

A G E N D A

CANBY PLANNING COMMISSION REGULAR MEETING City Council Chambers

Monday, October 25, 1993

7:30 p.m.

I. ROLL CALL

II. MINUTES

October 11, 1993

III. CITIZEN INPUT ON NON-AGENDA ITEMS

IV. COMMUNICATIONS

V. FINDINGS

CUP 93-02 - Miriam Larson
SUB 93-03 - Tatone/Hostetler
MLP 93-04 - Church of Christ
CUP 93-03/DR 93-06 - Church of Christ

VI. NEW BUSINESS

VII. COMMISSION DISCUSSION OF PLANNING ISSUES

VIII. PUBLIC HEARINGS

CUP 93-01/DR 93-05 - an application by the Canby Elementary School District #86 for approval of a conditional use and design review application to install a modular classroom building at the Knight Elementary School site (to be relocated from the Eccles School) and related development. The school is located on N. Grant Street, between N.W. 4th and N.W. 6th Avenues (Tax Lot 1400 of Tax Map 3-1E-33). *(Continued from October 11, 1993)*

MLP 93-05, an application by Douglas D. Hanson for approval to partition 6.52 acres (Lot 4 of the Logging Road Industrial Park Subdivision) into three separate parcels: Parcel 1: 2.50 acres; Parcel 2: 2.01 acres; and, Parcel 3: 2.01 acres. The property is located on the west side of S. Redwood Street, north of Township Road (Tax Lot 1806 of Tax Map 3-1E-34C).

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

Kurt Schrader, Chair
Linda Mihata, Vice-Chair
Tamara Maher
Bob Gustafson
Henry Fenske
Wade Wiegand
Stan Elliot

MEETING 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. For more complete presentations, Proponents and Opponents may "buy" time from one another. In so doing, those either in favor, or opposed, may allocate their time to a spokesperson who can represent the entire group.

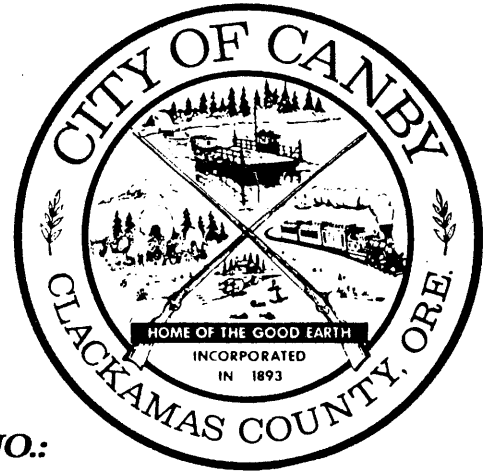
- All questions must be directed through the Chair.

- 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 at the beginning of the hearing.

Unless there is a continuance, if a participant so requests before the conclusion of the initial evidentiary hearing, the record shall remain open for at least seven (7) days after the hearing.

- STAFF REPORT -



APPLICANT:

Douglas D. Hanson
1506 SE Township Rd.
Canby, OR 97013

FILE NO.:

MLP 93-05

OWNER:

Douglas D. Hanson

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

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

DATE OF REPORT:

October 15, 1993

LOCATION:

1506 SE Township Rd.
North side of Township Rd.,
west of S. Redwood Street

DATE OF HEARING:

October 25, 1993

COMP. PLAN DESIGNATION:

Light Industrial

ZONING DESIGNATION:

M-1 (Light Industrial)

I. APPLICANT'S REQUEST:

The applicant is requesting approval to partition a 6.52 acre parcel into three parcels, 2.5 acres, 2.01 acres, and 2.01 acres. The intention is to develop the proposed parcel 1 immediately with an industrial facility.

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. No minor partitioning shall be allowed where the sole means of access is by private road, 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;
- 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 land division.

III. OTHER APPLICABLE CRITERIA

- A. 16.32.030 Development Standards in C-M Zones
- B. 16.56 General Provisions (for land divisions)
- C. 16.60 Major or Minor Partitions
- D. 16.62 Subdivisions - Applications
- E. 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 1806 of Tax Map 3-1E-34C. It is located on the north side of Township Road at 1506 S.E. Township Rd. The property consists of approximately 6.52 acres. There is approximately 1260 feet of frontage along S. Redwood Street and approximately 200 feet along Township Road. S. Redwood Street has not yet been constructed.

The City is financing the construction and it is expected to be completed by the end of next summer. The existing single family residence will remain on proposed Parcel 2.

The subject parcel is Lot 4 of the Logging Road Industrial Park Subdivision (SUB 92-05), approved 9/28/92.

B. *Comprehensive Plan Consistency Analysis*

i. *Citizen Involvement*

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

ANALYSIS

The notification process and public hearing are a part of the compliance with adopted policies and process regarding citizen involvement.

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.

ANALYSIS

The project is entirely within the City limits and within the Urban Growth Boundary. The project meets the intent of Canby's Goals and Policies regarding the Comprehensive Plan Urban Growth Chapter.

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 #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.
- A) A map of "Areas of Special Concern" is to be regarded as having the full force and effect of the Land Use Map in determining appropriate land uses and levels of development. Development proposals, even those that appear to conform with existing zoning, will be considered to conform with the Comprehensive Plan only if they meet the requirements imposed here.
 - B) Area "G" is similar to area "A" in many respects. Located south of Highway 99-E along S. Pine Street, it too has potential for either commercial or industrial development. Commercial uses will be limited to "heavy" commercial activities which are closely related to industrial activities or larger shopping centers based around a department store of the sort which can be expected to draw from a regional market area. It is recognized that the Land Use Map contains sufficient area for commercial uses of all sorts other than larger department store complex types. By designating this area for special treatment this problem should be resolved, while providing safe highway access and minimizing conflicts with the railroad. The extension of S. Pine Street to connect with Township road will be a

high priority regardless of the specific nature of development in the area. Upon annexation area "G" could be zoned either M-1 or C-M, depending upon the nature of the development proposed.

ANALYSIS

The property is zoned M-1, which is consistent with the land use map of the Comprehensive Plan. The property is currently used for a single family residence. The proposed Parcel 1 of the partition (2.5 acres) is intended to be developed with a manufacturing plant. Future developments will be reviewed through the Site and Design Review process. The partition is being proposed to create parcels suited for small manufacturing operations and so that the parcels can be developed independently of the existing home. The setback distances normally required for a single family home in a residential district will be maintained on Parcel 2.

All the land to the north, east, and west of the subject parcel is zoned Light Industrial, while being used for agriculture. The land to the south, across Township Road, is rural residential in nature, with Trost Elementary School located approximately 700 feet to the south of Township Road.

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 #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 #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.

ANALYSIS

On-site disposal of storm water will be required of any development. The predominant soil is Latourell loam, which is suitable for building sites. State and local Code requirements regarding air, water, and noise pollution will be required of the development and construction. State laws and local regulations will require development to meet standards to prevent air, water, land and noise pollution.

v. Transportation

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

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

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

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

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

ANALYSIS

Access for all of the parcels will be from S. Redwood Street. The street has not been constructed yet, and will be constructed by the City. The City is advanced financing the road and, therefore, when any of the proposed parcels

develop, reimbursement according to the advanced financing plan will be required. The existing home on proposed Parcel 2 has a gravel driveway. It is understood by the City that access to proposed Parcel 1 will occur through proposed Parcel 2 until S. Redwood is constructed. For any development on the parcels prior to the completion of the construction of S. Redwood Street, the existing driveway will be the only possible access. If the access drive for Parcel 1 were in the right-of-way, access would be cut off for the business during construction of S. Redwood. An access easement across Parcels 1 and 2 will be needed until S. Redwood is constructed. The easement is not necessary until a development is applied for, which will come under Site and Design Review.

Sidewalks will be needed as each parcel is developed, both along S. Redwood Street and Township Road. The sidewalks should be required as a part of Site and Design Review, thus allowing for the majority of the construction to occur that would normally damage sidewalks.

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.

ANALYSIS

Sewer is currently located in the S. Redwood Street right-of-way. Water service, including a water main, will need to be brought to any parcel being developed prior to the construction of any building. Water is available at the intersection of Township and S. Redwood. Utility easements totaling 12 feet in width will need to be provided along the boundary lines of Parcels 1 and 2, and Parcels 2 and 3. At the time one of the proposed lots is developed (and if prior to the construction of S. Redwood, which may include a water main), a water main and fire hydrants will need to be extended from the intersection of S. Redwood and Township to that lot.

The existing house is located more than 100 feet from the sewer line that was installed in the S. Redwood right-of-way, and therefore is not required to be hooked up to the City sewer system.

vii. Economic

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

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.

ANALYSIS

The subject parcel has been identified in the Comprehensive Plan as an appropriate site for industrial development. Upon annexation into the City, the land was zoned for light manufacturing uses. The improvements that are planned, and have begun to be constructed has prompted industrial interest. The proposed partition is a direct result of that interest, in that it will facilitate the location of an industry in Canby.

viii. Housing

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

ANALYSIS

The partition of the subject property will not directly affect housing negatively or positively. Additional commercial development will help support the services provided to residential 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 #5: Canby shall continue to promote energy efficiency and the use of renewable resources.

ANALYSIS

The Solar Access Ordinance does not apply to commercial buildings in commercial zones. The State has rules which encourage energy conservation through design and construction methods.

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

Based upon the above described analysis, the proposal is consistent with, or can, with conditions, be made consistent with the policies of the Comprehensive Plan.

C. Overall Design of Parcels

The configuration of the partition will allow for proper setback distances for the industrial construction on all parcels, and will provide sufficient setback distances for the existing building on Parcel two.

V. CONCLUSION

1. Staff finds that the partition request, with appropriate conditions, is 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 findings and conclusions in this report, and without benefit of public hearing, staff recommends approval of MLP 93-05, subject to the following conditions:

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 93-05.
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. All monumentation and recording fees shall be borne by the applicant.
4. 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 interior lot lines; between lots 1 and 2, and lots 2 and 3.

Prior to the signing of the Final Plat:

5. Reimburse the City for the advanced financing of the construction of S. Redwood Street, and the sewer.

Prior to the issuance of a building permit:

6. 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.
7. Water service and fire hydrants shall be provided.
8. All utilities, including water and fire hydrants, must meet the standards and criteria of the providing utility authority.
9. A twenty (20) foot access drive shall be constructed to the parcel being developed (unless S. Redwood Street is constructed by that time). An easement will be required for parcels 1 and 2 across parcel 3 at time of development of either parcel 1 or 2, until S. Redwood Street is constructed.
10. The approval of this minor land partition does not constitute an approval of the development of the land for any development on the partitioned lots. Any development of the partitioned lots must be accompanied by a Site and Design Review approval.

Prior to the issuance of a certificate of occupancy:

11. A sidewalk shall be constructed for the full frontage of S. Redwood Street and/or Township Road of any parcel being developed. A bonding instrument may be utilized until engineering elevations along S. Redwood are available.

Exhibits:

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

MINOR LAND PARTITION APPLICATION

Fee: \$600.00

OWNER

APPLICANT

Name Douglas D. Hanson

Name Douglas D. Hanson

Address 1506 SE Township Road

Address SAME

City Canby State OR Zip 97013

City _____ State _____ Zip _____

X Signature: Douglas D. Hanson

Phone: 266-5306

DESCRIPTION OF PROPERTY:

Tax Map 3 1E 34C Tax Lot(s) 1806 Lot Size 6.52 Acres
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name Logging Road Industrial Park Lot 4 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 Nursery Proposed Light Industrial

Existing Structures Single Family home and shed to remain.

PROJECT DESCRIPTION

Applicant proposes to divide Lot 4 (6.52 ac.) into 3 parcels. See Preliminary Plat for narrative.

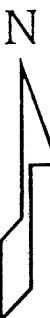
ZONING M-1 COMPREHENSIVE PLAN DESIGNATION M-1
PREVIOUS ACTION (if any) Logging Road Industrial Park - Subdivision

File No. MLP 93-05
Receipt No. 2507
Received by QSW
Date Received 9/29/93
Completeness Date 9/29/93
Pre-App Meeting _____
Hearing Date 10/25/93

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



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



FRONTIER GOLF COURSE

CANBY FERRY

PHOENIX & HOLLY MINIATURE RAILROAD

WILLAMETTE RIVER

VALLEY

COUNTRY

CLUB

NE

NW

CLACKAMAS COUNTY FAIRGROUNDS

Canby Depot Museum

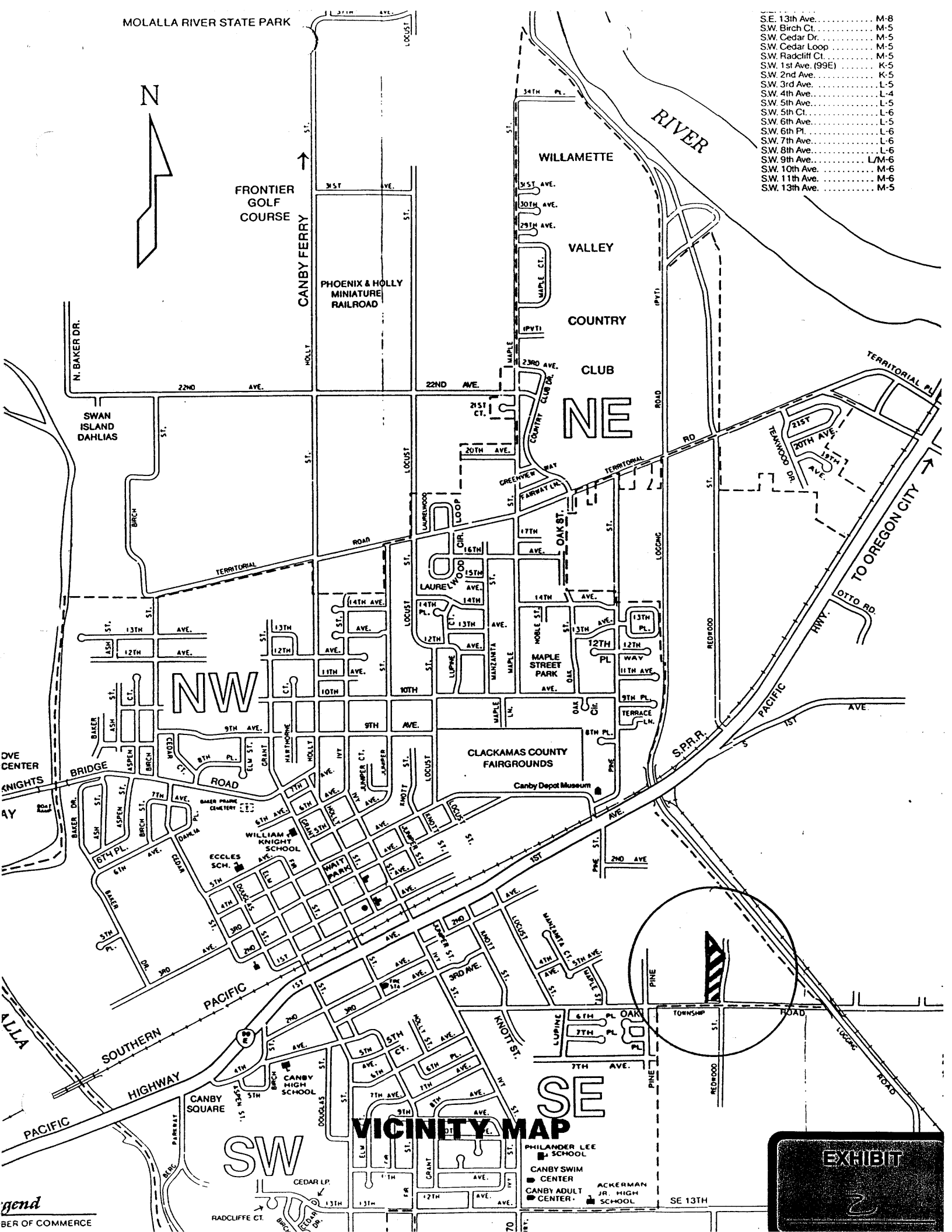
SE

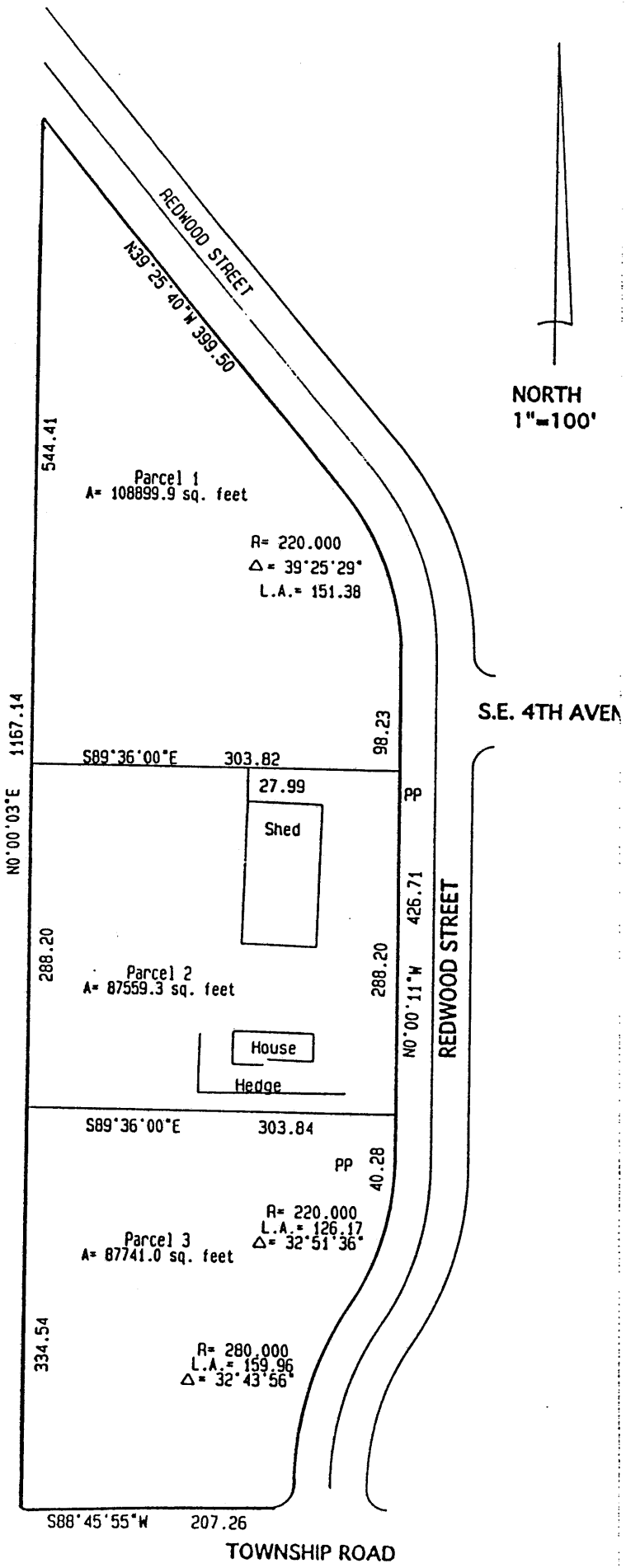
VICINITY MAP

SW



Legend
BER OF COMMERCE





NORTH
1"=100'

Total Area
A = 284200.2 sq. feet



PLEASE RETURN ATTACHMENTS!!!

10/12/93
JBL

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

RECEIVED

OCT 11 1993

CITY OF CANBY

DATE: October 5, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, CLACKAMAS COUNTY, MIKE JORDAN, JOHN KELLY, ROY, SEWER

The City has received MLP 93-05, an application by Douglas D. Hanson for approval to partition 6.52 acres (Lot 4 of the Logging Road Industrial Park) into three separate parcels: Parcel 1: 2.50 acres; Parcel 2: 2.01 acres; and, Parcel 3: 2.01 acres. The property is located on the west side of S. Redwood Street, north of Township Road (Tax Lot 1806 of Tax Map 3-1E-34C).

We would appreciate your reviewing the enclosed application and returning your comments by October 11, 1993 PLEASE. The Planning Commission plans to consider this application on October 25, 1993. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

No comments

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

Signature: [Handwritten Signature] Date: 10/11/93



PLEASE RETURN ATTACHMENTS!!!

FSW
10/11/93

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

DATE: October 5, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, CLACKAMAS COUNTY, MIKE JORDAN, JOHN KELLY, ROY, SEWER

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Comments or Proposed Conditions:

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: Gary F. Hyatt

Date: 10/8/93

[Handwritten signature]
66-29

TS

