

**A G E N D A**  
**CANBY PLANNING COMMISSION**  
**REGULAR MEETING**  
**City Council Chambers**

**Monday, January 27, 1997**

**7:30 p.m.**

**I. ROLL CALL**

**II. MINUTES**  
January 6, 1997

**III. CITIZEN INPUT ON NON-AGENDA ITEMS**

**IV. COMMISSION DISCUSSION OF PLANNING ISSUES**

Hearing process and procedures and length of meetings.

**V. FINDINGS**

CUP 97-01 - Rob Petit  
VAR 97-01 - Todd and Nancy Lucich  
SUB 97-01 - Dan Anderson  
ANN 97-01 - Shimadzu U.S.A. Manufacturing, Inc.

**VI. PUBLIC HEARINGS**

MLP 97-01, an application by Bill Guttormsen (applicant/owner) for approval to partition a 4.41 acre parcel into 2 parcels, approximately 2.2 acres each. The site is located east of S.E. Pine Street, north of S.E. Third Avenue [Tax Lot 302 of Tax Map 3-1E-34C].

DR 97-01, an application by Shimadzu Scientific Instruments, Inc. for Site and Design Review approval to construct a 54,000 square foot manufacturing facility, which includes 10,000 square feet of office space and support areas, in Phase 2 of the Logging Road Industrial Park. The property is located east of the Logging Road, north of S.E. 4th Avenue [Tax Lots 700, 790 and 1700 of Tax Map 3-1E-34].

**VII. COMMUNICATIONS**

**VIII. OLD BUSINESS**

**IX. DIRECTOR'S REPORT**

**X. ADJOURNMENT**

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The City of Canby Planning Commission welcomes your interest in these agenda items. Please feel free to come and go as you please.

Dan Ewert, Chair  
Terry Prince

Keith Stewart, Vice-Chair  
Dave Hartwell

Vern Keller  
John Dillon

Mark O'Shea

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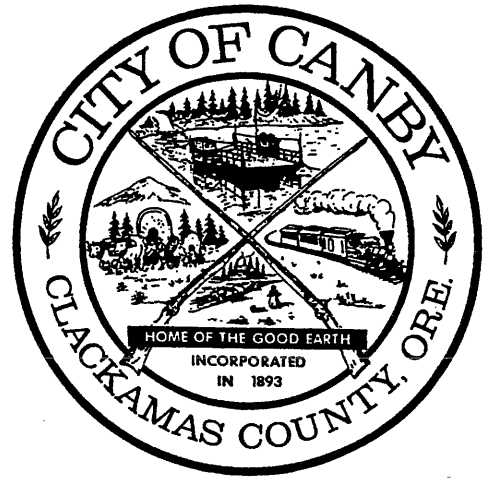


## TIMELINES AND PROCEDURES

- In order not to restrict any person from testifying but, rather, to encourage everyone to do so, the Canby Planning Commission shall try to adhere as closely as possible to the following timelines:
  - Applicant (or representative[s]) - not more than 15 minutes
  - Proponents - not more than 5 minutes
  - Opponents - not more than 5 minutes
  - Rebuttal - not more than 10 minutes
- Everyone present is encouraged to testify, even if it is only to concur with previous testimony. All questions must be directed through the Chair. Any evidence to be considered must be submitted to the hearing body for public access. All written testimony received both for and against shall be summarized by staff and presented briefly to the hearing body during the Staff Report.
- The applicable substantive criteria are those listed on the agenda sheet available at the rear of the room and on page 2 of the staff report. Testimony and evidence must be directed toward the applicable substantive criteria listed on page 2 of the staff report or other criteria in the Comprehensive Plan or land use regulations which the person believes to apply to the decision.
- Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision-maker and the parties an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals based on that issue.
- Prior to the conclusion of the initial evidentiary hearing, any participant may request opportunity to present additional evidence or testimony regarding the application. The Planning Commission shall grant such request by continuing the public hearing or leaving the record open for additional written evidence or testimony. Any such continuance or extension shall be subject to the limitations of the so-called 120-day rule, unless the continuance or extension is requested or agreed to by the applicant.
- If additional documents or evidence are provided by any party, the Planning Commission may, if requested, allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any such continuance or extension of the record requested by an applicant shall result in a corresponding extension of the so-called 120-day time period.







## - STAFF REPORT -

**APPLICANT:**

Bill Guttormsen  
12217 S. Mackburg Road  
Canby, OR 97013

**FILE NO.:**

MLP 97-01

**OWNER:**

Bill Guttormsen  
12217 S. Macksburg Road  
Canby, OR 97013

**STAFF:**

Lawrence Vasquez  
Assistant City Planner

**LEGAL DESCRIPTION:**

Tax Lot 302 of Tax Map 3-1E-34C

**DATE OF REPORT:**

January 17, 1997

**LOCATION:**

East side of S.E. Pine Street,  
north of S.E. Third

**DATE OF HEARING:**

January 27, 1997

**COMP. PLAN DESIGNATION:**

Commercial-Manufacturing

**ZONING DESIGNATION:**

C-M (Commercial-Manufacturing)

**I. APPLICANT'S REQUEST:**

The applicant is requesting approval to partition a 4.41 acre parcel into two parcels, approximately 2.20 acres each. The property is located east of S.E. Pine Street, on the north side of S.E. Third Avenue, immediately east of the 400 block of S.E. Second Avenue.

## II. APPLICABLE CRITERIA:

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

- A. Conformance with the text and the applicable maps of the Comprehensive Plan,
- B. Conformance with all other requirements of the Land Development and Planning Ordinance,
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties,
- D. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.
- E. In no case shall the use of a private road be approved for the partitioning unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to City standards is not necessary to insure safe and efficient access to the parcels.

## III. OTHER APPLICABLE CRITERIA

- A. 16.30.032 Development Standards in C-M Areas
- B. 16.56 General Provisions (for land divisions)
- C. 16.60 Major or Minor Partitions
- D. 16.64 Subdivisions - Design Standards

## IV. FINDINGS:

### A. Location and Background

The subject property is identified on the Clackamas County Assessor's Map as Tax Lot 302 of Tax Map 3-1E-34C. It is located at 1233 S.E. 1st Street, on the north side of Highway 99-E. The property is one of parcels that was annexed in 1991 (ANN 91-05).

The partition will split the property into two 2.20 acre parcels. The applicant/owner, Wilhelm Guttormsen, had used the property for his residence until 1995. Since 1995, the residence has been vacant and has been used for storage of personal items. All building will be destroyed upon development of the properties. The owner has accepted an offer to purchase the northern parcel upon minor land partition approval. The buyer intends to develop the parcel in conformance with the C-M zoning designation, with the possible use as a warehouse/maintenance facility related to the construction industry.

## **B. Comprehensive Plan Consistency Analysis**

### **i. Citizen Involvement**

■ **GOAL: TO PROVIDE THE OPPORTUNITY FOR CITIZEN INVOLVEMENT THROUGHOUT THE PLANNING PROCESS.**

Policy #1: Canby shall reorganize its citizen involvement functions to formally recognize the role of the Planning Commission in meeting the six required citizen involvement components of statewide planning goal No. 1, and to re-emphasize the City's commitment to on-going citizen involvement.

Policy #2: Canby shall strive to eliminate unnecessarily costly, confusing, and time consuming practices in the development review process.

Policy #3: Canby shall review the contents of the Comprehensive Plan every two years and shall update the plan as necessary based upon that review.

### **ANALYSIS**

1. The notification process and public hearing are a part of the compliance with adopted policies and process regarding citizen involvement. The Planning Commission seeks input of all citizens at the public hearing of all applications.

2. The Planning Commission adheres to acting upon applications within a sixty (60) day time period from the date of determination of a complete application. Any continuation of the review period is done with the approval of the applicant, or through admission of new information into the review process. The sixtieth day is February 21, 1997.

3. The review of the contents of the Comprehensive Plan is not germane to this application.

ii. **Urban Growth**

- **GOAL:** 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, WITH IN 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.

Policy #2: Canby shall provide the opportunity for amendments to the Urban Growth Boundary (subject to the requirements of statewide planning goal 14) where warranted by unforeseen changes in circumstances.

Policy #3: Canby shall discourage the urban development of properties until they have been annexed to the City and provided with all necessary urban services.

**ANALYSIS**

1. The property is entirely within both the Urban Growth Boundary and the City limits. No direct input from the County has been determined to be necessary or desirable, nor was any sought.
2. No changes to the Urban Growth Boundary are proposed with this application.
3. All necessary urban services are, or will be available for the partition (see discussion under Public Services 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 #5 Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.
- 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 properties to the east and north are zoned Commercial Manufacturing (C-M), the same as the subject property. The properties are developed or are currently being developed to commercial/industrial uses. The properties to the west and south are zoned Light Industrial (M-1). The property to the southwest is zoned R-2, High Density Residential and contains the Pine Crossing manufactured home development.
2. The partition of the property will permit a more intense use of the commercial/industrial property.
3. Request for comments have been sent to all public facility and service providers (see discussion under Public Services Element).
4. No natural hazards have been identified on the subject property.
5. The zoning of the property, M-1, Light Industrial, is consistent with the Land Use Map designation for the property (Light Industrial). The minimum lot size for parcels in the M-1 zone is 5000 square feet, and both parcels will meet the minimum lot size.

6. The property is not located in an area of the "area of special concern" as designated in the Canby Comprehensive Plan.

iv. ENVIRONMENTAL CONCERNS

■ GOAL: 1) TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

2) 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 #1-R-B: Canby shall encourage the urbanization of the least productive agricultural area within the Urban Growth Boundary as a first priority.

Policy #2-R: Canby shall maintain and protect surface water and groundwater resources.

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

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

Policy #5-R: Canby shall support local sand and gravel operations and will cooperate with county and state agencies in the review of aggregate removal applications.

Policy #6-R: Canby shall preserve and, where possible, encourage restoration of historic sites and buildings.

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 #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 has not been used agriculturally.

1-R-B. The subject property, while currently under-utilized, is considered to be urbanized. No agricultural operations have occurred on the property in the recent past.

2-R. The storm water drainage of the subject property is handled on-site. Clackamas County reviews storm water management and compliance with the Federal Clean Water Act.

3-R. The existing use has not created a known pollution problem. Construction activity is required to comply with prescribed standards for air, water, and land pollution, through the building permit process and the State's Department of Environmental Quality standards. The minor land partition will not, in and of itself, generate any form of pollution.

4-R. The minor land partition will not, in and of itself, generate any noise. The existing use is not known to generate excessive noise, or have a noise pollution problem. A future commercial/industrial use may generate noise, depending on the type of use, however, it will be regulated by the City's Noise Ordinance.

5-R. The subject property is not a sand and gravel operation, nor will the proposed partition or future use of the land hinder any sand and gravel operation. There is no sand and gravel operation within the City limits.

6-R. The subject property and surrounding properties are not historic sites.

7-R. The partition itself will not affect the scenic or aesthetic quality of the City. Future development of either of the proposed parcels will affect the scenic and aesthetic quality of the City. The development of open space changes the scenic or aesthetic quality of the City, sometimes for the better and sometimes for the worse. The visual impacts of development of the subject parcel will be reviewed through the Site and Design Review process or the subdivision/partition review process in the future.

8-R. The subject property is considered to be open space at this time. Preservation of open space on the properties in perpetuity is impractical. The nearby Logging Road is a public use facility for walking and bicycling.

9-R. No wildlife or fish habitats are known on the subject property.

10-R. No wetlands are known on the subject property.

1-H. The subject property has no steep slopes.

2-H. The subject property is not in a flood zone.

3-H. The subject property has Latourell loam soil, which is a deep, well-drained soil. No expansive soils, shallow topsoil, high water table, or other potential risks associated with construction on the subject properties have been identified.

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

- 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 #8: Canby shall work cooperatively with the State Department of Transportation and the Southern Pacific Railroad Company in order to assure the safe utilization of the rail facilities.
- Policy #9: Canby shall support efforts to improve and expand nearby air transport facilities.
- Policy #10: Canby shall work to expand mass transit opportunities on both a regional and an intra-city basis.
- Policy #11: Canby shall work with private developers and public agencies in the interest of maintaining the transportation significance as well as environmental and recreational significance of the Willamette River.
- Policy #12: Canby shall actively promote improvements to State highways and connecting County roads which affect access to the City.

## ANALYSIS

1. No additional road improvements will be needed for S.E. 3rd Avenue or S.E. 2nd Avenue. The applicant proposes to provide access to the northern parcel, Parcel 3, from the cul-de-sac on S.E. 2nd Avenue and the southern parcel, Parcel 4, shall be accessed from S.E. 3rd Avenue to the south. The property to the east is part of Canby Park East industrial subdivision and the cul-du-sac street improvements were provided as part of that development (SUB 78-06). As recorded on the final plat, the terminus of the cul-du-sac was provided as a 60' radius temporary road turnaround easement that would be automatically terminated when the road, S.E. 2nd Avenue, is extended east. The tentative plat indicates proposed access to Parcel 3 running off the east side of the existing cul-de-sac. The applicant does not propose to extend S.E. 2nd Avenue.

Comments received from Oregon Department of Transportation recommends that access to both parcels, (Parcels 3 and 4), be provided by S.E. 3rd Avenue to alleviate any potential circulation congestion for the Canby Fire Department and to maintain the integrity of the existing signal at Pine St./Highway 99-E intersection. In response to this concern, Canby Fire Department has stated they see no problem with servicing Parcel 3 as proposed by the applicant, and the proposed plan meets the department's requirements. Canby Fire prefers direct access to Parcel 3 rather than a flag access strip or shared access off of S.E. 3rd Avenue.

2. No street construction is required.
3. The nearest major intersection to the subject property is the intersection of S. S. Pine and Highway 99-E. At this time, that intersection is not considered to be a "problem intersection."
4. Sidewalks are in place along S. Redwood and S.E. 3rd Avenue.
5. The fire district has responded to the Request for Comments. There are no concerns regarding emergency access to the property. The Police Department has responded with no concerns.
6. South Redwood Street has been built to "collector" street standards with a bike lane along the western side of South Redwood.
7. The existing use and the proposed use of the properties have no specific use for the rail facilities that exist in Canby.
8. The proposed partition has no bearing on efforts to improve or expand nearby air transport facilities.
9. The mass transit system in operation in Canby has no direct bearing on the proposed partition. No future transit stops have been proposed. The City has adopted a Transportation Master Plan study which included mass transit considerations. Any future development of the property will be reviewed in light of the Transportation Master Plan.
10. The subject property is not near the Willamette River and will have no effect on the transportation potential or use of the Willamette River.
11. The subject property is fully within the City limits and is not near any "entry point" into the City.

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 #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

Policy #3: Canby shall adopt and periodically update a capital improvement program for major City projects.

Policy #4: Canby shall strive to keep the internal organization of City government current with changing circumstances in the community.

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." Positive responses were received from the Public Works Department, Waste Water Treatment Plant, Police Department, Canby Telephone Association, Northwest Natural Gas, Oregon Department of Transportation and the Fire District. For further development of the property, sewer and water service will need to be provided. All other facilities and services are available. The Canby Utility Board has not responded to the "Request for Comments." There has been no recent indication, unofficial or otherwise, of potential inadequacy of facilities or services from these providers.

2. There are no needed 'public improvements'.

3. The subject properties are a part of the area benefitting from the Logging Road Industrial Park road improvements project. Major infrastructure improvements have been or are under construction which will benefit this property and are being initially funded through the City. Development of property within the benefitted property zones is the mechanism by which the City will be able to pay for the improvements. The improvements

include the S Pine Street/S. Redwood Street road connection between Highway 99-E and Township Road, and sewer and water mains to service the southeastern portion of the City, including the subject property. Reimbursement for the improvements occurs with the development of the property.

4. The City's internal organization is not germane to this application.

5. The City has adopted a Parks Master Plan in which appropriate sites or areas for recreation facilities are identified. No new park or recreation facilities are identified for this area.

vii. **ECONOMIC**

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

Policy #1: Canby shall promote increased industrial development at appropriate locations.

Policy #2: Canby shall encourage further commercial development and redevelopment at appropriate locations.

Policy #3: Canby shall encourage economic programs and projects which will lead to an increase in local employment opportunities.

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**

1. Development of the property could be either industrial or commercial, as the current zoning of the subject property allows. The partition will provide the necessary and appropriate access for further development.

2. Same as Policy 1 discussion above.

3. The partition of the subject property is not a part of a special project, however, the partitioning will allow for increased industrial/commercial construction and jobs.



4. There is no specific proposed development at this time. Eventual development will be industrial/commercial in nature. The project will have no direct adverse impacts on agricultural operations.

**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**

1. The proposed partition, and any associated future development, will not affect housing density.

2. The proposed development does not include higher density housing. Future development of the property will not include higher density housing.

3. The proposed development does not include housing for low income persons. Future development of the property will not include housing for low income persons.

4. The proposed development is not a mobile home development. Future development of the property will not include mobile/manufactured home development.

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.

Policy #4: Canby shall attempt to reduce wasteful patterns of energy consumption in transportation systems.

**ANALYSIS**

1. The application is for the subdivision of an industrial parcel. The future development will allow for opportunities to incorporate wind or solar orientation considerations in the siting and development of the properties.

2. The City has adopted a Transportation Master Plan. City standards, transportation patterns of all developments will be reviewed through the Transportation Master Plan.

**Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan:**

Review of the above analysis will show that the proposed partition, with the recommended conditions of approval, is consistent with the policies of the Comprehensive Plan. Development of the lots will need to comply with all applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State Codes and Regulations.

**C. Evaluation Regarding Minor Land Partition Approval Criteria**

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

See above discussion.

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

The partition, in all other respects, is in conformance with all other requirements of the Land Development and Planning Ordinance.

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

The size and orientation of the proposed parcels is such that future development of both parcels is both possible and feasible. Access facilities are available. Utility easements along the new property lines will be needed to allow for potential utility extensions.

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

As best as staff has been able to determine, all required public facilities and services are available, or will become available through future development, to adequately meet the needs of any development of either of the proposed parcels. No indication of difficulties have been mentioned, officially or otherwise, with regard to these public facilities and services providing service to any development. Although the Oregon Department of Transportation has recommended access to both parcels be provided from S.E. 3rd Avenue, the Canby Fire District has stated they have no circulation problems with serving Parcel 3 from S.E. 2nd Avenue, as proposed by the applicant.

- E. In no case shall the use of a private road be approved for the partitioning unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to City standards is not necessary to insure safe and efficient access to the parcels.

No new private roads are proposed as a part of this application.

## V. CONCLUSION

1. Staff concludes that the partition request, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan and the Municipal Code.
2. Staff concludes that the overall design of the proposed partition will be compatible with the area and will provide adequate building area for the provision of public facilities and services for the lots.

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

## VI. RECOMMENDATION

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that should the Planning Commission approve MLP 97-01, the following conditions should apply:

### For the Final Plat:

1. A final partition plat modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application -- City of Canby, Planning Department, File No. MLP 97-01.
2. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. Said partition map shall be recorded with the Clackamas County Surveyor and Clackamas County Clerk, and a copy of the recorded map shall be provided to the Canby Planning Department.
3. A new deed and legal description for the new parcels shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.
4. All monumentation and recording fees shall be borne by the applicant.
5. Permanent utility construction and maintenance easements including, but not limited to, electric and water cables, pipeline conduits and poles shall be provided as follows:
  - 6 feet in width along all lot lines, except,
  - 12 feet in width along the dedicated S.E. 3rd Avenue and S.E. 2nd Avenue frontage.

**Notes:**

6. The final plat must be recorded with Clackamas County within one (1) year of the approval of the preliminary plat approval in accordance to Section 16.60.060. The mylar for the final plat must be signed by the City prior to the recording of the plat.

**Exhibits:**

1. Application
2. Vicinity Map
3. Partition Plat
4. Request for Comments Responses

MINOR LAND PARTITION APPLICATION

Fee: \$900

OWNER

APPLICANT

Name Wilhelm Guttormsen
Address 12217 S Macksburg Rd.
City Canby State Oregon Zip 97013
Signature: [Handwritten Signature]

Name Bill Guttormsen
Address
City State Zip
Phone: 266-4462

DESCRIPTION OF PROPERTY:

Tax Map 3-1E-34C Tax Lot(s) 302 Lot Size 4.41 (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 two (2) 8-1/2 x 11 sheets of labels, just as you would address an envelope.

USE

Existing vacant residence Proposed lite industrial building

Existing Structures vacant residence and outbuildings

PROJECT DESCRIPTION

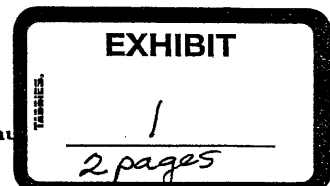
Partition existing 4.41 acre parcel into two 2.207 acre parcels for development.

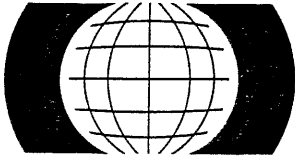
ZONING C-M COMPREHENSIVE PLAN DESIGNATION C-M

PREVIOUS ACTION (if any)

File No. MLP 97-01
Receipt No. 2249
Received by JSW
Date Received 12.11.96
Completeness Date
Pre-Ap Meeting
Hearing Date

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





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489 S.W. 1st, Canby, OR 97013

(503) 266-2711, 655-4855

Fax: (503) 263-6223

Minor Land Partition Application for Wilhelm Guttormsen

Parcel 3 - 1E- 34c Tax Lot 302

The Guttormsens have used the existing parcel for their personal home for many years until 1995. Since 1995 the home has been vacant, used only for storage for personal items. The outbuildings are presently empty or temporary storage only.

All buildings are of "No Value" and are to be destroyed upon parcel improvement.

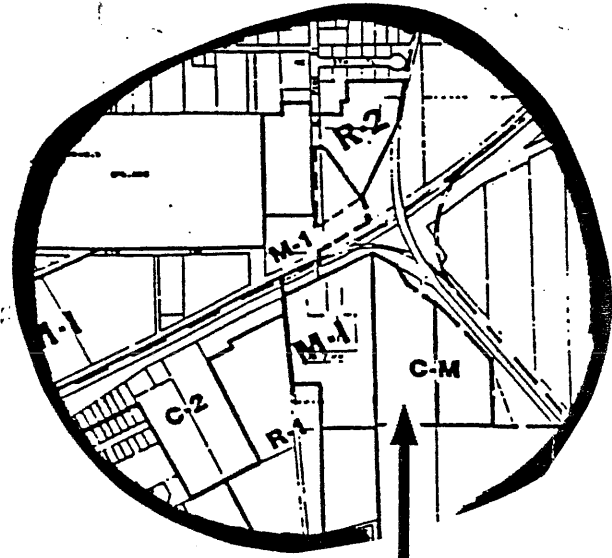
At this time the Owner - Seller has accepted an offer to purchase the back 2.207 acres subject to City of Canby approval of this minor land partition application.

The buyer has stated his intentions of developing the parcel in compliance with the C-M zone in Canby. Use will be warehouse/maintenance building for use in construction industry.

If additional information is requested, please call : Bob Kacalek..Broker  
Realty World - Canby Realty  
266-2711

  
\_\_\_\_\_  
Wilhelm Guttormsen

NORTH



SOUTHERN PACIFIC R.R.  
U.S. HIGHWAY 99E

S.E. PINE ST.

CANBY PARK

SE. SECOND ST.

S.E. THIRD AVE.

EAST 2384 INITIAL POINT

300  
3.00 Ac.  
1233

PARCEL 1  
(3.00 Ac)

P.P.

302  
4.41 Ac.

1994-142

PARCEL 2  
(4.41 Ac)

403

404

405

401  
1.35 Ac.  
1175

406

407

408

409

410

500  
0.32 Ac.  
254

601

600  
0.50 Ac.  
305.11

700  
11.12 Ac.  
1111

800  
6.55 Ac.

1802  
13.06 Ac.

1800  
0.81 Ac.

SUBJECT PROPERTY

4.41 ACRES  
TAX LOT 302

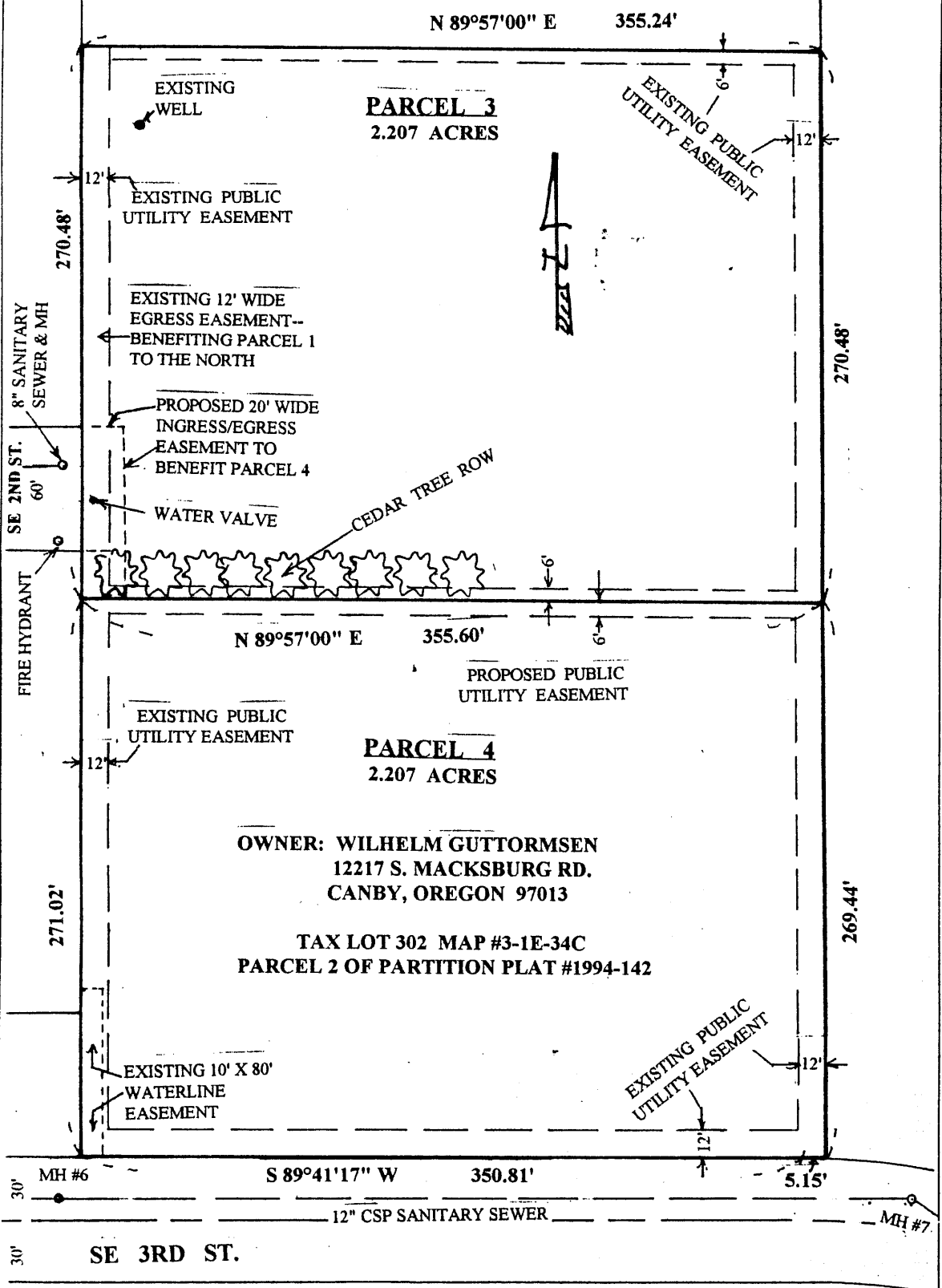
PUBLIC BOOK 159  
PAGE 598

EXHIBIT

2



PARCEL 1 PARTITION.  
PLAT #1994-142



LOCATION	<b>PACIFIC SURVEYS</b> 141 N. GRANT ST. CANBY, OREGON 97013 266-9979	CLIENT <b>W. GUTTORMSEN</b>
1/4 SEC. . T. . R. . W.M.		JOB NO. 2732 BY: CHH
—O DENOTES 5/8" x 30" IRON ROD SET—		DATE 12/9/96
		SCALE 1" = 60'

**EXHIBIT**

3

# PLEASE RETURN ATTACHMENTS!!!

## CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: December 16, 1997

TO: FIRE, POLICE, CUB, TOM PIERSON, NW NATURAL GAS, MIKE JORDAN,  
JOHN KELLEY, ROY, STEVE, ODOT

The City has received MLP 97-01, an application by Bill Guttormsen (applicant/owner) for approval to partition a 4.41 acre parcel into 2 parcels, approximately 2.2 acres each. The site is located east of S.E. Pine Street, north of S.E. Third Avenue [Tax Lot 302 of Tax Map 3-1E-34C].

We would appreciate your reviewing the enclosed application and returning your comments by January 13, 1997 PLEASE. The Planning Commission plans to consider this application on January 27, 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:

*The application as submitted meets UPL 902.1  
and the fire districts access requirements.  
ODOT comments about fire dept. access are not  
to be considered in this application.*

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 Garbrough

Date: 1-2-96

Agency: Canby FD

Title: Fire Marshal

EXHIBIT

4

7 pages

# PLEASE RETURN ATTACHMENTS!!!

→ To: CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-4021

DATE: December 16, 1997

TO: FIRE, POLICE, CVB, TOM PIERSON, NW NATURAL GAS, MIKE JORDAN,  
JOHN KELLEY, ROY, STEVE, ODOT

The City has received MLP 97-01, an application by Bill Guttormsen (applicant/owner) for approval to partition a 4.41 acre parcel into 2 parcels, approximately 2.2 acres each. The site is located east of S.E. Pine Street, north of S.E. Third Avenue [Tax Lot 302 of Tax Map 3-1E-34C].

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Comments or Proposed Conditions:

BECAUSE OF close proximity of SE 2<sup>nd</sup> ST to ~~base~~ Pine ST intersection, and the signal at Hwy 99E, this office recommends access to both parcels be provided via SE 3<sup>rd</sup> AVE. Further congestion of the SE 2<sup>nd</sup> / Pine ST intersection could pose a circulation problem for the City of Canby Fire Dept., and the functional integrity of the existing 99E signal.

Please check one box:

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Signature: [Signature] Date: 1/13/97  
Agency: ODOT - ZB Title: PERMITS

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[503] 266-4021

DATE: December 16, 1997

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Comments or Proposed Conditions:

*None*

Please check one box:

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- Conditions are needed, as indicated
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Signature: Steve Hansen Date: 1/6/97

Agency: City of Canby WWTP Title: POTW Supervisor

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[503] 266-4021

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Comments or Proposed Conditions:

OK

Please check one box:

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Signature: Ray L Hester Date: 1-8-97

Agency: City of Canby Title: Public Works Supervisor

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[503] 266-4021

DATE: December 16, 1997

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Comments or Proposed Conditions:

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Signature: *Harry Hyatt* Date: 1-7-97

Agency: NW Natural Gas Title: Engineering Field Supervisor

RECEIVED JAN 02 1997

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DATE: December 16, 1997

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Comments or Proposed Conditions:

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Signature: Tom Pierson Date: 1-2-97  
 Agency: CTA - NWT Title: ENG DEPT

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[503] 266-4021

DATE: December 16, 1997

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Comments or Proposed Conditions:

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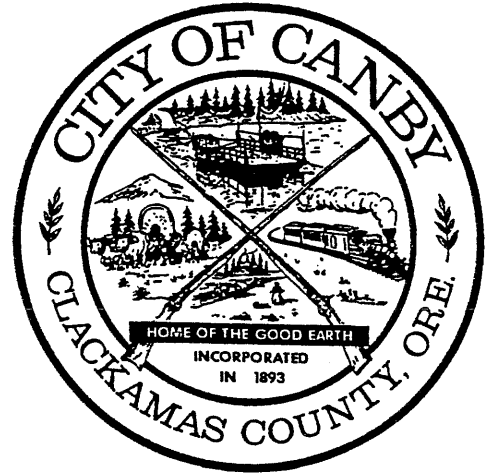
Please check one box:

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- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Jerry Miller Date: 1/2/97  
Agency: Canby Police Dept. Title: Police Chief



# - STAFF REPORT -

**APPLICANT:**

Shimadzu USA Manufacturing  
7102 Riverside Drive  
Columbia, MD 21046

**FILE NO.:**

DR 97-01  
(Shimadzu)

**OWNER:**

Ray & Irene Burden  
23230 S. Highway 99-E  
Canby, OR 97013

**STAFF:**

James S. Wheeler  
Planning Director

**LEGAL DESCRIPTION:**

Tax Lot 790 of Tax Map 3-1E-34

**DATE OF REPORT:**

January 17, 1997

**LOCATION:**

North side of S.E. 4th Avenue,  
east of the Logging Road  
(4th Avenue to be extended)

**DATE OF HEARING:**

January 27, 1997

**COMP. PLAN DESIGNATION:**

Heavy Industrial

**ZONING DESIGNATION:**

M-2 (Heavy Industrial)  
(upon annexation)

**I. APPLICANT'S REQUEST:**

The applicant is requesting site and design approval to construct a 54,000 square foot manufacturing building, which includes 10,000 square feet of office space and support areas. The development is proposed to occur on a 15 acre parcel in the Phase 2 portion of the Logging Road Industrial Park.

## II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**
  - 16.10 Off-Street Parking and Loading
  - 16.34 M-2 - Heavy Industrial Zone
  - 16.49 Site and Design Review
  - 16.88 General Standards

## III. MAJOR APPROVAL CRITERIA

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

1. The Planning Commission, sitting as the Design Review Board, shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:
  - A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved, and
  - B. The proposed design of the development is compatible with the design of other developments in the same general vicinity, and
  - C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
  - D. The Board shall, in making its determination of compliance with subsections (B) and (C) above, use the following matrix to determine "compatibility". An application is considered to be "compatible", in regards to subsections (B) and (C) above, if a minimum of 65% of the total possible number of points (not including bonuses) are accumulated for the whole development.
  - E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development.
2. The Design Review Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing.
3. The Design Review Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.
4. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Section 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

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

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

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

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

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

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

#### IV. FINDINGS:

##### A. Background and Relationships:

The property is under review for annexation (ANN 97-01) and a lot line adjustment (LLA 97-01). Any approval of this site and design review application is subject to approvals of both the annexation and lot line adjustment applications.

The property is located in the 2nd phase of the Logging Road Industrial Park, on the north side of S.E. 4th Avenue (to be extended), and on the east side of the Logging Road. The proposed 54,000 square foot building will consist of approximately 44,000 s.f. of manufacturing/warehousing space and approximately 10,000 s.f. of office/support space. The office space consists of two levels.

The applicant does intend to build a second phase to the development, adding approximately 50,000 square feet, to the west side of the proposed building. This second phase is not a part of this application.

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

###### 1. Part IV - Section 2, No. 2

**"Minimum area for landscaping is 15% of the total area to be developed."**

The minimum amount of landscaping required for the approximately 210,000 square foot developed portion of the parcel is 31,500 square feet (15%). The total amount of landscaping proposed is approximately 65,500 square feet (31.2%).

###### 2. Landscaping - General.

The street tree that is proposed, Pin Oak, is not a recommended street tree. There are three other types of oaks that are possible. The street tree will need to be one that is on the City's Recommended Street Tree list.

###### 3. Parking.

The number of parking spaces required for an industrial use such as is proposed is 84 (41.6 for the 11,886 square feet of office space, and 42.1 for the 42,092 square feet of manufacturing space). There are 100 parking spaces being proposed, including 4 ADA (American Disabilities Act) parking spaces (4 required).

Three loading docks have been proposed. The loading areas are located on the eastern side of the building. Public access in to the south along S.E. 4th Avenue. The loading areas are perpendicular to the building and are approximately 15 feet wide and 70 feet long.

Wheel stops are not proposed for all the parking spaces fronting either a walkway or landscaping. As per the Land Development and Planning Code, section 16.10.070(A)(8), wheel stops are required for these parking spaces.

#### 4. Access

Two access drives will be provided from S.E. 4th Avenue. The entrances will be 34' wide. The drive between the two entrances will be 30' wide, with parking spaces other either side and a 12' front door access drive. The 12' front door access drive will need to be marked for one-way travel due to the narrow width of the drive. The eastern entrance from S.E. 4th Avenue will have a separate 34' wide truck access drive extending to the north (the parking lots are accessed from this entrance and then to the east).

Pedestrian access is provided from the public sidewalk at the western entrance from S.E. 4th Avenue to the office entrance. While S.E. 4th Avenue will not extend beyond the development site, at the completion of the development, pedestrian access from the public sidewalk toward the eastern entrance is advisable. Eventually other developments will be located to the east and pedestrian traffic could just as easily arrive from the east as from the west.

#### 5. Architecture

The exterior of the building will be tilt-up concrete wall panels with an accent color line. The western wall will be sheet metal as this is where the building will be extended in the future. The roof will be composite (probably a type of "rolled" roof material) due to the shallow pitch of the roof. The color of the walls will be a light tan color ("Desert Castle"), with a reddish ("Sizzling Haute" accent. The western metal wall will also be the reddish color. The roof will also be a tannish color. Color samples are in the file and available.

A monument sign is proposed for the western entrance to the property, however, no details regarding the size or appearance of the sign has been submitted at this time. Further review of the signage by the Planning Commission will be necessary prior to the issuance of a building permit for any signage.

## 6. Availability of Adequate Public Facilities and Services

Sewer, water, telephone/cable, and gas utilities will all be extended to the site through the extension of S.E. 4th Avenue. Electricity may be extended from Township Road, if not through the extension of S.E. 4th Avenue. The utilities will be extended from the S. Redwood utilities that were constructed with industrial uses in mind and the utility providers have met and indicated that servicing the project with adequate services is possible (exhibit 2). A Hazardous Materials Management Plan will be needed prior to occupancy of the building, in accordance with the Uniform Fire Code 8001.3.2, Appendix 11-E.

A traffic study was completed by the traffic engineer on contract with the City. The study indicates that levels of service for all intersections under the study (Pine/Highway 99-E, Redwood/4th, Redwood/Township, and Township/Ivy) will be "C" or better (exhibit 4 - Planning Commission packets only, a copy is on file in the Planning office). A level of service "F" is considered to be failing, and therefore insufficient.

The police department has made suggestions regarding safety issues for the site and the building. The primary suggestion is to add a window from the lunch room (east side) that will allow the employees to monitor the east parking lot. There are other suggestions as found on the "request for comment" response from the police department. Staff does not recommend any changes to the landscaping (regarding location or types), but some minor alterations to the plan can be accommodated if the applicant desires to take the police department's suggestions into consideration.

## 7. Compatibility Matrix

Of the six main areas of critique (parking, traffic, tree retention, signs, building appearance, types of landscaping), five apply at this time (parking, traffic, tree retention, building appearance, types of landscaping). Signs does not apply at this time in that they do not have details regarding signage and it will require further Planning Commission review for signs to be located on the site.

The proposed application receives, in staff's determination, a total of 23 points out of a total possible of 32 points (71.9%). The minimum percentage required to be considered "compatible" is 65%, therefore, this proposal is considered to be complete. Following is staff's determination of the point totals.

CRITERIA	PTS/POSS	NOTES
<b>Parking</b>		
Screening of loading facilities from public ROW	2/2	Location on the side of the building and screened by laurel hedge.
Landscaping	1/1	Parking lot landscape islands are provided.
Parking lot lighting	1/1	Parking lot lighting coverage provided.
Location	0/2	Parking lot is located in front of the building as well as on the side. (Applicant thought that this ought to be a 1/2 score as parking is provided on the side - staff's determination is that since parking is in the front, the score is 0/2).
Number of parking spaces	1/2	100 spaces/84 required = 119%.
<b>Traffic</b>		
Distance of access to intersection	2/2	Intersection >100' away (future intersections anticipated to also be over 100' away).
Access drive width	1/1	34' provided/24' required = 142%.
Pedestrian access from public sidewalk to public building	2/2	The two entrances are connected to public sidewalk - staff suggests a second public sidewalk connection for pedestrian convenience reasons.
Pedestrian access from parking lot to building	1/2	Walkways are located in front of the building, however, a patron utilizing the parking spaces in the southeastern and eastern reaches of the parking lot will be required to either traverse a length of the access drive or twice cross access drives to reach a walkway to the building.
<b>Tree Retention</b>		
For trees outside of the building footprint	0/3	The applicant has stated that there are only two and parking/access areas (3 or more trees) trees that are not a part of the nursery operation, however, there are approximately 8 large trees that seem to be larger than typical "nursery stock" trees. One tree is particularly large. Whether or not an arborist's report is necessary can be debated. If one is not required then this criteria is not applicable and the total number of possible points is 29 instead of 32.
Replacement of trees removed that were recommended for retention	N/A	Since there is no arborist's report, this criteria is not applicable.

CRITERIA	PTS/POSS	NOTES
<b>Building Appearance</b>		
Style	2/2	The style of building is quite similar in size (not height - smaller) than the JVNW building under construction to the east.
Color	2/2	The colors are subdued (tan) and similar to what will be used for JVNW (light gray with translucent panels). The only question comes with the red western metal wall. This wall is considered to be "temporary".
Material	1/1	Concrete is the predominant material for the building. Some metal is proposed, for the west wall that is proposed to be expanded in the near future.
Size	0/1	The size of the building will be 54,000 square feet, well in excess of the 20,000 square foot cut-off for a 1-point score.
<b>Types of Landscaping</b>		
# of non-required trees	0/1	There are 29 non-required trees proposed in the landscaping, which is equal to 1 per 2250 square feet of landscaping.
Amount of grass	2/2	52,200 square feet of grass provided (79.7%).
Location of shrubs	1/1	Shrubs are generally located in the background of the landscaping. There are shrubs proposed between the street and the parking area, but they are located behind a 20-foot wide area of grass.
Automatic Irrigation	4/4	The applicant is proposing to furnish automatic irrigation for the shrub, and finished lawn areas (not the rough grass seed areas - which are designated for future development).



**8. Other Criteria.**

The effect of approving this application on the availability of affordable housing is negligible in that proposed use is industrial and is not related to housing. Further, approval of this application will not use land that would be able to be used for affordable housing.

**V. CONCLUSION**

The staff hereby concludes that, with appropriate conditions, the proposed development as described in the application, site plan, and this report:

1. is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
2. is compatible with the design of other developments in the same general vicinity; and
3. is compatible with the proposed development and appropriate to the design character of other structures in the same vicinity, in regards to the location, design, size, color and materials of the exterior of all structures and signs; and
4. is considered to be "compatible", in regards to subsections (B) and (C) above, because 71.9% of the total possible number of points (not including bonuses) are accumulated for the whole development; and
5. all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development; and
6. will have a negligible effect on the availability and cost of needed housing.
7. Further, staff concludes that, the conditions listed are the minimum necessary to achieve the purposes of the Site and Design Review Ordinance, and do not unduly increase the cost of housing.

**VI. RECOMMENDATION:**

Based upon the application, elevations, the site plan received by the City, the facts, findings and conclusions of this report, and without the benefit of a public hearing, staff recommends that should the Planning Commission approve DR 97-01, the following conditions apply:

**Prior to the issuance of the Building Permit:**

1. This Site and Design Approval is subject to approval of the annexation (ANN 97-01) and lot line adjustment (LLA 97-01) applications associated with this proposal.
2. A preconstruction conference shall be held prior to the issuance of the building permit. The conference shall be coordinated through the Planning Office.
3. The Data Disclosure Form shall be completed and submitted to the City's Sewer Department prior to the issuance of a building permit.

**For the Building Permit Application:**

4. A detailed landscape construction plan shall be submitted with the building permit. The detailed landscape plan shall show: the number of plants, plant spacing/location of planting, the type of plants, the size of plants, the schedule of planting, and irrigation plans.
5. The landscaping shall be planted at such a density so as to provide a minimum of 95% coverage of the landscape areas with vegetation, within a 3-year time period. Bark mulch and similar material shall consist of not more than 5% of the total landscape area after the 3-year period. The plant spacing and starting plant sizes shall meet the ODOT plant spacing/starting size standards. Trees are to be a minimum of 2" in diameter at the 4-foot height.
6. The street trees along S.E. 4th Avenue shall be selected from the City's Recommended Street Tree List.
7. Pedestrian access from the main entrance shall be provided to the public sidewalk east of the main entrance.
8. Wheel stops shall be provided for all parking spaces located adjacent to landscaping or walkways. The wheel stops shall be placed two (2) feet in front of the end of the space. The A.D.A. parking spaces shall be designated as such with signs.

**Prior to Construction:**

9. The address for the job site shall be posted and shall meet the Uniform Fire Code 901.4.4 requirements.

**During Construction:**

10. Erosion-control during construction shall be provided by following Clackamas County's Erosion Control measures.

**Prior to Occupancy:**

11. A Hazardous Materials Management Plan, in accordance with the Uniform Fire Code, Section 8001.3.2, Appendix 11-E, shall be filed with the Canby District Fire Marshall.

**Notes:**

12. Prior to the placement of any signage that requires a sign permit, approval from the Planning Commission shall be received. This condition shall expire twenty-four (24) months after the final occupancy of the building. The Planning Commission's review of the signage shall be in accordance with 16.49.040 and shall be conducted through a limited land use process.

**Exhibits:**

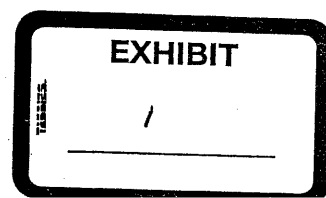
1. Applicant's Package
2. Notes regarding utility provider's meeting
3. Responses to "Request for Comments"
4. Traffic Study (only in the Planning Commission's Packet - also available in the file)
5. Site Plan/Elevations/Landscape Plan (only in the Planning Commission's Packet - also available in the file)

SITE AND DESIGN REVIEW APPLICATION  
FOR  
SHIMADZU USA MANUFACTURING, INC.

SUBMITTED TO:  
CITY OF CANBY  
P.O. BOX 930  
CANBY, OR 97013

Prepared by:  
CIDA  
5200 SW Macadam Avenue, Suite 420  
Portland, Oregon 97201

December 31, 1996



## CONTENTS

### I. DESCRIPTION OF THE PROPOSAL

### II. COMPLIANCE WITH CODE CRITERIA

→

### III. ATTACHMENTS

- Application Form
- Notice of Authorization
- Notification List
- Tax Map

### IV. ENCLOSURES

- Drawing Set (25 copies)
- Color/Materials Board (one)
- Filing Fee

## I. DESCRIPTION OF THE PROPOSAL

This is an application for Site and Design Review as required by Canby Zoning Ordinance Section 16.49. The proposed project is a new manufacturing facility for Shimadzu Manufacturing USA, Inc., to be located in the Canby Industrial Park. A companion application for annexation and lot line adjustment was made on December 11, 1996, which will result in the site's annexation and rezoning from EFU-20 to Heavy Industrial.

The site includes 15.0 acres, and has frontage on 4th Street, which will be extended as part of infrastructure development in the area. The parcel has been used for production of nursery stock, a portion of which will be removed prior to site development. Only two large trees are on the site, both of which have grown from the nursery operation. One will be retained.

The proposed building is approximately 54,000 sq. ft. in area, including about 44,000 sq. ft. of manufacturing and about 10,000 sq.ft. for office and support areas. One hundred parking spaces are provided for employees and visitors. The building and site development have been designed to meet all standards of the Canby Zoning Ordinance and no variances are proposed.

## II. COMPLIANCE WITH CODE CRITERIA

The Canby Zoning Code, Section 16.49.040, provides criteria for the review and approval of Site and Design Review application. Each is addressed as follows:

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

### Comment:

The vicinity of the site includes a mixture of new and older development. The older buildings typically are metal exterior, while newer ones include at least some concrete tilt-up panels. The area is in transition from agricultural/residential to industrial park in character. The proposed development includes a concrete tilt-up building with extensive landscaping, consistent with the area.

The basic criteria of the Zoning Code are reviewed as follows:

	Code	Provided
Minimum lot area	5000sq.ft.	15.0 acres
Minimum width/frontage	50 ft.	800 ft.
Interior yard	0	180 ft.

	Code	Provided
Maximum height	45 ft.	22 ft.
Maximum coverage	none	8.26%
Minimum parking	1:1000 (manuf.)+3.5:1000 (Office)	100

Total= approx. 93

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

**Comment:**

As noted above, there is a mixture of development in the area. The proposed building and site development are designed to reflect high-image industrial building design commensurate with the nature of expected future development in the area. The combination of concrete tilt-up panels and pre-finished metal awnings provides a character similar in nature to other development in the area, as required by this criteria.

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

**Comment:**

The building's location and orientation allow both vehicle and pedestrian access to the site without internal conflicts. The trucking area is located behind the parking area, away from the street, to improve screening, while the parking area is located to serve both employees and visitors. As noted above, the exterior building materials are similar to other industrial developments in the area, and the colors also have been selected for compatibility.

"D. The Board shall, in making its determination of compliance with subsection (B) and (C) above, use the following matrix to determine "compatibility". An application is considered to be "compatible", in regards to subsection (B) and (C) above, if minimum of 65% of the total possible number of points (not including bonuses) are accumulated for the whole development."

**Comment:**

Each criteria noted in the matrix is addressed below.

Criteria	Points	Notes
<b>Parking</b>		
Screening of loading facilities from public ROW	2	Screened by landscaping
Landscaping (breaking up of expanse of asphalt)	1	Islands provided

Criteria	Points	Notes
Parking lot lighting (no/yes)	1	Lighting plan included
Location (behind the building is best) [front/side/behind]	1	Distributed to front/side
Number of parking spaces (% of min.) [x > 120% / 100%-120% / x = 100%]	1	Approx. 110%
<b>Traffic</b>		
Distance of access of intersection [x < 70' / 70'-100' / x > 100]	2	Over 100 ft.
Access drive width (% of minimum) [x < 120% or x > 150% / 120%-150%]	1	125% (30ft.)
Pedestrian access from public sidewalk to bldg. [1 entrance connected/all entrances connected].	1	All connected
Pedestrian access from parking lot to building	1	2-point criteria met except for access drive crossing
<b>Tree Retention</b>		
For trees outside of the building foot-print and parking/access areas (3 or more trees) [No arborist report/follows <50% of arborist recommendation/follows 50%-75% of arborist rec./follows 75% of arborist rec.]	3	No qualifying trees
Replacement of trees removed that were recommended for retention [x < 50%/x > 50%]	1	No qualifying trees
<b>Signs</b>		
Dimensional size of sign (% of maximum permitted) [x > 75%/50%-75%/...]	2	A separate sign package will follow that meets these criteria
Similarity of sign color... color [no/some/yes]	2	
Pole signs [yes/no]	1	
Location of sign [x > 25' from driveway entrance / within 25' of entrance]	1	
<b>Building Appearance</b>		
Style (architecture) [not similar-similar to surrounding]	2	Similar to others
Color (subdued and similar is better), [neither/similar or subdued/similar & subdued]	2	Color board notes selected colors
Material [concrete or wood or brick is better]	1	Concrete tilt-up
Size (smaller is better) [over 20,000 s.f./under 20,000 s.f.]	0	Over 20,000 sq. ft.
<b>Types of landscaping</b>		
# of non-required trees [x < 1 per 500 sf. of landscaping / 1 or more per 500 sf. of landscaping]	0	
Amount of Grass [ < 25% / 25%-50% / x > 50% ]	2	Grass and seeded



Criteria	Points	Notes
Location of shrubs [foreground/background]	1	
Automatic Irrigation [no/yes]	4	
Total Points	33	(84.6% of possible)

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

**Comment:**

Shimadzu Manufacturing USA, Inc. Is participating in a project to extend 4th Street to the site. The infrastructure will include the street, sanitary sewer, water, electricity, telephone and natural gas, while storm water facilities will be provided on-site. This project will ensure compliance with this criteria.

**III. ATTACHMENTS (following)**

- Application Form
- Notice of authorization
- Notification list
- Tax map

**IV. ENCLOSURES**

- Drawing set (25)
- Color board (1)
- Filling Fee (1)

SITE DESIGN REVIEW APPLICATION  
Fee: \$750

OWNER

APPLICANT

NAME Ray L. & Irene E. Burden  
ADDRESS 23230 S. Highway 99E  
CITY Canby STATE OR ZIP 97013  
SIGNATURE \_\_\_\_\_

NAME Shimadzu U.S.A. Manufacturing  
ADDRESS 7102 Riverside Drive  
CITY Columbia STATE MD ZIP 21046  
PHONE: c/o CIDA 305-226-1285

DESCRIPTION OF PROPERTY:

TAX MAP 3-1E-34 TAX LOT(S) 790\* LOT SIZE 15 acres  
or \*lot line adjustment in process (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 Nursery Stock Growing  
PROPOSED Industrial-Manufacturing and Office

EXISTING STRUCTURES None

SURROUNDING USES Agricultural/Industrial North of the Railroad

PROJECT DESCRIPTION Site and Design Review for a new manufacturing facility  
(also see description attached)

ZONING M-2 COMPREHENSIVE PLAN DESIGNATION Industrial  
PREVIOUS ACTION (IF ANY) annexation / lot line adjustment


FILE NO. \_\_\_\_\_  
RECEIPT NO. \_\_\_\_\_  
RECEIVED BY \_\_\_\_\_  
DATE RECEIVED \_\_\_\_\_  
COMPLETENESS DATE \_\_\_\_\_  
PRE-AP 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.

NOTICE OF AUTHORIZATION

We, Ray L. Burden and Irene E. Burden, who reside at 23230 S. Highway 99E, Canby, Oregon 97013, state that we are currently the owner of real property located in Clackamas County, Oregon, measuring exactly fifteen (15) net acres, preliminarily shown in the attached Exhibit A (the "Property"). We hereby authorize Shimadzu U.S.A. Manufacturing, Inc., or its assigns, whose address is 7102 Riverwood Drive, Columbia, Maryland 21046, to make application for land use approvals related to the Property, including, but not limited, to application for lot line adjustment, application for annexation into the City of Canby, application for design review, and application for annexation to the City of Canby through the Portland Area Metropolitan Boundary Commission.

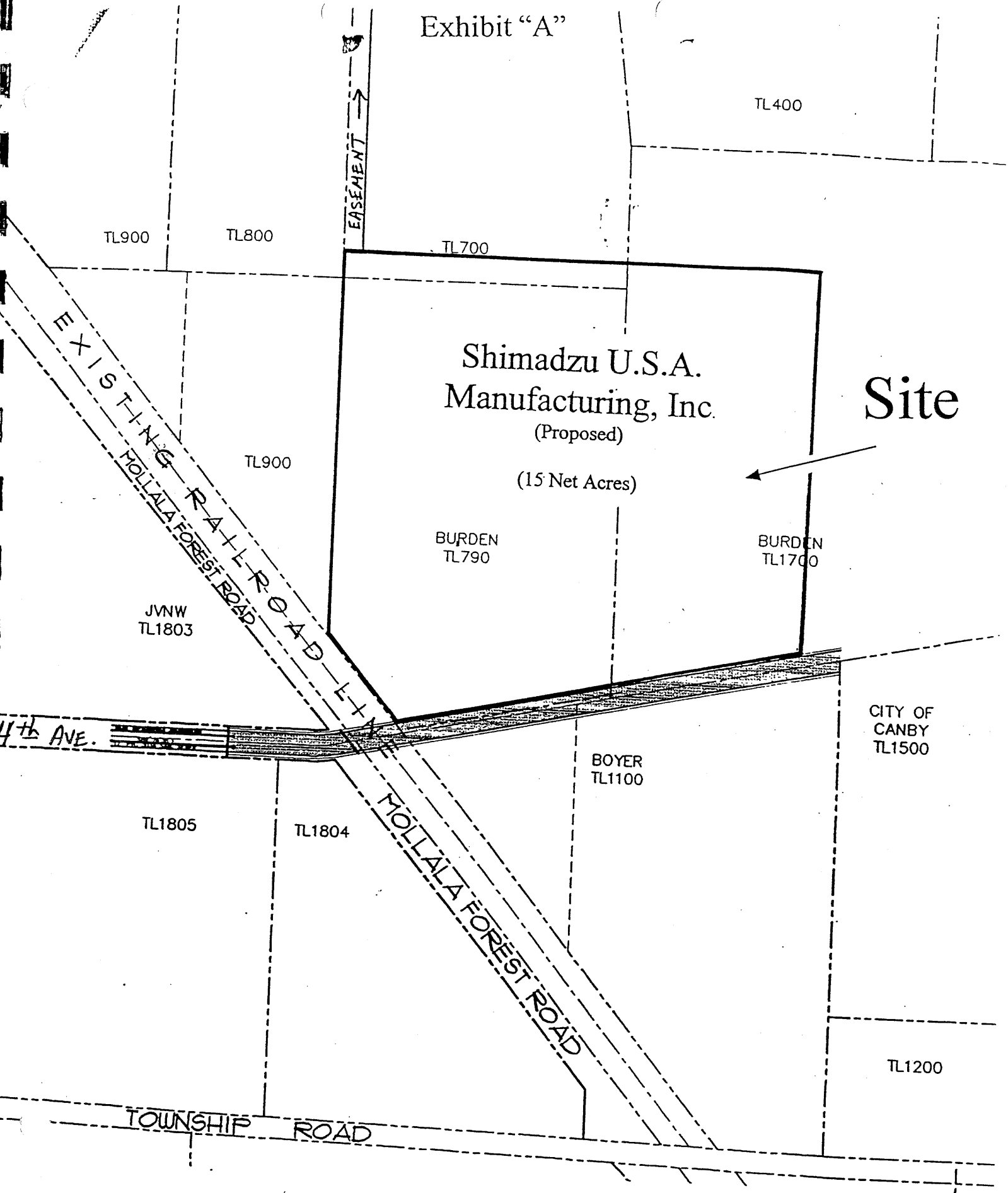
Signed this 6 day of December, 1996.

  
Ray L. Burden

  
Irene E. Burden

f:\444093\2\applicat\notice.doc

Exhibit "A"



Shimadzu U.S.A.  
Manufacturing, Inc.  
(Proposed)

(15 Net Acres)

Site

BURDEN  
TL790

BURDEN  
TL1700

JVNW  
TL1803

BOYER  
TL1100

CITY OF  
CANBY  
TL1500

TL1805

TL1804

TL1200

TOWNSHIP ROAD

EXISTING RAILROAD LINE  
MOLLALA FOREST ROAD

EASEMENT

4th AVE.

CIDA

5200 SW MACADAM AVENUE, SUITE 420  
PORTLAND, OREGON 97201  
TEL: 503.226.1285 FAX: 503.226.1670  
E-MAIL: cida@teleport.com

## MEMORANDUM

DATE: December 18, 1996

SUBJECT: Meeting with City of Canby

PROJECT TITLE: Shimadzu Canby Facility

PROJ. NUMBER: 96127

BY: Karl Koroch *KK*

PRESENT: Bob Rapp, Canby Utility board  
Roy Hester, City of Canby Utilities  
Mike Jordan, City of Canby  
Ron Yarborough, City of Canby Fire Marshall  
Karl Koroch, CIDA, Inc.  
Paul Bryant, Gray Construction

### INFORMATION ITEMS:

1. **General:**

Mike Jordan briefly explained the nature of the project and indicated that the Design Review package is scheduled to be delivered to the city on the 31st of December.

The building permit package is scheduled for submittal on the 17th of January.

Mike also indicated that a number of different members of the Shimadzu team have been contacting various city staff members, C.U.B. staff members, and property owners. Mike requested the team try to consolidate the number of contact persons.

2. **Power:**

Bob Rapp stated that the C.U.B. will design the power system from the Right Of Way to the switch gear. They will also provide the conduit, wire, and the transformer(s). C.U.B. requires the trenching and backfill be provided to their specifications by the site contractor. Bob said that they would commence their design and the computation of their fees when they are provided with the electrical loading and a site plan.

3. **Water service:**

Karl indicated that a 1 1/2 - inch domestic meter and a 6 - inch fire service would be required, based on discussions with the fire system and mechanical contractors. Bob indicated that he thought connection fees for the meter would be \$875.00 if C.U.B.

◆ ARCHITECTURE  
◆ ENGINEERING

EXHIBIT

2

Tapps the main and sets the meter, or \$275.00 if the meter stops and the connection are performed by the contractor and C.U.B. only sets the meter. Bob also indicated that the system development charge for this size meter is \$7500.00. Bob will confirm these fee amounts. Bob also indicated that the C.U.B. would bill on a time and materials basis costs for testing and inspection during construction. He would be able to estimate these cost when the utility plan is further developed. The domestic service must be a separate tap at the main in the street and not be tied to the fire system. It was also agreed that the domestic service pipe could be sized to serve ultimate build out but have a meter sized for the current demand

4. **Fire Service:**

Bob Rapp indicated that the fire service must be separately connected to a Public main. The on site fire hydrant system could be either public or private. If public the material must be in conformance with the city standards (ductile iron or C900 PVC), be within an easement, and be looped around the building (or the site for most future flexibility). The loop would not be required if the system is private. In either case calculations showing adequate flow capacity will be required. Bob also indicated that the city preferred joint restraint rather than thrust blocks.

5. **Fire Department Requirements:**

Ron Yarborough agreed that a public fire hydrant system would be required to be looped around the building (or site) and have two points of connection at Fourth avenue. He also agreed that a private system could be a dead end system provided we could demonstrate compliance with the Uniform Fire Code requirements for hydrant flows and locations. Ron also stated that as future expansion occurs there may be a requirement to provide a looped system. Ron indicated that generally fire hydrants are to be no farther than 400 ft apart as the truck drives. Ron also stated that an all weather route, 20 ft wide would be required all the way around the building. He said that gravel is acceptable to the fire department as long as it could support a 50,000lb fire truck. Ron stated that he did not know if the city had other code requirements that would prohibit a gravel emergency drive.

6. **Additional Fire Department Issues:**

Ron also indicated that the site plan needs to accommodate fire vehicles and a 35 ft inside wheel radius is required. Fire Department Connections are not allowed on the building. The fire department would prefer to have the FDC near the street and they do not have requirements as to proximity to a fire hydrant.

7. **Sanitary Sewer:**

Ron Hester indicated that he did not know if the entire 15 acres would be able to be served with the gravity sewer to be constructed within 4th ave. Karl indicated that Curt McLeod had stated at the Pre-App meeting on Dec 3, 1996 that gravity sewer service was planned to be approximately 10ft deep at the east end of 4th ave. It was agreed that Karl would contact Curt to clarify whether the future phases of the development would require pumping. Ron indicated that the city would allow a public extension if it was constructed to public standards and if it was in an easement. Minimum size

would be 8-in at slope of 0.40 %. A clean out is required at the connection to the public system.

**ACTION ITEMS:**

1. Bob Rapp requires two sets of plans submitted directly to him at Design Review and at Permit submittal. Bob will also need a disk showing as constructed conditions at project completion.
2. Ron will finalize fire hydrant locations when he sees a floor plan with fire extinguisher locations and a site plan. Ron would also like a disk of the as constructed conditions.

**RESOLVED ITEMS:**

None at this time

**UNRESOLVED ITEMS:**

None at this time

*Every effort has been made to accurately record this meeting. If any errors or omissions are noted, recipients are asked to please provide written response within five days of receipt.*

KJK/sh

cc: All present  
Curt McLeod, Curran-McLeod, Inc.  
Jim Zupancic, Davis Wright Tremaine  
Coni Rathbone, Davis Wright Tremaine  
Chris Brand, Davis Wright Tremaine  
David Welsh, Gary Livermore, Joyce Jackson, Mike Coyle, Patrick Tracy CIDA Inc.  
File

RECEIVED JAN 06 1997

PLEASE RETURN ATTACHMENTS!!!

*Return*

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: January 6, 1997

TO: FIRE, POLICE, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CURT McLEOD

The City has received DR 97-01, an application by Shimadzu Scientific Instruments, Inc. for Site and Design Review approval to construct a 54,000 square foot manufacturing facility, which includes 10,000 square feet of office space and support areas, in Phase 2 of the Logging Road Industrial Park. The property is located east of the Logging Road, north of S.E. 4th Avenue [Tax Lots 700, 790 and 1700 of Tax Map 3-1E-34].

We would appreciate your reviewing the enclosed application and returning your comments by January 14, 1997 PLEASE. The Planning Commission plans to consider this application on January 27, 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: Tom Pearson

Date: 1-9-97

Title: ENG. DEPT

Agency: CANBY TEL

EXHIBIT
3
4 pages



# PLEASE RETURN ATTACHMENTS!!!

## CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

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Comments or Proposed Conditions:

*See note from pre-pre-construction mtg*

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: *K. Harbrough*

Date: *1-7-97*

Title: *Fire Marshal*

Agency: *Canby FD #62*

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

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We would appreciate your reviewing the enclosed application and returning your comments by January 14, 1997 PLEASE. The Planning Commission plans to consider this application on January 27, 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:

*If non-sanitary wastewater will be discharged  
- will need Data Disclosure Form & WWD.P.*

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 Hanson Date: 12-7-97  
Title: POW Sup. Agency: City of Canby

# PLEASE RETURN ATTACHMENTS!!!

## CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: January 6, 1997

TO: FIRE POLICE CUB, CTA/NWT, NW NATURAL GAS, 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 January 14, 1997 PLEASE. The Planning Commission plans to consider this application on January 27, 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:

TREES NEAR DRIVEWAY, HIGH CANOPY?, VISUAL CLEARANCE PROBLEMS? THERE IS NO  
VISION FROM PLANT/BUILDING INTO PARKING LOT, SUGGEST PUTTING WINDOW IN LUNCHROOM  
(EAST SIDE), ALSO LOOPY SHRUBS LOW IN FRONT OF WINDOW. SHRUBS/TREES IN FRONT OF  
BUILDING MAY BE TOO TALL OBSTRUCT VISION TO PARKING AREA/ENTRANCE. TREES IN BACK OF  
BUILDING (PINE) CAN CONCERN SUSPECT, SMALLER OR THINNER TREES, GOOD LIGHTING IN LOT.

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: Jerry Nijer

Date: 1-16-97

Title: Police Chief

Agency: Canby Police Dept.

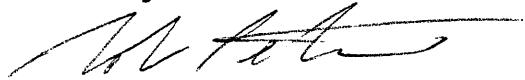
To Canby Planning Commission

Champion Gymnastic Center  
1000 S. Ivy (365 S. Redwood)  
Canby OR 97013  
(503)266-7403

Dear Sirs

Thank you very much for granting us our conditional use permit. I was disappointed when my original application for a text amendment was approved but on a conditional use basis only. However, as a Canby resident I must admit that I believe you acted wisely. You were not rash or careless in your decision making process. At the same time you were thoughtful and expedient. Thanks again gentlemen you wont be disappointed.

Sincerely



Rob Petit

D.B.A. Champion Gymnastic Center Inc.

We Build Happy, Healthy, Confident Kids!

January 7, 1997

City of Canby  
Planning Commission & Staff

Daniel Anderson  
1056 NE 8th Place  
Canby, OR 97013

Re: INT 96-01, meeting January 6, 1997

Commissioners & Staff:

After attending the Jan. 6 meeting and hearing most of subject INT 96-01, I feel the current setback restrictions are quite adequate. Let me elaborate.

First of all, Canby has had these set back requirements since the early 1980's. Of all the homes built since then in this town have meet these setback criteria. With these larger setbacks, unlike other towns, Canby residents have more space between their homes. This in itself improves the astetics of Canby. It also reduces noise transfer from one home to another, fire safety, and most importantly leaves enough space for additional off street parking.

Second, Pahlisch Duncan homes developed their own subdivision and they are the ones asking for this change. While they say this interpretation change benefits the home owners and not them, they are deceiving. MORE LOTS PER ACRE is the bottom line. With smaller lots you can get more for the dollar. Pahlisch Duncan have not built in Canby to my knowledge and maybe they should have put more research into Canby's Setback Ordinance sooner. Maybe their lots would have been larger, as we have found that new people to the area like Township Village I is mostly narrow lots, 60 feet wide. To me the outcome of this area has turned out very nice with the larger 7 foot, 10foot setbacks.

And last, by allowing fire places into the setbacks is the creation of smaller setbacks. First its fireplaces and garden windows, next it will be closets and jacuzzi tubs, then kitchens, all of which could benefit with the additional two feet of space "*under the eaves that already protrude.*" What will eventually happen is our set requirements will eventually get reduced by two feet on one side then two on the other and so on. We end up looking like Beaverton, Wilsonville, Tualitin and other cities that once looked and felt like Canby. We also lose increased fire safety, Southern California and Bend, for example have small setbacks. We lose additional off street parking because builders don't care and don't consider it, and last, we lose the comfort of space.

Thank you for your time.

Respectfully,

  
Daniel Anderson

**-MEMORANDUM-**

**TO:** *Planning Commission*

**FROM:** *Jim Wheeler, Planning Director JSW*

**DATE:** *January 17, 1997*

**RE:** *Joint Workshop session with the City Council regarding amendments to the Transportation Systems Plan and adoption of the Highway 99E Access Management Plan*

---

Originally, we were looking to set up a joint workshop at the 1/15/97 City Council meeting for both the City Council and the Planning Commission looking at amendments to the Transportation Systems Plan and adoption of the Highway 99E Access Management Plan. I apologize for not giving you the status of that meeting at the Planning Commission's last meeting (1/6/97). There was **no** joint workshop at the 1/15/97 Council meeting;

A joint workshop has been set up for January 29, 1997, at 7:00 p.m. at the Library Community Room. The meeting will be held to discuss proposed amendments to the Transportation Systems Plan (including adding the Territorial/99E traffic signal to the list of SDC-funded projects), and to introduce the Highway 99E Access Management Plan and discuss what needs to be done to implement that Plan (the Access Management Plan is needed to complete the Transportation Systems Plan). I will be reminding you of this workshop meeting at the January 27, 1997 Planning Commission meeting.

# MEMORANDUM

TO: Honorable Mayor Taylor, City Council and Administrator Jordan  
FROM: James Wheeler, Planning Director *JW*  
RE: Monthly Report - December, 1996  
DATE: January 6, 1997

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## *Community Services*

### Permits Issued:

8	Single Family Residential Permits
1	Manufactured Homes
3	Residential Alterations/Additions
1	Commercial Addition/Alteration
6	Mechanical
2	Sign Permits
<b>21</b>	<b>Total Permits</b>

Total inspections made in December - 122

Total SDC fees collected for the month, are broken down as follows:

Sewer Systems Development Charge	=	\$ 8,160.00
Parks Systems Development Charge	=	3,245.00
Transportation Systems Dev. Charge	=	7,371.00
Advanced Financing	=	0.00
Excise Tax	=	8,649.25
Stormwater Systems Dev. Charge	=	36.00
<b>TOTAL</b>	<b>=</b>	<b>\$27,461.25</b>

### New Planning Applications Received:

VAR 97-01	Variance for flag lot driveway width and paving
SUB 97-01	5-lot industrial subdivision [Logging Road Industrial Park, Phase 1]
ANN 97-01	58 acres [Shimadzu - Logging Road Industrial Park, Phase 2]
LLA 97-01	Adjust lot lines for a 15 acre parcel [Shimadzu]
MLP 97-01	2-lot industrial partition [Logging Road Industrial Park, Phase 1]
DR 97-01	Shimadzu - 50,000 square foot industrial building [Logging Road Industrial Park, Phase 2]

### Commission Meetings

The Planning Commission held only one meeting in December, due to the Christmas holidays. At the December 9th meeting, the Commission approved Final Orders for DR 96-14 [Airtouch Cellular], TA 96-02 [Ordinance Text Amendment], ANN 96-05 [Canby United Methodist Church], INT 96-01 [Tofte Farms, re R-1 Setbacks], and DR 96-02 [Mackey Building]. The Commission approved CUP 96-05, an application by HOPE, amending a previous approval, and DR 96-16, approving the assisted living center and nursing facility for HOPE.

### Meetings attended by Staff:

1. City Council (2)
2. Planning Commission
3. Chamber of Commerce luncheon
4. Model Tower/Antenna Siting Ordinance workshop
5. Land Use Law Seminar (2)
6. Computer Software Training Class
7. Time Management Seminar
8. Pre-development meetings:
  - Shimadzu (2)
  - Pine/Highway 99-E
  - Guttormsen [east end of S.E. 2nd Avenue]
  - Marlon South Apartments, Phase 3
9. "Willamette Commons" development construction meeting.



**Building Permit Valuations:**

Residential	\$1,266,585.00
Commercial	26,100.00
Industrial	0.00
Institutional	0.00
<b>TOTAL</b>	<b>\$1,292,685.00</b>

## HOUSING UNITS WITH BUILDING PERMITS

YEAR	SFR*	MH*	MFR*	TOTAL*
1976	63	-	32	95
1977	205	-	160	365
1978	157	-	22	179
1979	64	-	12	76
1980	49	-	5	54
1981	29	-	24	53
1982	12	-	38	50
1983	7	-	0	7
1984	21	-	0	21
1985	21	20	0	41
1986	22	46	0	68
1987	37	34	0	71
1988	40	10	1	51
1989	47	6	37	90
1990	85	6	42	133
1991	84	21	10	115
1992	69	8	9	86
1993	108	32	59	199
1994	150	38	34	222
1995	51	54	58	163
1996	71	53	104	228

TOTAL	SFR	MH	MFR	TOTAL
1976 - 1996	1392	328	647	2367
% of Total	58.8%	13.9%	27.3%	

\* Totals do not include demolitions or replacements

## 1996

YEAR	SFR*	MH*	MFR*	TOTAL*
Jan	4	2	88	94
Feb	6	4	0	10
Mar	6	1	0	7
Apr	8	4	0	12
May	9	13	0	22
Jun	8	4	0	12
Jul	5	6	0	11
Aug	2	6	0	8
Sep	2	5	12	19
Oct	1	5	4	10
Nov	12	2	0	14
Dec	8	1	0	9
Total	71	53	104	228

\* Totals do not include demolitions or replacements

TOTAL	SFR	MH	MFR	TOTAL
1990 - 1996	618	212	316	1146
% of Total	53.9%	18.5%	27.6%	

Year	Subdivisions	Lots	Built	PCT	Elementary School District
1991	Willow Creek, Phase I	49	49	100.0	Knight
1988	Township Village, Phase I	42	42	100.0	Trost
1993	Valley Farms, Phase II	42	42	100.0	Trost
1990	Township Village, Phase III	36	36	100.0	Trost
1989	Township Village, Phase II	30	30	100.0	Trost
1992	Township Village, Phase V	27	27	100.0	Trost
1992	Redwood Meadows	21	21	100.0	Knight
1993	Valley Farms, Phase III	20	20	100.0	Trost
1992	Township Village, Phase IV	19	19	100.0	Trost
1989	Twelfth & Pine Addition	14	14	100.0	Knight
1988	Fairgrounds Park	13	13	100.0	Knight
1994	Township Village, Phase VI	12	12	100.0	Trost
1990	Lillian's Meadow, Phase I	11	11	100.0	Eccles
1990	Harvest Oak Estates No. 2	10	10	100.0	Knight
1992	North Woods Addition	8	8	100.0	Knight
1994	Villa Nova Estates (Pizzuti)	7	7	100.0	Eccles
1990	Cedar Ridge	56	55	98.2	Knight
1992	Valley Farms, Phase I	43	42	97.7	Trost
1989	Rebecca Estates	31	30	96.8	Eccles
1994	Township Village, Phase VII	32	28	87.5	Trost
1995	Canby Garden Estates	7	6	85.7	Knight
1991	North Pine Addition No. 2	13	10	76.9	Knight
1993	Noble Addition (Evergreen)	4	3	75.0	Knight
1991	Willow Creek, Phase II	37	23	62.2	Knight
1992	Lillian's Meadow, Phase II	10	4	40.0	Eccles
1993	South Redwood Estates	6	2	33.3	Trost
1995	Township Village Phase VIII	96	12	12.5	Trost
1996	Tofte Farms I	56	1	1.8	Trost
1996	T & J Meadows	8	0	0.0	Knight
1996	Leura Meadows	5	0	0.0	Knight
1995	Wiederhold Village	3	0	0.0	Trost
	1994-1996 Subdivisions	230	69	30.0	
	1988-1993 Subdivisions	538	508	94.4	

Year	Developments	Units	Built	Pct.	Elementary School District
1995	Canby Apartments	76	76	100.0	Trost
1993	Redwood Terrace Apartments	57	57	100.0	Knight
1995	Pine Terrace Apartments	40	40	100.0	Knight
1990	Maple Terrace Apartments	28	28	100.0	Knight
1988	Rackleffe House (Convelescent)	25	25	100.0	Knight
1989	Elmwood M.H.P. Expansion	22	22	100.0	Knight
1989	N. Knott Apartments	10	10	100.0	Knight
1993	Village on the Lochs M.H.P.	133	128	96.2	Knight
1994	Pine Crossing M.H.P.	60	49	81.7	Trost
1995	Marlon South Apartments	92	56	60.9	Trost
1995	Willamette Commons	30	4	13.3	Eccles
1991	H.O.P.E. (Adult Living Facility)	366	12	3.3	Eccles
	1994-1996	298	225	75.5	
	1988-1993	641	282	44.0	

Year	Subdivisions	Lots	Built	PCT	Elementary School District
1990	Lillian's Meadow, Phase I	11	11	100.0	Eccles
1994	Villa Nova Estates (Pizzuti)	7	7	100.0	Eccles
1989	Rebecca Estates	31	30	96.8	Eccles
1992	Lillian's Meadow, Phase II	10	4	40.0	Eccles
1991	Willow Creek, Phase I	49	49	100.0	Knight
1992	Redwood Meadows	21	21	100.0	Knight
1989	Twelfth & Pine Addition	14	14	100.0	Knight
1988	Fairgrounds Park	13	13	100.0	Knight
1990	Harvest Oak Estates No. 2	10	10	100.0	Knight
1992	North Woods Addition	8	8	100.0	Knight
1990	Cedar Ridge	56	55	98.2	Knight
1995	Canby Garden Estates	7	6	85.7	Knight
1991	North Pine Addition No. 2	13	10	76.9	Knight
1993	Noble Addition (Evergreen)	4	3	75.0	Knight
1991	Willow Creek, Phase II	37	23	62.2	Knight
1996	T & J Meadows	8	0	0.0	Knight
1996	Leura Meadows	5	0	0.0	Knight
1988	Township Village, Phase I	42	42	100.0	Trost
1993	Valley Farms, Phase II	42	42	100.0	Trost
1990	Township Village, Phase III	36	36	100.0	Trost
1989	Township Village, Phase II	30	30	100.0	Trost
1992	Township Village, Phase V	27	27	100.0	Trost
1993	Valley Farms, Phase III	20	20	100.0	Trost
1992	Township Village, Phase IV	19	19	100.0	Trost
1994	Township Village, Phase VI	12	12	100.0	Trost
1992	Valley Farms, Phase I	43	42	97.7	Trost
1994	Township Village, Phase VII	32	28	87.5	Trost
1993	South Redwood Estates	6	2	33.3	Trost
1995	Township Village Phase VIII	96	12	12.5	Trost
1996	Tofte Farms I	56	1	1.8	Trost
1995	Wiederhold Village	3	0	0.0	Trost
	Eccles	59	52	88.1	
	Knight	245	212	86.5	
	Trost	464	313	67.5	

Year	Developments	Units	Built	Pct.	Elementary School District
1995	Willamette Commons	30	4	13.3	Eccles
1991	H.O.P.E. (Assisted Living Facility)	366	12	3.3	Eccles
1993	Redwood Terrace Apartments	57	57	100.0	Knight
1995	Pine Terrace Apartments	40	40	100.0	Knight
1990	Maple Terrace Apartments	28	28	100.0	Knight
1988	Rackleffe House (Convelescent)	25	25	100.0	Knight
1989	Elmwood M.H.P. Expansion	22	22	100.0	Knight
1989	N. Knott Apartments	10	10	100.0	Knight
1993	Village on the Lochs M.H.P.	133	128	96.2	Knight
1995	Canby Apartments	76	76	100.0	Trost
1994	Pine Crossing M.H.P.	60	49	81.7	Trost
1995	Marlon South Apartments	92	56	60.9	Trost
	Eccles	396	16	4.0	
	Knight	315	310	98.4	
	Trost	228	181	79.4	

Sort by alphabetical listing

NUMBER OF LOTS/UNITS CREATED SINCE 1988			Elementary School District
Subdivisions	Lots	Built	
Canby Garden Estates	7	6	Knight
Cedar Ridge	56	55	Knight
Fairgrounds Park	13	13	Knight
Harvest Oak Estates No. 2	10	10	Knight
Leura Meadows	5	0	Knight
Lillian's Meadow, Phase I	11	11	Eccles
Lillian's Meadow, Phase II	10	4	Eccles
Noble Addition (Evergreen)	4	3	Knight
North Pine Addition No. 2	13	10	Knight
North Woods Addition	8	8	Knight
Rebecca Estates	31	30	Eccles
Redwood Meadows	21	21	Knight
South Redwood Estates	6	2	Trost
T & J Meadows	8	0	Knight
Tofte Farms I	56	1	Trost
Township Village, Phase I	42	42	Trost
Township Village, Phase II	30	30	Trost
Township Village, Phase III	36	36	Trost
Township Village, Phase IV	19	19	Trost
Township Village, Phase V	27	27	Trost
Township Village, Phase VI	12	12	Trost
Township Village, Phase VII	32	28	Trost
Township Village, Phase VIII	96	12	Trost
Twelfth & Pine Addition	14	14	Knight
Valley Farms, Phase I	43	42	Trost
Valley Farms, Phase II	42	42	Trost
Valley Farms, Phase III	20	20	Trost
Villa Nova Estates (Pizzuti)	7	7	Eccles
Wiederhold Village	3	0	Trost
Willow Creek, Phase I	49	49	Knight
Willow Creek, Phase II	37	23	Knight
<b>Total</b>	<b>768</b>	<b>577</b>	

Sort by year approved

Year	Subdivisions	Lots	Built	PCT	Elementary School District
1988	Fairgrounds Park	13	13	100.0	Knight
1988	Township Village, Phase I	42	42	100.0	Trost
1989	Rebecca Estates	31	30	96.8	Eccles
1989	Township Village, Phase II	30	30	100.0	Trost
1989	Twelfth & Pine Addition	14	14	100.0	Knight
1990	Cedar Ridge	56	55	98.2	Knight
1990	Harvest Oak Estates No. 2	10	10	100.0	Knight
1990	Lillian's Meadow, Phase I	11	11	100.0	Eccles
1990	Township Village, Phase III	36	36	100.0	Trost
1991	North Pine Addition No. 2	13	10	76.9	Knight
1991	Willow Creek, Phase I	49	49	100.0	Knight
1991	Willow Creek, Phase II	37	23	62.2	Knight
1992	Lillian's Meadow, Phase II	10	4	40.0	Eccles
1992	North Woods Addition	8	8	100.0	Knight
1992	Redwood Meadows	21	21	100.0	Eccles
1992	Township Village, Phase IV	19	19	100.0	Trost
1992	Township Village, Phase V	27	27	100.0	Trost
1992	Valley Farms, Phase I	43	42	97.7	Knight
1993	South Redwood Estates	6	2	33.3	Knight
1993	Valley Farms, Phase II	42	42	100.0	Trost
1993	Valley Farms, Phase III	20	20	100.0	Trost
1994	Noble Addition (Evergreen)	4	3	75.0	Eccles
1994	Township Village Phase VI	12	12	100.0	Trost
1994	Township Village, Phase VII	32	28	87.5	Trost
1994	Villa Nova Estates (Pizzuti)	7	7	100.0	Trost
1995	Canby Garden Estates	7	6	85.7	District
1995	Township Village Phase VIII	96	12	12.5	Trost
1995	Wiederhold Village	3	0	0.0	Eccles
1996	Tofte Farms I	56	1	1.8	Knight
1996	Leura Meadows	5	0	0.0	Knight
1996	T & J Meadows	8	0	0.0	Knight
<b>1988-1996</b>		<b>768</b>	<b>577</b>	<b>75.1</b>	

Sort by year approved  
Within each school boundary

12/31/96

Year	Subdivisions	Lots	Built	PCT	Elementary School District	Permits Issued This Month
1989	Rebecca Estates	31	30	96.8	Eccles	0
1990	Lillian's Meadow, Phase I	11	11	100.0	Eccles	0
1992	Lillian's Meadow, Phase II	10	4	40.0	Eccles	0
1994	Villa Nova Estates (Pizzuti)	7	7	100.0	Eccles	0
1988	Fairgrounds Park	13	13	100.0	Knight	0
1989	Twelfth & Pine Addition	14	14	100.0	Knight	0
1990	Harvest Oak Estates No. 2	10	10	100.0	Knight	0
1990	Cedar Ridge	56	55	98.2	Knight	0
1991	Willow Creek, Phase I	49	49	100.0	Knight	0
1991	North Pine Addition No. 2	13	10	76.9	Knight	0
1991	Willow Creek, Phase II	37	23	62.2	Knight	1
1992	North Woods Addition	8	8	100.0	Knight	0
1992	Redwood Meadows	21	21	100.0	Knight	0
1994	Noble Addition (Evergreen)	4	3	75.0	Knight	1
1995	Canby Garden Estates	7	6	85.7	Knight	0
1996	Leura Meadows	5	0	0.0	Knight	0
1996	T & J Meadows	8	0	0.0	Knight	0
1988	Township Village, Phase I	42	42	100.0	Trost	0
1989	Township Village, Phase II	30	30	100.0	Trost	0
1990	Township Village, Phase III	36	36	100.0	Trost	0
1992	Township Village, Phase IV	19	19	100.0	Trost	0
1992	Township Village, Phase V	27	27	100.0	Trost	0
1992	Valley Farms, Phase I	43	42	97.7	Trost	0
1993	Valley Farms, Phase II	42	42	100.0	Trost	0
1993	Valley Farms, Phase III	20	20	100.0	Trost	0
1993	South Redwood Estates	6	2	33.3	Trost	0
1994	Township Village Phase VI	12	12	100.0	Trost	0
1994	Township Village, Phase VII	32	28	87.5	Trost	0
1995	Township Village Phase VIII	96	12	12.5	Trost	6
1995	Wiederhold Village	3	0	0.0	Trost	0
1996	Tofte Farms I	56	1	1.8	Trost	0
<b>1988-1996</b>		<b>768</b>	<b>577</b>	<b>75.1</b>		<b>8</b>
	Eccles	59	52	88.1		0
	Knight	245	212	86.5		2
	Trost	464	313	67.5		6

Developments	Units	Built	Elementary School District
Canby Apartments	76	76	Trost
Elmwood M.H.P. Expansion	22	22	Knight
H.O.P.E. (Adult Living Facility)	366	12	Eccles
Maple Terrace Apartments	28	28	Knight
Marlon South Apartments	92	56	Trost
N. Knott Apartments	10	10	Knight
Pine Crossing M.H.P.	60	49	Trost
Pine Terrace Apartments	40	40	Knight
Rackleffe House (Convelescent)	25	25	Knight
Redwood Terrace Apartments	57	57	Knight
Village on the Lochs M.H.P.	133	128	Knight
Willamett Commons	30	4	Eccles
<b>Total</b>	<b>939</b>	<b>507</b>	

Year	Developments	Units	Built	Pct.	Elementary School District
1988	Rackleffe House (Convelescent)	25	25	100.0	Knight
1989	Elmwood M.H.P. Expansion	22	22	100.0	Knight
1989	N. Knott Apartments	10	10	100.0	Knight
1990	Maple Terrace Apartments	28	28	100.0	Knight
1991	H.O.P.E. (Adult Living Facility)	366	12	3.3	Eccles
1993	Village on the Lochs M.H.P.	133	128	96.2	Knight
1993	Redwood Terrace Apartments	57	57	100.0	Knight
1994	Pine Crossing M.H.P.	60	49	81.7	Trost
1995	Marlon South Apartments	92	56	60.9	Trost
1995	Canby Apartments	76	76	100.0	Trost
1995	Willamette Commons	30	4	13.3	Eccles
1995	Pine Terrace Apartments	40	40	100.0	Knight
<b>1988-1996</b>		<b>939</b>	<b>507</b>	<b>54.0</b>	

Year	Developments	Units	Built	Pct.	Elementary School District	Permits Issued This Month
1991	H.O.P.E. (Adult Living Facility)	366	12	3.3	Eccles	0
1995	Willamette Commons	30	4	13.3	Eccles	0
1988	Rackleffe House (Convelescent)	25	25	100.0	Knight	0
1989	N. Knott Apartments	10	10	100.0	Knight	0
1989	Elmwood M.H.P. Expansion	22	22	100.0	Knight	0
1990	Maple Terrace Apartments	28	28	100.0	Knight	0
1993	Redwood Terrace Apartments	57	57	100.0	Knight	0
1993	Village on the Lochs M.H.P.	133	128	96.2	Knight	0
1995	Pine Terrace Apartments	40	40	100.0	Knight	0
1994	Pine Crossing M.H.P.	60	49	81.7	Trost	1
1995	Marlon South Apartments	92	56	60.9	Trost	0
1995	Canby Apartments	76	76	100.0	Trost	0
<b>1988-1996</b>		<b>939</b>	<b>507</b>	<b>54.0</b>		<b>1</b>
	Eccles	396	16	4.0		0
	Knight	315	310	98.4		0
	Trost	228	181	79.4		1