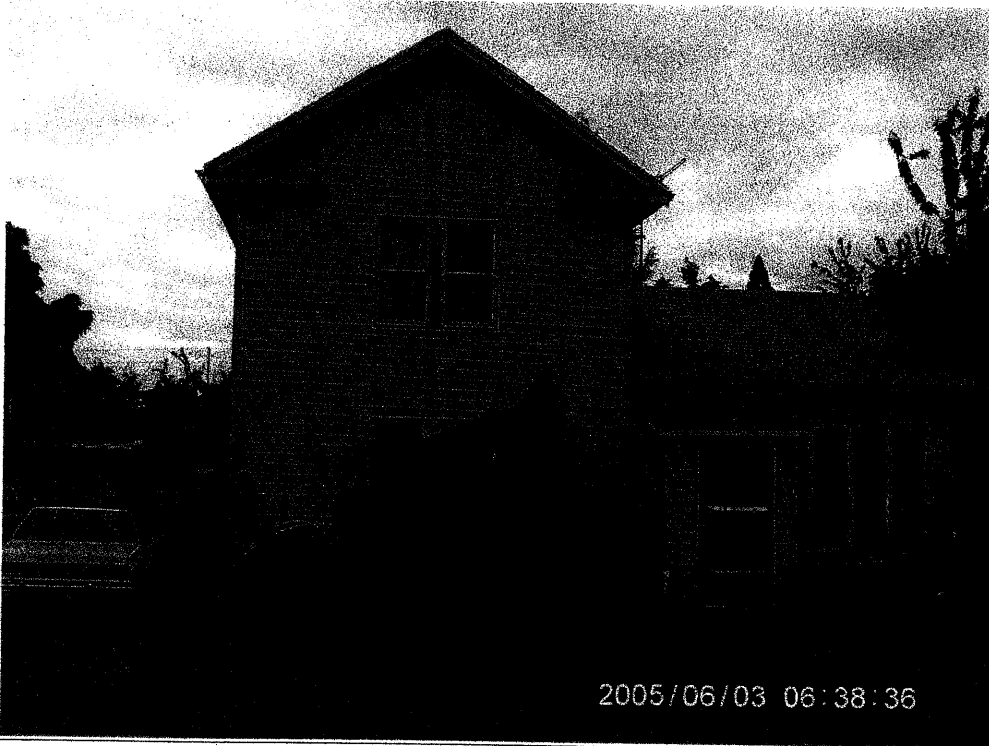
**EXHIBIT 5: SW 3rd parking opportunities**



**Figure 1: 494 SW 3rd: 2 non-operating vehicles, large motor home, boat, truck on parking pad, SUV and work truck on-street**



**Figure 2: 480 SW 3rd; non-operating truck on parking pad, car on street; three off-street parking places**



**Figure 3: 462 SW 3rd; car and non-operating truck on parking pad; two off-street parking places**



**Figure 4: 497 SW 3<sup>rd</sup>; two vehicles on-street with approximately 60 feet on-street parking on SW 3<sup>rd</sup>, 210 feet on S Elm, and 60 feet on SW 4<sup>th</sup>; double wide garage used for storage**



**EXHIBIT 6: S Fir parking opportunities**



**Figure 1: 354 S Fir St; truck using on-street parking while four off-street parking places are available**

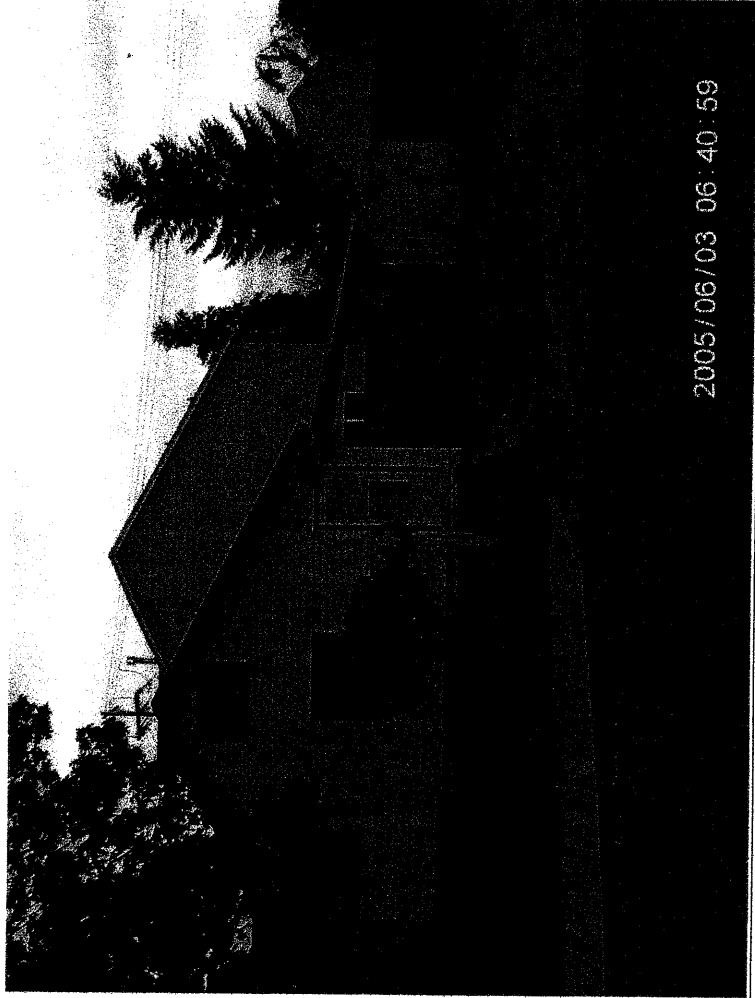


**Figure 2: 354 S Fir St; adequate off-street parking, trailer and canopy in third and fourth parking places**



2005/06/03 06:40:42

**Figure 3: 380 S Fir St; adequate off-street parking, trailer in third parking place**



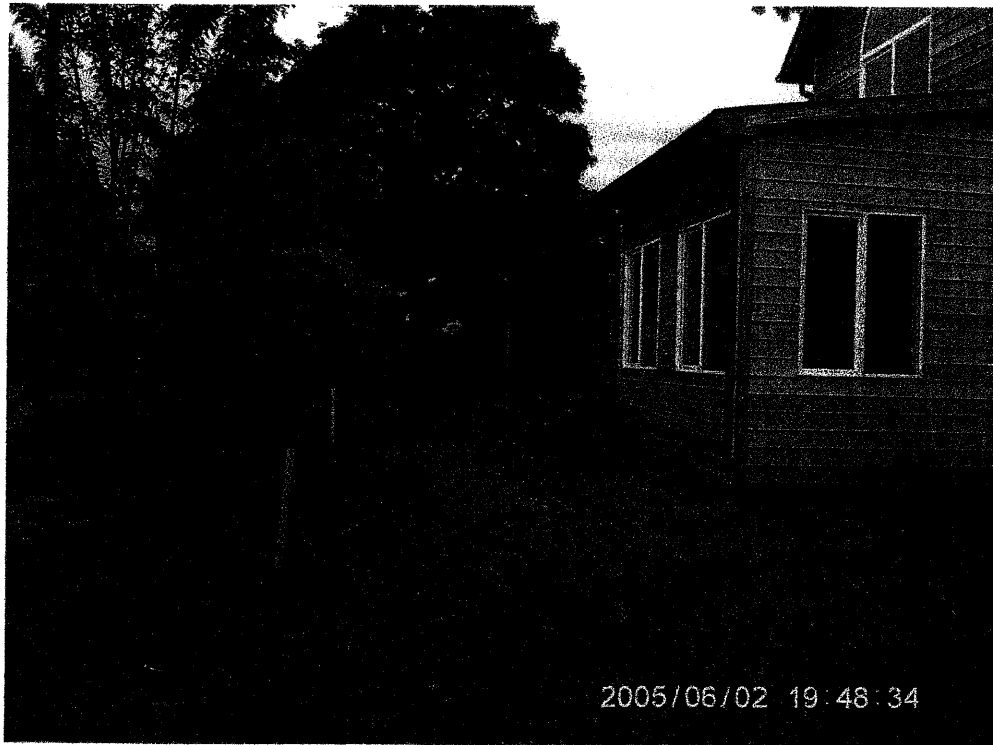
2005/06/03 06:40:59

**Figure 4: 464 SW 4<sup>th</sup> (vehicle access on S Fir); adequate off-street parking with potential to expand; partitioned in 2003**

**EXHIBIT 7A: 465 SW 3rd proposed off-street**

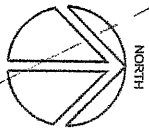
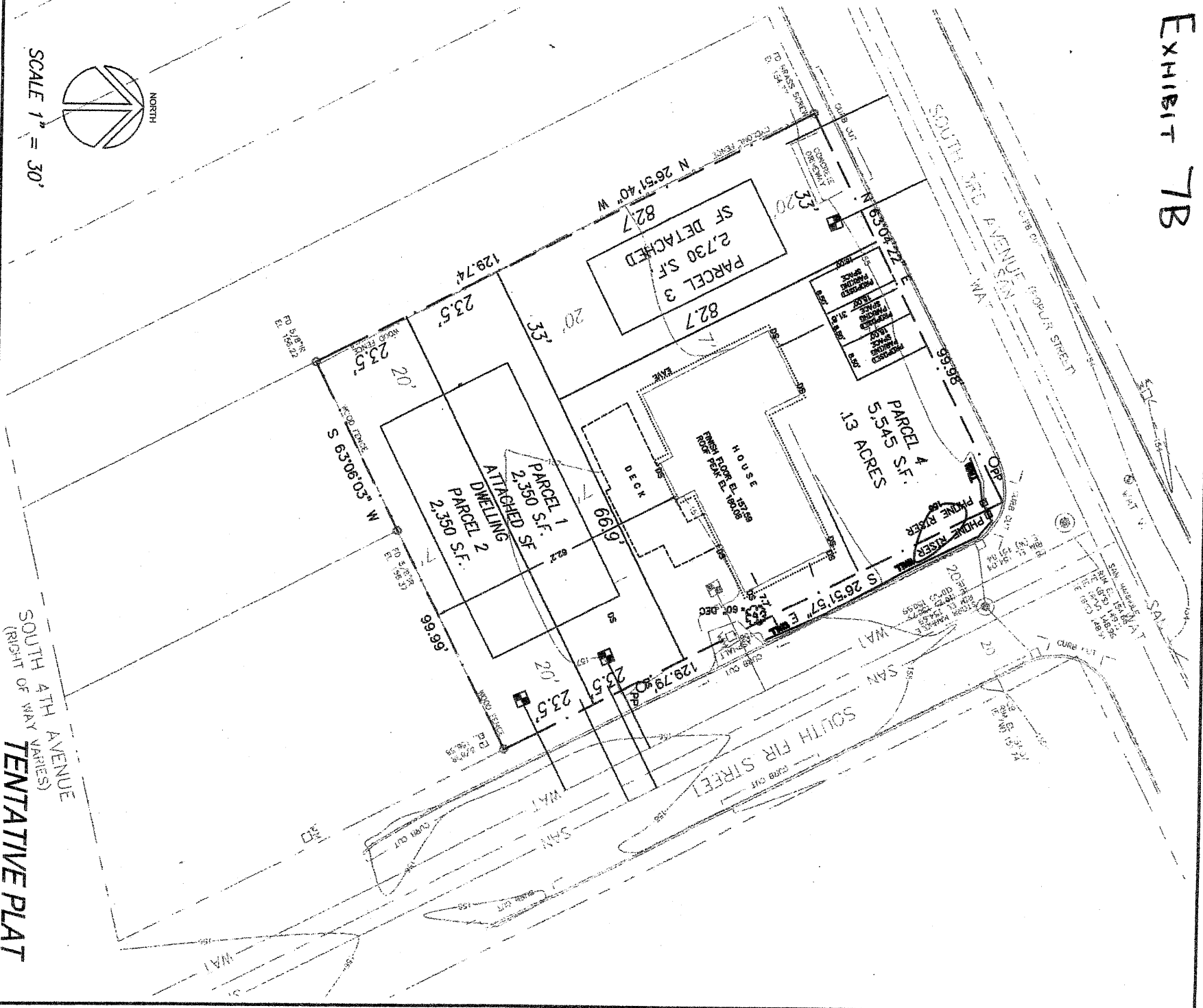


**Figure 1: Concrete off-street parking pad measuring 25'6" wide and 18' deep proposed**



**Figure 2: Over 12' of green space between house and concrete pad contributing to approximately 1,900 square feet of front yard**

# EXHIBIT 7B



SCALE 1" = 30'

**Planning Resources Inc.**  
 land use and site planning  
 7180 SW FR LOOP, Suite 201  
 Portland, OR 97239  
 Phone: 503 882-2725  
 Fax: 503 882-2745

SCALE 1" = 30'  
 DATE: MARCH 2005  
 PROJECT 05-BRI-103

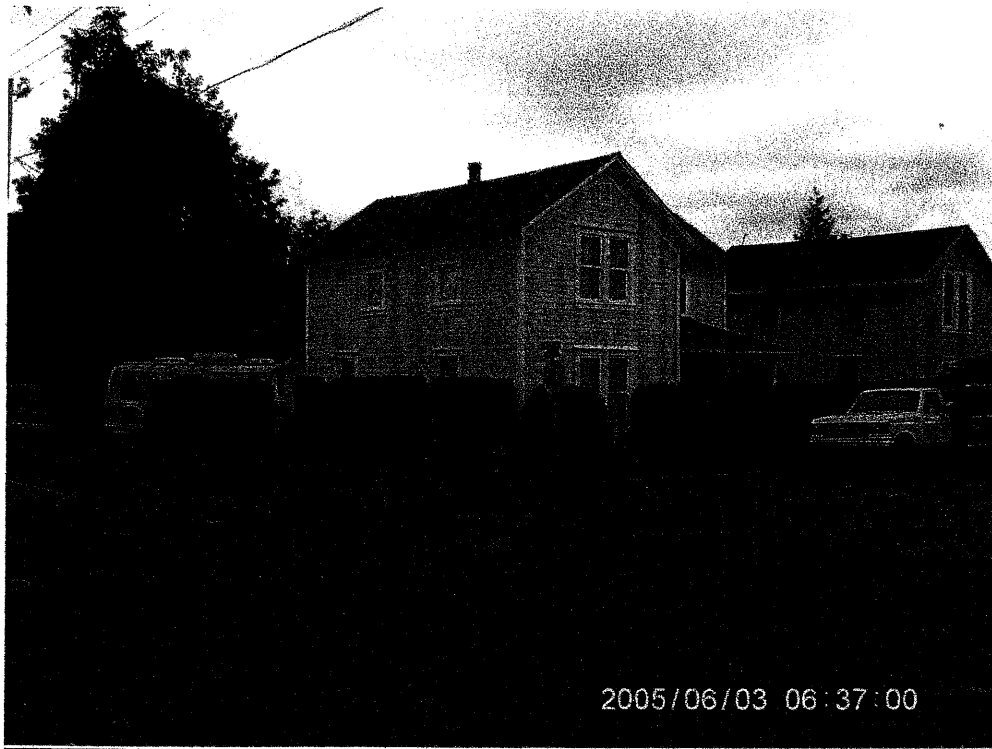
**BRISTOL SUBDIVISION**  
 465 SW 3RD AVE.  
 4-1E-484 TL 1602  
 JASON BRISTOL

SOUTH 4TH AVENUE  
 (RIGHT OF WAY VARIES)  
**TENTATIVE PLAT**

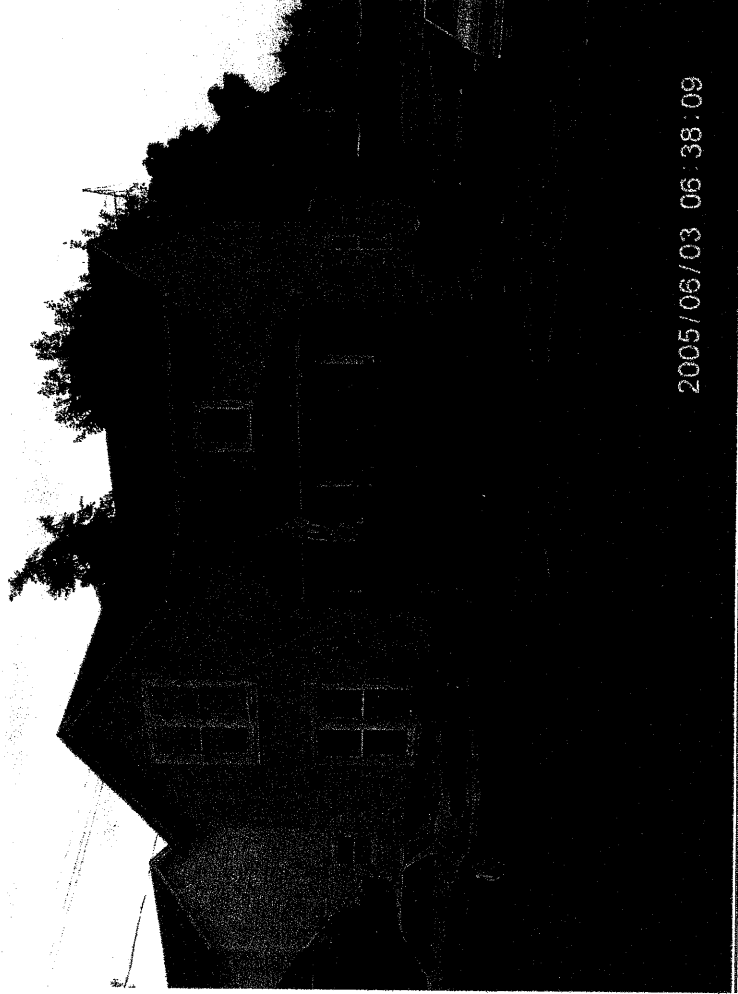
**EXHIBIT 8: Set backs and front yard details in close proximity to 465 SW 3rd**



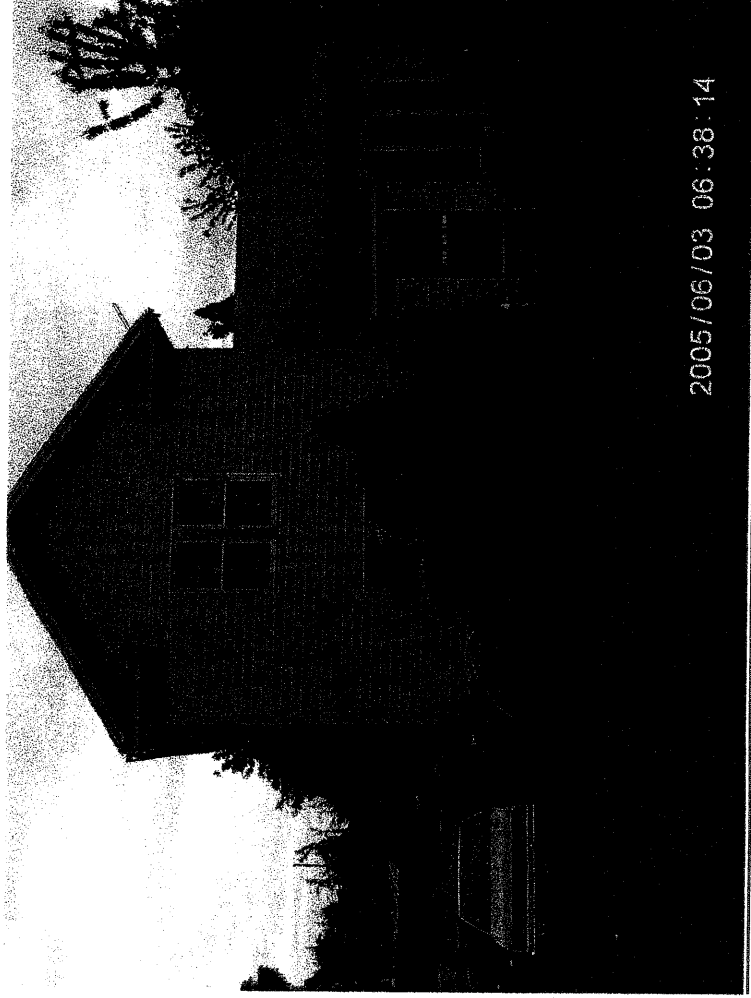
**Figure 1: 497 SW 3<sup>rd</sup>, front yard area of 1,440 square feet, west sideyard setback of 3 feet (15 feet required with current code) \***



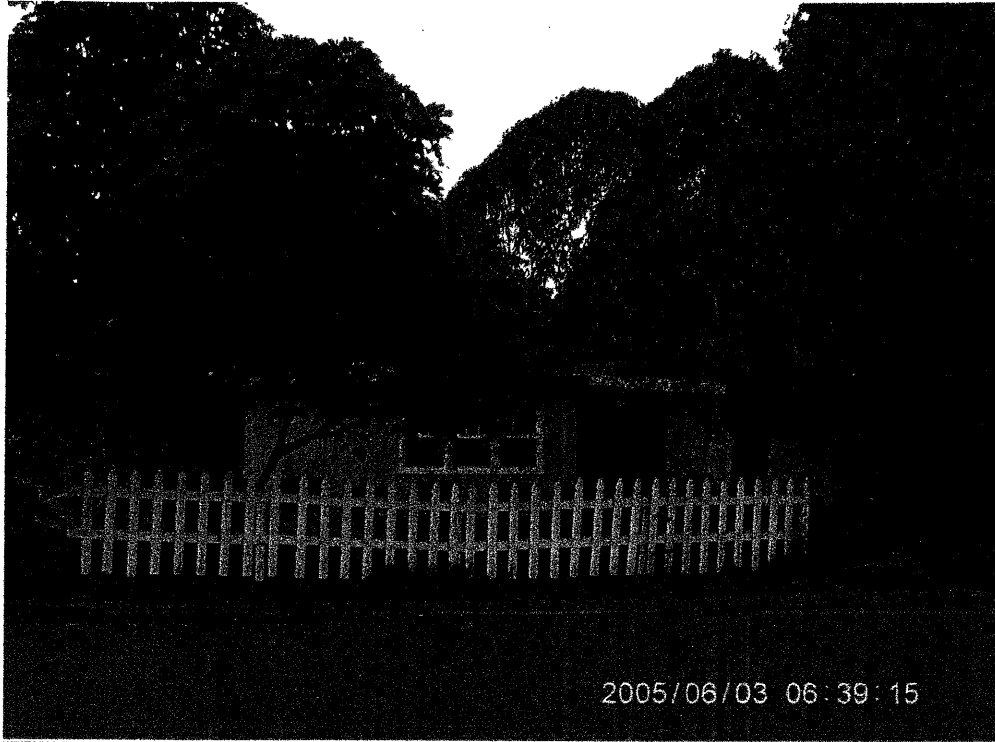
**Figure 2: 494 SW 3<sup>rd</sup>, front yard area of 540 square feet and setback of 10 feet from curb (no sidewalk), west sideyard setback of 7 feet (20 feet from sidewalk and 15 feet required with current code respectively) \***



**Figure 3: 480 SW 3<sup>rd</sup>, front yard area of 480 square feet and setback of 10 feet from curb (20 feet from sidewalk required with current code) \***



**Figure 4: 480 SW 3<sup>rd</sup>, front yard area of 500 square feet and setback of 8 feet from curb (20 feet from sidewalk required with current code) \***



**Figure 5: 432 SW 3<sup>rd</sup>, front yard area of 850 square feet, east sideyard setback of 1 foot (7 feet required with current code)**



**Figure 6: 431 SW 3<sup>rd</sup>, front yard area of 3,780 square feet, south sideyard setback of 2 feet (7 feet required with current code) \***

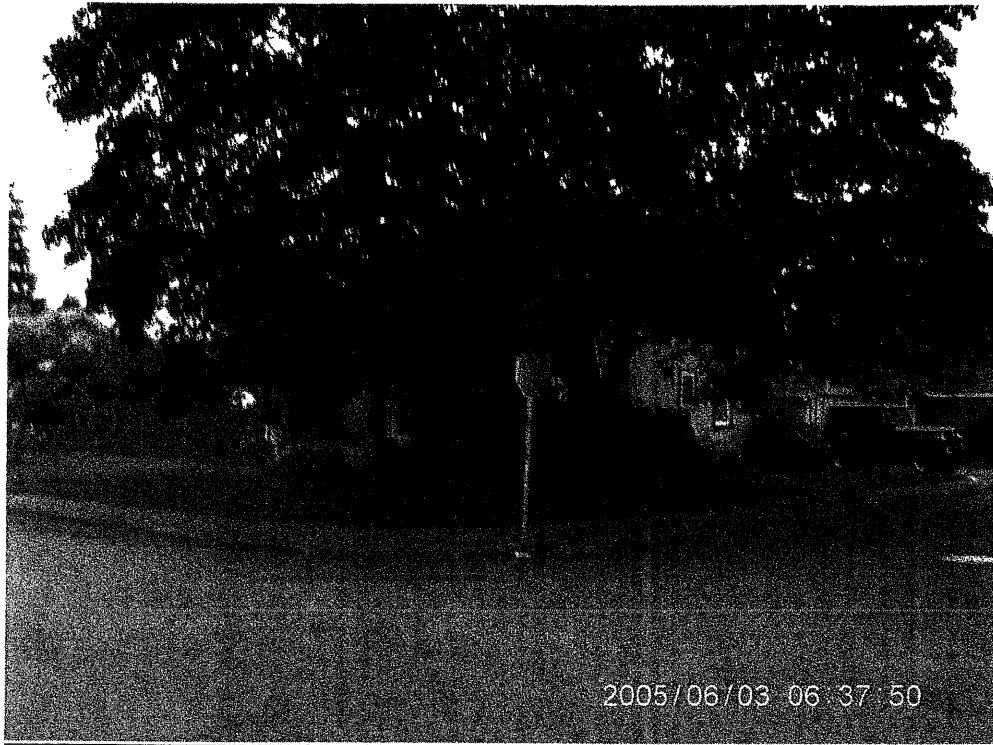


**Figure 7: 480 SW 3<sup>rd</sup>, front yard area of 425 square feet, north sideyard setback of 4 feet and south sideyard setback of 3 feet (7 feet required with current code) \***

\* Distances are approximate to not disturb homeowners



**EXHIBIT 9: 431 SW 3<sup>rd</sup>, intersection of S Fir**

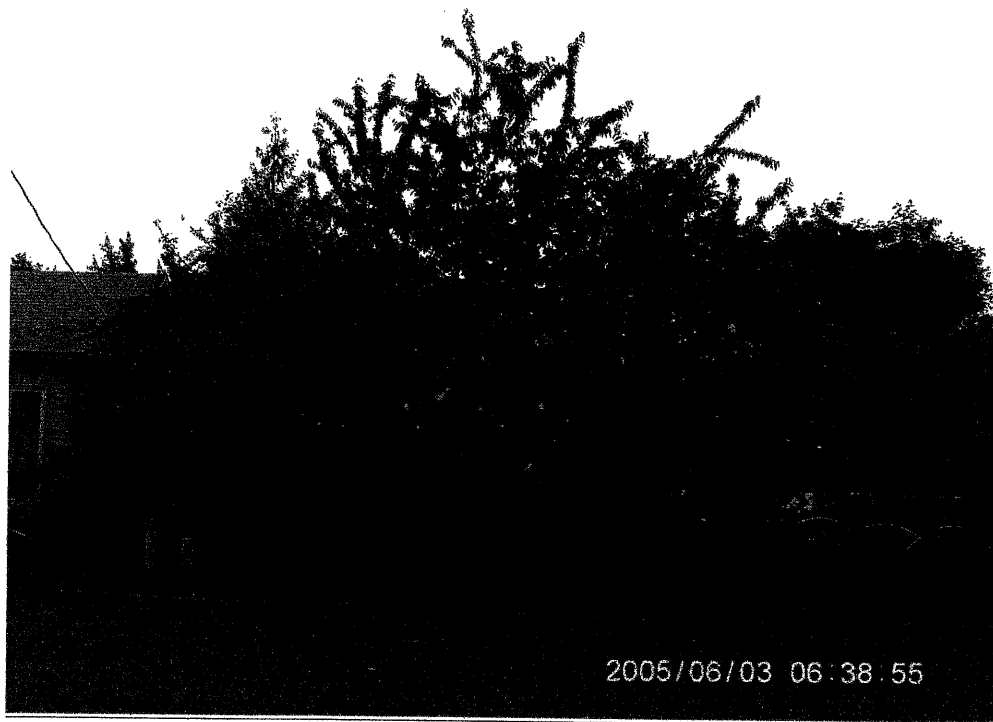


**Figure 1: On-street parking not at capacity; on-street parking of approximately 60' on S Fir and 96' on SW 3rd**



**Figure 2: On-street parking not at capacity, adequate off-street parking of three parking places**

**EXHIBIT 10: Vacant lot at intersection of SW 3<sup>rd</sup> and S Fir**



**Figure 1: Vacant lot east of 462 SW 3<sup>rd</sup> with over 50 feet of on-street parking**

ibaron, Inc.

EVENT HISTORY SUMMARY  
PRIOR EVENTS AT LOCATION

06-09-05  
12:04

#0380	05/29/05	15:24	15:29	3	TS	3B17	Y2	SW 3RD AV/S	IVY ST
#0517	05/23/05	17:35	17:47	3	TS	8B7	Y3	SW 3RD AV/S	IVY ST
0610	05/18/05	19:24	20:09	3	TS	1B16	R1	SW 3RD AV/S	IVY ST
0421	05/16/05	14:59	15:07	3	TS	8B7	Y3	SW 3RD AV/S	IVY ST
#0592	04/27/05	18:36	18:40	3	TS	4B16	Y2	SW 3RD AV/S	IVY ST
0062	03/19/05	01:49	01:52	3	TS	5B1	Y2	SW 3RD AV/S	IVY ST
0454	02/14/05	15:02	15:03	5	PRK	6B71	Y3	SW 3RD AV/S	IVY ST
#0163	02/09/05	09:11	09:14	3	TS	2B3	Y2	SW 3RD AV/S	IVY ST

TOTAL NUMBER OF RECORDS:

8 ↑

TS: TRAFFIC STOP

PRK: PARKING COMPLAINT

EXHIBIT 11A

EVENT HISTORY SUMMARY  
PRIOR EVENTS AT LOCATION

06-10-05

14:40

\*\*\*\*\*

ROUTED FROM: TERM: DM62 OPER: SQUAD

#0096	05/18/05	07:35	07:38	3	TS	2B17	Y2	S FIR ST/SW 4TH AV
0125	05/17/05	07:41	07:42	3	TS	2B7	Y2	S FIR ST/SW 4TH AV
#0286	04/19/05	11:59	12:12	2	SSC	2B95	X1	S FIR ST/SW 4TH AV

TOTAL NUMBER OF RECORDS:

3 ↑

TS: TRAFFIC STOP

SSC: SUSPICIOUS

CIRCUMSTANCE

EXHIBIT 11B

**EXHIBIT 12: 8 Multi-family structures within one block of 465 SW 3rd**

- Subject Property, 465 SW 3rd
- Multi-family structures within one block of subject property

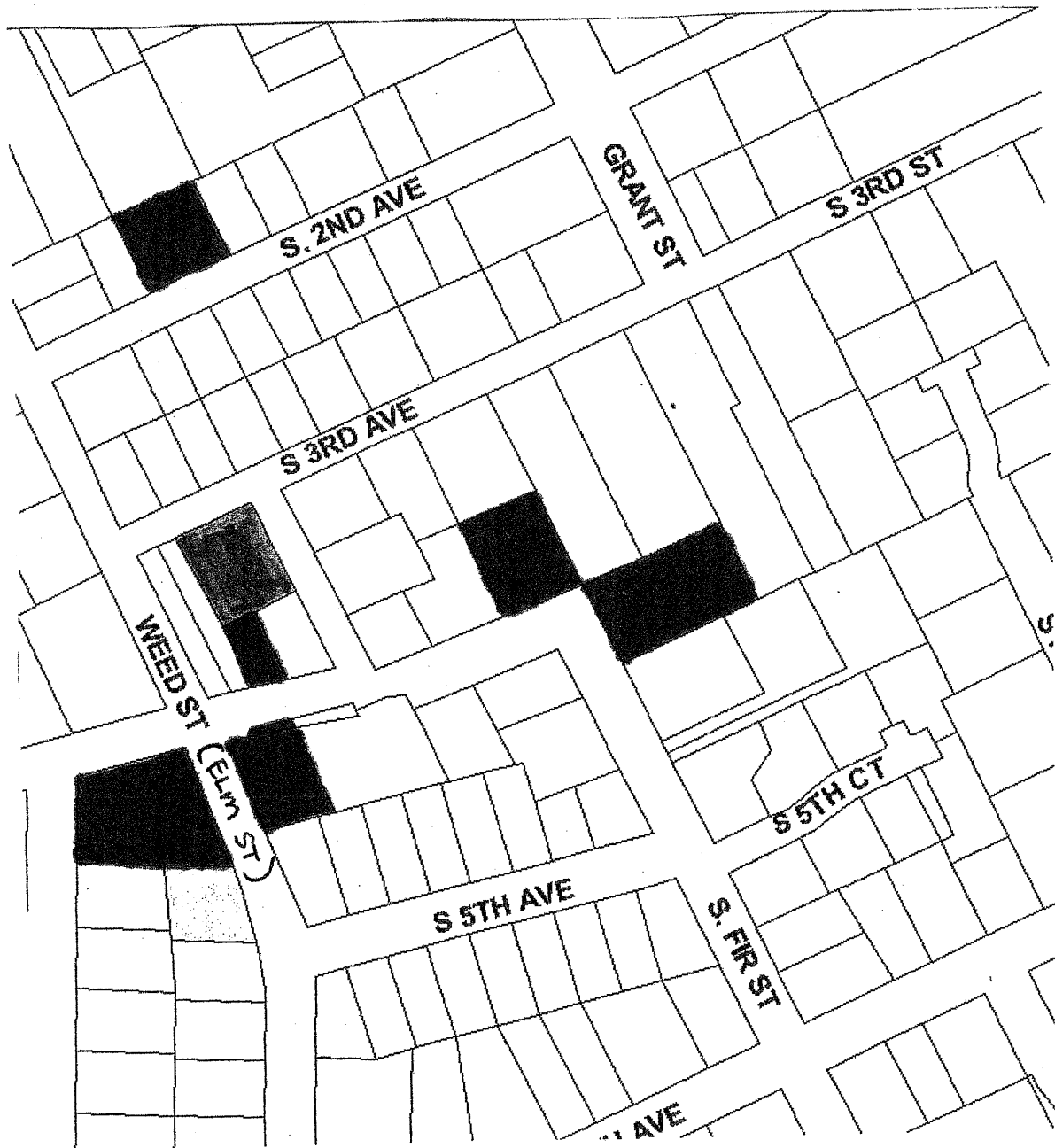


EXHIBIT 13

**COLDWELL  
BANKER**

BARBARA SUE SEAL  
PROPERTIES

489 SW 1ST AVE.  
CANBY, OR 97013  
BUS. (503) 266-6861  
FAX (503) 263-6223

June 1, 2005

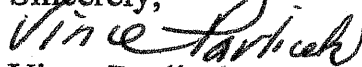
Mr. Jason Bristol  
21733 S. Hwy 99E  
Canby, OR 97013

To: Jason Bristol

In regard to your request for information about supply and demand of smaller homes on smaller lots in Canby, I researched Portland Multiple Listing Service. They show that between the ranges of \$175,000 and \$225,000 there are only three homes listed for sale in Canby. For a town of approximately 15,000 people that information indicated a very low supply for the demand we have from clients.

The property of 465 SW 3<sup>rd</sup> Ave that you are in the process of developing for possibly a new single family dwelling, new duplex or town house, and one existing remodeled home not only compliments the neighborhood housing but also answers the demand for a home in that price range on smaller lots in Canby.

Sincerely,



Vince Pavlicek

Broker

Coldwell Banker BSSP

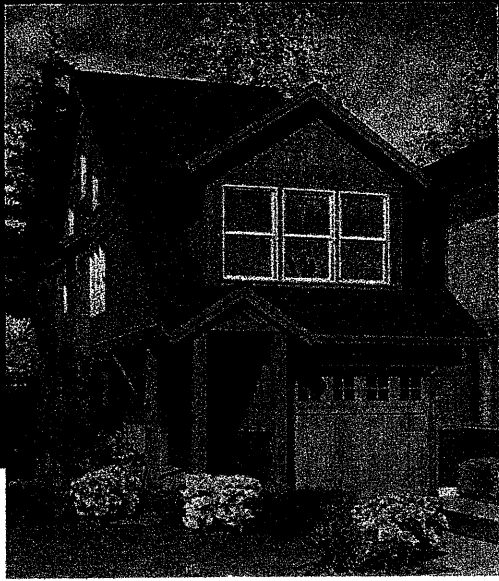
489 SW First

Canby, OR 97013

503-266-2546

# EXHIBIT 14

"...traditional, yet distinctive; an efficient use of space while not forgoing a pleasing human scale." —Mayor Vera Katz



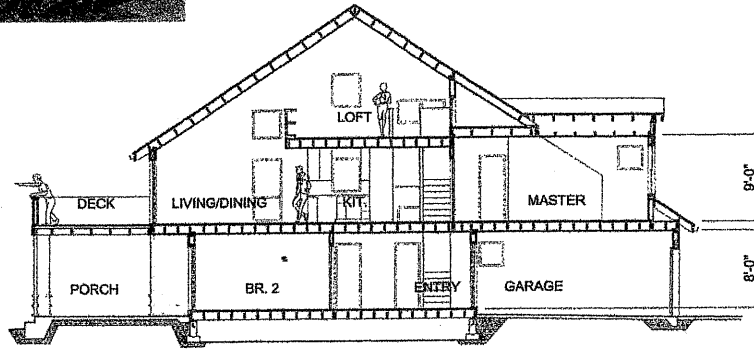
PDX 1

## KENTON

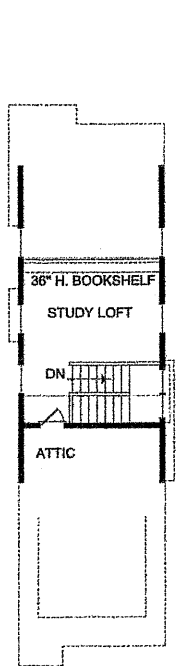
THE CONCEPT OF THIS DESIGN WAS TO BRING DOWN THE SCALE OF THE FACADE AT THE STREET, AND TO TAKE ADVANTAGE OF A THIRD FLOOR LOFT SPACE WITHIN THE 25' HEIGHT RESTRICTION BY TURNING THE MAIN RIDGE PERPENDICULAR TO THE STREET

### AREAS

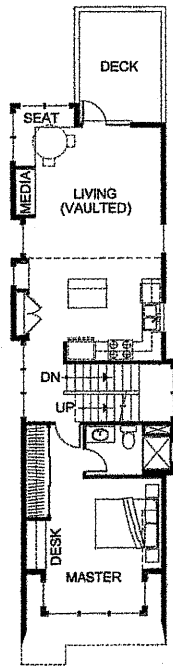
ATTIC	200 SQ. FT.
UPPER	790 SQ. FT.
MAIN	430 SQ. FT.
TOTAL	1,420 SQ. FT.
LOT COVERAGE - 972 SQ. FT.	



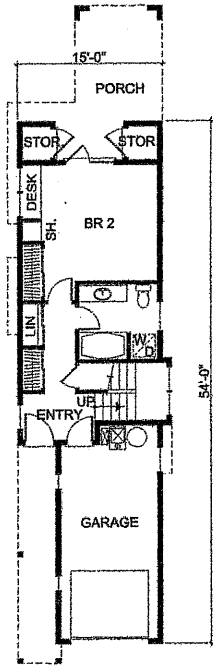
SECTION



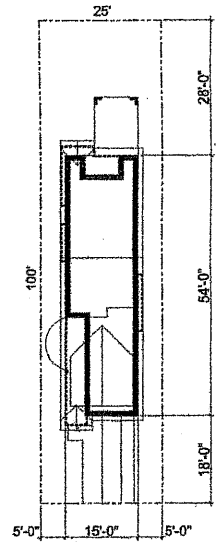
ATTIC



UPPER

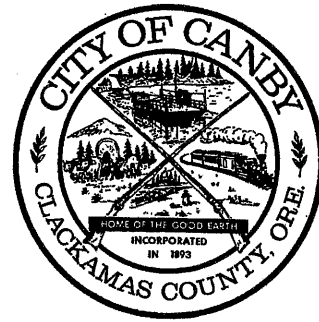


MAIN



SITE

1047201452-PV



## **- STAFF REPORT -**

**APPLICANT:**

Bruce Broetje  
PO Box 547  
Canby, OR 97013

**FILE NO.:**

DR 05-03  
(Broetje)

**OWNER:**

same

**STAFF:**

John Williams  
Community Dev. & Planning Director

**LEGAL DESCRIPTION:**

Tax Lot 1806 of Map 3-1E-34C

**DATE OF REPORT:**

June 3, 2005

**LOCATION:**

West side of S. Redwood St. between  
SE 4<sup>th</sup> Avenue and S. Township Road

**DATE OF HEARING:**

June 13, 2005

**COMP. PLAN DESIGNATION:**

Light Industrial (M-1)

**ZONING DESIGNATION:**

same

**I. APPLICANT'S REQUEST:**

The applicant is requesting site and design review approval for one 9,600 square foot industrial building. The building will be accessed via existing driveways on S. Redwood Street. This will be the sixth similar building built by Mr. Broetje on this site.



## **II. APPLICABLE REGULATIONS**

### **City of Canby General Ordinances:**

- 16.10 Off-Street Parking and Loading
- 16.32 M-1 Light Industrial Zone
- 16.42 Signs
- 16.49 Site and Design Review

## **III. MAJOR APPROVAL CRITERIA**

### **16.49.040 Site and Design Review Criteria and standards.**

1. The Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:
  - A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
  - B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
  - C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
  - D. The Board shall, in making its determination of compliance with subsections B and C above, use the following matrix to determine "compatibility." An application is considered to be "compatible," in regards to subsections B and C above, if a minimum of 65% of the total possible number of points (not including bonuses) are accumulated for the whole development.
  - E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development.
2. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this section. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.
3. The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of

such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.

4. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Section 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

### **DESIGN REVIEW MATRIX**

<b>Parking</b>			
Screening of loading facilities from public ROW [not screened /partially screened / full screening]	0	1	2
Landscaping (breaking up of expanse of asphalt)	0	1	
Parking lot lighting [no / yes]	0	1	
Location (behind the building is best)[front / side / behind]	0	1	2
Number of parking spaces (% of min.) [x>120% / 100%-120% / x=100%]	0	1	2

<b>Signs</b>			
Dimensional size of sign (% of maximum permitted) [x>75% / 50% - 75% / x<50%]	0	1	2
Similarity of sign color to building color [no / some / yes]	0	1	2
Pole sign [yes / no]	0	1	
Location of sign [x>25' from driveway entrance / within 25' of entrance]	0	1	

<b>Traffic</b>			
Distance of access to intersection [x<70' / 70'-100' / x>100']	0	1	2
Access drive width (% of minimum) [x<120% or x>150% / 120%-150%]	0	1	
Pedestrian access from public sidewalk to bldg. [1 entrance connected / all entrances connected]	0		2
Pedestrian access from parking lot to building [No walkways / Walkway next to bldg / No more than one undesignated crossing of access drive and no need to traverse length of access drive]	0	1	2

<b>Building Appearance</b>			
Style (architecture) [not similar - similar to surrounding]	0	1	2
Color (subdued and similar is better) [neither/similar or subdued/similar & subdued]	0	1	2
Material [concrete or wood or brick is better]	0	1	
Size (smaller is better) [over 20,000 s.f. / under 20,000 s.f.]	0	1	

Tree Retention				
For trees outside of the building footprint and parking/access areas ( 3 or more trees) [No arborist report / follows <50% of arborist recommendation / follows 50%-75% of arborist rec. / follows 75% of arborist rec.]	0	1	2	3
Replacement of trees removed that were recommended for retention [x<50% / x>50%]	0	1		

Types of Landscaping			
# of non-required trees [x<1 per 500 sf of landscaping / 1 or more per 500 sf of landscaping]	0	1	
Amount of Grass [ <25% / 25% - 50% / x>50%]	0	1	2
Location of shrubs [foreground / background]	0	1	
Automatic Irrigation) [no / yes]	0		4

Bonus Points		
2 or more trees at least 3" in caliper	1	2
Park/open space retention for public use	1	2
Trash receptacle screening	1	

#### IV. FINDINGS:

##### A. Background and Relationships:

Mr. Broetje's property (actually two tax lots) currently has one existing industrial building, another under construction, and a single family home (which will remain at this time). The site and all surrounding properties are zoned M-1, Light Industrial. To the north is another property owned by Mr. Broetje, containing three 10,000 square foot industrial buildings (called out as buildings 1, 2, and 3). To the west is Wade Smith's Canby RV & Boat Storage facility, and on the south is an existing woodworking business. The Canby Disposal site is located directly across the street to the east.

The proposed building will be very similar in size and design to existing buildings 1, 2, 3, 4, and the new building 5. The Planning Commission reviewed and approved buildings 4 and 5 in 2000, and the present application is very similar.

##### B. Evaluation Regarding Site and Design Review Approval Criteria

###### *Design Review Matrix Analysis*

###### 1. Parking

The new building will share a common parking area with buildings 4 and 5, plus the new building will have a small parking area at its main entrance directly off Redwood Street. 37 spaces are required and 38 are proposed.

The standard conditions relating to handicapped parking and wheel stops are recommended (conditions 5 and 9). Two bicycle parking spaces are required for the new building, as required by condition 8.

## **2. Traffic/Access**

No traffic study is required for this project. The proposed buildings will use the existing accesses off of S. Redwood Street. Driveways and accesses are existing, as are all required easements between Mr. Broetje's two parcels.

## **3. Signs**

No signage has been proposed, although each building would be allowed 300 square feet. Future signage should be reviewed by the Planning Commission (recommended condition 15).

## **4. Lot Landscaping standards and Tree Retention**

The landscaping plan simply includes grass and trees. The Planning Commission approved a landscaping plan for the property in 2000 that will be extended to surround this building. A detailed landscaping plan will be required on the building permit application (recommended conditions 3 and 4). Irrigation will be provided using an existing well. Canby Utility's water department has previously noted that separation will be required between this system and their municipal water lines. This is restated as recommended condition 16.

## **5. Building Appearance**

The building is very basic with little ornamentation. However, it is similar to other buildings in the area that were previously approved by the Planning Commission. Colors and materials will be similar to Mr. Broetje's existing buildings.

### **Compatibility Matrix**

Five of the six sections of the Design Review Matrix apply to this application. The proposed application receives, in staff's determination, a total of 21 points out of a total possible of 28 points, or 75 percent. The minimum percentage required to be considered "compatible" is 65 percent, so this proposal is considered to be compatible. Following is staff's determination of the point totals.

<b><u>CRITERIA</u></b>	<b><u>PTS/ POSS</u></b>	<b><u>NOTES</u></b>
<b>Parking</b>		
Screening of loading facilities	2/2	Both doors not seen from ROW.
Parking lot landscaping	0/1	Landscaping mostly on perimeter.
Parking lot lighting	0/1	Information not provided.
Location of parking	2/2	Most parking screened from ROW.

Number of parking spaces	1/2	103% of requirement will be provided.
<b>Traffic</b>		
Distance of access to intersection	2/2	Existing driveway meets criteria.
Access drive width	1/1	New driveway 24' wide
Pedestrian access from public sidewalk	0/2	No interior sidewalks.
Pedestrian access from parking lot to building	0/2	No interior sidewalks.
<b>Signs</b>		
Dimensional size of sign	n/a	No signage proposed
Similarity of sign to building	n/a	"
Pole sign	n/a	"
Location of sign	n/a	"
<b>Tree Retention</b>		
Tree retention	n/a	No arborist report.
Replacement of trees	n/a	No arborist report.
<b>Building Appearance</b>		
Style	2/2	Similar to neighboring industrial uses.
Color	2/2	The colors are subdued and similar.
Material	0/1	Metal building.
Size	1/1	Buildings under 20,000 square feet.
<b>Types of Landscaping</b>		
# of non-required trees	1/1	Well over requirement.
Amount of grass	2/2	Most landscaping area will be lawn.
Location of Shrubs	n/a	No shrubs proposed.
Automatic Irrigation	4/4	Automatic irrigation proposed.
<b>Bonus Points</b>		
2 or more trees 3" or more	0	No new trees over 3"
Trash Receptacle Screening	1	Will use existing.
Park/Open Space	0	No open space provided.

**6. Availability of Adequate Public Facilities and Services**

Utility providers had no comments on this application. All utilities and services are existing, as are driveways. The standard utility conditions are contained in recommended conditions 1, 2, 7, and 11.

**8. Development Standards**

Maximum lot coverage, setbacks, building height, and vision clearance requirements for the Light Industrial zone have been met.

**V. CONCLUSION**

Staff concludes that, with conditions, the application will meet the requirements for site and design review approval. In direct response to the criteria for site and design review, staff has concluded the following:

- 1A. The proposed development of the site is consistent with the applicable standards and requirements of the Canby Municipal Code and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
- 1B. The proposed design of the development is compatible with the design of other development in the vicinity; and
- 1C. The location, design, size, color, and materials of the exteriors of structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity; and
- 1D. The proposal is deemed compatible given that staff allocated a percentage of 75% on the design review matrix when 65% is considered compatible; and
- 1E. All required public facilities and services exist or can be made available to adequately meet the needs of the proposed development.
2. Public utility and service providers have indicated that the existing proposal can be made to comply with applicable standards.
3. The proposed development will not increase the cost of housing in Canby.
4. The property owner is not applying to remove street trees.

## **VI. RECOMMENDATION:**

Based upon the application, elevations, the site plan received by the City, the facts, findings and conclusions of this report, and without the benefit of a public hearing, staff recommends that the Planning Commission approve DR 05-03 with the following conditions:

### **Prior to City Review of a Building Permit Application:**

1. The design, location, and planned installation of all utilities, including but not limited to water, fire protection, electric, sanitary sewer, natural gas, telephone, and cable television shall be approved by the appropriate utility provider.
2. A pre-construction conference shall be held prior to construction and issuance of any building permit. Copies of the pre-construction plans shall be given to the City for review and approval by all required utility providers prior to the pre-construction conference. The construction plans shall include, as appropriate, the plans for street design, storm water, sewer, water, fire hydrants, electric, cable, telephone, natural gas, street lights, and mail boxes.

### **To be shown on plans submitted with the Building Permit Application:**

3. A detailed landscape construction plan shall be submitted with the building permit application. The detailed landscape plan shall show: the number of plants, plant spacing/location of planting, the type of plants, the size of plants, the schedule of planting, and automatic irrigation plans. The landscape plan shall reflect the approved landscape plan submitted with the Design Review application.

4. The landscaping shall be planted at such a density so as to provide a minimum of 95% coverage of the landscape areas with vegetation, within a 3-year time period. Bark mulch and similar material shall consist of not more than 5% of the total landscape area after the 3-year period. The plant spacing and starting plant sizes shall meet the ODOT plant spacing/starting size standards. New trees are to be a minimum of 2" caliper.
5. Wheel stops are required except in areas where sidewalks are at least 8 feet in width and in areas where landscaping within 2 feet of the curb is limited to groundcover and will not be damaged by vehicle overhangs. Wheel stops shall be provided for all parking spaces located adjacent to landscaping or walkways that do not meet the above criteria. The wheel stops shall be placed two (2) feet in front of the end of the space.
6. All interior sidewalks and accessways shall be a minimum of five (5) feet in width.
7. If necessary, recorded easements on the property shall be approved for vacation by appropriate utility providers and new easements recorded to the utility providers' specifications.
8. 2 bicycle parking spaces shall be provided for this building. Bicycle parking spaces shall meet the requirements of CMC 16.10.100.
9. Handicapped parking spaces shall be provided as required by the state building code and shall be shown on the building permit application.

**During Construction:**

10. Erosion control during construction shall be provided by following Clackamas County's Erosion Control measures. Any grading and fill conducted on the site shall comply with City and County regulations.
11. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
12. All storm water shall be disposed of on-site. The design of stormwater facilities shall be approved by the City Engineer and Public Works Supervisor. The applicant is responsible for obtaining approval from DEQ, if necessary, for private drywells.
13. ADA Ramps shall be provided as required by the Public Works Supervisor.
14. Site lighting shall be "hooded" to project light downward.
15. Proposed signage for this site falling under the sign code shall be reviewed by the Planning Commission as a new business item.

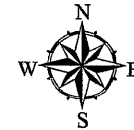
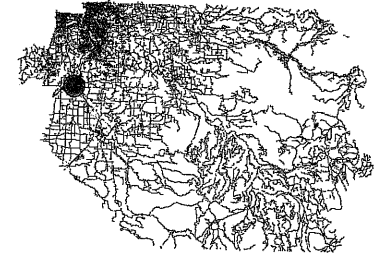
16. Separation is required between Canby Utility's potable water lines and any on-site irrigation lines per applicable rules and requirements such as those of the Oregon Health Division.

Exhibits:

1. Vicinity Map
2. Site and design review application
3. Narrative
4. Site plan & elevations



# DR 05-03 Vicinity Map



*Clackamas  
County*

Geographic Information Systems  
121 Library Court  
Oregon City, OR 97045

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

June 17, 2005 04:31 PM



**SITE AND DESIGN REVIEW APPLICATION**

FEE \*See Fee Schedule Below  
Process Type III

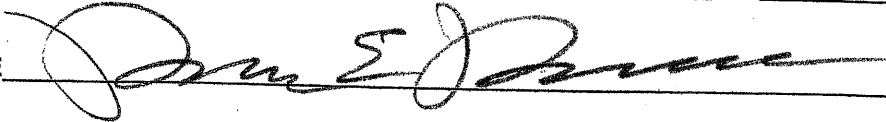
**OWNER**

**APPLICANT\*\***

Name Bruce Bractie  
Address P.O. Box 547  
City Canby State Ore Zip 97013  
Phone 351-6949 Fax 266-8823

Name Same  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_

**OWNERS SIGNATURE**



**DESCRIPTION OF PROPERTY:**

Address 411 S Redwood (431)  
Tax Map 31 E Tax Lot(s) 34 C Lot Size 1806  
(Acres/Sq/Ft.)  
Existing Use Light Industrial  
Proposed Use Light Industrial  
Existing Structures Process of Removal  
ZONING Light Ind COMPREHENSIVE PLAN DESIGNATION \_\_\_\_\_  
PREVIOUS LAND USE ACTION (if any) Residential - Farm

**Total Fee =** Size Component (based on acreage)  
+ Public Improvement Component

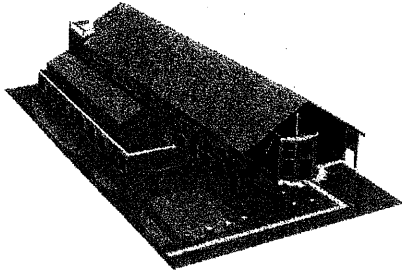
**Size Component**  
\$1,500 first 0.5 acres  
\$100 for each additional 0.1 acres  
from 0.5 acres up to 2.5 acres  
\$100 for each additional 0.5 acres  
from 2.5 acres up to 8.0 acres  
\$100 for each additional 1.0 acres  
from 8.0 acres up to 13 acres  
\$5,000 Maximum for 13 acres and above

**Public Improvements Component**  
0.3% of total estimated public improvement  
cost (to be submitted with design review)

**FOR CITY USE ONLY**

File # DR 05-03  
Receipt # \_\_\_\_\_  
Date Received 4-26-05 By cja  
Completeness Date \_\_\_\_\_  
Pre-Ap Meeting \_\_\_\_\_  
Hearing Date \_\_\_\_\_

\*\*If the applicant is not the property owner, they must attach documentary evidence of their authority to act as agent in making this application.



## *Broetje Properties LLC*

*PO BOX 547, CANBY, OR 97013  
Phone # (503) 266-5076 Fax # (503) 266-8823  
or (503) 351-6949*

April 27, 2005

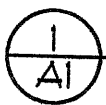
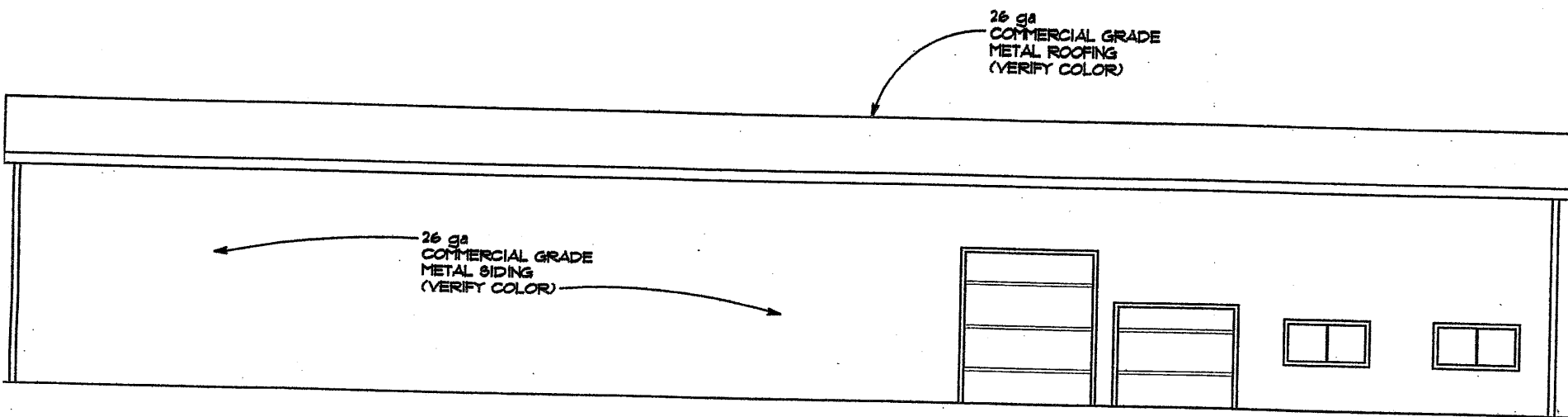
Building Department  
City of Canby

Re: Broetje Building at 411 S. Redwood

I am removing a farm shed from the existing property to allow for the erection of a new office and maintenance facility to operate, maintain and complete the buildings and grounds for our small industrial park. For details refer to submitted print. The total facility will consist of six buildings and the original house. All landscaping is already complete except for a small lawn in front of the new building. The parking is more than required.

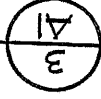
BROETJE PROPERTIES LLC

  
Bruce E. Broetje



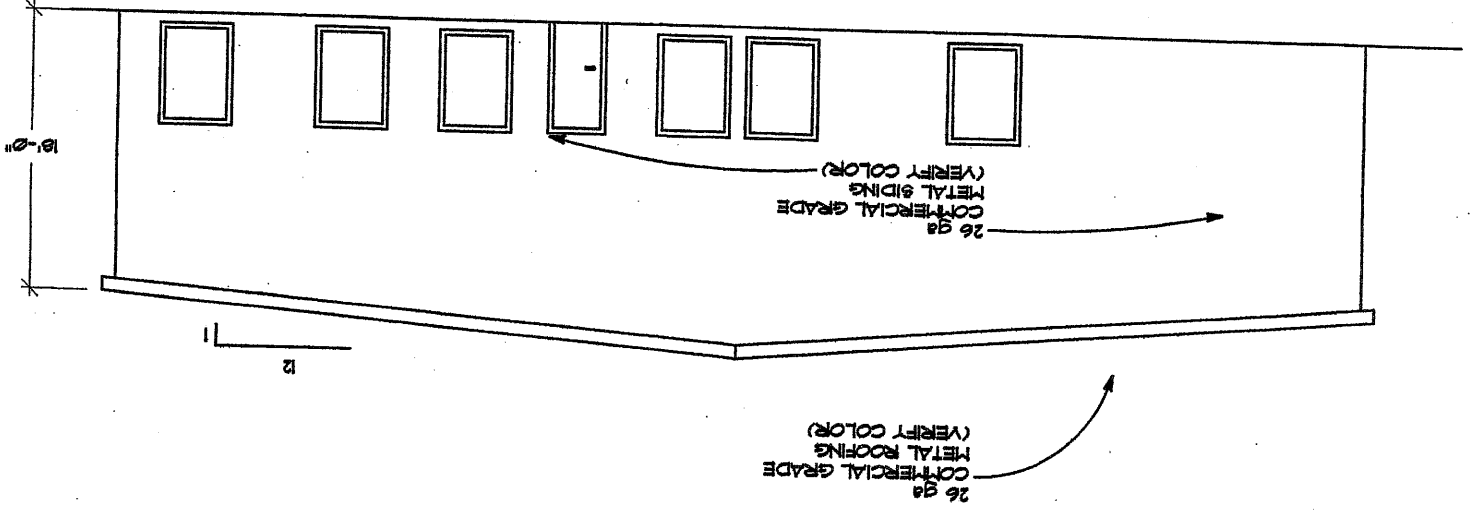
BUILDING 6  
**WEST ELEVATION**

SCALE 1/8" = 1'-0"



BUILDING 6  
SOUTH ELEVATION

SCALE 1/8" = 1'-0"



15  
16 6

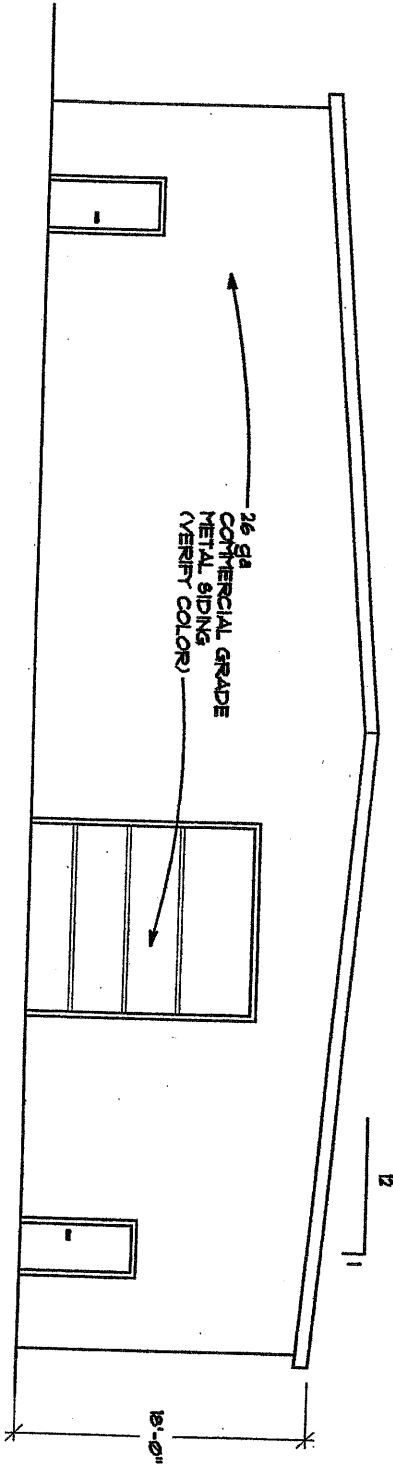
**INDEX**  
 ENGINEERING, INC.  
 222 NW SECOND STREET  
 GASTON, NC 28028  
 © 2005 INDEX ENGINEERING, INC.  
 DRAWING NUMBER

EXPIRATION DATE 12/31/06



26 GA  
COMMERCIAL GRADE  
METAL ROOFING  
(VERIFY COLOR)

26 GA  
COMMERCIAL GRADE  
METAL SIDING  
(VERIFY COLOR)



BUILDING 6  
**NORTH ELEVATION**

SCALE 1/8" = 1'-0"

4  
A1

PLOT DATE: 6/15/2005  
PLOT TIME: 15:24

CANBY INDUSTRIAL PARK BU  
Canby, Oregon  
**EXTERIOR ELEVATION**

DATE:

JUNE 16, 2005

DRAWN BY

DH/JW

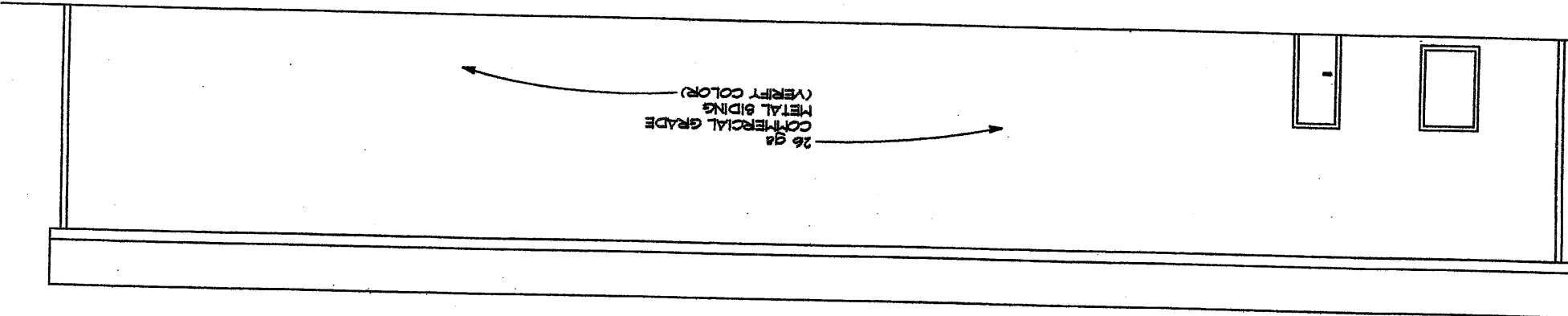
JOB NO.

**A1**



**BUILDING 6  
EAST ELEVATION**

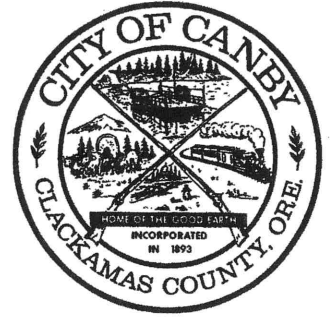
SCALE 1/8" = 1'-0"



26 GA  
COMMERCIAL GRADE  
METAL SIDING  
(VERIFY COLOR)

COMMERCIAL GRADE  
METAL ROOFING  
(VERIFY COLOR)

# MEMORANDUM



**TO:** *Planning Commission*  
**FROM:** *John W.*  
**DATE:** *June 18, 2005*

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One of the required work tasks for the City in Periodic Review was to update our Public Facilities Plan and the Comprehensive Plan sections dealing with public facilities. In 2004 staff received a grant to complete this work and retained Cogan Owens Cogan (COC) to get it done.

Matt Hastie and Steve Faust of COC have been working with city staff and staff from other agencies to review existing infrastructure plans and put everything into a consistent format meeting state guidelines. Attached you will find two draft documents – the Public Facilities Plan and the Public Facilities and Services element of the Comprehensive Plan. This latter would totally replace the existing language in the CP, most of which is over 20 years old.

We have scheduled a workshop on June 27 to allow COC to explain what they have done and allow the Planning Commission to ask questions and provide some policy suggestions if further work is needed. This will be held at **6:00 on June 27** in the conference room at City Hall. A light dinner will be served. See you then!

June 27, 2005



## City of Canby Comprehensive Plan

### DRAFT PUBLIC FACILITIES AND SERVICES ELEMENT

Like other cities, Canby must be able to provide adequate public facilities and services to support the community's growth and quality of life. To date, Canby has been successful in its efforts to adequately provide services and facilities. The community's ability to continue this trend will have a direct bearing on future growth. The community's public facilities and services are not all provided by the City. The State, the County, Canby Utility, Canby Fire District, Canby School District, private utilities, and private non-profit groups are also directly involved. This Public Facilities and Services Element is intended to realistically delineate the improvements which will be needed to accommodate the level of growth forecasted in the Plan. To do this, Canby will have to constantly strive to upgrade existing facilities and services while also finding new and, perhaps, innovative methods of meeting ever-increasing demands.

For the purposes of this Comprehensive Plan and consistent with Oregon statutes and administrative rules, this element of the Plan focuses on those facilities covered under Statewide Goal 11 (Public Facilities) and which are provided primarily by the City or in close partnership with local utilities, including the following:

- Water
- Wastewater
- Storm Drainage
- Transportation

For each of these types of services, the Plan includes policies, findings and other information related to existing conditions, future plans, identified capital improvements and financing strategies and sources. This information also is listed for parks and recreation, although this element could be incorporated in a separate section of the Comprehensive Plan in the future. Additional but less detailed information is included for several other types of public services, including fire, police, and utilities. Other facilities (e.g., permitting, building inspection and other administrative services) are not addressed in this element of the Plan.

In addition to describing existing and future planned facilities, this chapter identifies potential tools for financing future improvements. A variety of techniques has been used historically and will be used in the future to pay for new and improved facilities and to spread those costs out over time. They may include:

- *Taxes and General Funds* - Funds for some improvements are included in the annual budget of the City or special district and are funded through property or other tax

**Goal 1: To assure the adequate provision of water services to meet the needs of the residents and property owners of Canby.**

**Finding No. 1**

Canby Utility manages the delivery of water services to the City of Canby. The Molalla River Infiltration Gallery and Main River Intake facility serves as the primary water source for Canby. Water is drawn from the Molalla River, distributed through approximately 66 miles of pipe and stored in three reservoirs located with adjacent pump stations. The existing pump station is not currently sufficient to meet peak day demands. In addition, many of the pipes in the system are approaching the end of their design life.

**Policy No. 1 - Canby shall maintain, repair or replace all current water system elements to continue providing an adequate level of water services.**

**Implementation Measures:**

- A) Water treatment facilities must be upgraded to meet current needs, including the following improvements:
  - 1) Upgrade water treatment facilities.
  - 2) Repair Clearwell weld failures and compromised coatings.
  - 3) Replace and enlarge backwash ponds.
  - 4) Improve truck delivery access.
- B) Replace and repair pipes in fire flow deficient areas and areas where facilities have reached their estimated design life using a distribution system maintenance program.
- C) Capacity of the existing production pumps should be increased to meet peak day demand and improve efficiency.

**Finding No. 2**

The City of Canby and, therefore, Canby Utility's future service area are projected to include lands currently within the urban growth boundary but outside City boundaries. The population is forecasted to 22,329 residents by 2015 and 51,671 residents by 2040. Existing water system elements are inadequate to meet future water demands for these population levels. Additional water supply will be needed in the long term as current water rights on the Molalla River will not be sufficient to meet the estimated 2040 peak demand. Future service will be limited by minimum stream flow and raw water intake and delivery capacities. Alternate sources include the Willamette River and groundwater wells.

**Policy No. 2- Canby shall maintain, repair, replace and/or expand its water system to meet future adequate water service needs.**

Finding No. 1

The City of Canby collects and treats sanitary sewage through a gravity and pressurized collection system and gravity sewer lines. The collection system utilizes seven sewage pump stations. Numerous sections of sewers have been installed at relatively flat grades, including some at adverse grades. These sewers are subject to the accumulation of solids and require more frequent cleaning to prevent blockages.

Policy No. 1 - Canby shall maintain, repair or replace all current wastewater system elements to continue providing the current level of wastewater services.

Implementation Measures

- A) Replace or repair deteriorating collection systems.
- B) Improve or replace other existing facilities as needed in the future to ensure their reliability.

Finding No. 2

The City of Canby must be able to provide sewage collection and treatment to all areas within its urban growth boundary (UGB), which includes land expected to be developed over a 20 year period. Additional pump stations and system extensions will be needed to meet future needs in these developing areas.

Policy No. 2- Canby shall maintain, repair, replace or expand its wastewater system to meet future wastewater service needs.

Implementation Measures

- A) Construct new trunk and major sewers.
- B) Construct four new pump stations.
- C) Relocate, upgrade and/or expand pump stations in areas where additional capacity is needed.

Finding No. 3

The City of Canby must plan and pay for future needed wastewater facilities and services. A timeline and cost estimates should be developed for capital improvements to the wastewater system. A number of funding sources should be explored to generate the necessary revenue in a fair and logical manner.

Policy No. 3 - Canby shall adopt and periodically update a capital improvement program for major wastewater projects and utilize all feasible means of financing needed wastewater system improvements in an equitable manner.

Implementation Measures

Implementation Measures

- A) Decommission unacceptable drywells and water wells.
- B) Implement a catchbasin and drywell best management practices (BMP) plan.

Finding No. 3

The City of Canby must plan and pay for needed storm drainage facilities and services. A timeline and cost estimates should be developed for capital improvements to the storm drainage system. A number of funding sources should be explored to generate the necessary revenue in a fair and logical manner.

Policy No. 3 - Canby shall adopt and periodically update a capital improvement program for major storm drainage projects and utilize all feasible means of financing needed storm drainage system improvements in an equitable manner.

Implementation Measures

- A) Develop a Storm Drainage Master Plan that provides a capital improvement plan for the storm drainage system. The Storm Drainage Master Plan was adopted by the City in 1994. Capital improvement projects cited in the Master Plan are listed in section 3 of this Public Facilities Plan.
- B) Storm drainage user fees will be collected monthly and systems development charges (SDCs) will be assessed on development as it occurs. SDCs will be used to fund capital improvements to serve new development. User fees also will fund system operation and maintenance.

Goal 4: To assure the adequate provision of transportation services to meet the needs of the residents and property owners of Canby.

Finding No. 1

The City of Canby has a well-planned collector and arterial street system to service existing and future land development. Most of Canby's collectors and arterials have sidewalks on at least one side of the street. The majority of street intersections within the City of Canby are controlled by stop signs. State Route 99E (Pacific Highway) runs through and provides the most direct access to the City. Territorial Road forms the major east-west arterial route to the north of the City, while S. 13<sup>th</sup> Avenue is an arterial at the southern end of the City. Ivy Street (the Canby Marquam Highway) is the major north-south arterial.

Several unsignalized intersections are currently operating at or near capacity along Highway 99E. The absence of sidewalks in some areas and lack of continuity in others creates a potential safety hazard for pedestrians. The City's bicycle lane system is not

in 2000. The plan identifies short-term and long-term transportation system improvements and includes a transportation financing plan. Capital improvement projects cited in the Plan are listed in section 3 of this Public Facilities Plan.

- B) Capital improvement costs will be paid for through state, regional and local gasoline taxes, user fees, property taxes, serial levies, local sales tax, debt funding, economic development funding, economic development funding and system development charges as identified in the TSP.
- C) Explore adoption of a combined street maintenance fee/gas tax.

**Goal 5: To assure the adequate provision of parks and recreation services to meet the needs of the residents and property owners of Canby.**

Finding No. 1

The City of Canby has a variety of park and recreation facilities, as well as public spaces available to residents and visitors including two neighborhood parks, three community parks, three mini-parks, one recreation center, one swim center, one multi-use trail and two protected wetlands. The Molalla River State Park and Blue Heron Recreational District provide additional open spaces outside the city limits. There are currently 5.38 acres of city-owned parkland in Canby per 1,000 residents (developed and undeveloped parkland).

Policy No. 1 - Canby shall maintain, repair or replace all current parks system elements to continue providing an adequate level of park and recreational services.

- A) Improve the level of maintenance in current city parks and recreation facilities.
- B) Standardize park and recreation amenities for ease of maintenance and aesthetics.
- C) Improve park and recreation signage.
- D) Improve access to facilities to comply with the Americans with Disabilities Act.
- E) Improve the perceived level and actual safety of parks and recreation facilities.

Implementation Measures

Finding No. 2

Projections for this plan are based on an Urban Growth Boundary area to serve the City in 2020. A figure of 10 acres per 1,000 residents has been adopted as the City's overall park standard. Based on this park standard, Canby will need 210 acres of parkland or 141.2 acres of new parkland to serve the projected population in 2020.

Policy No. 2- Canby shall maintain, repair, replace or expand its parks system to meet future park and recreation service needs.

**Goal 6: To assure the provision of a full range of public facilities and services to meet the needs of the residents and property owners of Canby**

**Finding No. 1**

The City of Canby is only one of many entities providing essential facilities and services to the people of this community. However, as the unit of government responsible for coordinating all such activities within the corporate limits, the City must play an active part in assuring that all of the needed facilities and services are available to serve the public. This also entails a responsibility to ensure that the City's growth and development are not allowed to exceed the community's ability to provide the necessary facilities and services.

Some of the various entities providing public services and facilities in Canby include:

*Fire District #62* - The City contracts with the districts for service within the City limits. The District covers 52 square miles with a population of 32,000. In addition to fire prevention, suppression and rescue, Canby Fire provides advanced life support ambulance services and swift water rescue teams. The district has 20 employees including 13 professional fire fighters. Fire fighting and ambulance assistance is provided by local volunteers who are trained in fire suppression and emergency medical techniques.

The services provided by the Fire District appear to adequately meet Canby's needs, other than delays in response time which sometimes are caused by trains blocking City streets. As Canby continues to grow, it may be necessary to hire larger professional fire fighting and ambulance services crews with less emphasis on volunteers.

A more immediate concern is for emergency response efforts and the access problems created by trains. Due to economic constraints, it is not likely that any viable underpass or overpass will be constructed in the near future, so the possibility of constructing a fire substation on the north side of town should be seriously considered. There are no capital improvement plans at this time, with the exception of a \$29,000 hardening of the Emergency Operations Facility.

*Canby Telephone Association* - The local telephone cooperative, with about 10,000 paying customers, serves an area of approximately 85 square miles in and around Canby with voice and broadband services. The Association has a franchise agreement with the City for the provision of telecommunication and cable television services. The Association plans to provide cable television service by the end of 2005. Close coordination between the City and the Association should prove to be mutually beneficial as the community continues to grow, reducing costs for each entity in the process.

*Northwest Natural Gas* - Northwest Natural Gas provides pipeline service to much of Canby and surrounding areas. The gas company reports that no fuel shortages are

- A) Work with land developers, property owners and other service providers to ensure that adequate public facilities and services are in place to meet the needs of new residents and businesses prior to approval and/or construction of new development.
- B) To minimize the cost of providing public services and infrastructure, discourage urban development that lacks adequate public services and promote efficient use of urban and urbanizable land within the City's urban growth boundary.
- C) Support only development that is compatible with the City's ability to provide adequate public facilities and services.
- D) Prioritize the extension of water, sewer, and transportation infrastructure within the UGB, as needed.
- E) Require all properties that receive urban services to either annex to the City or enter into an agreement for future annexation when contiguous to City limits.

Finding No. 2

Financing the needed public facilities and services is expected to continue to be a challenge for the City of Canby as it implements this Comprehensive Plan. The City will have to combine all possible methods of financing in a rational and creative manner to have sufficient funds to adequately implement this Plan. This will mean not only generating a tremendous amount of revenue for public projects, but it will also mean making sure that revenue is taken from the most fair and logical sources. Where new development is to be primarily benefited by expanded facilities, it is appropriate for that development to pay the bulk of the cost. Where the whole community benefits, the whole community should share the cost of new or expanded facilities or services.

As the City is responsible for assuring the adequacy of services and facilities to new developments, it makes sense also that the City would attempt to ensure that the costs for each developer are as equitable as possible. Such equity is not only important in the interest of fairness, but can actually have beneficial impact on community growth. Effective, efficient and equitable provision and financing of such services will put all developers and citizens on a level playing field.

Policy No. 2 - Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

Implementation measures:

- A) Allow for the creation of Local Improvement Districts and Advanced Financing Districts as a means of financing needed improvements where supported by local residents.
- B) Continue to use SDCs to pay for the costs of public facilities and services needed to serve new development.

# Public Facilities Plan

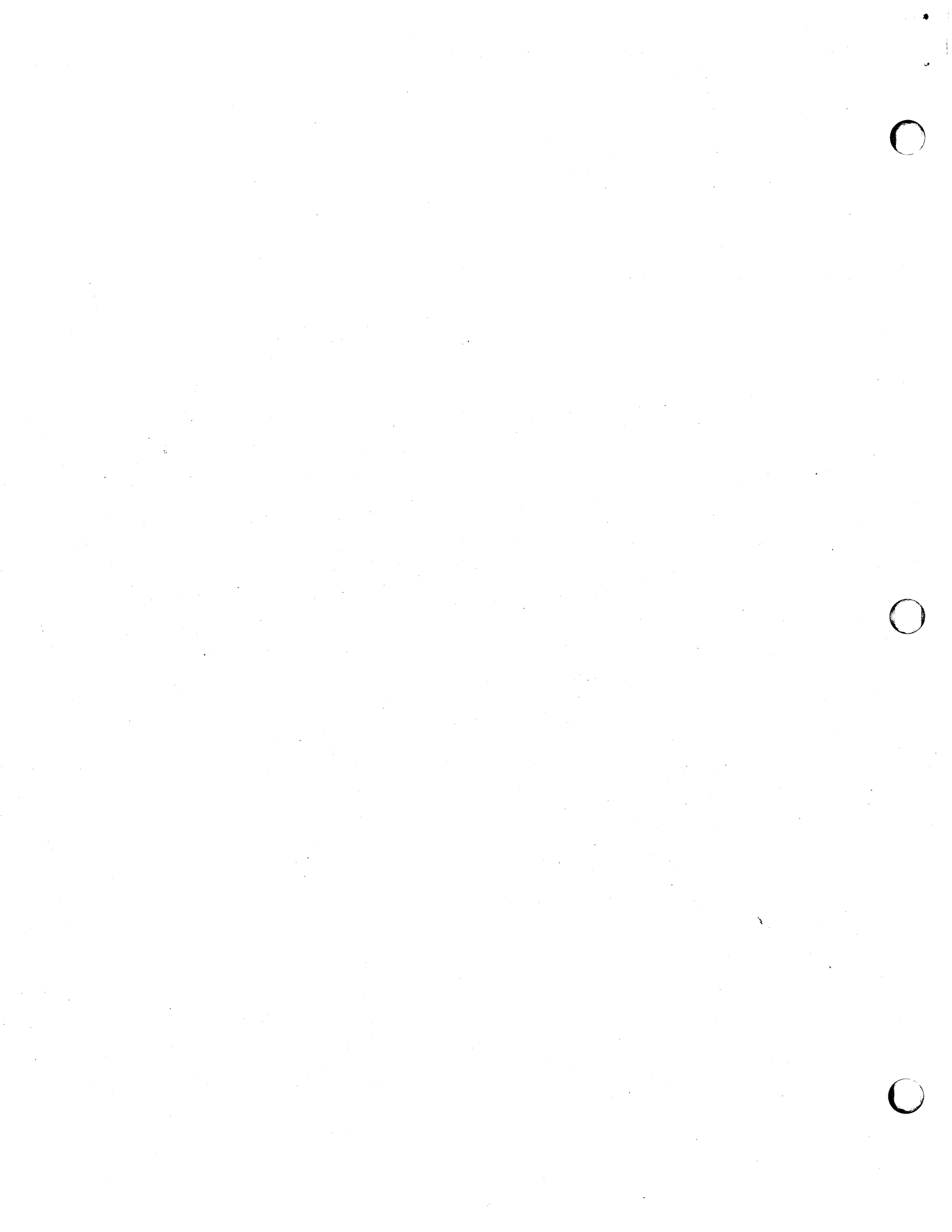
Prepared for the  
City of Canby

June, 2005



by Cogan Owens Cogan





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## 1. Purpose Statement

Oregon Administrative Rules (OAR) 660-011-0010 through OAR 660-011-0045 require cities and counties in Oregon to develop and maintain Public Facilities Plans to help assure that urban development within their boundaries is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the community, and that facilities and services are provided in a timely, orderly and efficient arrangement. Public Facilities Plans also are intended to serve as a framework for urban and rural development within a city's urban growth boundary (UGB).

The Canby Public Facilities Plan (PFP) is intended to further the purposes of Statewide Planning Goal 11. The PFP includes the following information:

- Goals and policies for incorporation in the City's Comprehensive Plan to guide planning, constructing and financing public facilities.
- Narrative descriptions of existing and planned water, wastewater, storm drainage and transportation facilities.
- Capital improvement plan for future construction of facilities. The plan contains information about all facility costs, schedule and funding sources.
- General financing plan indicating how the City plans to finance current and planned facilities and services.

It is expected that this plan will be revised in the future to reflect updates to specific master plans, significant proposals for new development within or outside the city that prompt the need for review of public facilities plans, or other similar factors or events. One of the following plan policies states that the PFP will be updated periodically as needed.

## 2. Goals and Policies

The following are policies and implementation measures recommended for inclusion in the City's Comprehensive Plan under the sections *Public Facilities and Services Element*. They are organized by general topic. These policies and implementation measures intended to be consistent with state law and existing City policies and practices, are for promoting efficient and effective provision of urban services and protecting natural resources.

**Goal 1: To assure the adequate provision of water services to meet the needs of the residents and property owners of Canby.**

**Policy No. 1 – Canby shall maintain, repair or replace all current water system elements to continue providing an adequate level of water service.**

### Implementation Measures

- A. Water treatment facilities must be upgraded to meet current needs, including the following improvements:
  - 1. Upgrade water treatment facilities.
  - 2. Repair Clearwell weld failures and compromised coatings.
  - 3. Replace and enlarge backwash ponds.
  - 4. Improve truck delivery access.
- B. Replace and repair pipes in fire flow deficient areas and areas where facilities have reached their estimated design life using a distribution system maintenance program.
- C. Capacity of the existing production pumps should be increased to meet peak day demand and improve efficiency.

**Policy No. 2 – Canby shall maintain, repair, replace and/or expand its water system to meet future adequate water service needs.**

### Implementation Measures

- A. An application for additional water rights on the Willamette River is in process and intended for industrial and electric generation needs, but may be further developed to meet peak day demand well past 2040.
- B. Several treatment facility elements must be replaced or repaired, including the following:
  - 1. Replace system generators to provide sufficient and reliable backup power.
  - 2. Develop an emergency response plan that defines improvements to increase protection in compliance with federal regulations.

C. Storage capacity must be added to the current system.

**Policy No. 3** – *Canby shall adopt and periodically update a capital improvement program for major water projects, and utilize all feasible means to finance any needed water system improvements in an equitable manner.*

Implementation Measures

A. Develop a Water Master Plan Update that provides a capital improvement plan for the water system. The Water Master Plan Update was most recently completed in 2003. Capital improvement projects cited in the Master Plan are listed in Section 3 of this Public Facilities Plan.

B. Pay for yearly pipeline costs using user fees and, when possible, use general obligation bonds to pay for large system improvements. Service Development Charges should be used to pay for system expansion needed to serve new development.

**Goal 2:** To assure the adequate provision of waste water services to meet the needs of the residents and property owners of Canby.

**Policy No. 1** – *Canby shall maintain, repair or replace existing wastewater system elements, as needed, to continue providing the current level of wastewater services.*

Implementation Measures

A. Replace or repair deteriorating collection systems.

B. Improve or replace other existing facilities as needed in the future to ensure their reliability.

**Policy No. 2** – *Canby shall maintain, repair, replace or expand its wastewater system to meet future wastewater service needs.*

Implementation Measures

A. Construct new trunk and major sewers.

B. Construct four new pump stations.

C. Relocate, upgrade and/or expand pump stations in areas where additional capacity is needed.

**Policy No. 3** – *Canby shall adopt and periodically update a capital improvement program for major wastewater projects, and utilize all feasible means of financing any needed wastewater system improvements in an equitable manner.*

Implementation Measures

- A. Develop a Wastewater Master Plan that provides a capital improvement plan for the wastewater system. The current Wastewater Collection System Master Plan was adopted by the City in 1999. Capital improvement projects included in the Master Plan are listed in section 3 of this Public Facilities Plan.
- B. Utilize user fees to pay for the operation and maintenance of existing facilities and to replace, upgrade and/or expand these facilities when necessary. Private development is expected to pay for the majority of new collection facilities through system development charges and the construction of new infrastructure.

**Goal 3: To assure the adequate provision of storm drainage services to meet the needs of the residents and property owners of Canby.**

**Policy No. 1 – *Canby shall maintain, repair or replace existing storm drainage system elements, as needed, to continue providing the current level of storm drainage services.***

Implementation Measures

- A. Purchase a regional treatment site.
- B. Provide regional treatment and monitoring facilities.
- C. Maintain, expand or replace existing local facilities as needed, to ensure they continue to function reliably.
- D. Develop standards and requirements for on-site storm drainage facilities; incorporate into City development, public facility and other ordinances.

**Policy No. 2 – *Canby shall maintain, repair, replace or expand its storm drainage system to meet future storm drainage service needs.***

Implementation Measures

- A. Decommission unacceptable drywells and water wells.
- B. Implement a catchbasin and drywell best management practices (BMP) plan.

**Policy No. 3 – *Canby shall adopt and periodically update a capital improvement program for major storm drainage projects, and utilize all feasible means of financing any needed storm drainage system improvements in an equitable manner.***

Implementation Measures

- A. Develop a Storm Drainage Master Plan that provides a capital improvement plan for the storm drainage system. The Storm Drainage Master Plan was adopted by the City in 1994. Capital improvement projects cited in the Master Plan are listed in section 3 of this Public Facilities Plan.

- B. Storm drainage user fees will be collected monthly and system development charges (SDCs) will be assessed on development as it occurs. SDCs will be used to fund capital improvements to serve new development. User fees also will fund system operation and maintenance.

**Goal 4: To assure the adequate provision of transportation services to meet the needs of the residents and property owners of Canby.**

**Policy No. 1 – Canby shall maintain, repair or replace existing transportation system elements, as needed, to continue providing an adequate level of transportation services.**

**Implementation Measures**

- A. Install new traffic signals and upgrade existing signals at several intersections.
- B. Construct or upgrade sidewalks and paths.
- C. Install bike lanes as part of future street improvements.

***Policy No. 2 - Canby shall maintain, repair, replace or expand its transportation system to meet future transportation service needs.***

**Implementation Measures**

- A. Construct, widen or otherwise upgrade arterial streets, collector streets and neighborhood connectors.
- B. Improve the intersections identified in the Transportation System Plan.
- C. Complete bicycle, pedestrian and other improvements, consistent with the City's Transportation System Plan.

***Policy No. 3 – Canby shall adopt and periodically update a capital improvement program for major transportation projects, and utilize all feasible means of financing any needed transportation system improvements in an equitable manner.***

**Implementation Measures**

- A. Develop a Transportation System Plan that provides a capital improvement plan for the transportation system. The City of Canby adopted a Transportation System Plan in 2000. The plan identifies short-term and long-term transportation system improvements and includes a transportation financing plan. Capital improvement projects cited in the Plan are listed in section 3 of this Public Facilities Plan.
- B. Capital improvement costs will be paid for through state, regional and local gasoline taxes, user fees, property taxes, serial levies, local sales tax, debt funding, economic development funding and system development charges as identified in the TSP.
- C. Explore adoption of a combined street maintenance fee/gas tax.

**Goal 5: To assure the adequate provision of parks and recreation services to meet the needs of the residents and property owners of Canby.**

**Policy No. 1 – Canby shall maintain, repair or replace existing parks system elements, as needed, to continue providing an adequate level of park and recreational services.**

Implementation Measures

- A. Improve the level of maintenance in current city parks and recreation facilities.
- B. Standardize park and recreation amenities for ease of maintenance and aesthetics.
- C. Improve park and recreation signage.
- D. Improve access to facilities to comply with the Americans with Disabilities Act.
- E. Improve the perceived level and actual safety of parks and recreation facilities.

**Policy No. 2 – Canby shall maintain, repair, replace or expand its parks system to meet future park and recreation service needs.**

Implementation Measures

- A. Acquire and develop 141.2 additional acres of park and recreation facilities by 2020 to meet the community standard of 10 acres of developed parkland per 1,000 residents.
- B. Allocate land needed for mini-parks and neighborhood parks in rapidly developing areas on the edges of the city.
  - 1. Develop mini-parks (two acres or smaller) to serve 2,000 residents or a ¼-mile area. For a population of 20,000, this would be approximately 20 acres and 10 parks.
  - 2. Develop neighborhood parks (15-17 acres) to serve 5,000-7,000 people or a ¼ to ½-mile area. For a population of 20,000, this results in a need for about three neighborhood parks and about 45 acres.
- C. Identify potential trail connections and linkages to schools and other recreational sites in the Canby vicinity.
- D. Develop bike lanes to connect bicyclists to parks, natural areas and off-road bicycling opportunities.
- E. Develop connections between Canby parks, trails, the Molalla River State Park and the Willamette River, with a hub in Wait Park.

**Policy No. 3 – Canby shall adopt and periodically update a capital improvement program for major parks projects, and utilize all feasible means of financing any needed parks system improvements in an equitable manner.**



### Implementation Measures

- A. Continue to update the City's Park and Recreation Master Plan, which identifies needed capital improvements and standards for the parks system. The City of Canby adopted a Park and Recreation Master Plan Update in 2002. Capital improvement projects listed in the Master Plan are listed in section 3 of this Public Facilities Plan.
- B. Utilize user fees to pay for the operation and maintenance of existing facilities and to replace, upgrade and/or expand these facilities when necessary. Use bonds to acquire additional land for new park facilities and to replace the existing pool facility.
- C. Explore creation of a separate park and recreation district to help provide and pay for new park facilities.

### **Goal 6: To assure the provision of a full range of public facilities and services to meet the needs of the residents and property owners of Canby**

**Policy No. 1** – *Canby shall work closely and cooperate with all entities and agencies providing public facilities and services, and ensure that public facilities and services are provided concurrently with future development.*

#### Implementation measures

- A. Work with land developers, property owners and other service providers to ensure that adequate public facilities and services are in place to meet the needs of new residents and businesses prior to approval and/or construction of new development.
- B. To minimize the cost of providing public services and infrastructure, discourage urban development that lacks adequate public services and promote efficient use of urban and urbanizable land within the city's urban growth boundary.
- C. Support only development that is compatible with the City's ability to provide adequate public facilities and services.
- D. Prioritize the extension of water, sewer, and transportation infrastructure within the UGB, as needed.
- E. Require all properties that receive urban services to either annex to the city or enter into an agreement for future annexation when contiguous to city limits.

**Policy No. 2** – *Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.*

#### Implementation measures

- A. Allow for the creation of Local Improvement Districts and Advanced Financing Districts as a means of financing needed improvements where supported by local residents.

- B. Continue to use SDCs to pay for the costs of public facilities and services needed to serve new development. Consider adopting additional SDCs, as allowed by Oregon statutes, to pay for services not currently covered by SDCs.
- C. Use general obligation and revenue bonds, as appropriate, to help finance long-term capital improvements.
- D. Consider establishing additional special districts, if needed, to cover the cost of facilities or services that cannot be financed through user fees, SDCs, tax revenues or other existing funding mechanisms.
- E. Use fees to recover the cost of services to the greatest extent possible where services or facilities directly benefit users.
- F. Incorporate additional changes to capital improvement plans (CIPs) and associated SDC rates, as needed, as individual master plans are updated.

**Policy No. 3** – *Canby shall coordinate with the Canby School District to help ensure that adequate sites are provided for public school and associated recreation facilities.*

Implementation measures

- A. Work with representatives of the school district, community schools office, and recreation-oriented groups to determine the best possible sites for future acquisition and development of schools and associated recreational facilities.
- B. Utilize the density bonus provisions of the planned unit development regulations to encourage developers to provide either public or private recreation facilities within their projects. If sufficient recreation opportunities are provided through this means, the amount of land needed for public acquisition can be reduced accordingly.

### 3. Public Facilities System Descriptions

#### 3.1 Water System

##### Overview

The majority of water supplied to the city of Canby by Canby Utility is obtained from the Molalla River, with additional water supplied by groundwater sources. The three surface water intake points include the Molalla River infiltration gallery, the Main River Intake and the Old River Intake. Groundwater intake points include the Springs Gallery, the Collection Boxes and Well No. 10. All of these sources are located approximately 2.5 miles upstream from the confluence of the Willamette and Molalla Rivers. Figure 1 shows proposed upgrades the water transmission, storage, and treatment system.

The River Infiltration Gallery (RIG) and River Intake Pump Station were constructed in 1980 and consist of an infiltration gallery, wet well, and raw water pumps. Raw water from the river filters through river gravels into perforated collector pipes (Raney collectors). The RIG has a capacity of about 7 million gallons per day. The collectors are connected to a common header that delivers the raw water to the 14-foot-diameter, 40-foot-deep pump station well. The Main River Intake (MRI) was constructed in 1997. It is a screened structure that takes water directly from the Molalla River to the wet well of the River Intake Pump Station. The MRI has a design capacity of 8 million gallons per day. The RIG/MRI facility serves as the primary water source for Canby.

The Old River Intake was constructed in the early 1970's and has a pump capacity of 900 to 1,000 gallons per minute (gpm). The intake is seldom used due to the higher quality raw water produced by the RIG/MRI facility and seasonal constraints that prevent using the pump during low river water levels. The point of intake for this water right has been transferred to the RIG/MRI facility, but water can be diverted at either location.

Construction of the concrete Springs Gallery began in 1944 at the gravels near the Molalla River. The Springs Gallery is approximately 18 feet in diameter and 24 feet deep with openings in the walls to permit groundwater infiltration. Between 1950 and 1951, a 30-inch diameter, 300-foot-long perforated corrugated metal collection pipe was buried in the same vicinity and was connected to the existing infiltration gallery. The Spring Gallery has a capacity of 1,000 to 1,200 gpm, but is used infrequently due to its low pH and moderate nitrate levels.

The concrete Collector Boxes, constructed around 1930, collect water from springs near the Molalla River at the base of the ridge and direct it into a cistern. The cistern discharges water into the Springs Gallery. This source was valved off due to trace-level contaminant concentrations in the 1990s and is not currently being used.

Well No. 10 pumps groundwater into the Springs Gallery and has a capacity of approximately 250 gpm. Due to low flow rates and reduced water quality, the well is not currently used.

Beck's Well is owned by John W. Beck and is used as a municipal irrigation supply for Canby Public Schools. The well is 10 inches in diameter and 160 feet deep. It produces between 400 and 600 gpm. The well is not used as a potable water source due to poor water quality issues.

Canby's water treatment plant can treat up to 6 mgd. The treatment of raw water is split into two process trains. Water flows through the unbaffled steel Clearwell, providing contact time for disinfection with chlorine. Production pumps supply the distribution system with treated water.

Water is distributed through approximately 66 miles of pipe ranging in size from 4 to 16 inches. Pipe material is predominantly PVC, ductile iron and steel, with some asbestos cement and copper. Many of the pipes in the system are approaching their design life, having been installed prior to 1960. Storage is provided by three reservoirs located in the southern and western portions of the city. Each storage facility has an adjacent pump station.

There is one pressure zone in the city of Canby. The production pumps at the treatment plant at the 13<sup>th</sup> Avenue reservoir maintain the average system pressure of 70 pounds per square inch. Pressure ranges across the system are based on pump total dynamic head and existing topography.

## **Planning**

HDR Engineering prepared a Water Management and Conservation Plan for the City in September, 2003 that describes existing facilities, long-term needs, supply sources and potential curtailment plans for the water system. Existing water rights on the Molalla River and active potable groundwater sources are adequate to meet projected peak day demands until 2033. The estimated future demand is based on projections included in the City's 2003 Water Management and Conservation Plan. These projections assume that Canby's future service area will expand to include lands currently within the urban growth boundary but outside city boundaries. The 20-year population forecast corresponding to this scenario (buildout) is 22,329 residents by 2015 and 51,671 residents by 2040.

An application for additional water rights on the Willamette River is in process under the auspices of the Willamette River Water Coalition. The additional water right is intended for industrial and electric generation needs, but may be developed to meet peak day demand well past 2040.

Water system needs identified by the Canby Utility include:

### Source

Additional water supply is needed in the long term as current water rights on the Molalla River will not be sufficient to meet the estimated 2040 peak demand. Future service will be limited by minimum stream flow and raw water intake and delivery capacities. Alternate sources include the Willamette River and groundwater wells.

### Treatment

- The capacity of the River Intake Pump Station is not sufficient to meet current peak day demands.
- Older turbidity treatment units operate well with flows less than 2 mgd through the sedimentation basin. However, at buildout, a capacity of 4 mgd will be needed.
- A rapid mix process is needed to disperse chemicals upon addition. This generally improves coagulation, sedimentation and filtration, and reduces chemical use.
- Installation of baffling in the Clearwell is needed to provide adequate disinfection capacity.
- The Clearwell has weld failures and compromised coatings that need repair. Seismic analysis and improvements should be completed simultaneously.
- Existing backwash ponds flood due to inadequate capacity. They should be replaced and enlarged.
- The existing generator does not provide sufficient backup power for buildout conditions. The new Ultra Violet (UV) units will require backup power for reliability.
- Full size trucks cannot access the chemical feed area in the back of the treatment plant. Truck delivery access to the plant will need to be improved.
- Due to increased security concerns, a Vulnerability Assessment will need to be performed and an Emergency Response Plan developed to comply with federal regulations and define improvements to increase protection.

#### Distribution System

- Several fire flow-deficient areas have been identified related to inadequate pipe size.
- Several pipes have reached their estimated design life. A maintenance program for pipe replacement should be developed.

#### Storage and Pump Station

- The current system has a storage deficit of approximately 5.3 million gallons. Additional storage will be necessary.
- The existing production pumps are not able to supply the needed peak day demand with the largest unit out of service. In addition, the existing variable frequency drives produce excess harmonics, impacting pump performance.
- A comprehensive inspection and structural analysis of the tanks should be conducted to determine their vulnerability to seismic activity.

## 3.2 Wastewater Collection System

### Overview

The City of Canby collects and treats sanitary sewage through a gravity and pressurized collection system that began to be constructed in 1955. The system uses gravity sewer lines ranging in size from six inches to 30 inches in diameter. Most of the old gravity sewers, installed before 1980, were constructed with concrete pipe and asbestos cement pipe. Most of the newer sewers were constructed with PVC pipe. The new Redwood interceptor sewer, which was constructed in 1989, is concrete sewer pipe ranging in size from 15 to 30 inches. The system is subdivided into drainage basins. Each basin corresponds to a particular interceptor or trunk sewer. Trunk sewers receive sewage from branch sewers.

The collection system utilizes seven sewage pump stations. Of the seven, six are owned and operated by the City. The seventh, Village of the Lochs Pump Station, is privately owned and operated by the Village of the Lochs. There are approximately 1,000 feet of pressure sewer or force mains in the collection system. The force mains are four inches in diameter. Figure 2 illustrates the proposed elements of the wastewater collection system.

### Planning

The City adopted a Wastewater Collection System Master Plan prepared by Curran-McLeod, Inc., Consulting Engineers in 1999. The plan reviews existing facilities as well as planning criteria. The City of Canby must be able to provide sewage collection and treatment to all areas within its urban growth boundary (UGB). The City's Wastewater Master Plan identifies wastewater treatment needs for this service area with a planning horizon of the year 2015. Several pump stations and system extensions are either planned, under construction, or have been constructed since the plan was adopted.

In general, the condition of the sanitary sewer system is good. The collection system has no deficiencies related to excessive infiltration or inflow. Most sewers have excess capacity for both existing and future flows. However, numerous sections of sewers have been installed at relatively flat grades, including some at adverse grades. These sewers are subject to the accumulation of solids and require more frequent cleaning to prevent blockages. All of the existing pump stations are relatively new and in good working order.

Wastewater system needs identified include:

- The collection system along South 2<sup>nd</sup> Avenue between Elm and Knott Streets should be replaced within the next few years. These existing sewers have significant surcharging problems which will increase with new development. Approximately 2,080 feet of existing 8- to 10-inch sewers will be replaced with 10- to 18-inch sewers.
- Approximately 10 miles of new trunk or major sewers and as many as four new pump stations will be needed to serve the built-out service area. The station at 3<sup>rd</sup> Avenue and Baker Street will be relocated and upgraded, and the Willow Creek station will need to be expanded.

- Private development will pay for the majority of new collection facilities through the construction of infrastructure.

### 3.3 Storm Drainage System

#### Overview

The Canby area drainage system consists of eight basins that ultimately drain to the adjacent Molalla and Willamette Rivers. Numerous natural detention ponds and wetlands exist throughout this area. The majority of local drainage flows from impervious street and sidewalk surfaces within the public right-of-way. Contribution of runoff from private property is minimal due to the prevalence of subsurface storm water drywells and surface infiltration.

The existing drainage system is comprised of conveyance pipes, open ditches, drainage ways and drywells. The oldest element is a system of collection pipes varying in size from 10 to 20 inches. Smaller collection systems are located in numerous localized areas, which most frequently collect runoff for discharge in drywells common to a larger area. The stormwater disposal system consists of approximately 200 drywells, various areas of disposal trenches and 10 surface-water discharge points. In addition, the Oregon Department of Transportation (ODOT) has two substantial collection systems that discharge into the Molalla and Willamette Rivers. Figure 3 shows scheduled upgrades to the storm drainage system.

#### Planning

The City adopted a Storm Drainage Master Plan prepared by Curran-McLeod, Inc., Consulting Engineers in 1994. The plan evaluates the existing land use designations and typical storm drainage runoff, assuming ultimate build-out of land within the urban growth boundary. The information was modeled using synthetic rainfall events superimposed on the area to estimate peak discharge rates for each section of collection pipe and each basin. The plan divides capital improvements into three phases: 1-5 years, 5-10 years and 10-20 years.

The City of Canby is currently preparing Best Management Practices and an updated Master Plan for the continued use of drywells as the primary stormwater disposal method. New guidelines have already been implemented to require pre-treatment of all stormwater, and require DEQ registration and Rule Authorization for all injection well disposal systems.

Storm drainage system needs identified include:

- The City of Canby has completed construction of improvements to resolve the system deficiencies identified in Phase I of the 1994 Master Plan. Future improvements will expand the monitoring and treatment facilities to all surface-water disposal locations over the next 10 to 20 years pending the adoption of EPA/DEQ requirements to comply with the Phase II Stormwater Program or the Total Mass Daily Loading (TMDL) criteria adopted for the Willamette River and tributary basins.
- Approximately 50% of Phase I improvements are complete. The remaining Phase I work is to buy the regional treatment site.

- C. Phase II entails providing the regional treatment and monitoring facilities.
- D. Phase III includes decommissioning any unacceptable drywells, implementing a catchbasin and drywell BMP plan, and any potential domestic water well decommissioning.
- E. Ongoing planning efforts include the Master Plan update.

### 3.4 Transportation System

#### Overview

The city of Canby is located approximately 20 miles south of Portland on the Willamette River. State Route 99E (Pacific Highway) runs through and provides the most direct access to the City. Territorial Road forms the major east-west arterial route to the north of the city, while S. 13<sup>th</sup> Avenue is a major east-west arterial at the southern end of the city. Ivy Street (the Canby Marquam Highway) is the major north-south arterial. Holly Street connects Canby with West Linn, across the Willamette River to the north via the Canby Ferry. The Southern Pacific Railroad, which parallels Highway 99E, forms a major barrier to traffic of all modes wishing to travel from north to south.

The city of Canby has a well-planned collector and arterial street system to serve existing and future land development. Most of Canby's collectors and arterials have sidewalks on at least one side of the street. The majority of street intersections within the city of Canby are controlled by stop signs. The intersections of Highway 99E and Ivy Street, Hwy. 99E and Redwood/Sequoia, Grant Street, Elm Street, Fourth/Pine Streets and Berg Parkway, and the intersection of Ivy Street and 13<sup>th</sup> Avenue are the only locations controlled by a traffic signal. Several unsignalized intersections are currently operating at or near capacity along Highway 99E. Figure 4 shows proposed upgrades to the arterial/collector street system.

Other transportation components include:

- Canby Area Transit (CAT) provides system services in Canby with links to the neighboring cities, including Oregon City, Wilsonville and Molalla. Service also is offered to link to Tri-Met services at the Oregon City Transit Station. CAT offers fixed-route service six days a week and is free to riders. All buses have bicycle racks and are ADA-compliant.
- Passenger rail service is provided daily (two trains/day) by AMTRAK to Portland and Salem, Oregon. Southern Pacific Railroad provides daily service (16 trains/day) for freight shipment. Spur-line freight service (lumber and feed) between Canby and Molalla is provided weekly by the Molalla Western Railway Company.
- Regional and international air service for passengers and freight is provided at the Portland International Airport which is located approximately 20 miles from Canby. The Aurora State Airport and Mulino Airport also provide local commercial service and private aircraft use.
- The Canby Ferry is operated year-round by Clackamas County and provides auto, bicycle and pedestrian service across the Willamette River. The ferry links Canby with Pete's



Mountain Road and West Linn to the north. Current use of the river as a transportation route is limited to barge shipment of sand and gravel as well as some floats of timber. Recreational boating on the Willamette River is popular year-round.

- Pipeline transportation in and through the Canby urban area includes transmission lines for electricity, cable television and telephone services, and pipeline transport of water, sewer and natural gas.

One traffic operations problem area was identified at Highway 99E and Territorial Road. This two-way, stop-controlled intersection experiences high volume traffic on Highway 99E. Single-lane approaches experience excessive delays during peak hours, and the eastbound left-turn movement is operating near capacity. The City of Canby has received a grant for \$2 million from ODOT to address the problems at this intersection. Improvements are scheduled for 2006.

No major traffic safety problems have been identified. However, the absence of sidewalks in some areas and lack of continuity in others creates a potential safety hazard for pedestrians in those locations. An absence of bicycle lanes or routes also creates potential hazards for cyclists. The City currently is developing a bicycle route plan for collector and arterial streets that will include posted routes as well as bicycle lanes and a recreational bicycle route network.

## **Planning**

The city of Canby adopted a Transportation System Plan in 2000. The plan includes an analysis of existing conditions, identification of short-term and long-term transportation system improvements (prepared by Pavement Services, Inc), a transportation system description, a transportation finance plan and a description of the transportation system plan's compliance with the Transportation Planning Rule. Future transportation needs were identified based on an assessment of long-range impacts of local and regional growth of the transportation system and surrounding land uses. A planning horizon of buildout in 2015 was used to identify future demographic conditions from which traffic forecasts were developed. The study area includes all land within Canby's urban growth boundary.

Planned transportation system improvements include:

- Construction and widening/upgrading of arterial streets, collector streets and neighborhood connectors.
- Installation of new traffic signals and upgrading existing signals at several intersections.
- Reconfiguring of the intersection at NW 1<sup>st</sup> and Elm Street.
- Construction or upgrading of sidewalks.

The Capital Improvement Plan in this document provides specific details on these improvements.

Other transportation system improvements include:

- Installation of bike lanes for the following street segments:

- NE 2<sup>nd</sup> Avenue from Ivy Street to the dead-end at Thriftway and from Elm to Cedar.
  - NE 3<sup>rd</sup> Avenue from Holly Street to Pine Street/99E intersection.
  - NE 5<sup>th</sup> Avenue from Cedar to Elm Street.
  - N Elm Street from 99E to 5<sup>th</sup> Avenue.
  - Remove bike lanes from Grant Street between 1<sup>st</sup> and 3<sup>rd</sup>, but leave lanes across 99E and the railroad tracks and extending to the south and from 3<sup>rd</sup> Avenue to Knights Bridge.
- ➔ Construction of a multi-use path on the north side of the railroad tracks from Redwood Street to Ivy Street.

### 3.5 Parks System

#### Overview

The City of Canby has a variety of park and recreation facilities, as well as public spaces available to residents and visitors including:

Name	Size	Classification	Facilities
13 <sup>th</sup> Avenue Park	5.7 acres	Neighborhood park	Undeveloped with a master plan for full development. Currently used as a soccer field and maintained by Canby Kids.
19 <sup>th</sup> Avenue Loop	1.8 acres	Mini-park	Picnic tables and footbridge in a wooded upland area overlooking Willow Creek Wetland protected area.
Arneson Garden	1.8 acres	Mini-park	Benches, trash cans, visitor information board, wheelchair-accessible trails, bike rack.
Canby Adult Center	6,175 sq. ft.	n/a	Billiards room, cafeteria, library, computer room, exercise room, multi-purpose room, library, video lounge, meals-on-wheels, classes, tax, health and legal consultation and transportation services.

Name	Size	Classification	Facilities
Canby Community Park Wetland Protected Open Space and Trail	14.5 acres	Community park	Boat ramp on Molalla River, pond, trail, one play area, one informal play field, picnic tables, benches, grills, amphitheater, shelter, rest rooms, trash cans and Boy Scouts headquarters. Wetland area being restored through community-wide effort.
Canby Swim Center	25-yard pool	n/a	Indoor pool with ADA lift, dressing room with toilets and showers, lobby, bleachers, lap, recreation and competitive swimming, swim lessons, water exercise and pool rentals.
Eco Park	19 acres	Community park	Undeveloped park with established nature trails.
Locust Street Park	1 acre	Mini-park	Two play areas, one full basketball court, restrooms, covered picnic tables, drinking fountain, trash cans and benches.
Logging Road Trail Willamette Wayside Fish Eddy Property	3 miles 15 acres 20 acres	Multi-use trail with protected open space along Willamette River	A paved, multi-use trail traversing the city. At the Willamette River terminus, the Willamette River Wayside and Fish Eddy offer nature experiences in protected open space.
Maple Street Park	9 acres	Neighborhood park	Two tennis courts, two ball fields, two handball courts, two basketball courts, four horseshow pits, two play areas, benches, bleachers, picnic tables, restrooms, concession stand, trash cans, grills, shelter, bicycle rack and announcer's booth.
Skate Park (Phase I of Canby Regional Park)	14 acres	Community park	A paved parking lot, a large skate park with three separate skate bowls, drinking fountain, portable toilets and a bike rack. Master plan calls for ball field and picnic area development in Phase II.
Wait Park	2 acres	Mini-park	Gazebo, benches, restrooms, picnic tables, fountains, trash cans, bicycle rack, water and electrical outlets and two play areas.

Name	Size	Classification	Facilities
Willow Creek Wetland	4.6 acres	Protected open space	Protected wetland area adjacent to residential development.

In addition to city facilities, the Canby School District and Clackamas County Fairgrounds allow area residents limited use of their facilities and grounds. Outside the city limits, Molalla River State Park and two private golf courses offer additional recreation opportunities.

The Blue Heron Recreational District was formed about 30 years ago in the Canby area, but lacks a permanent funding source. As a result, it has been relatively limited in its ability to acquire and provide recreational opportunities. The City will explore options to garner the necessary support within the community to fund the district.

Figure 5 shows proposed upgrades to the parks system.

### Planning

The City of Canby adopted a Park and Recreation Master Plan Update prepared by the Community Planning Workshop of the University of Oregon in 2002. The City of Canby consulted guidelines from the National Recreation and Park Association and the Oregon Parks and Recreation Department to assess the current level of services for Canby park and recreation resources. A systems approach was used to determine park adequacy. This approach emphasizes locally identified needs and desires rather than applying a blanket standard that may or may not respond to community growth and desires. These park and recreation planning guidelines are not to be considered rigid regulations, but provide a framework for the community to assess existing and needed recreation areas and facilities and levels of service. This assessment provides a baseline to compare Canby's future supply of parks.

The parks and recreation system was assessed in six different ways:

1. Current park acreage
2. Current park acreage by type of park
3. Current supply of recreation facilities
4. Services area guidelines
5. Comparison with the 1997 Parks Master Plan Update
6. Comparison with population projections. The use patterns, participation rates, demographic data and community input form the basis for projecting demand and establishing guidelines to meet that demand.

Currently, there are 5.38 acres of city-owned parkland in Canby per 1,000 residents (developed and undeveloped parkland). Projections for this plan are based on an Urban Growth Boundary area to serve the city in 2020. A figure of 10 acres per 1,000 residents has been adopted as the

city's overall park standard. Based on this park standard, Canby will need 210 acres of parkland, or 141.2 acres of new parkland, to serve the projected population in 2020.

Identified parks system needs include:

#### Improvement and Maintenance

- Improve the level of maintenance in current city parks and recreation facilities.
- Move towards standardized park and recreation amenities for ease of maintenance and aesthetics. Recycled plastic benches, garbage receptacles, drinking fountains, picnic tables, lighting, restrooms, irrigation and some play equipment have been identified as desired amenities.
- Improve park and recreation signage, including identifying entrances to Canby's parks where they are obscure or in poor condition, and directional signage along main arterial streets.
- Improve universal access. Bathrooms in some parks may need upgrades to comply with the Americans with Disabilities Act. Currently, Wait Park, Maple Street Park and Canby Community Park are not fully accessible.
- Improve the perceived level and actual safety of Canby's parks and recreation facilities.

#### Acquisition, Development and Trail Connections

- Acquire and develop 141.2 additional acres of park and recreation facilities by 2020 to meet the community standard of 10 acres of developed parkland per 1,000 residents.
- Allocate land needed for neighborhood parks in rapidly developing areas on the edges of the city. Residents living in the southeast areas within the urban growth boundary are most underserved.
- Identify potential trail connections and linkages to schools and other recreational sites in the Canby vicinity. A map generated at an August, 2000 community forum identifies Canby Transportation System Plan recommendations and recommended bike and multi-use trails as conceptual planning tools.
- Develop bike lanes to connect bicyclists to parks, natural areas and off-road bicycling opportunities. The Canby Transportation System Plan identifies needed bike lanes.
- Connect Eco Park/Logging Road Trail with the Molalla River State Park.
- Develop a hub of trails and parks in Wait Park.
- Develop connections between the Willamette River and Canby.

#### Parkland and Recreation Projects

- Develop Phase II of the Canby Regional Park with multiple sports fields, lighting for night-time play, and a dual-use parking area.
- Develop the 13<sup>th</sup> Avenue Park site into a neighborhood park.
- Develop the Eco Park site as a nature park for recreation and nature enjoyment.
- Acquire, protect and restore sensitive riparian and wetland areas along the Molalla River, particularly the Canby Utilities property, and create the necessary rights-of-way to connect Canby Community Park to Knight's Bridge with a trail system, benches and river access (the "Molalla River Greenway" concept).
- Construct an additional swimming pool. The Canby Swim Center is currently at or near maximum capacity.
- Develop currently-owned public property designated for parks, recreation and open space and acquire new property as opportunities arise. Suggested property includes the Marshall House property and remaining portions of the Willow Creek Wetland.

## 4. Capital Improvements Plan (CIP)

### Overview

The City of Canby's Public Facilities Plan calls for significant investment in infrastructure to accommodate expected growth and development over the next 20 years. A summary of planned improvements is presented in Table 1 below. The level of investment is based on cost estimates for planned projects in the City's adopted master plans for water, sewer, and transportation. A list of all planned public facility projects is included in Appendix A. It indicates the location, estimated cost, source of funding, and estimated timeframe for each capital improvement project. All cost estimates are expressed in year 2004 dollars.

It should be noted that a PFP project list may be adopted as part of the Comprehensive Plan, but there is no obligation on the part of the City to build the projects as described in the PFP or to meet the timeframe listed for the projects. The project list may be included as part of the Comprehensive Plan to show anticipated infrastructure needs based on known regulatory requirements and current assumptions about growth and the direction of future development. The list is intended only to provide a general indication of the facilities needed to support future growth. If growth trends change, or if new regulations are imposed on the city, or if technologies emerge that satisfy needs using different methods than those assumed in master plans, the City may revise its public facilities investment strategy without amending the Comprehensive Plan or PFP.

<b>Public Facility</b>	<b>Short-term (Yr. 1 – 5)</b>	<b>Medium-term (Yr. 6 – 10)</b>	<b>Long-term (Yr. 11 – 20)</b>	<b>Total</b>
<b>Water</b>				
<i>Source and Intake</i>	\$52,900	\$207,600	\$1,039,700	<b>\$1,300,200</b>
<i>Treatment</i>	\$2,320,300	\$0	\$8,918,400	<b>\$11,238,700</b>
<i>Distribution and Pricing</i>	\$1,547,600	\$1,306,700	\$3,173,700	<b>\$6,028,000</b>
<i>Storage and Pump Station</i>	\$4,679,400	\$5,127,900	\$15,254,000	<b>\$25,061,300</b>
<b>Total</b>	<b>\$8,600,200</b>	<b>\$6,642,200</b>	<b>\$28,385,800</b>	<b>\$43,628,200</b>
<b>Wastewater</b>				
<i>Collection System</i>	\$819,300	\$356,800	\$1,115,700	<b>\$2,291,600</b>
<i>Treatment Plant</i>	\$934,900	\$326,900	\$1,207,300	<b>\$2,469,100</b>
<i>System Planning</i>	\$36,800	\$175,300	\$50,000	<b>\$262,100</b>
<b>Total</b>	<b>\$1,791,000</b>	<b>\$859,000</b>	<b>\$2,373,000</b>	<b>\$5,022,800</b>
<b>Storm Drainage</b>				
<i>Master Plan Phase I</i>	\$357,300	\$0	\$0	<b>\$357,300</b>
<i>Master Plan Phase II</i>	\$0	\$1,106,750	\$0	<b>\$1,106,750</b>
<i>Master Plan Phase III</i>	\$369,400	\$211,900	\$663,000	<b>\$1,244,500</b>
<i>System Planning</i>	\$127,680	\$193,200	\$0	<b>\$320,880</b>

<b>Public Facility</b>	<b>Short-term (Yr. 1 – 5)</b>	<b>Medium-term (Yr. 6 – 10)</b>	<b>Long-term (Yr. 11 – 20)</b>	<b>Total</b>
<b>Total</b>	\$854,380	\$1,511,850	\$663,000	<b>\$3,029,430</b>
<b>Transportation</b>				
<i>New Streets</i>				
<i>Street Widening/Upgrading</i>				
<i>Traffic Signal Projects</i>				
<i>Sidewalk Projects</i>				
<b>Total</b>				<b>\$84,993,649</b>
<b>Parks</b>				
<b>Total</b>				<b>\$42,226,300</b>
<b>Total Investment</b>				<b>\$178,900,379</b>

No schedule is provided for parks projects and selected transportation projects.



## 5. Financing and Implementation Plan

The City of Canby uses a combination of strategies to finance the development and maintenance of its public works infrastructure. The following discussion provides an overview of the financial structure in place to support Canby's infrastructure and development and ongoing maintenance needs.

### 5.1 Water System

Canby's water system is managed as a municipal enterprise by Canby Utility, which means the service is operated as a business enterprise and is self-supporting. The utility is debt-free. Yearly pipeline maintenance and improvements are paid for by user fees. In 2004, Canby Utility secured a \$2.9 million bond to pay for improvements to the water treatment plant, storage and distribution system, and filtering capability. The 20-year capital improvement plan (CIP) included in this Plan includes 19 projects totaling approximately \$30 million. In addition, Canby Utility plans to construct the following longer-range projects:

- A second new reservoir at the water treatment plant site is scheduled for development in 2035
- A groundwater and/or aquifer storage and recovery sources scheduled for development in 2039
- System looping improvements scheduled for 2040
- Upgrades to the downtown north service area scheduled for 2040

Canby Utility charges an SDC to pay for water infrastructure. The methodology was last updated in 2004. It includes both a reimbursement component for existing fixed assets and an improvement component for capacity-building projects.

### 5.2 Wastewater System

Canby's wastewater system also is managed as a municipal enterprise. The City maintains a "Sewer Construction Reserve Fund" accrued from user fees and SDCs to finance improvements and new facilities.

Revenues from user fees are used to pay for all costs associated with the system. This includes the operation and maintenance of the wastewater treatment plant and collection system, as well as all of the capital expenses needed to replace, upgrade or expand the plant and collection system. To pay for the capital expenses of replacing existing facilities, the user fee includes a factor for the depreciation of equipment and structures, including sewers. Likewise, the user fee includes a factor for the capital expenses which are expected to be required for ongoing operation of the treatment plant.

All SDC fees are related to the capital cost of providing new capacity. The SDC is comprised of two components, a reimbursement fee and an improvement fee. The reimbursement fee essentially reimburses the system for the cost of existing capacity, including financing costs.

The improvement fee provides a mechanism to collect funds for future needed capacity building. The magnitude of the SDC is based on the cost of service and facilities. For reimbursement, all existing capacity is inventoried, the cost identified and then prorated according to the amount of capacity used for a new connection. Improvements are inventoried, costs estimated and the cost again prorated by the amount of capacity consumed by a new connection.

The CIP for wastewater included in this plan assumes that a combination of user fees and SDCs will be adequate to fund projected future improvements.

### **5.3 Storm Drainage System**

Canby's Storm Drainage System is also paid for through a combination of user fees and SDCs. User fees are collected monthly for use of the storm water system. Systems development charges (SDCs) are assessed on development as it occurs. Storm drainage improvements by private development which are identified in the Capital Improvement Plan are eligible for credits to offset the on-site SDC charges, in accordance with Oregon Revised Statutes. User fees and SDCs will be used to fund capital improvements as well as system operation and maintenance for the next 10 years.

The user fee is based on total annual utility costs and on trip rates. The SDC charge on new development will be \$0.42 per trip generated. This fee is based on the Phase I capital costs. The SDC revenues can be used only for capital purchases and debt service. The SDC revenue is used for cash acquisitions of capital and for debt service on the revenue bonds issued to build the Phase I improvements and for monitoring.

The CIP for wastewater included in this plan assumes that a combination of user fees and SDCs will be adequate to fund projected future improvements.

### **5.4 Transportation System**

The City of Canby Transportation System plan identifies needed transportation system improvements over the next 20 years, including new streets, street widening, new traffic signals and bike lane and sidewalk projects. The total cost of these improvements is estimated to be about \$47.2 million. Of this total cost, approximately \$8.4 million is expected to be funded by the State of Oregon and Clackamas County for improvements to facilities under their jurisdiction; the remaining \$38.8 million will be the responsibility of the City and its residents, including new development.

Funding sources are divided into the following seven categories:

1. **City:** The City of Canby is responsible for approximately \$1.3 million (3%) of the project costs, mostly for costs that are related to maintenance of existing surfaces.
2. **County:** Clackamas County is allocated a share of the signal at Territorial and Hwy. 99E, covering less than 1% of total costs.
3. **State:** The State of Oregon is expected to help fund a share of several projects on or near Hwy 99E. These costs total \$7.9 million, or 16.7% of the \$47.2 million total.

4. LID: Local Improvement Districts are planned to cover \$508,350 in sidewalk projects.
5. Grants: The Oregon Department of Transportation has funded grants for some street projects in the past. It is assumed that \$1.1 million of these grants will be available for certain projects (approximately 2.3% of total costs).
6. New Development: Developers of new projects and properties are required to provide frontage improvements along their properties. This is anticipated to be a major source of improvements in the future, providing almost \$21 million (44%) of the total costs identified in this plan.
7. System Development Charges: The City imposes a charge on all new development to cover the costs of projects required due to growth. This SDC is in addition to any on-site costs included in #6 above, and pays for off-site projects all over town. System Development Charges are expected to cover \$14.8 million (31%) of total costs.

Seventy-five percent of total project costs are assessed to new development with the remainder covered by public agencies.

## **5.5 Parks System**

Improvements to Canby's parks system are funded in one of two ways. Parks that serve areas of new development are paid for through SDCs. Projects that are not eligible for SDC funding are paid for through general fund. Especially large capital improvements are funded through bonds. In 2007, an \$8 million bond will be used to acquire additional acreage for park land. In 2012, an \$8 million bond will be used to replace the existing pool.

## 6. Plan Implementation

The City of Canby's Public Facilities Plan is implemented through a combination of local plans, infrastructure standards and development codes. Implementing plans include:

- Water Master Plan Update, September, 2003
- Wastewater Collection System Master Plan, December, 1999
- Storm Drainage Master Plan, December, 1994
- Transportation System Plan, April, 2000
- Park and Recreation Master Plan Update, January, 2002

Infrastructure design standards include:

- Canby Municipal Code, Title 12. Streets, Sidewalks and Public Places
- Canby Municipal Code, Title 13. Public Services
- Canby Municipal Code, Title 16. Planning and Zoning (regulations and design standards)

Financing is supported by:

- City of Canby and Canby Utility System Development Charges Methodologies
- Canby Municipal Code, Title 4. Public Improvements
- Canby Municipal Code, Title 13. Public Services
- Annual City budget authorization

Intergovernmental coordination is implemented through:

- Will complete with information from City

**Appendix A: Capital Improvements Plan**

Item	Type	Project Title	Description/ Location	Water Plan Listed Cost	Cost 2004 \$\$	Cost Est.	Project Schedule			Year	Funding Source
							Short-term (0-5 years)	Medium-term (6-10 yrs)	Long-term (10-20 yrs)		
<b>Source and Intake</b>											
SI01	WSI	River Intake Pump Station	Phase I - Address current system deficiencies	47,000	\$48,400	\$52,900	\$52,900			2007	User Fees
SI02	WSI	River Intake Pump Station	Phase II - address growth related issues	\$708,000	\$729,240	\$1,039,700			\$1,039,700	2016	SDC
SI03	WSI	Investigate Groundwater and Aquifer storage and Recovery sources		\$150,000	\$154,500	\$207,600		\$207,600		2014	User Fees
		<b>Total Source and Intake</b>		<b>\$905,000</b>	<b>\$932,140</b>	<b>\$1,300,200</b>	<b>\$52,900</b>	<b>\$207,600</b>	<b>\$1,039,700</b>		
<b>Treatment</b>											
TP02	WT	Clearwell Improvements		\$494,000	\$508,800	\$508,800	\$508,800			2004	User Fees, SDC
TP03	WT	Plant Improvements	Phase I	\$952,000	\$980,600	\$1,010,000	\$1,010,000			2005	User Fees, SDC
TP04	WT	Plant Improvements	Phase II	\$6,073,000	\$6,255,200	\$8,918,400			\$8,918,400	2016	User Fees, SDC
TP05	WT	Backwash Pond Improvements		\$557,650	\$574,400	\$627,600	\$627,600			2007	User Fees, SDC
TP07	WT	Secondary Power Supply		\$150,000	\$154,500	\$173,900	\$173,900			2008	SDC
		<b>Total Treatment</b>		<b>\$8,226,650</b>	<b>\$8,473,500</b>	<b>\$11,238,700</b>	<b>\$2,320,300</b>	<b>\$0</b>	<b>\$8,918,400</b>		
<b>Distribution and Piping</b>											
DP01	WDP	Vicinity of SW 4 <sup>th</sup> & S Aspen		\$181,000	\$186,400	\$192,000	\$192,000			2005	User Fees
DP02	WDP	Vicinity of SE 13 <sup>th</sup> Ave. east of S Ivy		\$92,000	\$94,800	\$97,600	\$97,600			2005	User Fees
DP03	WDP	Vicinity of NW 3 <sup>rd</sup> and Baker		\$146,000	\$150,400	\$164,300	\$164,300			2007	User Fees
DP04	WDP	Vicinity of Hwy 99E & N Sequoia		\$28,000	\$28,800	\$38,800		\$38,800		2014	User Fees
DP07	WDP	Pipeline Rehabilitation (yearly)		\$4,000,000	\$4,120,000	\$5,535,300	\$1,093,700	\$1,267,900	\$3,173,700	Yearly	User Fees
		<b>Total Distribution and Piping</b>		<b>\$4,447,000</b>	<b>\$4,580,400</b>	<b>\$6,028,000</b>	<b>\$1,547,600</b>	<b>\$1,306,700</b>	<b>\$3,173,700</b>		
<b>Storage and Pump Station</b>											
ST00	WSPS	Water Treatment Plant Land Acquisition		\$75,600	\$77,900	\$77,900	\$77,900			2004	User Fees, SDC
ST02	WSPS	New Reservoir at 13 <sup>th</sup> Avenue Site		\$1,946,000	\$2,004,400	\$2,126,400	\$2,126,400			2006	User Fees, SDC
ST03	WSPS	New Reservoir at Water Treatment Plant Site		\$2,135,000	\$2,199,100	\$2,475,100	\$2,475,100			2008	SDC, User Fees
ST04	WSPS	Mollalla Forest Road Reservoir and Pump Station		\$4,048,000	\$4,169,400	\$5,127,900		\$5,127,900		2012	SDC, User Fees

ST05	WSPS	Territorial Road Reservoir and Pump Station	\$5,115,000	\$5,268,500	\$7,969,000			\$7,969,000	2018	User Fees
ST06	WSPS	Township Road Reservoir and Pump Station	\$3,802,000	\$3,916,100	\$7,285,000			\$7,285,000	2025	User Fees
		<b>Total Storage and Pump Station</b>	<b>\$17,121,600</b>	<b>\$17,635,400</b>	<b>\$25,061,300</b>	<b>\$4,679,400</b>	<b>\$5,127,900</b>	<b>\$15,254,000</b>		
		<b>Total WS</b>	<b>\$30,700,250</b>	<b>\$31,621,440</b>	<b>\$43,628,200</b>	<b>\$8,600,200</b>	<b>\$6,642,200</b>	<b>\$28,385,800</b>		

WASTEWATER										
Item	Type	Project Title	Description/Location	Cost 2004 \$s	Cost Est.	Project Schedule			Year	Funding Source
						Short-term (0-5 years)	Medium-term (6-10 yrs)	Long-term (10-20 yrs)		
<b>Collection System</b>										
	WWC	Collection System		\$941,900	\$1,691,600	\$219,300	\$356,800	\$1,115,700	2006-2019	User Fees
	WWC	Territorial Rd/Hwy99E/ Crossing		\$300,000	\$300,000	\$300,000			2005/06	SDC
	WWC	SE 2 <sup>nd</sup> Ave. Collection System		\$300,000	\$300,000	\$300,000			2005/06	SDC
		<b>Total Collection</b>		<b>\$1,541,900</b>	<b>\$2,291,600</b>	<b>\$819,300</b>	<b>\$356,800</b>	<b>\$1,115,700</b>		
<b>Treatment Plant</b>										
	WWT	Sec. Scum Pump Station		\$35,000	\$41,700	\$41,700			2006/07	SDC, User Fees
	WWT	Effluent Filtration Equipment		\$240,000	\$285,800	\$285,800			2006/07	SDC, User Fees
	WWT	Septage Receiving Station		\$100,000	\$119,100	\$119,100			2006/07	SDC, User Fees
	WWT	Headworks Conveyor		\$150,000	\$225,500		\$225,500		2010/11	SDC, User Fees
	WWT	UV Disinfection Upgrade		\$290,000	\$345,400	\$345,400			2006/07	SDC, User Fees
	WWT	Outfall Diffuser Assembly		\$60,000	\$101,400		\$101,400		2012/12	SDC, User Fees
	WWT	Dewatered Sludge Storage		\$120,000	\$142,900	\$142,900			2006/07	SDC, User Fees
	WWT	New Primary Clarifier		\$600,000	\$1,207,300			\$1,207,300	2015/16	SDC, User Fees
		<b>Total Treatment</b>		<b>\$1,595,000</b>	<b>\$2,469,100</b>	<b>\$934,900</b>	<b>\$326,900</b>	<b>\$1,207,300</b>		
<b>System Planning</b>										
	WWP	Facility Plan Update		\$50,000	\$189,500		\$139,500	\$50,000	2010-2016	SDC, User Fees
	WWP	SDC Update (2006)		\$10,000	\$10,000	\$10,000			2005/06	SDC
	WWP	Rate Study / SDC		\$20,000	\$62,600	\$26,800	\$35,800		2008/09	SDC, User Fees

	Update									
	Total Planning			\$80,000	\$262,100	\$36,800	\$175,300	\$50,000		
	Total WWS			\$3,216,900	\$5,022,800	\$1,791,000	\$859,000	\$2,373,000		

STORM DRAINAGE										
Item	Type	Project Title	Description/Location	Cost 2004 \$s	Cost Est.	Project Schedule			Year	Funding Source
						Short-term (0-5 years)	Medium-term (6-10 yrs)	Long-term (10-20 yrs)		
<b>Master Plan Phase I</b>										
	SDI	Land Acquisition for Regional Treatment		\$300,000	\$357,300	\$357,300			2006/07	SDC, user fee
		<b>Phase I Total</b>		<b>\$300,000</b>	<b>\$357,300</b>	<b>\$357,300</b>	<b>\$0</b>	<b>\$0</b>		
<b>Master Plan Phase II</b>										
	SDII	Regional Treatment and Permitting Costs		\$600,000	\$1,106,750		\$1,106,750		2013 - 2015	SDC, user fee
		<b>Phase II Total</b>		<b>\$600,000</b>	<b>\$1,106,750</b>	<b>\$0</b>	<b>\$1,106,750</b>	<b>\$0</b>		
<b>Master Plan Phase III</b>										
	SDIII	Drywell Decommissioning		\$25,000	\$28,100	\$28,100			2005/06	SDC, user fee
	SDIII	CB BMP Implementation		\$500,000	\$1,033,400	\$158,300	\$211,900	\$663,000	2005-2019	SDC, user fee
	SDIII	Drywell BMP Implementation		\$125,000	\$157,800	\$157,800			2007/08	SDC, user fee
	SDIII	Domestic Well Decommissioning		\$20,000	\$25,200	\$25,200			2007/08	SDC, user fee
		<b>Phase III Total</b>		<b>\$670,000</b>	<b>\$1,244,500</b>	<b>\$369,400</b>	<b>\$211,900</b>	<b>\$663,000</b>		
<b>System Planning</b>										
	SDP	Stormwater Master Plan Update		\$100,000	\$287,080	\$127,680	\$159,400		2005-2010	SDC, user fee
	SDP	Drywell Decommissioning Plan		\$20,000	\$33,800		\$33,800		2012/13	SDC, user fee
		<b>Total Planning</b>		<b>\$120,000</b>	<b>\$320,880</b>	<b>\$127,680</b>	<b>\$193,200</b>	<b>\$0</b>		
		<b>Total SDS</b>		<b>\$1,690,000</b>	<b>\$3,029,430</b>	<b>\$854,380</b>	<b>\$1,511,850</b>	<b>\$663,000</b>		

TRANSPORTATION											
Item	Type	Project Title	Description/Location	Transportation Plan Listed Cost	Cost 2004 \$s	Cost Est.	Project Schedule			Year	Funding Source
							Short-term (0-5 years)	Medium-term (6-10 yrs)	Long-term (10-20 yrs)		
<b>New Streets</b>											
	Arterial	Berg Parkway	Canby Sq. to SW 13 <sup>th</sup> Ave.	\$708,000	\$893,800	\$1,064,600	\$1,064,600		2007	SDC	

Collector	NW Baker Street	3 <sup>rd</sup> to Hwy 99	\$116,000	\$146,400	\$233,400		\$233,400	2012	State, SDC
Collector	Bridge	Structure	\$6,500,000	\$8,206,100	\$13,079,300		\$13,079,300	2012	State, SDC
Collector	NE 9 <sup>th</sup> Ext.	Log Road to Redwood	\$185,500	\$234,200	\$561,200		\$561,200	2019	New Dev
Collector	SE Otto Road	Walnut St. to Hwy 99E	\$462,000	\$583,300	\$1,397,800		\$1,397,800	2019	New Dev, SDC
Collector	SE Walnut	SE 1 <sup>st</sup> Ave. to Territorial	\$848,000	\$1,070,600	\$2,565,700		\$2,565,700	2019	New Dev
Collector	SE 2 <sup>nd</sup> Avenue	SW 2 <sup>nd</sup> Ave. to SE 2 <sup>nd</sup> Ave.	\$87,000	\$109,800	\$175,100		\$175,100	2012	City
Collector	Industrial Area	Master Plan	\$9,900,000	\$12,498,500	\$12,498,500				New Dev, SDC
Nbhd Connector	NW Birch	Territorial to NW 22 <sup>nd</sup>	\$464,000	\$585,800	\$1,403,900		\$1,403,900	2019	New Dev, SDC
Nbhd Connector	NW 10 <sup>th</sup> Avenue	Birch to Grant Street	\$377,000	\$476,000	\$758,600		\$758,600	2012	New Dev
Nbhd Connector	SE 17 <sup>th</sup> Avenue	Ivy to Redwood	\$754,000	\$951,900	\$2,281,300		\$2,281,300	2019	New Dev
Nbhd Connector	S Redwood	SE 13 <sup>th</sup> to SE 17 <sup>th</sup> Ave.	\$464,000	\$585,800	\$1,403,900		\$1,403,900	2019	New Dev
Nbhd Connector	S Teakwood	Township to S 13 <sup>th</sup> Ave.	\$754,000	\$951,900	\$2,281,300		\$2,281,300	2019	New Dev, SDC
	<b>Total New Streets</b>		<b>\$21,619,500</b>	<b>\$27,294,100</b>	<b>\$39,704,600</b>				
<b>Street Widening/Upgrading</b>									
Arterial	N Ivy Street	NW 6 <sup>th</sup> to NW 9 <sup>th</sup> Ave.	\$232,000	\$292,895	\$348,800	\$348,800		2007	Grant, SDC
Arterial	N Ivy Street	NW 9 <sup>th</sup> to NW 10 <sup>th</sup> Ave.	\$14,400	\$18,180	\$21,700	\$21,700		2007	Grant, SDC
Arterial	N Ivy Street	NW 10 <sup>th</sup> to NW 12 <sup>th</sup> Ave.	\$174,000	\$219,671	\$261,600	\$261,600		2007	Grant, SDC
Arterial	N Ivy Street	NW 12 <sup>th</sup> to NW 14 <sup>th</sup> Ave.	\$24,000	\$30,299	\$36,100	\$36,100		2007	Grant, SDC
Arterial	S Ivy Street	Hwy 99E to SW 2 <sup>nd</sup> Ave.	\$41,600	\$52,519	\$83,700		\$83,700	2012	SDC
Arterial	S Ivy Street	SW 2 <sup>nd</sup> to SE 9 <sup>th</sup> Ave.	\$572,000	\$722,137	\$1,151,000		\$1,151,000	2012	SDC
Arterial	S Ivy Street	S 13 <sup>th</sup> Ave. to South	\$475,200	\$599,929	\$1,437,800		\$1,437,800	2019	New Dev, SDC
Arterial	Territorial	Holly St. to Redwood	\$1,482,000	\$1,870,991	\$2,982,100		\$2,982,100	2012	New Dev, SDC
Arterial	Territorial	Redwood to Hwy 99E	\$496,000	\$626,189	\$998,000		\$998,000	2012	New Dev, SDC
Arterial	Knightsbridge	Holly St. to K-Bridge	\$870,000	\$1,098,355	\$1,308,200	\$1,308,200		2007	City, SDC
Arterial	S Berg Parkway	Hwy 99 to Canby Sq.	\$390,000	\$492,366	\$586,400	\$586,400		2007	SDC
Arterial	S 13 <sup>th</sup> Avenue	W End to Elm St.	\$48,000	\$60,599	\$96,600		\$96,600	2012	SDC
Arterial	S Territorial	Haines Rd. to Hwy 99E	\$870,000	\$1,098,355	\$2,632,300		\$2,632,300	2019	New Dev, SDC
Arterial	S 13 <sup>th</sup> Avenue	Elm St. to Fir St.	\$203,000	\$256,283	\$408,500		\$408,500	2012	New Dev, SDC
Arterial	S 13 <sup>th</sup> Avenue	Fir St. to Redwood	\$715,000	\$902,671	\$1,438,700		\$1,438,700	2012	New Dev, SDC
Arterial	S 13 <sup>th</sup> Avenue	Redwood to Mulino Rd.	\$1,192,500	\$1,505,504	\$3,608,000		\$3,608,000	2019	New Dev
Arterial	N Holly Street	Territorial to N 22 <sup>nd</sup> Ave.	\$440,000	\$555,490	\$1,331,300		\$1,331,300	2019	New Dev, SDC
Arterial	S Elm Street	Hwy 99E to SW 2 <sup>nd</sup> Ave.	\$64,000	\$80,799	\$96,200	\$96,200		2007	City, SDC
Arterial	Hwy 99E	Town limit to Town limit	\$4,380,000	\$5,529,649	\$5,529,649				
Collector	N Pine	N 4 <sup>th</sup> Ave. to Territorial	\$1,044,000	\$1,318,026	\$1,569,800	\$1,569,800		2007	New Dev, SDC
Collector	N Redwood	Territorial to Hwy 99E	\$400,000	\$504,991	\$601,500	\$601,500		2007	New Dev, SDC



	Collector	SE 2 <sup>nd</sup>	Private Section	\$168,000	\$212,096	\$338,000		\$338,000	2012	New Dev, SDC
	Collector	Township	Redwood to Railroad	\$896,000	\$1,131,179	\$1,802,900		\$1,802,900	2012	New Dev, SDC
	Collector	N10 <sup>th</sup> Avenue	Locust St. to Pine St.	\$667,000	\$842,072	\$1,002,900	\$1,002,900		2007	City, SDC
	Collector	NE 3 <sup>rd</sup> Avenue	Locust St. to Hwy 99E	\$896,000	\$1,131,179	\$1,802,900		\$1,802,900	2012	Grant, New Dev, SDC
	Collector	N Holly Street	N 1 <sup>st</sup> Ave. to N 7 <sup>th</sup> Ave.	\$638,000	\$805,460	\$959,300	\$959,300		2007	City, New Dev, SDC
	Collector	N Holly Street	13 <sup>th</sup> Ave. to Territorial	\$160,000	\$201,996	\$322,000		\$322,000	2012	New Dev, SDC
	Collector	NW 2 <sup>nd</sup> Avenue	Grant St. to Douglas St.	\$580,000	\$732,237	\$1,167,100		\$1,167,100	2012	SDC
	Collector	N Grant Street	Hwy 99E to Knightsbridge Rd.	\$638,000	\$805,460	\$959,300	\$959,300		2007	City, New Dev, SDC
	Collector	SW 2 <sup>nd</sup> Avenue	Elm St. to Ivy St.	\$504,000	\$636,288	\$1,014,100		\$1,014,100	2012	New Dev, SDC
	Collector	SE Haines	Mulino Rd. to Brown Rd.	\$956,000	\$1,206,928	\$2,892,500		\$2,892,500	2012	New Dev, SDC
	Nbhd Collector	Territorial	Birch to Holly St.	\$609,000	\$768,848	\$1,225,400		\$1,225,400	2012	New Dev, SDC
	Nbhd Collector	Maple	N 10 <sup>th</sup> to N 22 <sup>nd</sup> Ave.	\$640,000	\$807,985	\$1,287,800		\$1,287,800	2012	New Dev, SDC
		<b>Total Widening/ Upgrading</b>		<b>\$17,075,700</b>	<b>\$27,087,327</b>	<b>\$41,266,049</b>				

**Traffic Signal Projects**

	New	Hwy 99E/ Territorial	Territorial	\$1,650,000	\$2,083,100	\$2,083,100	2,083,100			County, State, SDC
	New	Hwy 99E/ Redwood	Redwood	\$250,000	\$315,600	\$315,600	complete			New Dev
	New	Hwy 99E / Otto	Otto	\$250,000	\$315,600	\$315,600		\$315,600		New Dev, SDC
	New	Ivy / Township	Township	\$200,000	\$252,500	\$252,500	\$252,500			SDC
	Upgrade	Hwy 99 / Ivy	Ivy	\$300,000	\$378,700	\$378,700	\$378,700			SDC
	Upgrade	Hwy 99 / Berg Parkway	Berg Parkway	\$100,000	\$126,200	\$126,200	\$126,200			SDC
	Reconfiguration	NW 1 <sup>st</sup> / Elm	Close west leg off first	\$100,000	\$126,200	\$126,200		\$126,200		SDC
		<b>Total Signal</b>		<b>\$2,600,000</b>	<b>\$3,282,300</b>	<b>\$3,282,300</b>				

**Sidewalk Projects**

		N 10 <sup>th</sup> Avenue	Grant to Locust	\$165,000	\$208,300	\$208,300		\$208,300		LID
		NE 4 <sup>th</sup> Avenue	Ivy to Pine	\$112,000	\$141,400	\$141,400		\$141,400		County, LID
		NW 3 <sup>rd</sup> Avenue	Cedar to End	\$63,000	\$79,500	\$79,500		\$79,500		LID
		NW 2 <sup>nd</sup> Avenue	Douglas to Cedar	\$14,000	\$17,700	\$17,700		\$17,700		LID
		SE 2 <sup>nd</sup> Avenue	Ivy to Maple	\$82,000	\$103,500	\$103,500		\$103,500		LID
		SW 4 <sup>th</sup> Avenue	Elm to Birch	\$22,000	\$27,800	\$27,800		\$27,800		LID
		S Locust	Hwy 99 to Township	\$32,000	\$40,400	\$40,400		\$40,400		LID
		S Elm	SW 4 <sup>th</sup> to SW 13 <sup>th</sup>	\$32,000	\$40,400	\$40,400		\$40,400		LID
		SW 6 <sup>th</sup> Avenue	Elm to Ivy	\$64,750	\$81,700	\$81,700		\$81,700		LID

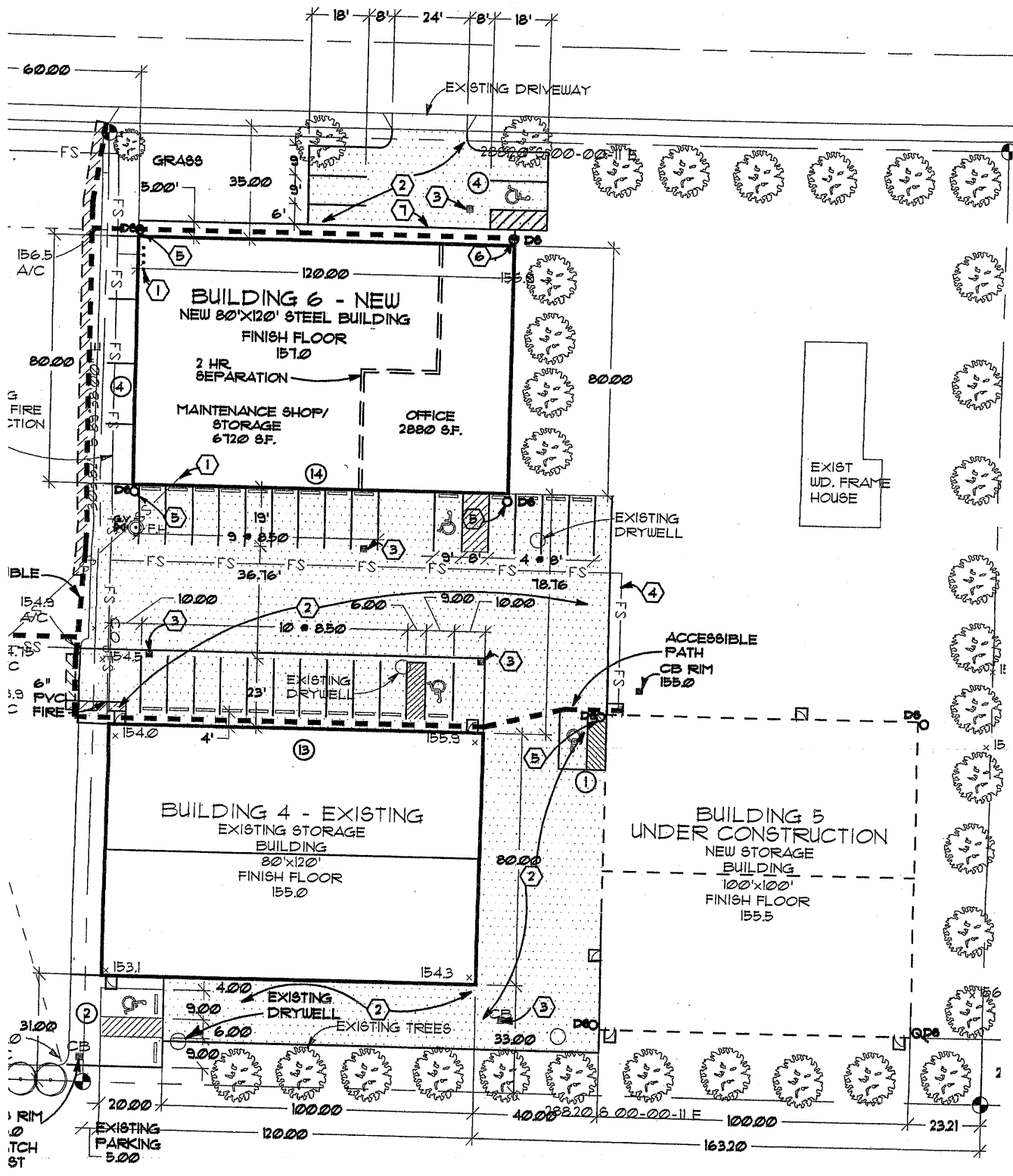
		<b>Total Sidewalk</b>		\$586,750	\$740,700	\$740,700					
		<b>Total TSP</b>		\$41,881,950	\$58,404,427	\$84,993,649					

		<b>PARKS</b>					<b>Project Schedule</b>				
<b>Item</b>	<b>Type</b>	<b>Project Title</b>	<b>Description/Location</b>	<b>Parks Plan Listed Costs</b>	<b>Cost 2004 \$s</b>	<b>Cost Est.</b>	<b>Short-term (0-5 years)</b>	<b>Medium-term (6-10 yrs)</b>	<b>Long-term (10-20 yrs)</b>	<b>Year</b>	<b>Funding Source</b>
		Canby Regional Park	Phase II		\$2,382,200						SDC
		13th Avenue Park			\$1,113,100						SDC
		Eco Park	Includes Master Plan		\$257,200						SDC
		Trail			\$147,400						SDC
		Acquisition and Development of New Park Land	Includes Two Master Plans		\$28,306,400					2007?	Bond
		Swim Center	Replacement/Addition		\$10,020,000					2012?	Bond
		<b>Total Park System</b>			<b>\$42,226,300</b>						

<b>Total Public Facilities Capital Improvement Projects</b>											
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\* Amount is based on a 20 year cycle, which differs from the amount in the Wastewater Collection System Master Plan.

Notes:  
 The "Cost in 2004 \$s" details what each project would cost if constructed in 2005.  
 The "Cost Estimate" column estimates what each project will cost upon completion.  
 The Transportation System Plan does not provide specific years for capital improvement projects. Therefore, 2007 is used for short-term projects, 2012 for medium-range projects and 2019 for long-range projects.  
 An inflation rate of 6% was used for wastewater, stormwater and transportation projects. A figure of 3% was used for water projects.  
 All project costs are rounded off to the nearest \$100.  
 Costs for projects without a scheduled year of development are expressed in 2004 dollars.  
 Greater detail for the wastewater collection system is provided in the Wastewater Collection System Master Plan (1999)



**SHEET C1 NOTES - BUILDING 6**

- (1) UNDERGROUND SERVICES FOR BUILDING 6 HAS BEEN PROVIDED PRIOR TO THESE PLANS. SERVICES INCLUDE DOMESTIC WATER, POWER TELEPHONE AND NATURAL GAS.
- (2) NEW ASPHALT PAVING. 3" ASPHALT OVER 10" CRUSHED AGGREGATE BASE.
- (3) EXISTING CATCH BASIN CONNECTED TO EXISTING DRYWELL
- (4) EXISTING WATER LINE FOR FIRE SPRINKLERS.
- (5) DOWNSPOUTS DISCHARGE TO PAVEMENT.
- (6) PROVIDE 4" LINE FROM DOWNSPOUT THROUGH CURB.
- (7) NEW 5' WIDE SIDEWALK.

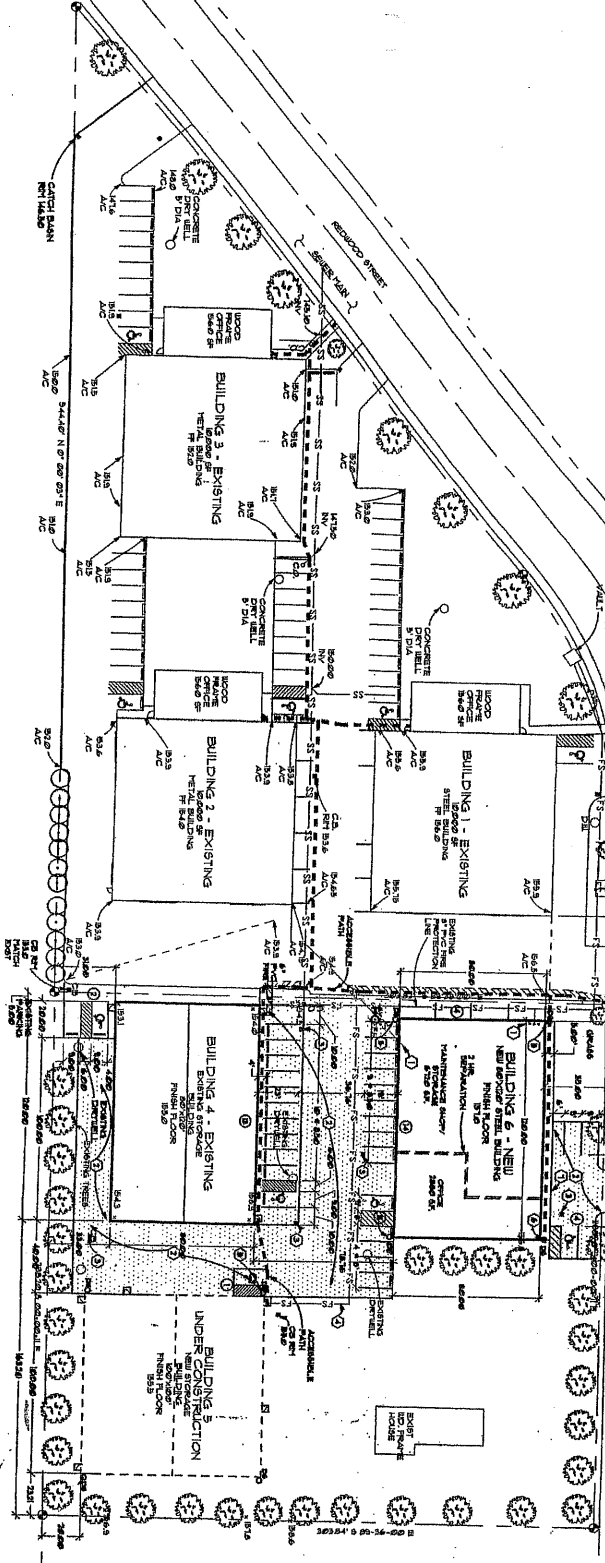


# CANBY INDUSTRIAL PARK BUILDING 6

Redwood Street  
Canby, Oregon 97013

## TABLE OF CONTENTS

BUILDING CODE INFORMATION	ACTUAL AREA (SQ. FT.)	ALLOWABLE AREA (SQ. FT.)	ACTUAL ALLOWABLE
CONSTRUCTION TYPE	TYPE V2 NON-FRAME UNCLASIFIED	13500 SQ. FT. / 13500 SQ. FT.	0.31
NUMBERING OR MANUFACTURING AREA	26,300 SQ. FT. AT 1 SPACE PER 1000 SQ. FT. / 26,300 SQ. FT. AT 2.5 SPACES PER 1000 SQ. FT. / 10 SPACES	26,300 SQ. FT. AT 1 SPACE PER 1000 SQ. FT. / 26,300 SQ. FT. AT 2.5 SPACES PER 1000 SQ. FT. / 10 SPACES	0.31
TOTAL SPACES REQUIRED	31 SPACES	31 SPACES	0.31
TOTAL SPACES PROVIDED	38 SPACES	38 SPACES	0.31
NUMBER OF SPACES INDICATED ON PLAN	38 SPACES	38 SPACES	0.31



PHASE 3 - SITE PLAN  
SCALE: 1" = 100'

- SHEET 01 NOTES - BUILDING 6
- 1. UNDERBUILDING PROVIDED FOR BUILDING 6 HAS BEEN PROVIDED PRIOR TO THIS PERMIT AND WILL BE CONSTRUCTED TO MEET PERMIT REQUIREMENTS AND LOCAL CODES.
  - 2. UNDERBUILDING SHALL BE CONSTRUCTED TO MEET PERMIT REQUIREMENTS AND LOCAL CODES.
  - 3. SOILING CATCH BASIN CONNECTED TO SOILING DETENTION TANK.
  - 4. DOWNSPROUT DISCHARGE TO MAINSTAIN.
  - 5. PROVIDE 4" LINE FROM DOWNSPROUT THROUGH CURB NEW TO SOIL DISPOSAL.

LEGEND

U	UNDER - DETENTION	AN1	NET MINOR ELEVATION
M	MAINT - TIME SERVICE	AC	TOP OF ASPHALT ELEVATION
DU	UNDER - DISTRIBUTION	TC	TOP OF CONCRETE ELEVATION
IN	UNDER - INFLUENT	BE1	BEAM ELEVATION
BS	BASEMENT FINISH	BE2	BEAM ELEVATION
RD	ROAD DRIVE	FE	FLOOR FINISH ELEVATION
CD	CONCRETE DRIVE	CF	CONCRETE FINISH ELEVATION
CA	CATCH BASIN - SEE DETAIL 402	AC1	ALL TERRAIN ELEVATION PER DETAIL 402
DS	DOWNSPROUT - DISCHARGE TO A.C.	TR	TYPICAL PAVING SECTION PER DETAIL 402