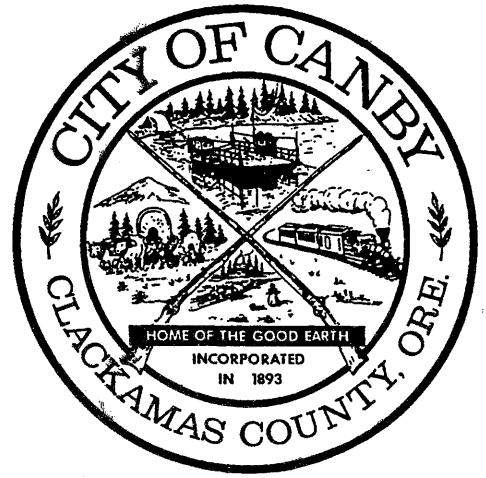


9-22-1997



- STAFF REPORT -

APPLICANT:

Riverside Homes
15455 Greenbrier Parkway
Beaverton, OR 97006

FILE NO.:

SUB 97-06
(Riverside Homes)

OWNERS:

William/Pamela Kraxberger
1367 N. Redwood Street
Canby, OR 97013

Duane Zacher
1275 N. Redwood
Canby, OR 97013

STAFF:

Jason Kruckeberg
Associate Planner

Tom Lichatowich
1301 N. Redwood
Canby, OR 97013

Dennis McCarthy
5293 Hwy 101N
Gearhart, OR 97138

LEGAL DESCRIPTION:

Tax Lots 900, 901, 1000 and 1001
of Tax Map 3-1E-34B

DATE OF REPORT:

September 12, 1997

LOCATION:

West side of N. Redwood Street and east
of the Logging Road, between Hwy 99-E
and NE Territorial Road

DATE OF HEARING:

September 22, 1997

COMP. PLAN DESIGNATION:

LDR- Low Density Residential

ZONING DESIGNATION:

Tax lots 900, 901, and 1000 are
under County Zoning RRFF-5. Tax
Lot 1001 is already zoned R-1.
(Upon approval of annexation ANN 97-
07, Tax Lots 900, 901, and 1000 will be
zoned R-1).

I. APPLICANT' S REQUEST:

The applicant is requesting approval for a forty-one (41) lot subdivision. The subdivision will incorporate four existing single family dwellings. The subdivision will be located between N. Redwood and the Logging Road, south of NE Territorial and north of Hwy 99-E.

II. APPLICABLE CRITERIA:

A. 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:

- 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.**

B. Other Applicable Policies and Regulations:

- City of Canby General Ordinances:
16.14 Ag, Agricultural Zone
16.16 R-1, Low Density Residential Zone
16.60 Major and Minor Partitions (Subdivisions)
(especially 16.64, Subdivision Design)
16.86 Street Alignment
16.88 General Standards**

III. FINDINGS:

A. Background and Relationships

The subject parcel comprises 9.7 acres. The three northernmost lots (Tax Lots 900, 901, and 1000) are outside of the City limits but within the Urban Growth Boundary. These lots are currently zoned RRFF-5 (Rural Residential, Farm and Forest: 5-acre minimum lot size). There is an associated application (ANN 97-07) to annex these three properties into the City. The fourth lot, Tax Lot 1001, is already within the City limits. The Comprehensive Plan Land Use Map designation of the subject parcels is for Low Density Residential development and, upon annexation, the zoning for the entire subject parcel will be R-1 (Low Density Residential). Each of the four subject lots contains a single family dwelling unit. The properties to the north and east of the subject parcel are not in the City, but are within the Urban Growth Boundary and are zoned RRFF-5. The properties to the south and west are in the City and zoned R-1 (Low Density Residential). Redwood Street is designated in the Canby Transportation Systems Plan as a collector street.

B. Comprehensive Plan Consistency Analysis

ii. Urban Growth

- 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.

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

ANALYSIS

1. Clackamas County has been notified of the development proposal. Clackamas County's traffic analyst recommended denial of the application because he believed no traffic study had been completed for the area. However, a traffic study was completed which concluded that the proposed development would not have a significant impact on the level of service of local intersections. The traffic study is discussed in greater detail in the Transportation Element.

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

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

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

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

Policy #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.

ANALYSIS

1. The four subject parcels each contain an existing single family housing structure. If the proposed subdivision is approved, the applicant will develop 37 new single family residential units on the property. This urban level single-family residential development is compatible with the existing development on the parcels and will be compatible with the residential properties to the west. There is a rural residential property to the south that has been annexed into the City and has been zoned for low density residential development. To the east and north are rural residential properties that are within the Urban Growth Boundary. The Comprehensive Plan land use designation of the subject parcel and all adjacent areas is Low Density Residential.

The proposed development density for the entire parcel is 5.2 lots per developable acre. This figure is similar to that of the Comprehensive Plan "density assumption" used to estimate the amount of area that is needed for low density residential areas (5.5 lots per developable acre). The "density assumptions" are *averages* with some areas developing above the "average" and other areas developing below the "average".

The project density [5.2 lots per developable acre] is comparable to that of other subdivisions developed in the general vicinity. Examples include: Willow Creek I (4.3 lots per developable acre), Willow Creek II [5.0 lots per developable acre], Redwood Meadows [5.9 lots per developable acre], North Pine Addition II [4.5 lots per developable acre], and Twelfth & Pine Addition [4.2 lots per developable acre]. Developable acres does not include street right-of-way or parks.

2. Upon annexation of the northern three lots, the entire parcel will be zoned R-1, Low Density Residential. The Comprehensive Plan land use designation of the subject property is Low Density Residential. Lands that are zoned R-1, which have been subdivided since 1988, have been developed at approximately 5.4 lots per developable acre. The development proposed in this application will be similar to the average for recent developments of the same zone classification.

3. Request for comments have been sent to all public facility and service providers. While no facility or service providers have indicated an "overburdening" of City services, some concerns have been raised which must be addressed prior to or concurrent with development (see discussion under the Transportation Element and Public Services Element).

4. No natural hazards have been identified on the subject property. The subject property is not within an official 100-year flood plain, as provided by the Federal Emergency Management Agency.

6. The subject property is not identified as one of the "unique" sites or "areas of special concern".

iv. Environmental Concerns

- GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

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

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

- Policy #1-R-A:** Canby shall direct urban growth such that viable agricultural uses within the Urban Growth Boundary can continue as long as it is economically feasible for them to do so.
- Policy #4-R:** Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.
- Policy #7-R:** Canby shall seek to improve the overall scenic and aesthetic qualities of the City.
- Policy #8-R:** Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.
- Policy #9-R:** Canby shall attempt to minimize the adverse impacts of new developments on fish and wildlife habitats.
- Policy #10-R:** Canby shall attempt to minimize the adverse impacts of new developments on wetlands.
- Policy #1-H:** Canby shall restrict urbanization in areas of identified steep slopes.
- Policy #2-H:** Canby shall continue to participate in and shall actively support the Federal flood insurance program.
- Policy #3-H:** Canby shall seek to inform property owners and builders of the potential risks associated with construction in areas of expansive soils, high water tables, and shallow topsoil.

ANALYSIS

1-R-A. The subject properties are currently used for residential purposes. The size (each lot is less than 5 acres) and the current use of the subject property precludes its use as a viable agricultural production area. Surrounding properties to the west and south are currently used (or are proposed) for residential purposes. The lands to the east and north are also used primarily for residential purposes.

4-R. Noise will be expected as a result of residential construction. Once the subdivision is developed, noise generation should be insignificant. Further, residential construction noise is regulated by the City's Noise Ordinance.

7-R. Development of this property should not affect the scenic and aesthetic quality of the City in that the subject area has been designated for low density 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.

8-R. There are no density bonuses being sought to preserve open space or maximize open space. No portion of the subject property is located within a Hazard Overlay Zone. No parks have been designated for the area through the Canby Parks Master Plan.

9-R. There is no known wildlife habitat on the subject property, and no density bonuses being sought to preserve open space.

10-R. There are no wetlands on the subject property although a stormwater drainage issue has been raised (see discussion under Public Facilities and Services Element). During construction of the subdivision, Clackamas County's Erosion/Sedimentation Control Plan shall be followed.

1-H. The subject property has no steep slopes. The property is generally flat with no slope exceeding 3%.

2-H. The subject property is not in a flood zone, and is not subject to periodic local flooding.

3-H. The subject properties contain Latourell Loam and Amity Silt Loam soils. Latourell Loam is well-drained and suited to homesite development. The Amity Silt Loam soil is a deep and somewhat poorly drained soil which has moderately slow permeability. The limitation for homesite development on Amity Silt Loam is wetness. The area of Amity Silt Loam corresponds to a swale that runs approximately in a north-south direction through the properties. The applicant is proposing to fill this swale area and grade it for development. Further information on fill of this area was unavailable when this staff report was completed. Despite this, drainage is needed if roads and/or buildings are constructed. Drainage and storm water management are discussed in the Public Facilities and Services Element.

v. Transportation

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

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.

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.

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

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.

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

Policy #12: Canby shall actively promote improvements to State highways and connecting County roads which affect access to the City.

ANALYSIS

1. Half-street improvement along the entire frontage of N. Redwood Street will be required with development. As part of this improvement N. Redwood Street will be widened to a paved width of twenty-eight (28) feet to meet the City's access standards to allow parking on one side of the street [Section 16.46.010(B)(1) of the Development Code].

Based on the results of the Traffic Impact Analysis for the area, the existing collector street, N. Redwood St., can accommodate the additional traffic which the proposed development will create. The Traffic Study goes on to state that no new signals would be warranted as a result of the development and no capacity deficiencies were identified in the surrounding road network. The Traffic Study was conducted prior to the inclusion of the Zacher property into the application. The addition of the Zacher property adds seven (7) new lots to the proposed subdivision. It is staff's opinion that the additional seven (7) lots do not significantly alter the results of the Traffic Impact Analysis.

2. Streets developed through the subdivision are adequate for access and egress to and from N. Redwood St. and throughout the proposed subdivision. All new street will be developed to City standards.

4. Sidewalks will be required for all road frontages. The sidewalks are proposed to be five (5) feet wide and placed alongside the curb. The sidewalks will be looped around mailboxes and other obstructions to provide a clear five (5) foot sidewalk.

6. The proposed access conforms to the implementation measures for this policy in that: the proposed streets meet the access requirements of the Fire Marshall and Police Chief and will eventually be a part of a complete local road pattern; there will be no "half-street" development (N. Redwood will have a "half-street" improvement, not development); and the extension of the local roads will provide a balance between appropriate local traffic circulation and limitation on unnecessary traffic through the residential neighborhood (only local residential traffic will be present).

The proposed cul-de-sac has a paved radius of fifty (50) feet, which meets the City's standards. New legislation (House Bill 3508) declares that "specifications and standards adopted by counties or cities for roads and streets supersede and prevail over specifications

and standards set forth in uniform fire code adopted by Fire Marshal or local firefighting agency." This legislation recognizes the City's standards for roads and streets and, therefore, has no impact on the proposed subdivision.

7. The roads proposed in the subdivision are to be local roads. According to the Transportation Systems Plan, no special provision for bicycles or slow moving vehicles are considered necessary in the construction of local roads. The improvement, and additional right-of-way dedication (ten feet), for N. Redwood St. will provide the necessary road width for eventual bicycle lanes.

8. The existing use and the proposed use of the property have no specific use for the rail facilities that exist in Canby.

12. Implementation Measure D is the only implementation measure that pertains to a proposed development, and this proposed development is not commercial in nature, nor does it require direct access to Highway 99-E.

vi. **Public Facilities and Services**

■ **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.

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

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

ANALYSIS

1. All needed public facility and service providers were sent a "Request for Comments" regarding this application. Three issues were raised: stormwater drainage, telephone cable, and water. Regarding stormwater, the City is negotiating for an easement across the north property line of the subject property. The proposed stormwater drainage line would run to N. Redwood and then to NE Territorial.

Regarding telephone cable provision to the subject property: Side lot easements will be needed as well as easements to cross the Logging Road.

Regarding water provision to the subject property: The Canby Utility Board has stated that a twelve (12) inch water main will need to be extended down N. Redwood St. from the Redwood Meadows subdivision near NE 19th and N. Redwood. The water main will be required to run south on N. Redwood through the southern end of the subject property. Tie-ins from N. Redwood to the west, across the subject property and the Logging Road, will need to be eight (8) inch lines and must be looped for fire flows.

No other concerns were raised. All services are available with adequate capacity to service the property.

5. No public or private recreation facilities are proposed as a part of this development. The Parks Master Plan does not call for any new parks in the vicinity of the subject property. A pedestrian pathway from the subject parcel to the Logging Road is proposed between lots nine (9) and (10). This fulfills public access requirements.

viii. **Housing**

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

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.

Policy #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.

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.

Policy #5: Canby shall provide opportunities for mobile home developments in all residential zones, subject to appropriate design standards.

ANALYSIS

2. The provisions of this policy have not yet been enacted through the implementing ordinance (the Land Development and Planning Ordinance), therefore the call for a lot size average, mixed housing types and improved aesthetics through density bonuses and creative lot layout and design is not possible without a planned unit development. The applicant is not proposing a planned unit development, and one is not required in accordance with the Land Development and Planning Ordinance. In terms of general impact on the City's density, the proposed density of 5.2 lots per acre is consistent with the suggested density of the area as identified by the Comprehensive Plan Land Use Map (Low Density Residential).

3. The proposed development does not include higher density housing. The City has the ability to provide adequate water and sewage facilities, as well as other public facilities to service the proposed development. Discussion of the provision of facilities and public services is included under the Public Facilities and Services Element.

4. The proposed development has not requested density bonuses due to special designs to serve handicapped or elderly persons. Further, as stated in the analysis of policy 2 above, "lot size averaging" outside of a planned unit development, is not permitted by the Land Development and Planning Ordinance.

5. The proposed development is not intended to be a manufactured home subdivision.

ix. Energy Conservation

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

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

ANALYSIS

2. Under Chapter 16.95.030 of the Land Development and Planning Ordinance, 80% of lots in a new development must comply with Solar Access Design Standards. This means that the proposed subdivision

can have a maximum of 8 non-conforming lots. After applying the various Solar Access Design Standards, the current lot configuration leaves 10 lots non-conforming. Staff recommends that specific solar building lines be shown on the final plat as follows: an eighteen (18) foot solar building line on lot 20 and a twelve (12) foot solar building line on Lot 8. If these three lots are brought into compliance, the proposed subdivision will meet Solar Access Design Standards.

C. Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan and Compliance with Other Applicable City Ordinances:

Review of the above analysis will show that the proposed subdivision, with the recommended conditions of approval, is consistent with the policies of the Comprehensive Plan. Development of each 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.

D. Conformance with Applicable Requirements of the Land Development and Planning Ordinance

- **16.64.010 Streets.**

The new north/south street will be named "Ponderosa" Street as it is located between "Plum" (located off of NE 15th Avenue, east of Pine Street), and N. Redwood St. The northernmost east/west streets should be numbered 14th Place and the southernmost east/west street will be named 13th Place. The design of the streets are in full compliance with the City's standards. The local roads will be constructed at a paved width a minimum of thirty-six (36) feet, with a five (5) foot sidewalk provided against the curb, and utilities and street trees behind the sidewalk.

Street trees are required as a part of land division development. The location of the planting of the trees needs to be both compatible with the placement of the utilities for the subdivision and such that the trees have adequate room to grow. In order to accommodate utilities and street trees, with the limited right-of-way space street trees are to be planted eleven (11) feet behind the curb. In order to insure, as best as possible, the proper planting of the trees, the trees will need to be planted by a licensed landscape contractor. The planting of the trees is a subdivision improvement, and improvements are required to be completed or bonded prior to the signing of the subdivision

plat. Since the planting of street trees is inadvisable prior to the construction of the homes, the trees will need to be bonded. One other option is for the developer to pay the City to take responsibility for the planting of the trees. This option requires a payment to the City of \$165 a tree. The cost covers both the purchase of the trees and the cost to contract the work of planting the trees. CC&R's need to be filed for the subdivision, which include a statement that specifically permits the street trees to be planted within the utility easement along the street. This is necessary because the trees may not be planted until after the home has been occupied, and the new homeowner should know, at the earliest possible time, that the trees will be planted. One tree per street frontage per lot is required. The location of the trees will be designated with the construction plans.

- 16.64.030 Easements.

Six (6) foot utility easements will be required to be located along all interior lot lines, with ten (10) foot utility easements for the western and southern exterior property lines of the development. Twelve (12) foot utility, sidewalk, and tree easements for street lot lines, and mutual access and utility easements for flag lot access drives. Also, a twelve (12) foot utility easement will be required along the northern property line to facilitate the installation of the new stormwater line.

The sidewalks will be located against the curb. The sidewalks will be "swung" around obstacles (such as mailboxes, newspaper boxes and fire hydrants) that are located against the curb. The width of the sidewalk will be five feet, including the curb when the sidewalk is against the curb. The minimum distance between the garage and the back of the sidewalk is nineteen feet (allowing for a car to be parked in front of the garage without obstructing the sidewalk), regardless of the sidewalk's location. Locating the sidewalk in this manner will allow for the utilities and street trees to be placed with the least amount of conflict and hindrance on the "buildable" area of the lot. In addition, the sidewalk will be kept clear of obstacles to pedestrians.

- 16.64.040 Lots.

The lots will range in size from approximately 7,006 square feet to 29,725 square feet. All lots will meet the minimum required area of 7,000 square feet, and will be of such dimensions as not to preclude development with single-family homes for reasons of insufficient room for required setbacks. All lots are at least 60 feet in width for interior lots and at least 65 feet for corner lots. All lots are functional for residential use.

- **16.64.070 Improvements.**

A bond will be required for any improvements in the subdivision that are not completed prior to the signing of the final plat. Such agreement of assurance shall be in conformance with Paragraph 'O' of Section 16.64.070 of the Land Development and Planning Ordinance. A pre-construction conference with the developer, the City, and the utility providers is necessary prior to any construction of the improvements.

- E. **Design and Lot Arrangement - The Overall design shall be functional in terms of sites, utility easements and access, without hindering adjacent development.**

The layout and provision of services to the proposed subdivision has been described by staff in detail in the preceding sections (B & D). The design and arrangement of the lots and streets are functional.

IV. CONCLUSION

The proposed subdivision is consistent with the Comprehensive Plan and all applicable requirements of the Land Development and Planning Ordinance as long as the associated annexation application (ANN 97-07) is approved. The overall design and arrangement of lots is functional and will not unduly hinder use or development of adjacent properties. Conditions are proposed herein to provide the necessary changes and details required to meet the City's standards for subdivisions.

V. RECOMMENDATION

Based on the application, site plan, the facts, findings and conclusions presented in this report, and without benefit of public testimony, Staff recommends the Planning Commission approve SUB 97-06, with the following conditions:

1. **The approval of this subdivision is contingent on the approval of annexation of the subject property (ANN 97-07).**

For the Final Plat:

2. The final plat shall reference this land use application - City of Canby, File No. SUB 97-06, 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 requested subsequent to the date of this approval.
3. 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.
4. Easements shall be provided as follows: Six (6) foot wide public utility easements along all interior lot lines, ten (10) foot wide public utility easements along the western and southern property lines, a twelve (12) foot wide public utility easement along the northern property line to facilitate the installation of a stormwater drainage line, and twelve (12) foot wide public utility, sidewalk, and tree planting easements along all street frontages.
5. Right-of-way dedication ten (10) feet in width shall be provided along the entire N. Redwood Street frontage of the subdivision.
6. Solar building lines shall be shown as follows: an eighteen (18) foot solar building line on lot 20 and a twelve (12) foot solar building line on Lot 8. The applicant may provide solar building lines for two other non-conforming lots as long as a total of two (2) are shown.

Prior to construction:

7. A pre-construction conference shall be held prior to construction. The pre-construction plans shall be reviewed and approved by the Canby Utility Board, the Canby Telephone Association, and the City prior to the pre-construction conference. The City's review and approval shall be coordinated through the Planning Office. The construction plans shall include the street design, storm water, sewer, water, electric, telephone, gas, street lights, mail boxes and street trees. The street tree planting location shall be determined as a part of the pre-construction review process.
8. The type of street trees to be planted shall be determined by City staff prior to the pre-construction meeting. The number of street trees to be planted shall be one per street frontage per lot. The trees shall be planted eleven (11) feet from the street curb.

As a part of construction:

9. Any necessary utilities shall be constructed to the specifications of the utility provider. This will include extension of a twelve (12) inch water main down N. Redwood St. to the south end of the subject property and eight (8) inch water mains through the interior of the subdivision.
10. Street name and traffic control signs shall be provided at the developer's expense. This shall include "Stop" street signs where required by the Public Works Supervisor.
11. Erosion-control during construction shall be provided by following the recommendations of the "Erosion Control Plans Technical Guidance Handbook," as used by Clackamas County, dated August 1991, and as revised.
12. The storm water construction for the subdivision shall conform to the Canby Public Works Department standards.
13. The construction of the sewer system for the subdivision shall be approved by the Public Works Supervisor.
14. The local roads shall be constructed to City specifications and standards. The improvements shall include the street, curbs, sidewalks, street lights, utilities and street trees. Sidewalks will be constructed in conjunction with the construction of the homes, with the following exceptions: the sidewalk for all lots along N. Redwood St. shall be constructed in conjunction with the construction of the subdivision.
15. Half-street improvement shall be provided for N. Redwood St., and constructed to the City and Clackamas County's specifications and standards. The improvement shall include the street, curb, sidewalk, street lights, utilities and street trees.

Prior to the signing of the Final Plat:

16. The subdivision development fee, as provided in the Land Development and Planning Ordinance Section 16.68.040(G), shall be paid.
17. 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.

18. A copy of the CC&R's that will be filed with the subdivision shall be submitted to the City Planning Department with the final plat, prior to the signing of the final plat, that includes a statement "that street trees will be planted along street frontages, within the tree planting easement."
19. One of two options shall be fulfilled for the planting of street trees prior to the signing of the final plat: Option 1, a contract, with a licensed landscape contractor, shall be executed. The contract shall include the City as the contractee: Option 2, the developer shall pay the City \$6,435 for the 39 trees to be planted (\$165 a tree). If option 2 is chosen, the City becomes responsible for the planting of the street trees.

After construction:

20. The sidewalks shall be located against the curb, and shall be five-feet wide, including the curb. Where mailboxes, newspaper boxes or other obstructions (such as fire hydrants) are located at the curb, the sidewalk shall be set away from the curb such that the sidewalk remains unobstructed for a full five-foot width.
21. "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 an AutoCAD format.
22. Garages shall be set back a minimum of nineteen (19) feet from the back of the sidewalk. The distance shall be measured from the closest edge of the sidewalk at the driveway.

Notes:

23. The final plat must be submitted to the City within one (1) year of the approval of the preliminary plat approval according to Section 16.68.020.
24. The approval 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).
25. A copy of all recorded CC&R's shall be submitted to the City prior to issuance of building permits (beyond one single family residence).

Exhibits:

1. Applicant's Package & Vicinity Map
2. Responses to Request for Comments
3. Tentative Plat

SUBDIVISION APPLICATION

Fee: \$900 + \$30/lot

OWNER

APPLICANT

Name WILLIAM F KRAXBERGER

Name Riverside Homes

Address 1367 N. REDWOOD ST.

Address 15455 Greenbrier Parkway

City CANBY State OR Zip 97013

City Beaverton State OR Zip 97006

SIGNATURE [Signature] Pamela C. Kraxberger

Phone: 645-0986

DESCRIPTION OF PROPERTY:

Tax Map 3S-1E-34B Tax Lot(s) 900 Lot Size 2.85 Ac. (Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name Lot Block

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2 x 11 sheet of labels, just as you would address an envelope.

USE

Existing 1 single family home
Proposed inclusion within a 33-lot subdivision

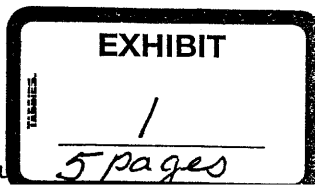
Existing Structures 1 residence

PROJECT DESCRIPTION

Concurrent annexation and subdivision of site into a 33-lot subdivision

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION Low Density Residential
PREVIOUS ACTION (if any)

File No. SUB 97-06
Receipt No. 2592
Received by [Signature]
Date Received 7-23-97
Completeness Date
Pre-App Meeting
Hearing Date



* If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making application.

SUBDIVISION APPLICATION

Fee: \$900 +
\$30/lot

OWNER

APPLICANT

Name Dennis McCarthy
Address 5293 Hwy 101 North
City Gearhart State OR Zip 97138

Name Riverside Homes
Address 15455 Greenbrier Parkway
City Beaverton State OR Zip 97006

SIGNATURE *Dennis McCarthy*

Phone: 645-0986

DESCRIPTION OF PROPERTY:

Tax Map 3S-1E-34B Tax Lot(s) 901 Lot Size 2.00 Ac.
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2 x 11 sheet of labels, just as you would address an envelope.

USE

Existing 1 single family home
Proposed inclusion within a 33-lot subdivision

Existing Structures 1 residence

PROJECT DESCRIPTION

Concurrent annexation and subdivision of site into a 33-lot subdivision

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION low density residential

PREVIOUS ACTION (if any) _____

File No. JUB 97-06
Receipt No. 2577
Received by [Signature]
Date Received 7-23-97
Completeness Date _____
Pre-App Meeting _____
Hearing Date _____

* If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making application.

10/0/01
10/0/01
10/0/01

SUBDIVISION APPLICATION

Fee: \$900 +
\$30/lot

OWNER

APPLICANT

Name Tom Kichatawich
Address 1301 N Redwood
City Coaly State OR Zip 97003
SIGNATURE [Signature]

Name Riverside Homes
Address 15455 Greenbrier Parkway
City Beaverton State OR Zip 97006
Phone: 645-0986

DESCRIPTION OF PROPERTY:

Tax Map 3S-1E-34B Tax Lot(s) 1000 Lot Size 2.43 Ac.
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be *typed onto an 8-1/2 x 11 sheet of labels*, just as you would address an envelope.

USE

Existing 1 single family home
Proposed inclusion within a 33-lot subdivision

Existing Structures 1 residence

PROJECT DESCRIPTION

Concurrent annexation and subdivision of site into a 33-lot subdivision

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION Low Density Residential
PREVIOUS ACTION (if any) _____

File No. SUB 97-06
Receipt No. 2592
Received by [Signature]
Date Received 7-23-97
Completeness Date _____
Pre-App Meeting _____
Hearing Date _____

* If the applicant is not the property owner, he must attach documentary evidence of his authority to

SUBDIVISION APPLICATION

Fee: \$900 +
\$30/lot

OWNER

APPLICANT

Name Duane Zacher
Address 1275 N. Redwood
City Canby State OR Zip 97013
SIGNATURE Duane Zacher

Name Riverside Homes
Address 15455 Greenbrier Parkway
City Beaverton State OR Zip 97006
Phone: 645-0986

DESCRIPTION OF PROPERTY:

Tax Map 3S-1E-34B Tax Lot(s) 1001 Lot Size 2.42 Ac.
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2 x 11 sheet of labels, just as you would address an envelope.

USE

Existing 1 single family residence
Proposed subdivision

Existing Structures _____

PROJECT DESCRIPTION

Inclusion within a forty (40) lot subdivision

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION Low Density Residential

PREVIOUS ACTION (if any) _____

File No. 508 57-06
Receipt No. 2603
Received by JSU
Date Received 8/5/97
Completeness Date _____
Pre-App Meeting _____
Hearing Date _____

If the applicant is not the property owner, he must attach documentary evidence of his authority to

was prepared for
ent purpose only.

NW 1/4 SEC. 34 T. 3 S. R. 1 E. W.M.
CLACKAMAS COUNTY

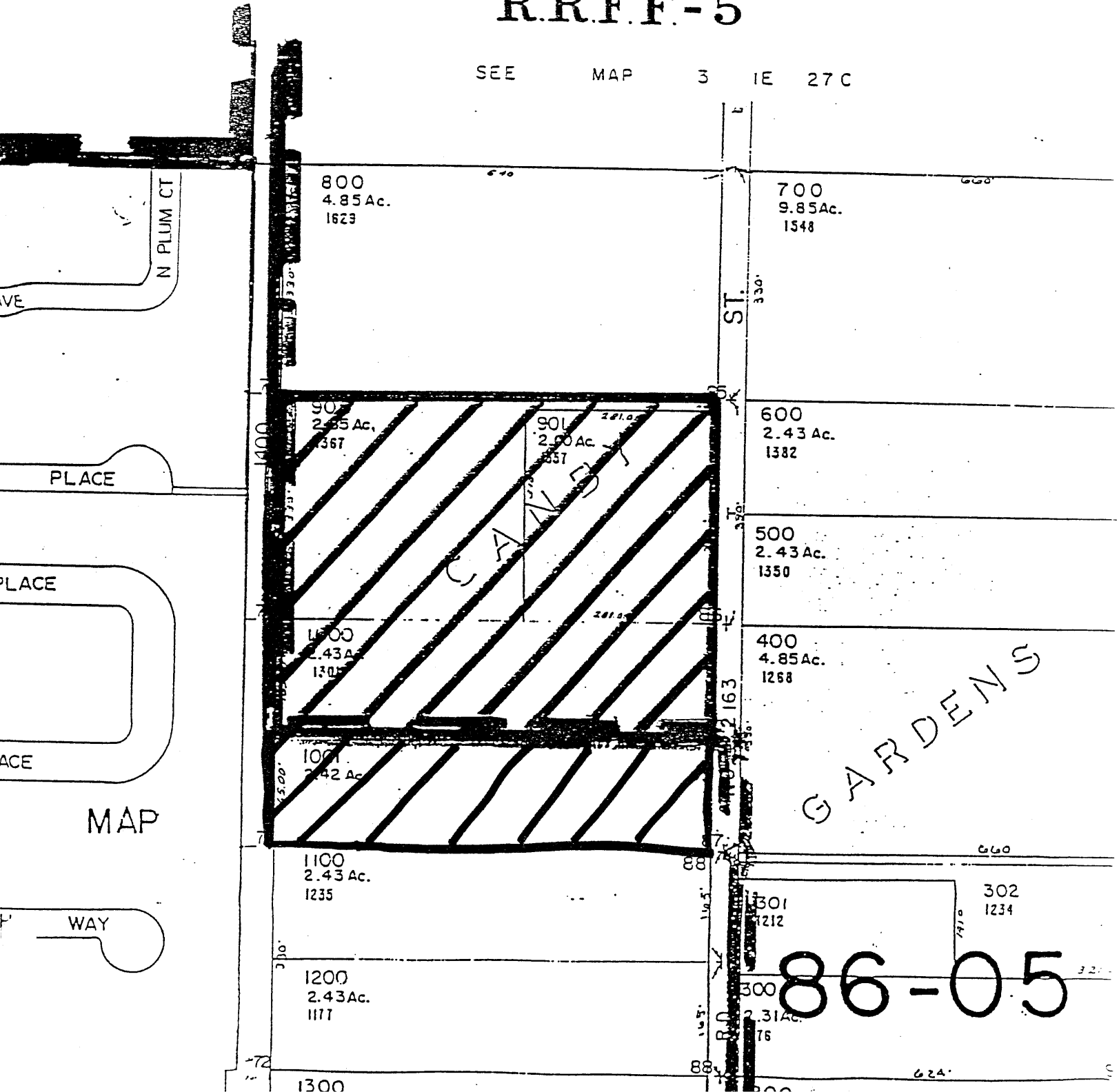
1" = 200'

VICINITY MAP

9300

R.R.F.F.-5

SEE MAP 3 IE 27 C





PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

The City has received SUB 97-06 an application by Riverside Homes (applicant) and William T. Kraxberger, Tom Lichatowich, Bonnie and Duane Zacher and Dennis McCarthy (owners) for approval to develop 9.7 acres into a 39 lot single family residential subdivision. The property is located on the west side of Redwood Street, between Territorial Road and Highway 99-E [Tax Lots 900, 901, 1000 and 1001 of Tax Map 3-1E-34B].

We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

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: Lon Harbrough

Date: 8-19-97

Title: Fire Marshal

Agency: Canby Fire Dept

EXHIBIT
<u>2</u>
8 pages

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

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Please check one box:

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- 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: Tom Pearson Date: 8-19-97
Title: ENG. DEPT Agency: CTA - NWT

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

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We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

None

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: Steve Hansen

Date: 8/20/97

Title: POTW Supervisor

Agency: City of Canby

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

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Comments or Proposed Conditions:

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: Steve Mills

Date: Aug, 1997

Title: Supt.

Agency: Canby School Dist.

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

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We would appreciate your reviewing the enclosed application and returning your comments by **August 21, 1997 PLEASE**. The Planning Commission plans to consider this application on **September 8, 1997**. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

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: Patricia Hester Date: 8-29-97
Title: Public Works Supervisor Agency: City of Canby

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, CUB SCHOOLS, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY Planning and Chris Christofferson

The City has received ANN 97-07 an application by Riverside Homes (applicant) and William T. Kraxberger, Tom Lichatowich, and Dennis McCarthy (owners) for approval to annex 7.28 acres into the City of Canby. The property is located on the west side of Redwood Street, between Territorial Road and Highway 99-E [Tax Lots 900, 901 and 1000 of Tax Map 3-1E-34B].

We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

In order to provide urban level water and electric service to the subject property in accordance with CUB's master plans, a 12" (twelve inch) water main must be extend from the south end of Redwood Estates through the permitted property. All subdivision intension water mains shall be a minimum of 8" (eight inches) in diameter and must be looped for fire flows —

Please check one box: a pre design conference with all public service providers would be very advantageous to all parties. The developer will be responsible for the projects listed above.

- 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: Robert E. Ray Date: 8-29-97

Title: Operations Supervisor Agency: Canby Utility Board

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUR, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

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We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

Staff recommends denial. Capacity issues at Redwood St/99E have not been addressed. Applicant needs to provide a traffic study. Future re-alignment of Redwood St. may effect this property. Applicant should be required to contribute proportional share to improvements at Redwood/99E AND Territorial/99E.

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: Chris Christofferson Date: 8/29/97
Title: TRAFFIC ANALYST Agency: CLACKAMAS COUNTY

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

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We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

INFRASTRUCTURE REQUIREMENTS WILL BE MADE
CONCURRENTLY WITH DEVELOPMENT. STORM DRAINAGE
WILL BE AVAILABLE ON REDWOOD STREET
NEAR POSTWAIT PROPERTY.

Please check one box:

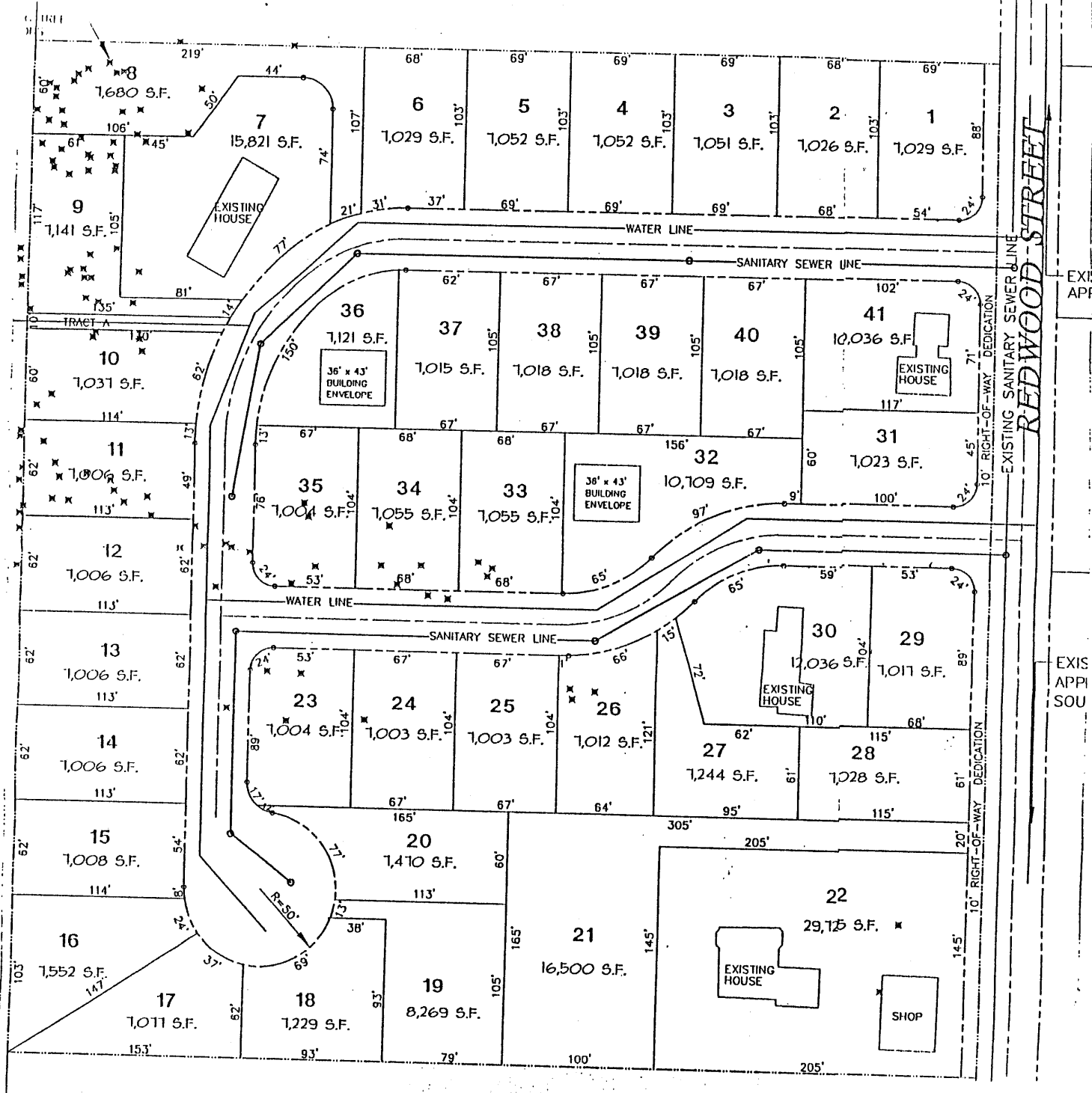
- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Curt McLeod

Date: 8-25-97

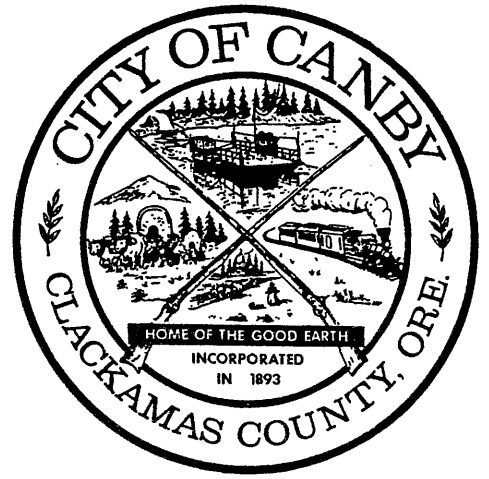
Title: ENGINEER

Agency: _____



**TENTATIVE PLAT
MAP**

TABERNES
EXHIBIT
3



- STAFF REPORT -

APPLICANT:

Allen Manuel
717 SE 1st Avenue
Canby, OR 97103

FILE NO.:

SUB 97-07
("Forsythe Field")

OWNER:

Joseph & Gay Forsythe
792 SE Township Road
Canby, OR 97013

STAFF:

Jason Kruckeberg
Associate Planner

LEGAL DESCRIPTION:

Tax Lot 1500 of Tax Map 3-1E-34C

DATE OF REPORT:

September 9, 1997

LOCATION:

West side of S. Pine Street,
north of SE Township Road

DATE OF HEARING:

September 22, 1997

COMP. PLAN DESIGNATION:

HDR (High Density Residential)

ZONING DESIGNATION:

R-2 (High Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval to subdivide 1.66 acres (after street dedications) into 10 lots ranging in size from 5001 square feet to 8317 square feet. The subdivision will be located on the west side of S. Pine Street just north of S.E. Township Road.

II. APPLICABLE CRITERIA:

A. 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:

- 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.

B. Other Applicable Policies and Regulations:

- City of Canby General Ordinances:

16.14 Ag, Agricultural Zone
16.16 R-1, Low Density Residential Zone
16.60 Major and Minor Partitions (Subdivisions)
(especially 16.64, Subdivision Design)
16.86 Street Alignment
16.88 General Standards

III. FINDINGS:

A. Background and Relationships

The subject property comprises 1.66 acres and is currently used for a single family residence. Adjacent properties in all directions from the subject property are zoned for high density residential development. To the north, northeast and northwest of the subject property are apartment buildings. Directly east (across S. Pine Street) of the subject property are two single family residential dwellings.

B. Comprehensive Plan Consistency Analysis

ii. Urban Growth

- 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.**

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

ANALYSIS

1. Clackamas County has been notified of the development proposal. While not objecting to the proposal, Clackamas County's traffic analyst has stated that the applicant shall make the required improvements to meet the City's standards for transfer of jurisdiction to the City for maintenance. The issue of street improvements will be discussed in greater detail in the analysis for the Transportation Element.

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

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

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

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

Policy #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.

ANALYSIS

1. The parcel is currently zoned R-2 (High Density Residential). The Comprehensive Plan Land Use Map designation is also High Density Residential. The properties in all directions from the subject property are also zoned R-2 (High Density Residential). There are apartment buildings to the north, northeast, and northwest of the subject property. The proposed development, a mix of duplexes and high density single family units, is compatible with the higher density housing in the area.

The proposed development density for the subject parcel is six (6) lots per developable acre. This figure is higher than the average density of other subdivisions built in the City since 1988 (5.4 lots per developable acre). Developable acres does not include street rights-of-way or parks. While the apartment buildings near the subject property provide more dense housing, the proposed subdivision remains compatible with surrounding development by providing high density housing options.

2. The current zoning and Comprehensive Plan land use designation of the property is High Density Residential. The lot configuration being proposed complies with the higher density intent of the Comprehensive Plan land use designation. The development being proposed in this application will increase density in an area which is designated to support such density.

3. Request for comments have been sent to all public facility and service providers. No "overburdening" of the City's public facilities or services has been projected by any facility or service provider. Several issues have been raised by providers, however, and these are described in the Public Facilities and Services Element.

4. No natural hazards have been identified on the subject property. The subject property is not within an official 100-year flood plain, as provided by the Federal Emergency Management Agency.

6. The subject property is within Area of Special Concern "O" as designated in the Comprehensive Plan. Areas of Special Concern are locations around the City which have special characteristics that should be addressed along with development. Area of Special Concern "O" includes areas which are adjacent to S. Pine St. that are "eventually to be developed at higher residential densities." Another of the intentions of Area "O" is the eventual improvement of S. Pine Street. The proposed development is compatible with Area "O" in that it is consistent with the higher density intent of Area of Special Concern "O" and it provides improvements to S. Pine Street.

iv. **Environmental Concerns**

GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

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

TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

Policy #1-R-A: Canby shall direct urban growth such that viable agricultural uses within the Urban Growth Boundary can continue as long as it is economically feasible for them to do so.

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

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

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

Policy #9-R: Canby shall attempt to minimize the adverse impacts of new developments on fish and wildlife habitats.

Policy #10-R: Canby shall attempt to minimize the adverse impacts of new developments on wetlands.

- Policy #1-H: Canby shall restrict urbanization in areas of identified steep slopes.
- Policy #2-H: Canby shall continue to participate in and shall actively support the Federal flood insurance program.
- Policy #3-H: Canby shall seek to inform property owners and builders of the potential risks associated with construction in areas of expansive soils, high water tables, and shallow topsoil.

ANALYSIS

- 1-R-A. The subject property is not currently used for agricultural production. All surrounding properties are used for residential use. The size and current use of the property precludes its use as viable agricultural land.
- 4-R. Noise will be expected as a result of residential construction. Once the subdivision is developed, noise generation should be insignificant. Further, residential construction noise is regulated by the City's noise ordinance.
- 7-R. Development of this property should not affect the scenic and aesthetic quality of the City in that the subject property is designated for high density housing development and this is the type of development being proposed. All new utilities (telephone cable, electricity, gas, water, and sewer) will be placed underground.
- 8-R. There are no density bonuses being sought to preserve open space or to maximize open space. No portion of the subject property is located within a Hazard Overlay Zone.
- 9-R. There is no known wildlife habitat on the subject property, and no density bonuses being sought to preserve open space.
- 10-R. There are no wetlands on the subject property. During construction of the subdivision, Clackamas County's Erosion/Sedimentation Control Plan shall be followed.
- 1-H. The subject property has no steep slopes. The property is generally flat with no slope exceeding 3%.
- 2-H. The subject property is not in a flood zone, and is not subject to periodic local flooding.

3-H. The soils on the site are Latourell loam, a deep, well drained soil, with no expansive soils, shallow topsoil, high water table, or other potential risks associated with construction on the subject property.

v. **Transportation**

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

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.

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.

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

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.

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

Policy #12: Canby shall actively promote improvements to State highways and connecting County roads which affect access to the City.

ANALYSIS

1. The planned subdivision will facilitate the improvement of S. Pine Street. Improvement of S. Pine Street is mentioned as a key project in both the Comprehensive Plan and the City of Canby Transportation Systems Plan. The improvement of S. Pine Street will facilitate better north/south access for the new lots as well as for through traffic in the area.

In order to match the existing right-of-way configuration for S. Pine Street to the north (along the street frontage for the Marlon South Apartments), an additional 15 feet of right-of-way will need to be dedicated. Road

improvements will need to be completed for the existing right-of-way and the newly dedicated land, in accordance with the alignment configuration designed by the contract engineer with the City (the drawing is available for viewing in the office and will be available at the public hearing). South Pine Street is not a "straight" street. In order to align S. Pine Street and accommodate existing lots, small jogs are necessary. One of the "jogs" will occur along the street frontage of the subject property. Because we do not, at this time, have the right-of-way width necessary to have the full street improvement completed, S. Pine Street will be constructed at a 30-foot paved width from Township, going north, and narrowing down to approximately 24 feet until it connects with the existing improvements adjacent to the Orchards Apartments on the east side (at which time it will be 40 feet wide). Street improvements will include curbs, sidewalks, street trees, street lights, and utility infrastructure.

Improvements to SE Township Road for the small portion of the subject property's frontage will also be required, at a 44-foot paved width. A right-of-way dedication of ten (10) feet in width will be required along the SE Township frontage of the subject property.

2. No new roads will be constructed as a result of this subdivision. S. Pine Street will be improved, however, concurrent with development.

4. Sidewalks will be required for the entire road frontage along S. Pine Street and along the frontage of S. Township Road. Sidewalk ramps and curb cuts will be constructed to the standards of the Americans with Disabilities Act (ADA). Sidewalks are to be constructed as a part of the development of the subdivision. The sidewalks (including the curb) will be five (5) feet wide. The sidewalks will be looped around mailboxes and other obstructions to provide a clear five (5) foot sidewalk.

6. The proposed access conforms to the implementation measures for this policy in that: the proposed streets meet the access requirements of the Fire Marshall and Police Chief and will eventually be a part of a connected road pattern. The improvement of S. Pine Street will provide a balance between appropriate local traffic circulation to and from the new lots and through the area.

7. Given the existing width of S. Pine Street, the existing placement of homes, and right-of-way considerations, bike lanes along S. Pine Street are not planned at this time. S. Pine Street is planned to be developed to a future paved width of forty (40) feet. When S. Pine Street is widened, the installation of bike lanes will be reconsidered.

12. Implementation Measure D is the only Implementation Measure that pertains to a proposed development, and this proposed development is not commercial in nature, nor does it require direct access to Highway 99-E.

vi. **Public Facilities and Services**

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.

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

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

ANALYSIS

1. All needed public facility and service providers were sent a "Request for Comments" regarding this application. The following public facility and/or service providers indicated that adequate services are available or will become available through development: Police Department, Fire Department, Canby Telephone Association, the Wastewater Treatment Plant, Public Works, and the Canby School District.

The only facility/service issue which is of concern is the improvement of S. Pine Street. Clackamas County's traffic analysis has indicated that the applicant should be responsible for improvements to bring S. Pine Street up to City standards. Street improvement is discussed in the Transportation Element.

To facilitate the eventual widening of S. Pine Street to forty (40) feet of paved width, the City is pursuing street dedications from two lots on the east side of S. Pine (Tax Lots 1600 and 1701 of Tax Map 3-1E-34C). A fifteen (15) foot street dedication will be sought from the landowner of Tax Lot 1600 and a twenty (20) foot street dedication will be sought from the landowner of Tax Lot 1701 to allow for this widening. The acquisition of these dedications is not required prior to or concurrent with the development of the proposed subdivision.

No other concerns were raised. All services are available with adequate capacity to service the property.

5. No public or private recreation facilities are proposed as a part of this development. The Parks Master Plan does not call for any new parks in the vicinity of the subject property. The improvement to S. Pine Street will improve pedestrian access and flow through the area.

vii. Economic

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

Policy #4: Canby shall consider agricultural operations which contribute to the local economy as part of the economic base of the community and shall seek to maintain these as viable economic operations.

ANALYSIS

4. The subject property is not currently used for agriculture nor is it feasible to use the property for agricultural production given its small size and location within the City.

viii. Housing

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

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.

Policy #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.

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.

Policy #5: Canby shall provide opportunities for mobile home developments in all residential zones, subject to appropriate design standards.

ANALYSIS

2. The provisions of this policy have not yet been enacted through the implementing ordinance, the Land Development and Planning Ordinance. Therefore the call for a lot size average, mixed housing types and improved aesthetics through density bonuses and creative lot layout and design is not possible without a planned unit development. The applicant is not proposing a planned unit development and, in accordance with the Land Development and Planning Ordinance, one is not required.
3. The proposed development will provide higher density housing in an area which has adequate public facilities and services for such development.
4. The proposed development has not requested density bonuses due to special designs to serve handicapped or elderly persons. Further, as stated in the analysis of policy 2 above, "lot size averaging" outside of a planned unit development is not permitted by the Land Development and Planning Ordinance.
5. The proposed development is not intended to be a manufactured home subdivision.

ix. Energy Conservation

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

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

ANALYSIS

2. South Pine Street is the only access to the development and it is oriented in a north/south direction. Given the street orientation and subsequent lot configuration, none of the lots meet the City's Solar Access Standards. The Solar Access Ordinance (Section 16.95.050 of the Land Development and Planning Ordinance) states that the Planning Commission may reduce the percentage of lots which must comply with the Solar Access Standards if it is found that the standards have "adverse impact on density" or "if existing road patterns must be continued through the site. . . in a way that prevents given streets or lots in the development from being oriented for solar access." Staff believes that the strict observance of the Solar Access Standards would a) have an adverse impact on density in that fewer lots could be developed in the area, and b) is not necessary given the existing configuration of S. Pine Street, which precludes adequate solar orientation.

It is Staff's opinion that the Solar Access Standards should not be imposed on any of the 10 lots in the proposed subdivision.

C. Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan and Compliance with Other Applicable City Ordinances:

Review of the above analysis will show that the proposed subdivision, with the recommended conditions of approval, is consistent with the policies of the Comprehensive Plan. Development of each 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.

D. Conformance with Applicable Requirements of the Land Development and Planning Ordinance

- **16.64.010 Streets**

No new streets are proposed. A half-street improvement is required on S. Pine Street with a paved sidewalk along the west side of S. Pine. A half-street improvement is also required along the subject property for S.E. Township Road, including a sidewalk. Utilities and street trees will be placed behind the sidewalk.

Street trees are required as a part of land division development. The trees need to be planted where they will be compatible with the placement of the utilities for the subdivision and so that the trees have adequate room to grow. In light of the limited right-of-way space, to accommodate utilities and street trees, the street trees are to be planted eleven (11) feet behind the curb. In order to insure, as best as possible, the proper planting of the trees, the trees will need to be planted by a licensed landscape contractor. The planting of the trees is a subdivision improvement, and improvements are required to be completed or bonded prior to the signing of the subdivision plat. Since the planting of street trees is inadvisable prior to the construction of the homes, the trees will need to be bonded. The developer also has the option to pay the City to take responsibility for the planting of the trees. This option requires a payment to the City of \$165 a tree, which cost covers both the purchase of the trees and the cost to contract the work of planting the trees. CC&R's need to be filed for the subdivision, which includes a statement that specifically permits the street trees to be planted within the utility easement along the street. This is necessary because the trees may not be planted until after the home has been occupied, and the new homeowner should know, at the earliest possible time, that the trees will be planted. One tree per street frontage per lot is required. The location of the trees will be designated with the construction plans.

- **16.64.030 Easements**

Six foot utility easements will be required to be located along all interior lot lines, with ten foot utility easements for the western exterior property line of the development and a twelve foot easement for utilities, sidewalk, and tree easements along the street lot lines.

The sidewalks will be located against the curb. The sidewalks will be "swung" around obstacles (such as mailboxes, newspaper boxes and fire hydrants) that are located against the curb. The width of the sidewalk will be five feet, including the curb, when the sidewalk is against the curb. The minimum distance between the garage and the back of the sidewalk is nineteen feet (allowing for a car to be parked in front of the garage without obstructing the sidewalk), regardless of the sidewalk's location. Locating the sidewalk in this manner will allow for the utilities and street trees to be placed with the least amount of conflict and hindrance on the "buildable" area of the lot. In addition, the sidewalk will be kept clear of obstacles to pedestrians.

- **16.64.040 Lots**

The lots will range in size from approximately 5,001 square feet to 8,317 square feet. All lots will meet the minimum required area for the proposed units, and will be of such dimensions as not to preclude development for reasons of insufficient room for required setbacks. Lot 10 does not meet the required 65 foot frontage for corner lots but, given the configuration of the existing adjacent lot, this requirement cannot be met and, in staff's opinion, should be waived.

- **16.64.070 Improvements**

A bond will be required for any improvements in the subdivision that are not completed prior to the signing of the final plat. Such agreement of assurance shall conform with Paragraph 'O' of Section 16.64.070 of the Land Development and Planning Ordinance. A pre-construction conference with the developer, the City, and the utility providers is necessary prior to any construction of the improvements.

E. Design and Lot Arrangement - The overall design shall be functional in terms of sites, utility easements and access, without hindering adjacent development.

The layout and provision of services to the proposed subdivision has been described by staff in detail in the preceding sections (B & D). The design and arrangement of the lots and streets are functional.

IV. CONCLUSION

The proposed subdivision is consistent with the Comprehensive Plan and all applicable requirements of the Land Development and Planning Ordinance. The overall design and arrangement of lots is functional and will not unduly hinder use or development of adjacent properties. Conditions are proposed herein to provide the necessary changes and details required to meet the City's standards for subdivisions.

V. RECOMMENDATION

Based on the application, site plan, the facts, findings and conclusions presented in this report, and without benefit of public testimony, staff recommends that the Planning Commission approve SUB 97-07, with the following conditions:

For the Final Plat:

1. The final plat shall reference this land use application - City of Canby, File No. SUB 97-07, 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 requested subsequent to the date of this approval.
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.
 - Ten (10) foot easements along the western and northern lot lines.
 - Twelve (12) foot wide public utility, sidewalk, and tree planting easements along the street frontages to the east and south.
4. Right-of-way dedication of fifteen (15) feet in width shall be provided along the entire S. Pine Street frontage of the subdivision. Right-of-way dedication of ten (10) feet in width shall be provided along the entire S.E. Township frontage of the subdivision.

Prior to construction:

5. A pre-construction conference shall be held prior to construction. The pre-construction plans shall be reviewed and approved by the Canby Utility Board, the Canby Telephone Association, and the City prior to the pre-construction conference. The City's review and approval shall be coordinated through the Planning Office. The construction plans shall include the street design, storm water, sewer, water, electric, telephone, gas, street lights, mail boxes and street trees. The street tree planting location shall be determined as a part of the pre-construction review process.
6. The type of street trees to be planted shall be determined by City staff prior to the pre-construction meeting. The number of street trees to be planted shall be one per street frontage per lot. The trees shall be planted eleven (11) feet from the street curb.

As a part of construction:

7. Any necessary utilities shall be constructed to the specifications of the utility provider.
8. Traffic control signs shall be provided at the developer's expense. This shall include "Stop" street signs where required by the Director of Public Works.
9. Erosion-control during construction shall be provided by following the recommendations of the "Erosion Control Plans Technical Guidance Handbook," as used by Clackamas County, dated August 1991, and as revised.
10. The storm water construction for the subdivision shall conform to the Canby Public Works Department standards.
11. The construction of the sewer system for the subdivision shall be approved by the Public Works Supervisor.
12. The improvement of S. Pine Street and SE Township Road for the property's street frontages will be constructed to the City and Clackamas County's specifications and standards. The improvements shall include the street, curbs, sidewalks, street lights, utilities and street trees. Sidewalks will be constructed in conjunction with the construction of the units. The alignment of S. Pine Street shall be in accordance with the City's plan, on file in the Planning Office.

Prior to the signing of the Final Plat:

13. The subdivision development fee, as provided in the Land Development and Planning Ordinance Section 16.68.040(G), shall be paid.
14. 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.
15. A copy of the CC&R's that will be filed with the subdivision shall be submitted to the City Planning Department with the final plat, prior to the signing of the final plat, that includes a statement that street trees will be planted along street frontages.
16. One of two options shall be fulfilled for the planting of street trees prior to the signing of the final plat: Option 1, a contract, with a licensed landscape contractor, shall be executed. The contract shall include the City as the contractee: Option 2, the developer shall pay the City \$1,650 for the 10 trees to be planted (\$165 a tree). If option 2 is chosen, the City becomes responsible for the planting of the street trees.

After construction:

17. The sidewalks shall be located against the curb, and shall be five-feet wide, including the curb. Where mailboxes, newspaper boxes or other obstructions (such as fire hydrants) are located at the curb, the sidewalk shall be set away from the curb such that the sidewalk remains unobstructed for a full five-foot width.
18. "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 an AutoCAD format.
19. Garages shall be set back a minimum of nineteen (19) feet from the back of the sidewalk. The distance shall be measured from the closest edge of the sidewalk at the driveway.

Notes:

20. The final plat must be submitted to the City within one (1) year of the approval of the preliminary plat approval according to Section 16.68.020.

21. The approval 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).
22. A copy of all recorded CC&R' s shall be submitted to the City prior to issuance of building permits.

Exhibits:

1. Applicant's Package & Vicinity Map
2. Responses to Request for Comments
3. Tentative Plat

SUBDIVISION APPLICATION

Fee: \$900 + \$30/lot

OWNER

APPLICANT

Name WILLIAM F KRAXBERGER

Name Riverside Homes

Address 1367 N. REDWOOD ST.

Address 15455 Greenbrier Parkway

City CANBY State OR Zip 97013

City Beaverton State OR Zip 97006

SIGNATURE William F. Kraxberger
Camela C. Kraxberger

Phone: 645-0986

DESCRIPTION OF PROPERTY:

Tax Map 3S-1E-34B Tax Lot(s) 900 Lot Size 2.85 Ac.
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be *typed onto an 8-1/2 x 11 sheet of labels*, just as you would address an envelope.

USE

Existing 1 single family home

Proposed inclusion within a 33-lot subdivision

Existing Structures 1 residence

PROJECT DESCRIPTION

Concurrent annexation and subdivision of site into a 33-lot subdivision

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION Low Density Residential

PREVIOUS ACTION (if any) _____

File No. SUB 97-06
Receipt No. 2592
Received by [Signature]
Date Received 7-23-97
Completeness Date _____
Pre-Ap Meeting _____
Hearing Date _____

EXHIBIT
1
5 pages

* If the applicant is not the property owner, he must attach documentary evidence of his authority to act on behalf of the owner.

SUBDIVISION APPLICATION

Fee: \$900 + \$30/lot

OWNER

APPLICANT

Name Dennis McCarthy
Address 5293 Hwy 101 North
City Gearhart State OR Zip 97138

Name Riverside Homes
Address 15455 Greenbrier Parkway
City Beaverton State OR Zip 97006

SIGNATURE Dennis McCarthy

Phone: 645-0986

DESCRIPTION OF PROPERTY:

Tax Map 3S-1E-34B Tax Lot(s) 901 Lot Size 2.00 Ac. (Acres/Sq. Ft.)

Legal Description, Metes and Bounds (Attach Copy)
Plat Name Lot Block

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property...

USE

Existing 1 single family home
Proposed inclusion within a 33-lot subdivision

Existing Structures 1 residence

PROJECT DESCRIPTION

Concurrent annexation and subdivision of site into a 33-lot subdivision

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION low density residential
PREVIOUS ACTION (if any)

File No. SUB 97-06
Receipt No. 2572
Received by
Date Received 7-23-97
Completeness Date
Pre-App Meeting
Hearing Date

* If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making application.

SUBDIVISION APPLICATION

Fee: \$900 + \$30/lot

OWNER

APPLICANT

Name Tom Lichatawicz
Address 13041 N Redwood
City Coos Bay State OR Zip 97143
SIGNATURE [Signature]

Name Riverside Homes
Address 15455 Greenbrier Parkway
City Beaverton State OR Zip 97006
Phone: 645-0986

DESCRIPTION OF PROPERTY:

Tax Map 3S-1E-34B Tax Lot(s) 1000 Lot Size 2.43 Ac. (Acres/Sq. Ft.)

Legal Description, Metes and Bounds (Attach Copy)
Plat Name Lot Block

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2 x 11 sheet of labels, just as you would address an envelope.

USE

Existing 1 single family home
Proposed inclusion within a 33-lot subdivision

Existing Structures 1 residence

PROJECT DESCRIPTION

Concurrent annexation and subdivision of site into a 33-lot subdivision

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION Low Density Residential

PREVIOUS ACTION (if any)

File No. SUB 97-06
Receipt No. 2592
Received by [Signature]
Date Received 7-23-97
Completeness Date
Pre-App Meeting
Hearing Date

* If the applicant is not the property owner, he must attach documentary evidence of his authority to

SUBDIVISION APPLICATION

Fee: \$900 +
\$30/lot

OWNER

APPLICANT

Name Duane Zacher

Name Riverside Homes

Address 1275 N. Redwood

Address 15455 Greenbrier Parkway

City Carby State OR Zip 97013

City Beaverton State OR Zip 97006

SIGNATURE Duane Zacher

Phone: 645-0986

DESCRIPTION OF PROPERTY:

Tax Map 3S-1E-34B Tax Lot(s) 1001 Lot Size 2.42 Ac.
(Acres/Sq. Ft.)

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2 x 11 sheet of labels, just as you would address an envelope.

USE

Existing 1 single family residence
Proposed subdivision

Existing Structures _____

PROJECT DESCRIPTION

Inclusion within a forty (40) lot subdivision

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION Low Density Residential
PREVIOUS ACTION (if any) _____

File No. 508 97-06
Receipt No. 2603
Received by JSU
Date Received 9/5/97
Completeness Date _____
Pre-App Meeting _____
Hearing Date _____

If the applicant is not the property owner, he must attach documentary evidence of his authority to

W prepared for
ent purpose only.

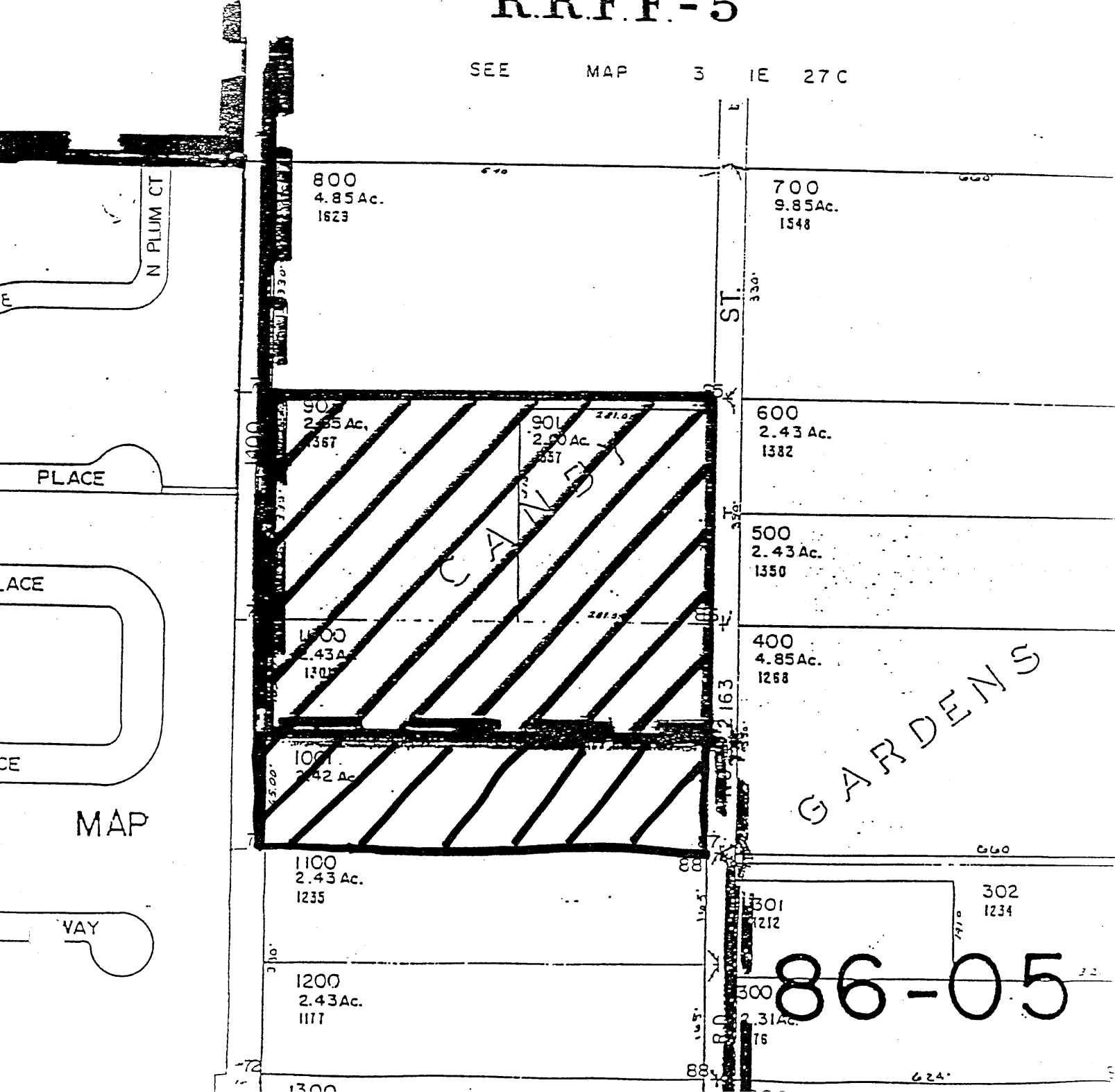
NW 1/4 SEC. 34 T. 3 S. R. 1 E. W.M.
CLACKAMAS COUNTY

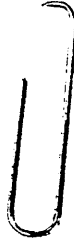
1" = 200'

VICINITY MAP
R.R.F.F.-5

9300

SEE MAP 3 IE 27 C





PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

The City has received SUB 97-06 an application by Riverside Homes (applicant) and William T. Kraxberger, Tom Lichatowich, Bonnie and Duane Zacher and Dennis McCarthy (owners) for approval to develop 9.7 acres into a 39 lot single family residential subdivision. The property is located on the west side of Redwood Street, between Territorial Road and Highway 99-E [Tax Lots 900, 901, 1000 and 1001 of Tax Map 3-1E-34B].

We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

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: Low Harbrough

Date: 8-19-97

Title: Fire Marshal

Agency: Canby Fire Dept

EXHIBIT
2
80000

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

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- 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: Tom Pearson

Date: 8-19-97

Title: ENG. DEPT

Agency: CTA - NWT

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P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

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Comments or Proposed Conditions:

None

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: Steve Hansen

Date: 8/20/97

Title: POTW Supervisor

Agency: City of Canby

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

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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: Steve Mills

Date: Aug, 1997

Title: Supt.

Agency: Canby School Dist.

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

The City has received SUB 97-06 an application by Riverside Homes (applicant) and William T. Kraxberger, Tom Lichatowich, Bonnie and Duane Zacher and Dennis McCarthy (owners) for approval to develop 9.7 acres into a 39 lot single family residential subdivision. The property is located on the west side of Redwood Street, between Territorial Road and Highway 99-E [Tax Lots 900, 901, 1000 and 1001 of Tax Map 3-1E-34B].

We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

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: 8-29-97
Title: Public Works Supervisor Agency: City of Canby

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, CUB SCHOOLS, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY Planning and Chris Christofferson

The City has received ANN 97-07 an application by Riverside Homes (applicant) and William T. Kraxberger, Tom Lichatowich, and Dennis McCarthy (owners) for approval to annex 7.28 acres into the City of Canby. The property is located on the west side of Redwood Street, between Territorial Road and Highway 99-E [Tax Lots 900, 901 and 1000 of Tax Map 3-1E-34B].

We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

In order to provide urban level water and electric service to the subject property in accordance with CUB's master plans, a 12" (twelve inch) water main must be extended from the south end of Redwood Estates through the permitted property. All subdivision water mains shall be a minimum of 8" (eight inches) in diameter and must be looped for fire flows —

Please check one box: a pre design conference with all public service providers would be very advantageous to all parties. The developer will be responsible for the projects listed above.

- 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: Robert E. Ray Date: 8-29-97
Title: Operations Supervisor Agency: Canby Utility Board

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

The City has received SUB 97-06 an application by Riverside Homes (applicant) and William T. Kraxberger, Tom Lichatowich, Bonnie and Duane Zacher and Dennis McCarthy (owners) for approval to develop 9.7 acres into a 39 lot single family residential subdivision. The property is located on the west side of Redwood Street, between Territorial Road and Highway 99-E [Tax Lots 900, 901, 1000 and 1001 of Tax Map 3-1E-34B].

We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

Staff recommends denial. Capacity issues at Redwood St/99E have not been addressed. Applicant needs to provide a traffic study. Future re-alignment of Redwood St. may effect this property. Applicant should be required to contribute proportional share to improvements at Redwood/99E AND Territorial/99E.

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: Chris Christofferson Date: 8/29/97

Title: TRAFFIC ANALYST Agency: CLACKAMAS COUNTY

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 13, 1997

TO: FIRE, POLICE, SCHOOL DISTRICT, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS, CLACKAMAS COUNTY Planning and Chris Christofferson, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

The City has received SUB 97-06 an application by Riverside Homes (applicant) and William T. Kraxberger, Tom Lichatowich, Bonnie and Duane Zacher and Dennis McCarthy (owners) for approval to develop 9.7 acres into a 39 lot single family residential subdivision. The property is located on the west side of Redwood Street, between Territorial Road and Highway 99-E [Tax Lots 900, 901, 1000 and 1001 of Tax Map 3-1E-34B].

We would appreciate your reviewing the enclosed application and returning your comments by August 21, 1997 PLEASE. The Planning Commission plans to consider this application on September 8, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

INFRASTRUCTURE REQUIREMENTS WILL BE MADE
CONCURRENTLY WITH DEVELOPMENT. STORM DRAINAGE
WILL BE AVAILABLE ON REDWOOD STREET
NEAR POSTLEWAT PROPERTY.

Please check one box:

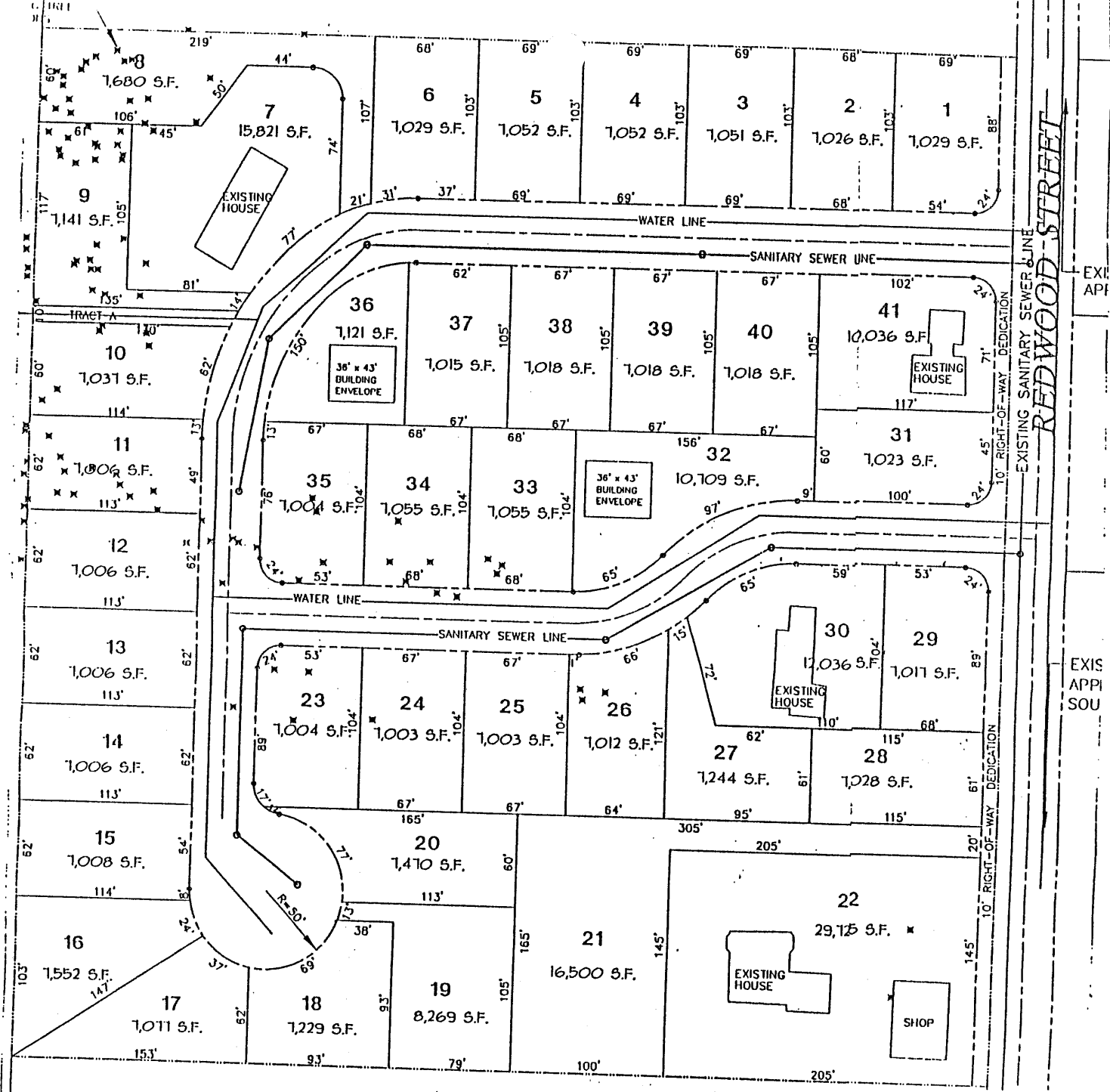
- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Curt McLeod

Date: 8-25-97

Title: ENGINEER

Agency: _____



**TENTATIVE PLAT
MAP**

TABLER
EXHIBIT
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