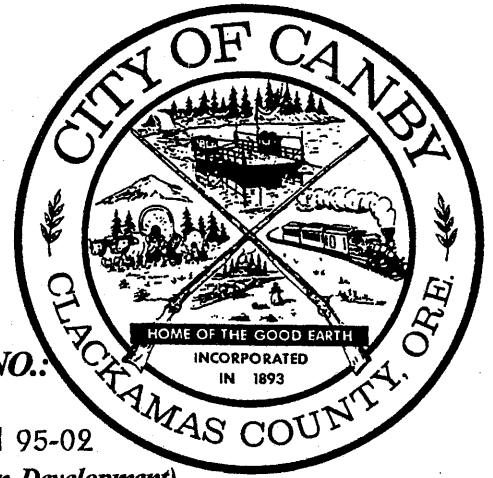


- STAFF REPORT -



APPLICANT:

Oregon Development Inc.
P.O. Box 151
Canby, OR 97013

FILE NO.:

ANN 95-02
(Oregon Development)

OWNER:

Oregon Development Inc.
P.O. Box 151
Canby, OR 97013

STAFF:

James S. Wheeler
Assistant City Planner

LEGAL DESCRIPTION:

Tax Lot 1600 of Tax Map 3-1E-28CD

DATE OF REPORT:

November 17, 1995

LOCATION:

135 N.E. Territorial Road
South side of Territorial Road
east of the Canby Methodist Church

AGENDA DATE:

November 27, 1995 (Not a hearing)
(City Council Hearing - at
earliest possible Council meeting)

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

County Zoning RRFF-5 (will come
into City after Annexation as Low
Density Residential R-1)

I. APPLICANT'S REQUEST:

The applicant is requesting approval to annex 1.49 acres, located on N.E. Territorial Road, east of N. Holly Street.

II. MAJOR APPROVAL CRITERIA:

The Planning Commission forms a recommendation that the City Council may consider while conducting a public hearing. The City Council then forwards their recommendation to the Portland Metropolitan Area Local Government Boundary Commission (PMALGBC), where a final hearing and decision will be made.

- A. Section 16.84.040 of the Canby Municipal Code states that when reviewing a proposed annexation, the Commission shall give ample consideration to the following:
1. Compatibility with the text and maps of the Comprehensive Plan, giving special consideration to those portions of policies relating to the Urban Growth Boundary.
 2. Compliance with other applicable City ordinances or policies.
 3. Capability of the City and other affected service-providing entities to amply provide the area with urban level services.
 4. Compliance of the application with the applicable section of ORS 222.
 5. Appropriateness of the annexation of the specific area proposed, when compared to other properties that may be annexed to the City.
 6. Risk of natural hazards that might be expected to occur on the subject property.
 7. Effect of the urbanization of the subject property on specially designated open space, scenic, historic, or natural resource areas.
 8. Economic impacts which are likely to result from the annexation.
- B. If the proposed annexation involves property beyond the City's Urban Growth Boundary, or if the annexation is proposed prior to the acknowledgement of compliance of the City Comprehensive Plan by the State Land Conservation and Development Commission, the proposal shall be reviewed for compliance with the statewide planning goals. (Not Applicable since Canby's Comprehensive Plan has been acknowledged)

III. FINDINGS:

A. Background and Relationships:

The Comprehensive Plan Land Use designation of the subject parcel is for Low Density Residential. City zoning for the subject parcel will be R-1, Low Density Residential. Territorial Road is an arterial street. The subject parcel is currently zoned RRFF-5 (Rural Residential, Farm and Forest: 5-acre minimum lot size). The properties to the east and west are not in the City, but are within the Urban Growth Boundary, and are zoned RRFF-5. The property to the north is outside the City and the Urban Growth Boundary, and is zoned EFU-20 (Exclusive Farm Use: 20-acre minimum). The properties to the south are in the City and zoned R-1 (Low Density Residential).

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 review of this application, and the City Council will hold a formal public hearing.

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.

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 County was sent a "Request for Comments" form. The response from the County indicated that there was not a problem with annexation of 1.49 acres of the subject property.

2. No changes to the Urban Growth Boundary are proposed with this application.

3. The proposal is to bring 1.49 acres into the City, thus allowing future development of the property to be serviced with all necessary urban services. The availability of urban level public facilities and services will

be discussed under the Public Services Element discussion. The property is located in "Area A" for annexation priority. Implementation measure D of Policy 3 states the following.

"The adopted maps showing growth phasing shall be used as a general guideline for the City's outward expansions. Areas designated as Type "A" urbanization lands shall generally be annexed prior to those areas shown as Type "B", etc."

The property is Type "A", which complies with this Policy of the Comprehensive Plan.

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 current use of the property is rural residential. If the 1.49-acre parcel is annexed into the City, the intention of the applicant and owner is to develop the property with, approximately, 5 additional single family residences. The urban level single-family residential development would be compatible with the residential properties to the south and the church to the west. To the east is another rural residential property that is within the Urban Growth Boundary and will eventually be annexed and developed with urban level single family residences. The property to the north is agricultural, and will remain so, as it is not within the Urban Growth Boundary. The property to the north is surrounded by properties that are within the Urban Growth Boundary. Agricultural practices and residential uses are not always compatible as some farming operations are considered nuisances by homeowners. The properties to the east and west are within the Urban Growth Boundary and will eventually be urbanized themselves. In the meantime, the boundary area between the urbanized land within the City and the non-urbanized land in the County will be a boundary of potential "incompatible" uses. The property to the north is not in the Urban Growth Boundary, but will be minimally separated from the 1.49-acre parcel by a sixty (60) foot right-of-way. Additionally, the 1.49-acre parcel is a "flag" lot, in which the urban level residential development will occur, approximately, 175 feet south of Territorial Road. The degree of conflict is dependent on the nature of the immediately adjacent uses. The development review process should account for this potential through buffers, fences, or other means, if it is deemed necessary.
2. The annexation of the 1.49-acre parcel will permit future development of the property according to the Comprehensive Plan. Use of the 1.49-acre property for single-family residential development is in accordance with the Comprehensive Plan and will help minimize urban sprawl.
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, if annexed into the City (R-1, Low Density Residential) is consistent with the Land Use Map designation for the property (Low Density Residential). The minimum lot size for parcels in the R-1 zone is 7000 square feet, and both parcels will meet the minimum lot size.

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

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 Class II soils. However, the size and the current use of the property preclude the use of the property for a viable agricultural operations.

1-R-B. The property is considered to be one of the "least productive" agricultural properties within the Urban Growth Boundary, in that the property is currently not being used for agricultural purposes, and is of insufficient size to be of use as a viable agricultural operation.

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. There are no known storm water drainage issues for this area.

3-R. The existing use has not created a known pollution problem. No residential construction, beyond one single-family home would be permitted without further development review. Construction activity, the development activity directly related to residential development, is required to comply with prescribed standards for air, water, and land pollution, through the building permit process. Storm water drainage is mentioned in the above 2-R.

4-R. Noise will be expected as a result of residential construction. No residential construction, beyond one single-family home would be permitted without further development review. There is a noise ordinance, by which activities within a residential area are regulated.

5-R. The subject property is not a sand and gravel operation, nor will the annexation 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. The homes on the adjacent properties are not designated historic homes.

7-R. The annexation itself will not affect the scenic or aesthetic quality of the City. Future development of the 1.49-acre parcel, should it be annexed into the City will not adversely affect the scenic and aesthetic quality of the City.

8-R. The subject property is not considered to be open space at this time.

9-R. No wildlife or fish habitats 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 Canderly sandy loam soil, which is a deep, somewhat excessively well-drained soil. No expansive soils, shallow topsoil, high water table, or other potential risks associated with construction on the subject property 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 #5: Canby shall actively work toward the construction of a functional overpass or underpass to allow for traffic movement between the north and south side of town.
- 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. The City normally requires dedication of land for right-of-way purposes and road improvements as a part of land development. Any right-of-way dedications and road improvements necessary for the further development of this property will be required at the time that the property is subdivided.
2. No new streets are needed as a result of the proposed annexation. New streets would be needed with further development of the property, and would be addressed under the review process for that development. Specifically, the extension of N. Ivy Street to Territorial Road will be a

real possibility, or at the very least, brought significantly closer to reality, through the development of this property. The current northern terminus of N. Ivy Street is located to the southwest of this property. It is a possibility that the church property to the west, which is the property that the northern terminus of N. Ivy Street abuts, will dedicate the necessary right-of-way to allow for a full-width road construction of N. Ivy Street from the current terminus to Territorial Road. This extension of N. Ivy Street to Territorial Road is something that the Police Department highly desires.

3. The nearest major intersection to the subject property is the intersection of N.E. Territorial Road and N. Holly Street. At this time, that intersection is not considered to be a "problem intersection". The proposed annexation will not impact a "problem intersection". The development of the property will result in the payment of Transportation System Development Charges which, in accordance with the adopted Transportation Systems Plan for the City, will pay for the impact that this development may have on intersections and streets.

4. Sidewalks and other pedestrian or non-motorized vehicle amenities are specifically handled in the subdivision process of the development of the property.

5. The subject property is not involved in any possible overpass or underpass of Highway 99-E and the railroad.

6. Both the fire district and police department have responded to the Request for Comments and have indicated that both adequate services are available and no further conditions related to the proposed annexation are necessary in view of the functions of both the fire district and the police department.

7. Provision of appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy efficient vehicles, will be determined at the review of future development of the property. No provision is required at this time.

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

9. The proposed annexation has no bearing on efforts to improve or expand nearby air transport facilities.

10. The mass transit system in operation in Canby has no direct bearing on the proposed annexation. No future transit stops have been proposed.

Any future development of the property will be reviewed in light of the Transportation Systems Plan.

11. The subject property is not near the Willamette River and will have no effect on the transportation potential or use of the Willamette River.

12. The subject property is on a county road which serves as an access road into the City. The improvements to N.E. Territorial Road will be required as a part of development of the property, and will enhance this entrance 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" regarding this application. Positive responses were received from the County Transportation, the School District, Sewer Department, Police Department, Fire District, and Public Works Department. The Canby Utility Board, and Canby Telephone Association have not responded. There has been no recent indication, unofficial or otherwise, of potential inadequacy of facilities or service from these providers. Earlier this summer, Canby Utility Board indicated a

concern regarding water capacity during peak summer usage. The Water Treatment Plant has recently been approved for expansion, and no further indication of concern has been brought forth by the Canby Utility Board.

2. 'Public improvements' are not required for annexation. Improvements to Territorial Road and extension of S. Ivy Street will be needed as a part of development of the property after annexation. Those issues will be reviewed and handled through the development review process.

3. This policy is not applicable to this annexation application.

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. A neighborhood park has been designated in a nearby area, across N. Holly Street to the west. Nothing further is needed from this property in order to comply with this policy.

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. The proposed development is not industrial in nature, nor does the current or proposed (after annexation) zoning of the subject property allow industrial development.

2. The proposed development is not commercial in nature, nor does the current or proposed (after annexation) zoning of the subject property allow commercial development.
3. Future development of this site, with homes, will provide residences for Canby business owners and employees, and also will provide a few employment opportunities and expand the market for Canby businesses.
4. The proposed subdivision will no effect on agricultural operations that contribute to the local economy.

viii. **HOUSING**

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

Policy #1: Canby shall adopt and implement an urban growth boundary which will adequately provide space for new housing starts to support an increase in population to a total of 20,000 persons.

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 location and size of the Urban Growth Boundary is not a part of the proposed application. When the Urban Growth Boundary was designated and calculations to determine the amount of land needed for residential growth, in 1984 as a part of the acknowledged 1984 Comprehensive Plan, the subject property was counted for residential development.

2. The proposed annexation will neither directly increase nor decrease the housing density. The property is not currently within the City limits. The potential for housing will be increased as a result of the proposed annexation. The applicant is proposing to ultimately develop a single family residential subdivision on the property which would be permitted under the R-1 (Low Density Residential) zoning designation after annexation and subdivision approval.

3. The proposed development does not include higher density housing. Future development of the property will not include higher density housing. The calculations for residential development types (high, medium, low) found in the Comprehensive Plan account for the development of this property with low-density housing (single family housing).

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

5. The proposed development is not a mobile home development. Future development of the property could 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 #1: Canby shall encourage energy conservation and efficiency measures in construction practices.

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

Policy #3: Canby shall strive to increase consumer protection in the area of solar design and construction.

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

Policy #5: Canby shall continue to promote energy efficiency and the use of renewable resources.

ANALYSIS

1. Energy conservation and efficiency as a part of construction practices has been incorporated into the building permit review process and the Uniform Building Code.
2. The orientation of the subject property in this proposal meets the basic solar access standards for new residential developments. Future development of the property will be reviewed for compliance with the solar access requirements for residential developments. The orientation of the property is such that compliance with the basic requirements will not be possible.
3. Any building will be required, as a part of the building permit review process, to be reviewed for compliance to the Solar Ordinance.
4. Future development of this property will be reviewed through the Transportation Systems Plan. The annexation proposal complies with the Transportation Systems Plan.
5. Energy conservation and efficiency as a part of construction practices has been incorporated into the building permit review process and the Uniform Building Code.

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

In staff's review of this application, staff concludes that the proposed annexation is consistent with the policies of the Canby Comprehensive Plan.

C. Evaluation Regarding Annexation Consideration Criteria

1. This application is compatible with the text and maps of the Comprehensive Plan, in that:
2. The annexation of this property complies with all City ordinances and policies.
3. Adequate capacity is available for the following services: water, sewer, electric, phone, gas.
4. The annexation of this property complies with, all applicable sections of Oregon Revised Statutes.

5. The annexation of this property is appropriate, at this time, when compared to other properties that may be annexed to the City, in that: this property is a priority A property, as defined by the Comprehensive Plan, which is the first phase of land area for proposed annexation and development.
6. There are no apparent natural hazards on this property.
7. The effect of urbanization of this property to designated open space, scenic, historic or natural resource areas is limited, in that the open space designation and requirements as found in the Parks Master Plan will be adhered to.
8. The annexation of this property will not result in reduction of economically viable agricultural land. Improvements to road infrastructure will be required with development of the property, and will be borne by the developer. Development will pay for impacts on existing systems through System Development Charges. No other adverse impacts are anticipated.

III. CONCLUSION

Staff hereby concludes that the proposed annexation will meet the requirements of the standards and criteria included in the Canby Land Development and Planning Ordinance, Section 16.84.040, specifically related to : 1) Comprehensive Plan consistency; 2) Compliance with other applicable Codes and Ordinances; 3) Capability to provide urban level of services; 4) Compliance with ORS 222 regarding annexations of contiguous properties; 5) Appropriateness of area for annexation compared to other properties; 6) Risk of natural hazards; 7) Effect of urbanization on designated open space, scenic, historic or natural resource area; and 8) Economic impacts are correct and adequate.

IV. RECOMMENDATION

Based upon the findings and conclusions contained in this report (and without benefit of a public hearing), staff recommends that should the Planning Commission recommend approval of ANN 95-02 to the PMALC/BC (Boundary Commission), through the City Council, the following understandings should apply:

1. The zoning classification for the property upon annexation will be R-1, Low Density Residential.
2. All development and recording costs are to be borne by the developer when the property is developed.

3. All City and service provider regulations are to be adhered to at the time of development.

Exhibits:

1. Application
2. Vicinity Map
3. Request for Comments

ANNEXATION APPLICATION

Fee: \$1500

OWNER

APPLICANT

Name OREGON DEVELOPMENT Name _____
 Address P.O. Box 151 INC Address Jane
 City Conby State OR Zip 97013 City _____ State _____ Zip _____
 SIGNATURE Thomas Kendall Phone: 557-1012

DESCRIPTION OF PROPERTY:

Tax Map R31E28CDA Tax Lot(s) 1600 Lot Size 1.49 ACRE
 (Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST

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

USE

Existing SINGLE FAMILY RESIDENCE
 Proposed SINGLE FAMILY SUBDIVISION
 Existing Structures SINGLE FAMILY RESIDENCE

PROJECT DESCRIPTION

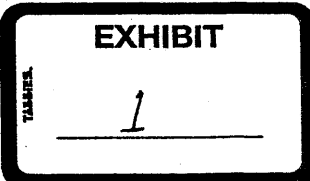
Proposing a single family subdivision
The subject property meets all City of
Conby standards and criteria 16.84.040

ZONING _____ COMPREHENSIVE PLAN DESIGNATION R-1

PREVIOUS ACTION (if any) _____

File No. ANN 95-02
 Receipt No. 5706
 Received by [Signature]
 Date Received 10-31-95
 Completeness Date 11/1/95
 Pre-Ap Meeting _____
 Hearing Date 11-27-95

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



SITE DESCRIPTION

The site is located South of Territorial Rd., East of Holly Street, and North of Ivy Street.

The site is very nearly flat. The 1.49 acre site proposed for annexation has a single family residence.

It is within the City of Canby's Urban Growth Boundary and is identified as Low Density Residential on the Comprehensive Plan. The site is in annexation priority area "A".

PROPOSAL DESCRIPTION

The Applicant proposes to annex 1.49 acres to the City of Canby.

COMPREHENSIVE PLAN POLICIES

The site is within the City of Canby's Urban Growth Boundary and the Comprehensive Plan designation for the site is Low Density Residential. Zoning, following annexation, will be R-1, Low Density Residential.

The City of Canby has developed a priority system to encourage the phasing of growth, with a property designated "A" to be generally annexed prior to areas designated "B" and so on.

Water is available to the subject property at Territorial Road and the sewer would be extended West from Juniper to property site at the expense of the developer. Both are adequate to serve residential development of this site.

Annexation of the subject site would make possible a residential subdivision of 6 lots. This is within the parameters of City development, therefore the annexation is reasonable at this time.

LAND USE ELEMENT

The City's goal is to guide the development and uses of land so that they are orderly, efficient, aesthetically pleasing, and related to one another.

The City's Comprehensive Plan designation for the subject site is Low Density Residential. If annexed, the zoning would be R-1. Lots of approximately 8,000 square feet will be created.

The site is flat and no natural hazards have been identified. There should be no problems with development for residential use.

TRANSPORTATION

The City's goal is to develop and maintain a transportation system which is safe, convenient, and economical.

Annexation and eventual development of the subject site would support this goal and most of the transportation issues would be specifically addressed with review of a subdivision. Connecting Ivy Street to Territorial Road would be possible.

PUBLIC FACILITIES AND SERVICES

Specific needed public improvements will be identified through City review of a subdivision for the subject site and reasonable conditions will be imposed on the development.

Consideration of off-site public facilities requirements will be most appropriately part of evaluation of a subdivision proposal for the annexed property.

HAZARDS

No physical problem which would cause a hazard for development has been identified for the subject site.

HOUSING

The City's goal is to provide for the housing needs of its citizens.

If annexed and eventually subdivided, as proposed, 5 additional lots will be available for single family residences. This is consistent with the Comprehensive Plan designation.

CONCLUSION

The foregoing analysis demonstrates that the proposed annexation is consistent with goals and policies of the Comprehensive Plan, and therefore should be approved.

VICINITY MAP

- S.W. Cedar Loop M-5
- S.W. Radcliff Ct. M-5
- S.W. 1st Ave. (99E) K-5
- S.W. 2nd Ave. K-5
- S.W. 3rd Ave. L-5
- S.W. 4th Ave. L-4
- S.W. 5th Ave. L-5
- S.W. 5th Cl. L-6
- S.W. 6th Ave. L-5
- S.W. 6th Pl. L-6
- S.W. 7th Ave. L-6
- S.W. 8th Ave. L-6
- S.W. 9th Ave. L/M-6
- S.W. 10th Ave. M-6
- S.W. 11th Ave. M-6
- S.W. 13th Ave. M-5

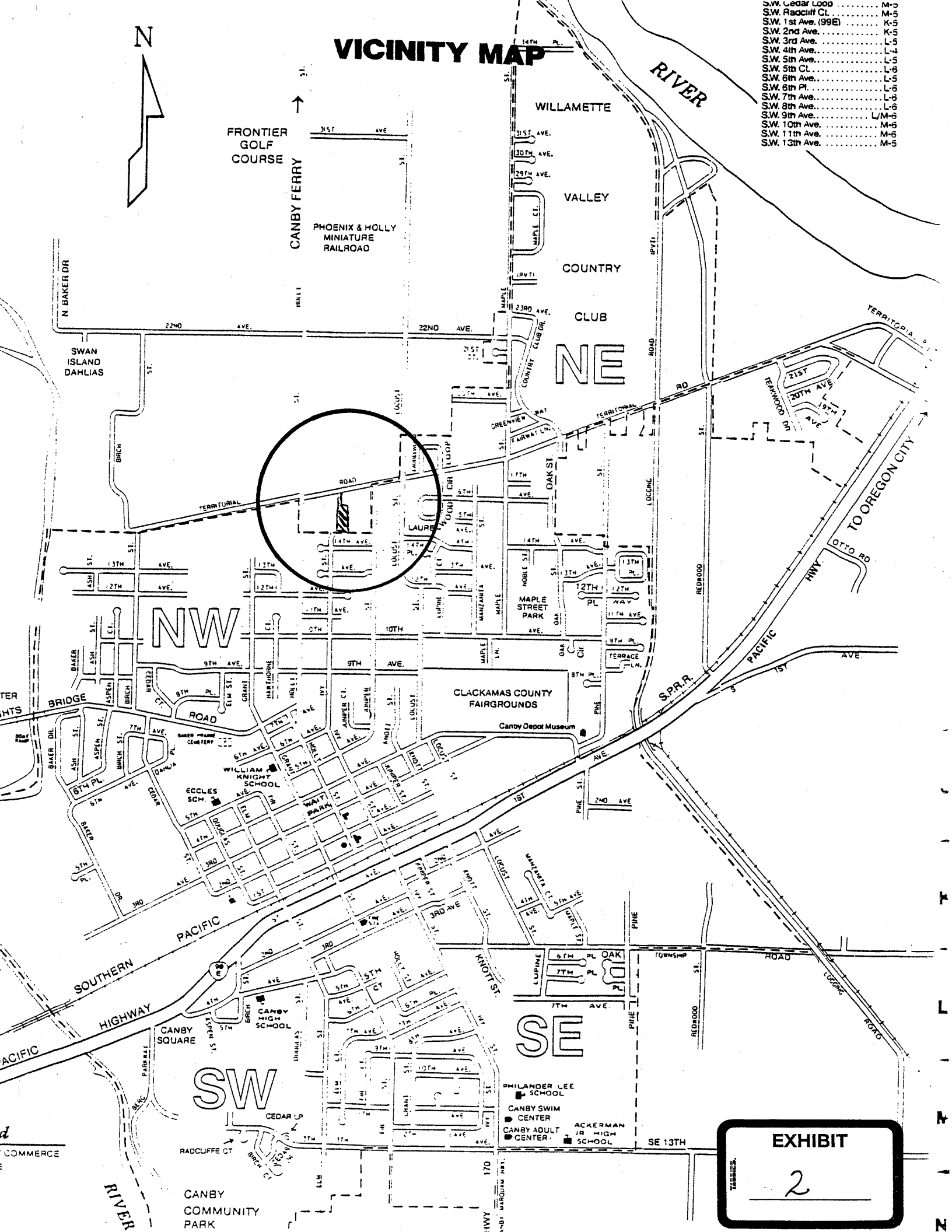


EXHIBIT
2

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT

REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: November 6, 1995

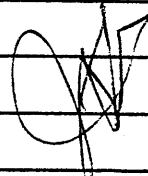
TO: FIRE, POLICE, CUB, TELEPHONE/TELECOM, NW NATURAL GAS, ROY, STEVE, MIKE J.,
JOHN K., CLACKAMAS COUNTY PLANNING, , SCHOOL DISTRICT

The City has received ANN 95-02, application by Oregon Development, Inc., for approval to annex a 1.49 acre parcel on the south side of Territorial Road, west of N. Juniper Street and east of N. Holly Street, to eventually develop a single-family subdivision [Tax Lot 1600 of Tax Map 3-1E-28CD].

We would appreciate your reviewing the enclosed application and returning your comments by November 13, 1995 PLEASE. The Planning Commission plans to consider this application on November 27, 1995. Please indicate any conditions of approval you may wish the Commission to consider in its recommendation to City Council. Thank you.

Comments or Proposed Conditions:

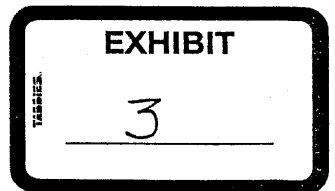
Did these people address all the criteria for annexation in their applications? It doesn't appear to me that they did.



Please check one box:

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

Signature: _____ Date: _____



PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: November 6, 1995

TO: FIRE, POLICE, CUB, TELEPHONE/TELECOM, NW NATURAL GAS, ROY, STEVE, MIKE J., JOHN K., CLACKAMAS COUNTY PLANNING, , SCHOOL DISTRICT

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Signature: Robert Bruggel, Fire Marshal Date: 11-7-95

PLEASE RETURN ATTACHMENTS!!!

9 NOV 95 11:06

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: November 6, 1995

TO: FIRE, POLICE, CUB, TELEPHONE/TELECOM, NW NATURAL GAS, ROY, STEVE, MIKE J., JOHN K., CLACKAMAS COUNTY PLANNING, SCHOOL DISTRICT

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Comments or Proposed Conditions:

No objections

Please check one box:

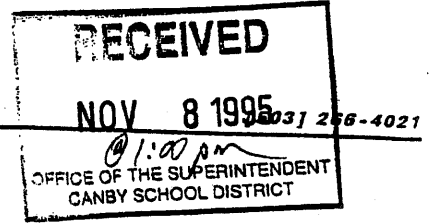
- Adequate Public Services (of your agency) are available
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- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: *Paul S. McManis* Date: *11/13/95*

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013



DATE: November 6, 1995

TO: FIRE, POLICE, CUB, TELEPHONE/TELECOM, NW NATURAL GAS, ROY, STEVE, MIKE J., JOHN K., CLACKAMAS COUNTY PLANNING, SCHOOL DISTRICT

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Comments or Proposed Conditions:

City planning staff indicate that this annexation application is
in the "A" priority category.

Please check one box:

- Adequate Public Services (of your agency) are available
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- Conditions are needed, as indicated
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Signature: Steve Mills Date: 11-8-95

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: November 6, 1995

TO: FIRE, POLICE, CUB, TELEPHONE/TELECOM, NW NATURAL GAS, ROY, STEVE, MIKE J., JOHN K., CLACKAMAS COUNTY PLANNING, , SCHOOL DISTRICT

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Comments or Proposed Conditions:

nml

Please check one box:

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- Adequate public services **are not available** and will not become available

Signature: Steve Hanson

Date: 11/6/95

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: November 6, 1995

TO: FIRE, POLICE, CUB, TELEPHONE/TELECOM, NW NATURAL GAS, ROY, STEVE, MIKE J., JOHN R., CLACKAMAS COUNTY PLANNING, , SCHOOL DISTRICT

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Comments or Proposed Conditions:

Police Dept approves - especially if continuation of N. Ivy St. would be completed to ~~the~~ Territorial (or AT LEAST STARTED TOWARD COMPLETION)

Please check one box:

- Adequate Public Services (of your agency) are available
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Signature: Jerry Viper, Chief of Police

Date: 11/7/95

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: November 6, 1995

TO: FIRE, POLICE, CUB, TELEPHONE/TELECOM, NW NATURAL GAS (ROY) STEVE, MIKE J., JOHN K., CLACKAMAS COUNTY PLANNING, , SCHOOL DISTRICT

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Comments or Proposed Conditions:

OK FOR ANNEXATION

CONDITIONS WILL BE ADDRESSED ON DEVELOPMENT IF ANNEXATION IS APPROVED.

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: _____

Don L. Hester

Date: _____

NOV. 7, 1995

CANBY SCHOOL DISTRICT
ENROLLMENT PROJECTIONS BY GRADE: 1996 TO 2000

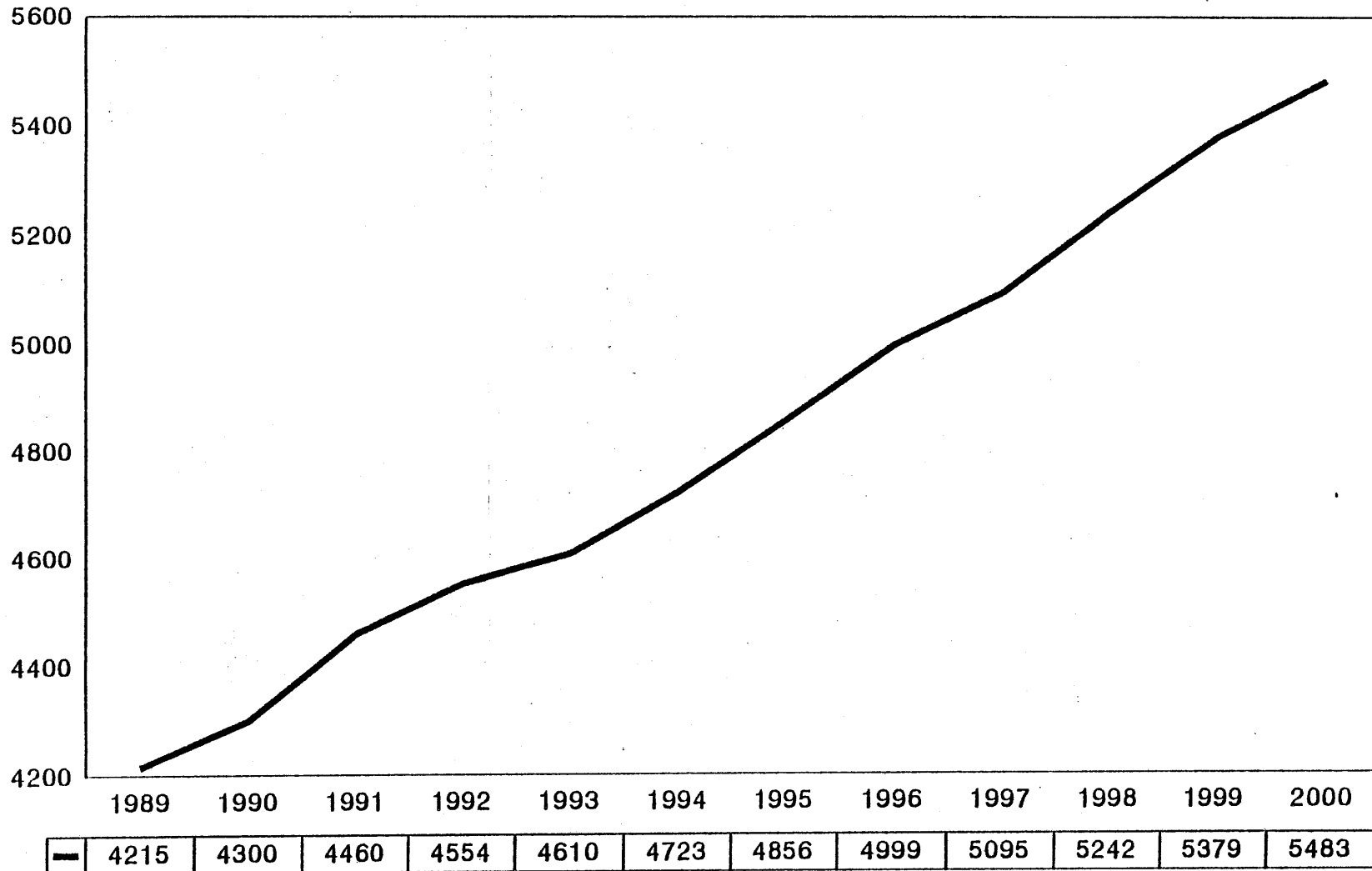
	Actual	Projected Fall Enrollment					Change	
	1995	1996	1997	1998	1999	2000	1995-2000	
	-----	-----	-----	-----	-----	-----	-----	-----
K	360	372	366	377	378	377		
1	374	397	410	403	415	416		
2	379	387	410	424	416	429		
3	364	390	398	422	436	428		
4	397	374	401	409	434	448		
5	427	407	384	412	420	445		
6	405	450	429	404	434	442		
7	398	416	463	441	415	446		
8	390	397	415	462	440	414		
9	361	398	405	423	471	449		
10	336	347	382	389	406	452		
11	363	318	329	362	369	385		
12	302	346	303	314	345	352		
TOTAL	4856	4999	5095	5242	5379	5483	627	12.9%
Annual Change		143 2.9%	96 1.9%	147 2.9%	137 2.6%	104 1.9%		
GRADES K-5	2301	2327	2369	2447	2499	2543	242	10.5%
Annual Change		26 1.1%	42 1.8%	78 3.3%	52 2.1%	44 1.8%		
GRADES 6-8	1193	1263	1307	1307	1289	1302	109	9.1%
Annual Change		70 5.9%	44 3.5%	0 0.0%	-18 -1.4%	13 1.0%		
GRADES 9-12	1362	1409	1419	1488	1591	1638	276	20.3%
Annual Change		47 3.5%	10 0.7%	69 4.9%	103 6.9%	47 3.0%		

CANBY SCHOOL DISTRICT
ENROLLMENT PROJECTIONS BY SCHOOL: 1996 TO 2000

	Actual	Projected Fall Enrollment					Change	
	1995	1996	1997	1998	1999	2000	1995-2000	
Carus (K-6)	428	454	453	480	504	526	98	22.9%
Eccles (K-5)	503	516	518	538	550	570	67	13.3%
Knight (K-5)	534	543	544	543	547	550	16	3.0%
Ninety-One (K-8)	523	539	544	547	542	531	8	1.5%
Trost (K-5)	523	533	560	592	607	620	97	18.5%
Total								
Elementary	2511	2585	2619	2700	2750	2797	286	11.4%
Ackerman M.S.	983	1005	1057	1054	1038	1048	65	6.6%
Canby H.S.	1362	1409	1419	1488	1591	1638	276	20.3%

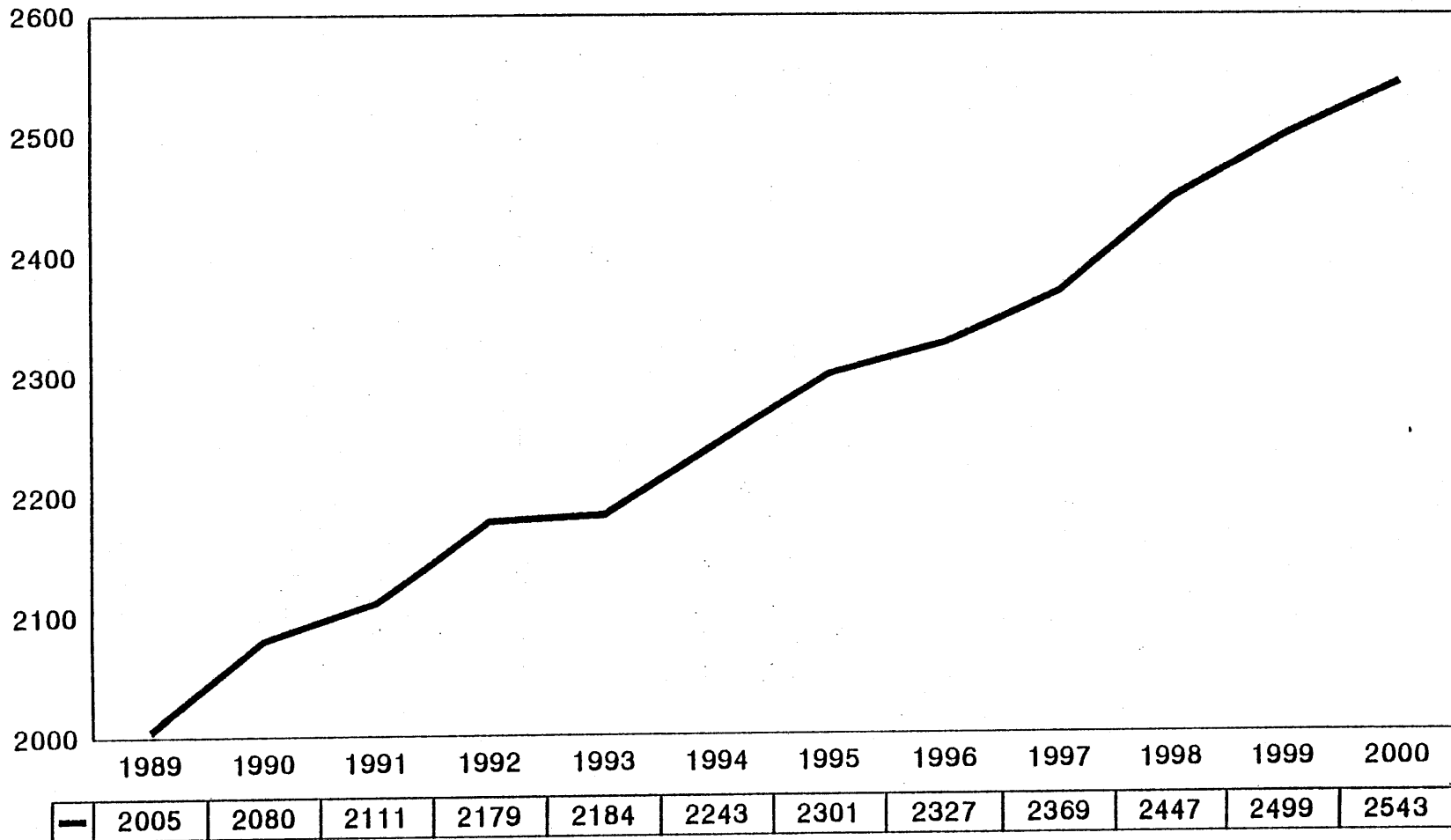
CANBY UNIFIED SCHOOL DISTRICT

ENROLLMENT HISTORY AND PROJECTIONS: 1989-2000



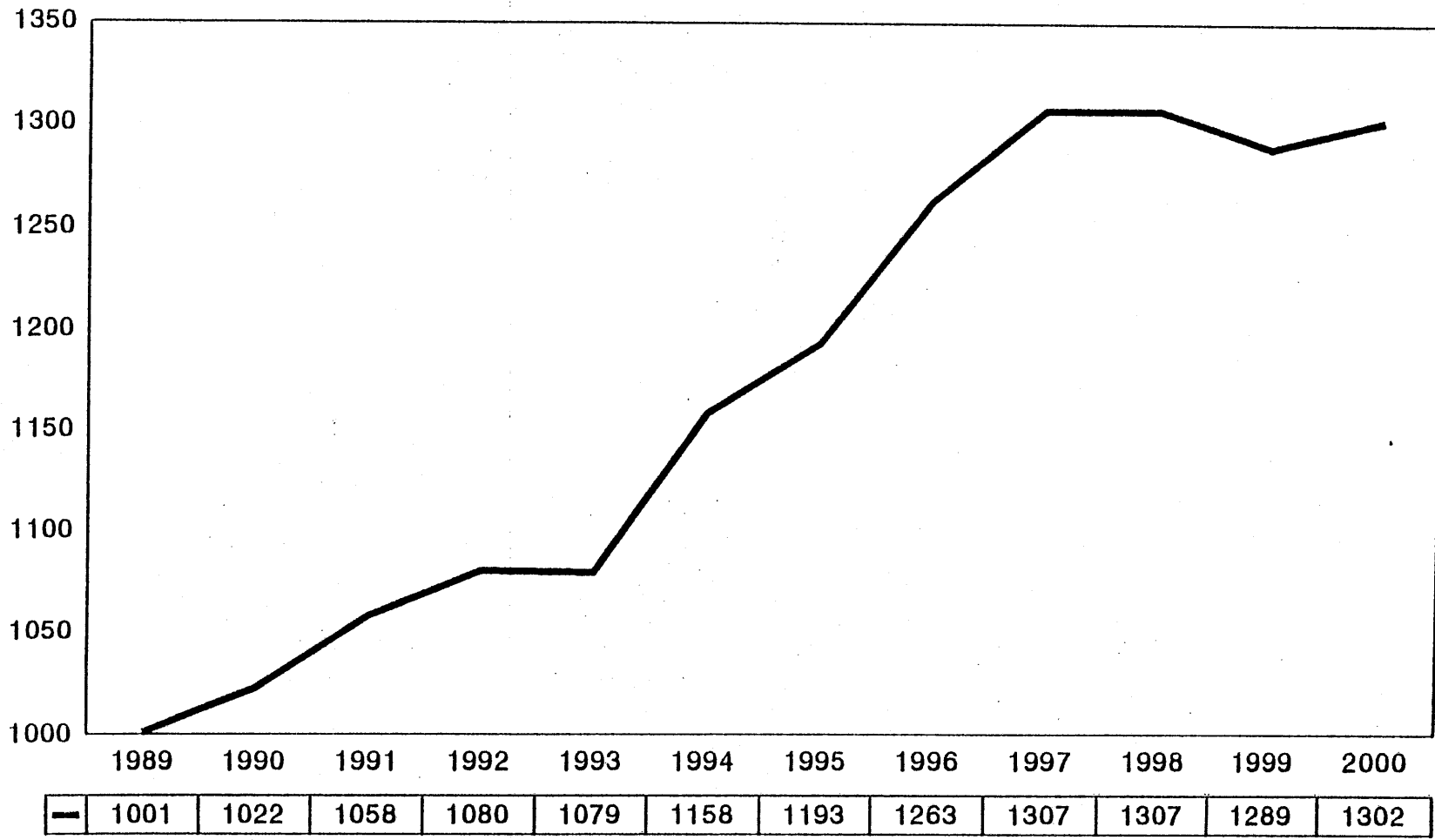
Includes Canby Elementary, Canby High School, Carus, and Ninety-One.
November 1995

GRADES K-5 ENROLLMENT HISTORY & PROJECTIONS: 1989-2000



Includes Canby Elementary, Carus, and Ninety-One.
November 1995

GRADES 6-8 ENROLLMENT HISTORY & PROJECTIONS: 1989-2000

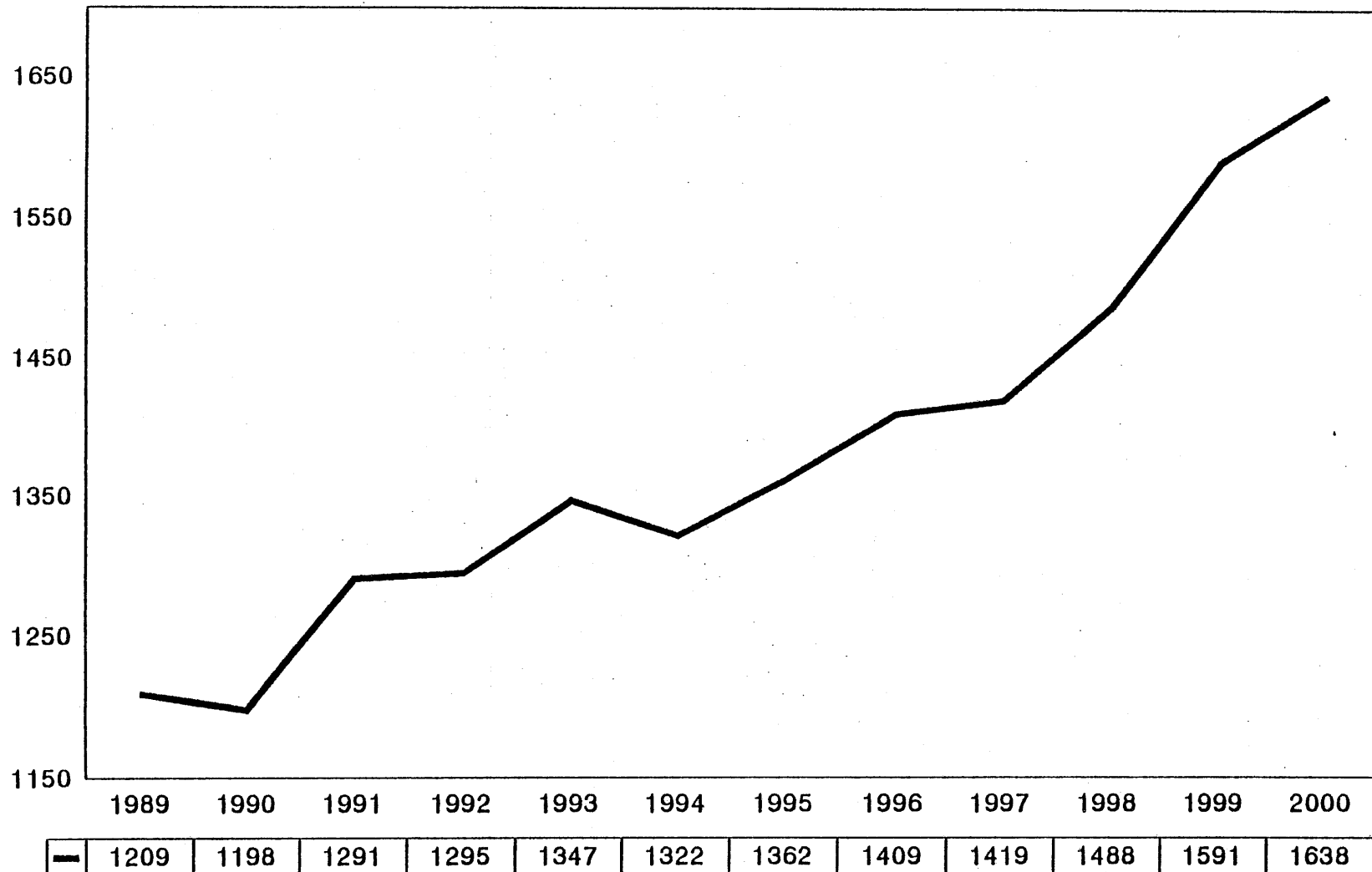


Includes Canby Elementary, Carus, and Ninety-One.
November 1995

CANBY HIGH SCHOOL: GRADES 9-12

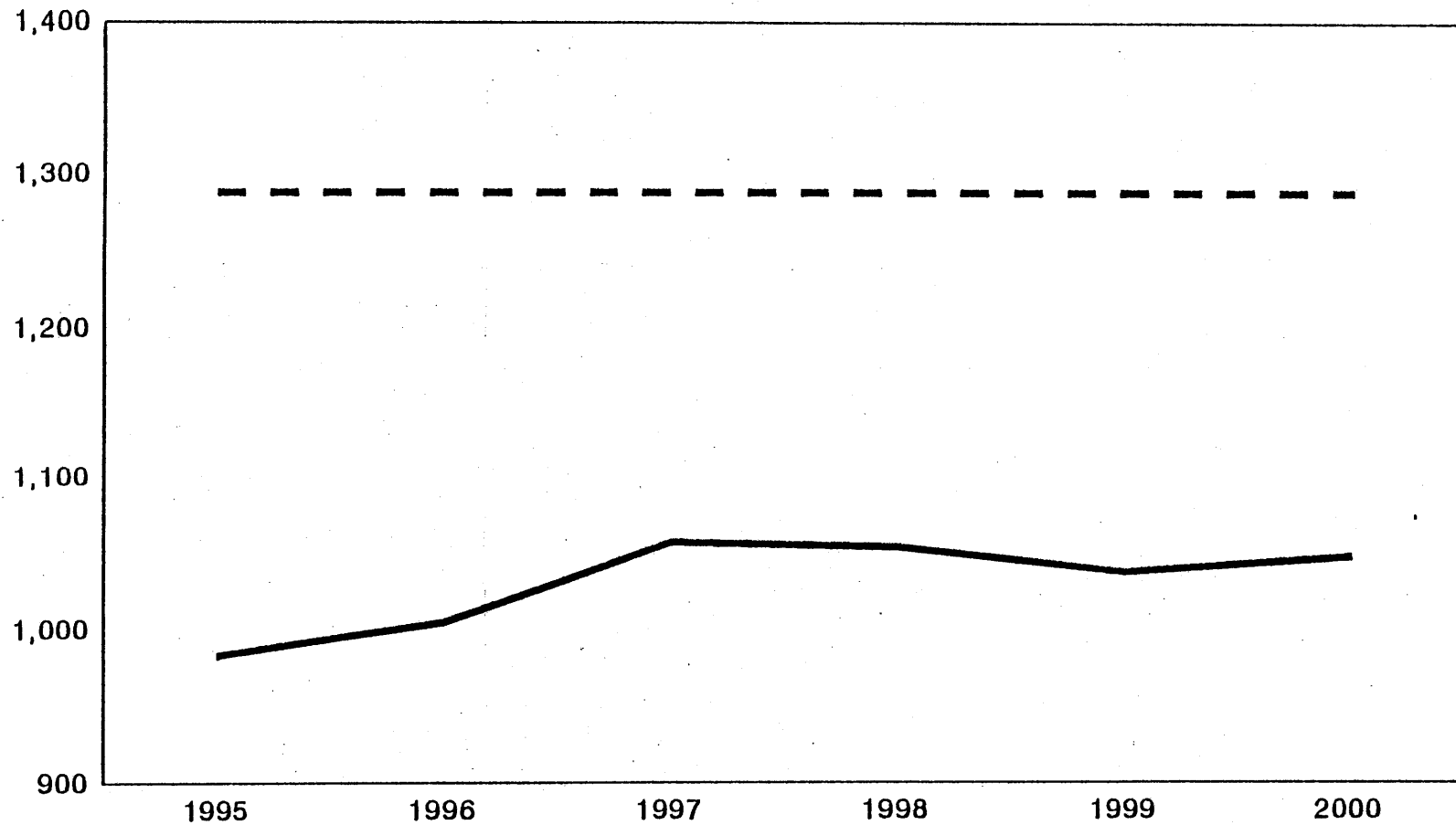
ENROLLMENT HISTORY AND PROJECTIONS: 1989-1999

November 1995



ACKERMAN MIDDLE SCHOOL

ENROLLMENT AND CAPACITY: 1995-2000

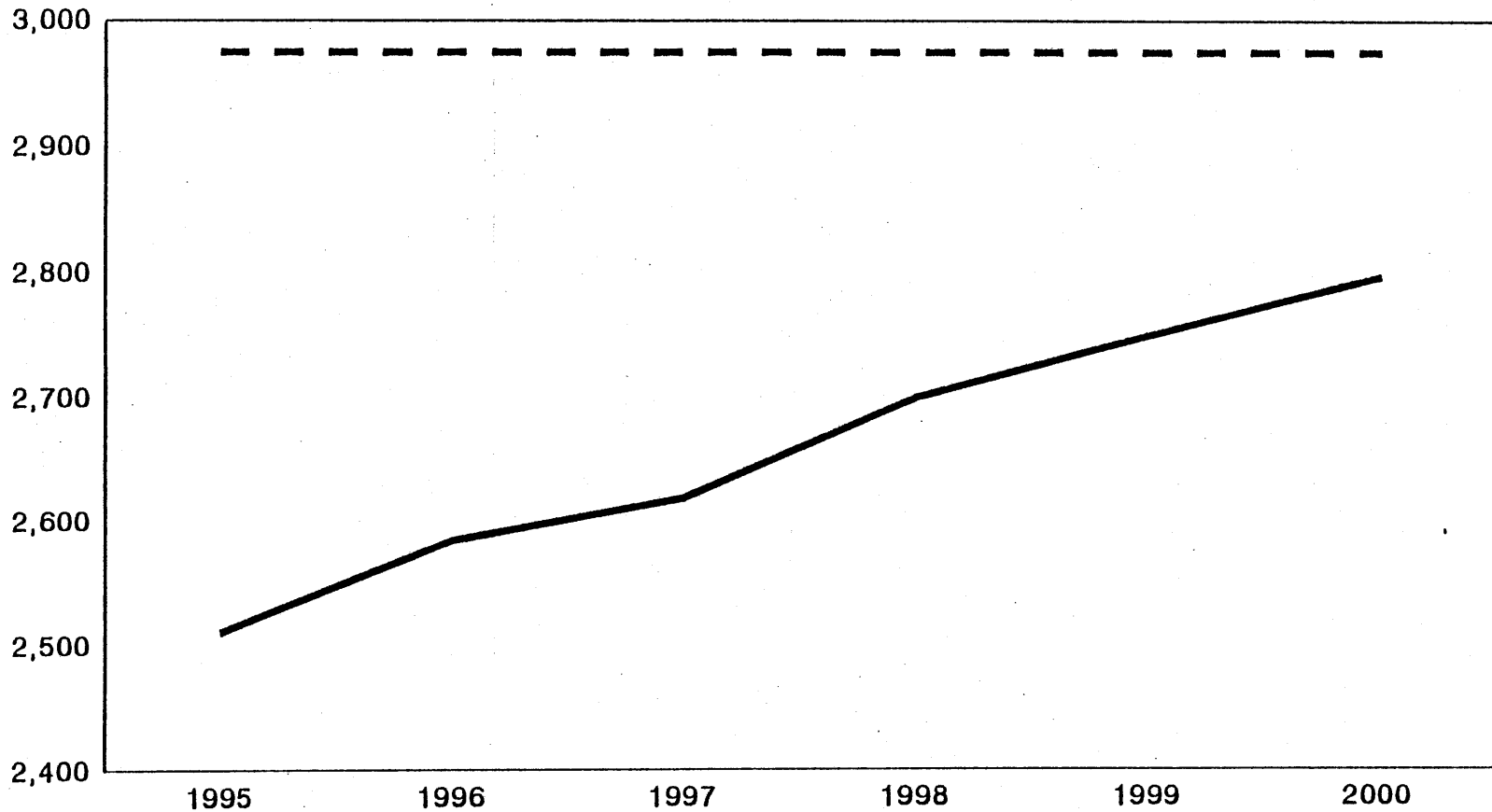


ENROLLMENT	—	983	1,005	1,057	1,054	1,038	1,048
CAPACITY	—	1,288	1,288	1,288	1,288	1,288	1,288

Assumes 1995 grade organization and boundaries. Capacity is for Lee and Ackerman combined.
November 1995

DISTRICT ELEMENTARY SCHOOLS

ENROLLMENT AND CAPACITY: 1995-2000

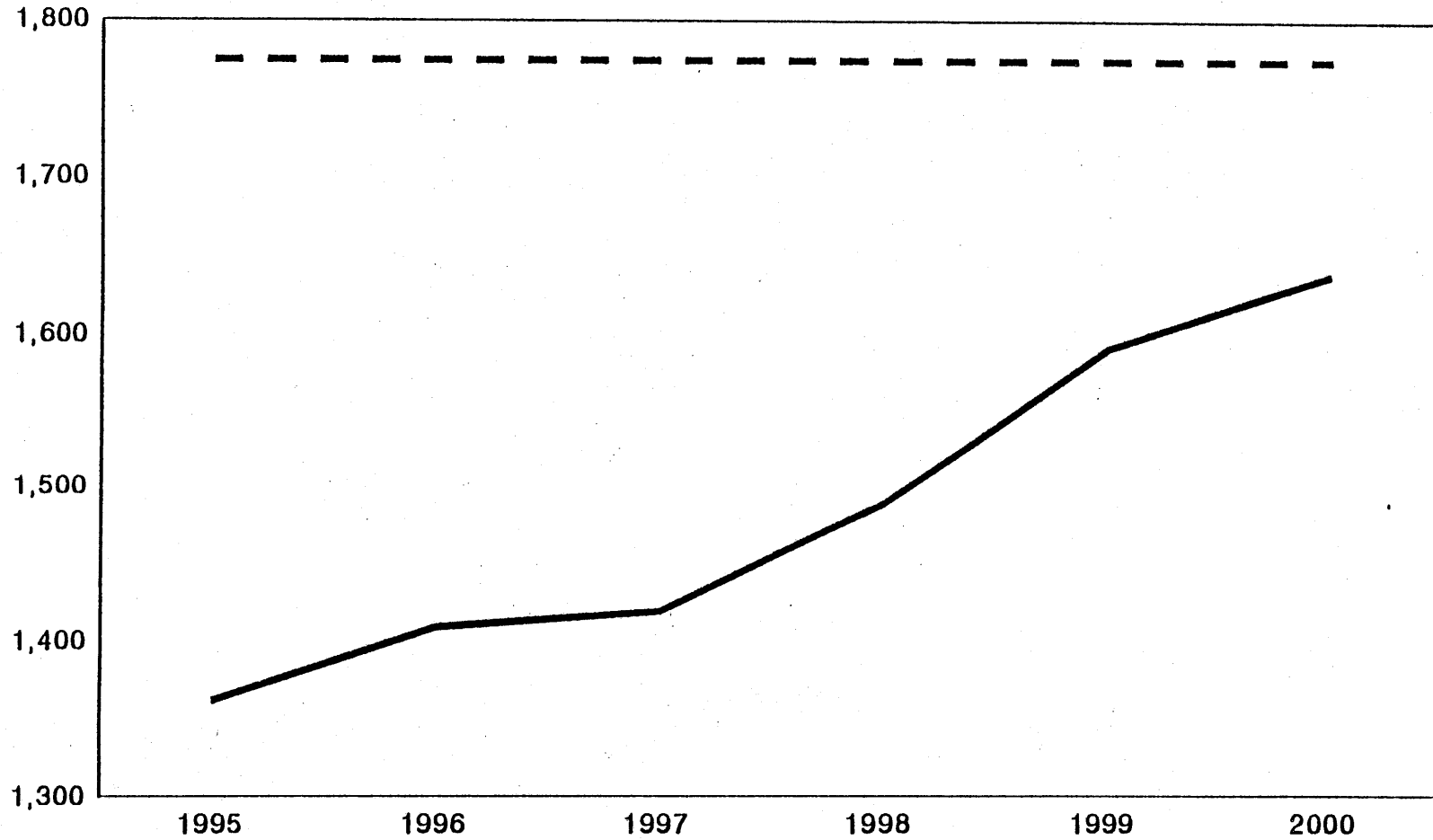


ENROLLMENT	—	2,511	2,585	2,619	2,700	2,750	2,797
CAPACITY	—	2,975	2,975	2,975	2,975	2,975	2,975

Combined enrollment and capacity for the district's five elementary schools. Assumes 1995 grade organization and boundaries.
November 1995

CANBY HIGH SCHOOL

ENROLLMENT AND CAPACITY: 1995-2000



ENROLLMENT	1,362	1,409	1,419	1,488	1,591	1,638
CAPACITY	1,775	1,775	1,775	1,775	1,775	1,775