

**AGENDA  
CANBY PLANNING COMMISSION**

**REGULAR MEETING  
City Council Chambers  
January 14, 1991 - 7:30 p.m.**

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**I. ROLL CALL**

**II. MINUTES**

November 19, 1990  
December 3, 1990  
December 10, 1990

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

**IV. COMMUNICATIONS**

**V. UNFINISHED BUSINESS**

Preliminary discussion - Systems Development Ordinance

**VI. FINDINGS**

CPA 90-02 - Wayne Scott  
CUP 90-06 - Dave Nelson  
MLP 90-11 - Kenneth Perenchief  
SUB 90-05 - Lillian's Meadow (Phase I Only)

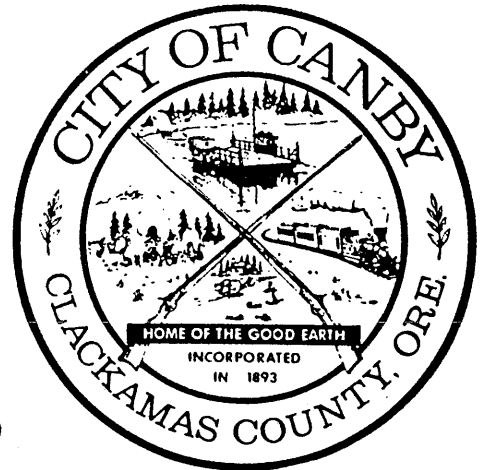
**VII. PUBLIC HEARINGS**

CUP 90-09, a request by Canby Union High School. The applicant is requesting approval to construct a pole building to be used by the Agricultural Department on property identified as Tax Lot 701 of Tax Map 4-1E-4B. The property is located adjacent to high school building on the west side of the site. Carried over from December 10, 1990.

ZC 90-02/SUB 90-06, a request by Wayne Scott for approval of a Zone Change for the southerly 7.8 acres on Tax Lot 100 of Tax Map 3-1E-27C from M-1 to R-1, contingent on City Council approval of the Comprehensive Plan Amendment (CPA 90-02); and, approval of a single family residential subdivision with a PUD overlay for Teakwood Terrace, Phases I and II (Tax Lot 500 of Tax Map 3-1E-27DB and Tax Lots (easterly portions) 700 and 900 of Tax Map 3-1E-27C and Tax Lots 100 and 700 of Tax Map 3-1E-27C), contingent on City Council approval of ZC 90-02. Eighty-three single family units and 60 condominium units are proposed with 5.6 acres of greenway. A portion of the site lies in the Hazard Overlay Zone. The site (approximately 32 acres) is located northwest of 99E, south of N.E. Territorial and east of Redwood.

**IX. ADJOURNMENT**

# - S T A F F   R E P O R T -



**APPLICANT:**

Canby Union High School, UH-1

**FILE NO.:**

CUP 90-09

**OWNER:**

Canby Union High School, UH-1

**STAFF:**

Robert G. Hoffman, AICP  
Director of Planning

**LEGAL DESCRIPTION:**

Tax Lots 3201, 701 of  
Tax Map 4-1E-4B

**DATE OF REPORT:**

November 28, 1990

**LOCATION:**

721 S.W. 4th Avenue

**DATE OF HEARING:**

December 10, 1990

**COMP. PLAN DESIGNATION:**

Public

**ZONING DESIGNATION:**

R-1 LOW DENSITY RESIDENTIAL

**I. APPLICANT'S REQUEST:**

The applicant is requesting approval to construct a 30' by 60' pole building to store farm equipment for Canby High Agriculture Department. The equipment is currently stored outside.

**II. APPLICABLE REGULATIONS:**

This is a quasi-judicial land use application. The proposed use is a conditional use in an R-1 zone. In judging whether a Conditional Use should be approved, the Planning Commission shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

- A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the City.
- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.
- C. All required public facilities and services exist to adequately meet the needs of the proposed development.
- D. The proposed use will not alter the character of the surrounding areas in a manner that substantially limits or precludes the use of surrounding properties for the uses listed as permitted in zone.

### III. FINDINGS:

#### A. Background:

##### 1. Property Identification:

- a. The subject property is identified on the Clackamas County Assessor's Map as Tax Lots 3201 and 701 of Tax Map 4-1E-4B.
- b. The building is located on the High School site and is along the fence which borders the playing fields. The west edge of the building will be approximately 34 feet from the west school property line.
- c. The rear southeastern corner of Canby Square is immediately to the west.

##### 2. Site Characteristics

The current site is on open area adjacent to the Ag Building of the High School. The USDA Soil Survey for Clackamas County identifies the predominant soil on the property as Canderly Sandy Loam. This is basically a Type II soil which is appropriate for urban type development without serious constraints. The site is basically flat.

## B. Comprehensive Plan Consistency Analysis

### 1. Urban Growth Boundary

The application is for a site which lies wholly within the Urban Growth Boundary and is appropriate for urban type uses and services. The proposed development is urban in use and is, therefore, consistent with the intent of the Urban Growth Boundary policies.

### 2. Land Use

The proposed land use in the Comprehensive Plan for the subject site is low density residential. The proposed use for the site under the subject application is for a storage building for the High School. This is an accessory use to a residentially compatible use. Thus, the proposal is consistent with the Comprehensive Plan land use proposals.

### 3. Environmental Concerns

The soil types are appropriate for the proposed use without serious constraints. Air and water resources are not negatively impacted. The land is proposed to be used for an appropriate urban use. There are no known noise impacts. Mineral, Historic, Scenic, Open Space and Fish and Wildlife Resources are not affected except that agricultural equipment currently stored outside will be stored inside creating a more orderly view and will better maintain equipment.

### 4. Transportation

The proposed use will be accessed from the High School west access road which enters from Fifth Avenue. Most use will be related to the agricultural building which is located to the east.

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### 5. Public Facilities

The area appears to be served by an appropriate level of public facilities and services. Sewer service will not be needed in the pole building but serves the High School.

### 6. Economic, Housing and Energy Conservation

These Comprehensive Plan policy areas do not appear to be applicable.

## C. Zoning Consistency Analysis

The proposed use, a storage building for agricultural equipment, is an accessory use to a High School which is often found within residential areas and associated with residentially related uses. It has previously been determined to be a conditional use within the R-1 zone.

Code Section 16.50.010 lists standards for approving a conditional use. Analysis according to this criteria follows:

### 1. Consistency with the Comprehensive Plan and Other Applicable Policies

The previous discussion outlined in some detail how the proposal relates to the Comprehensive Plan policies. The following discussion will relate to the requirements of this title and other applicable policies:

#### a. Site Suitability

The site, size, shape, location and topography are all more than sufficient for the proposed use. The area of the entire site is approximately 38 acres in size. Considering other similar facilities, this is a size that can contain the combination of current and proposed future uses and facilities without any serious constraints. No additional parking is needed since all employees and students are already on the site. This is not an additional classroom.

#### b. Parking Requirements

The same people who have already been served by school parking will be using the storage building. No additional parking spaces are required.

#### c. Noise and Relation to Surroundings

There should be less noise than at present since equipment will be stored inside rather than outside. The adjacent uses are commercial and industrial. The situation will be improved by inside storage. The exterior building material and roofing should be compatible with the adjacent school buildings in order to provide a unified site design.

d. Utilities

The location of utilities are not part of this staff report since we have no indication that they are needed. There are no conflicts known at this time.

**IV. CONCLUSION**

Considering the previous analysis, staff hereby determines that the proposal is consistent with the policies of the Comprehensive Plan and meets the requirements of the conditional use approval criteria.

**V. RECOMMENDATION**

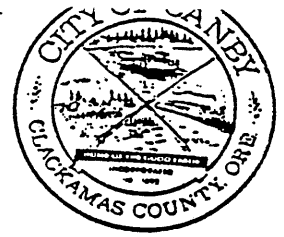
Staff recommends that the Planning Commission, based on the facts, findings and conclusions of this report, approve CUP 90-09 for a pole building to be used for agricultural equipment storage with the following conditions:

1. The applicant shall provide proof, in an affidavit, that the pole building will be used by the same people who are currently served by the existing parking area.
2. No plumbing will be provided.
3. The exterior building materials and roofing shall be of a type and material compatible with the adjacent school buildings as determined by the Planning Director.
4. The water easement in the vicinity will be provided protection and the proposed 34-foot setback from property lines shall be provided.

**EXHIBITS**

Application  
Site Plan  
Description of Proposal

CONDITIONAL USE APPLICATION



RECEIVED

APPLICANT

Name Canby Union High School UH-1

Name Same

Address 721 S. W. 4th Avenue

Address \_\_\_\_\_

City Canby State OR Zip 97013

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

SIGNATURE \_\_\_\_\_

Phone 266-7861 Pat Watson

DESCRIPTION OF PROPERTY

266-5811 ex 227 Max Sherman

Tax Map 4 IE

Tax Lot(s) 3201 Lot Size 38 acres

(Acres/Sq.Ft.)

or ATTACHED

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 \_\_\_\_\_ Proposed X

Existing Structures \_\_\_\_\_

PROJECT DESCRIPTION

See attached

ZONING \_\_\_\_\_ COMPREHENSIVE PLAN DESIGNATION \_\_\_\_\_

PREVIOUS ACTION (if any) \_\_\_\_\_

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

PACIFIC HIGHWAY NO. 48  
PACIFIC HWY.

SEE MAP  
4 IE 4BB

SW COR.  
DLC NO. 49

S. LINE LEE  
S.W. 4TH

NO. 49

OLD  
5TH

SE. COR.  
DLC NO. 48  
AVENUE

S. BIRCH ST  
E LINE

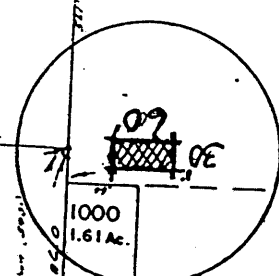
700  
35.96 Ac.

(CANBY SQUARE)

N.W. Corner  
SE. 1/4 N.W. 1/4

86-02

High School  
Property



1000  
1.61 Ac.

901  
2.74 Ac

1/4 COR.

S. DOUGLAS  
ST.

STREET

S II

S. ELM

4

S.W. COR.  
S.E. 1/4 N.W. 1/4

RADCLIFFE ROAD

SEE MAP 4 IE 4C



d. Utilities

The location of utilities are not part of this staff report since we have no indication that they are needed. There are no conflicts known at this time.

**IV. CONCLUSION**

Considering the previous analysis, staff hereby determines that the proposal is consistent with the policies of the Comprehensive Plan and meets the requirements of the conditional use approval criteria.

**V. RECOMMENDATION**

Staff recommends that the Planning Commission, based on the facts, findings and conclusions of this report, approve CUP 90-09 for a pole building to be used for agricultural equipment storage with the following conditions:

1. The applicant shall provide proof, in an affidavit, that the pole building will be used by the same people who are currently served by the existing parking area.
2. No plumbing will be provided.
3. The exterior building materials and roofing shall be of a type and material compatible with the adjacent school buildings as determined by the Planning Director.
4. The water easement in the vicinity will be provided protection and the proposed 34-foot setback from property lines shall be provided.

**EXHIBITS**

Application  
Site Plan  
Description of Proposal

The proposed building for the Ag Dept. at Canby High is a 30 x 60 pole building. The purpose of this building is for the storage of the farm equipment presently stored along the fence where the building will be placed.

The pole building will be placed along the fence that borders the playing fields, it will be in line with the current tractor shed already on the site. The building, to be built by M & W Pole buildings of Canby, will fit the architecture of the buildings near it.

This building will enhance the appearance of the Agriculture facilities at Canby High since it will provide an order place to store and protect the equipment presently occupying the site. The west end of the building will be approx. 34 feet from the School property line.

SEE MAP 3 IE 33C

PACIFIC HIGHWAY NO. 99  
PACIFIC HWY.

SEE MAP  
4 IE 4BB

NO. 49

SW COR.  
DLC. NO. 49

S. LINE LEE  
S. W. 4TH

OLD  
5TH

SE. COR.  
DLC NO. 48  
AVENUE

700  
35.96 Ac.

S. BIRCH ST  
E LINE

STREET

(CANBY SQUARE)

N.W. Corner  
SE. 1/4 N.W. 1/4

86-02  
*High School Property*

S. DOUGLAS

1000  
1.61 Ac.

901  
2.74 Ac

S II

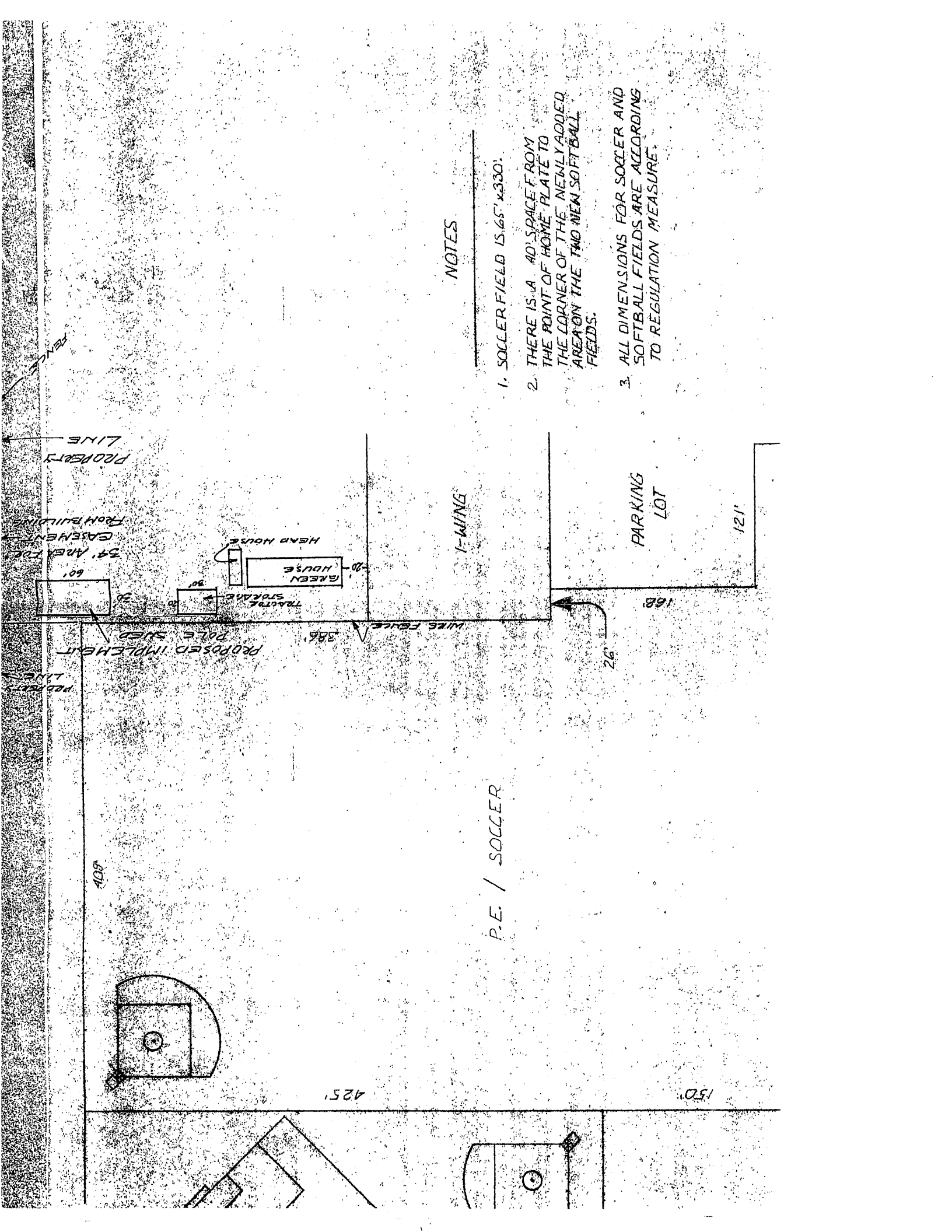
S. ELM

4

S.W. COR.  
S.E. 1/4 N.W. 1/4

RADCLIFFE ROAD

SEE MAP 4 IE 4C



NOTES

1. SOCCER FIELD IS 65' x 350'.
2. THERE IS A 40' SPACE FROM THE POINT OF HOME PLATE TO THE CORNER OF THE NEWLY ADDED AREA ON THE TWO NEW SOFTBALL FIELDS.
3. ALL DIMENSIONS FOR SOCCER AND SOFTBALL FIELDS ARE ACCORDING TO REGULATION MEASURE.

P.E. / SOCCER

This Indenture Witnesseth, That Geo. H. Brown

and Minnie G. Brown his wife,

for and in consideration of Four Thousand and no/100 DOLLARS,

to them paid, have bargained and sold, and by these presents do bargain, and convey unto

Union High School No. 1, Clackamas County, Oregon

the following, described real estate, situate in Clackamas County, State of Oregon, to-wit:  
All the following described real property situate in the County of Clackamas, State of Oregon:

Beginning in the center of the Northwest quarter of Section Four (4) Township Four (4) South of Range One (1) East of the Willamette Meridian, running thence West 2.50 chains; thence North 11 40/100 chains to the south boundary line of Philander Lee's Land claim; thence North 78° 15' East 2.55/100 chains to the Northwest corner of Wm. Knight's preemption Land Claim; thence South 11.80/100 chains to the place of beginning, containing two and ninety one hundredths (2.91/100) acres more or less.

Also the following described tract:

Beginning at the Southeast corner of the Northwest quarter of Northwest quarter of Section Four (4) in Township Four (4) South Range One (1) East of the Willamette Meridian; thence South 16.10 chains; thence West 15.05 chains; thence North 6.35 chains; thence East 10 chains; thence North 20.75 chains to the Philander Lee's boundary; thence North 78° 15' East along said Lee's boundary 2.35 chains; thence South 11.00 chains to a point due West of the beginning corner; thence East 2.50 chains to the place of beginning, containing Seventeen (17) acres more or less.

Also the following described tract:

Beginning at a point 6.50 chains West and 5.40 chains South of the Southeast corner of the Donation Land Claim of L. A. Seely in Township Four South of Range One East of the Willamette Meridian; running thence South 8.50 chains; thence East 11.50 chains; Thence North 8.50 chains; thence west 11.50 chains to the place of beginning; containing nine 77/100 acres, situated in the County of Clackamas and State of Oregon.

To Have and to Hold, the said premises with appurtenances, unto the said Union High School No. 1, Clackamas County, Oregon

its heirs and assigns forever; and we the said Geo. H. Brown and Minnie G. Brown

do hereby covenant to and with the said

Union High School No. 1, Clackamas County, Oregon

its heirs and assigns, that we the owners in fee simple of said premises; that they are free from all incumbrances

and that we will warrant and defend the same from all lawful claims whatsoever; Provided only that <sup>used and</sup> said property must be retained for school purposes only except that which is used for highways or streets, and in the event of a violation of this provision said property shall revert to and vest in grantors.

In Witness Whereof, we have hereunto set our hand and seal this 20th

day of October A. D. 1926.

Signed, Sealed and Delivered in the Presence of

Charles J. Sievers

Marie Lunnire

Geo. H. Brown (SEAL)

Minnie G. Brown (SEAL)

Know All Men by These Presents, That The City of Canby a duly incorporated City in Clackamas County Oregon, incorporated City a corporation duly organized and incorporated under the laws of the State of Oregon in consideration of Ten \$ Dollars, to it paid by Union High School District #1 of Clackamas County Oregon.

does hereby grant, bargain, sell and convey to said Union High School District #1 of Clackamas County Oregon. heirs and assigns forever, the following described parcel of real estate, situate, lying and being in the County of Clackamas and State of Oregon. to-wit:

Beginning at the Southeast corner of the L.A. Seeley D.L.C in Twp. 4 in section Four (4) S. of Range One (1) East of the Willamette Meridian; Running thence South 5.40 Chs. Thence East 5 Chains Thence North 12.60 Chains to the South Boundry of the Philander Lee D.L.C. Thence South 78° 15' West 5.45 Chains to the East Boundry of the said Seeley Claim; Thence South six Chains to the Place of begining; Excepting herefrom the South 5.40 acres thereof; This conveyance is intended as a deed to convey to the Union High School District #1 of Clackamas County Oregon, the property decded to the grantors herein by M. Francis Nelson and Bertie Wilson Nelson, nee wife, and being three and a fraction acres of land.

Together with the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and also all its estate, right, title and interest, at law and equity, therein and thereto.

TO HAVE AND TO HOLD the same to the said Union High School District #1

heirs and assigns forever. And the said City of Canby Oregon. does covenant with the said Union High School District #1 and its legal representatives forever, that said corporation is lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances,

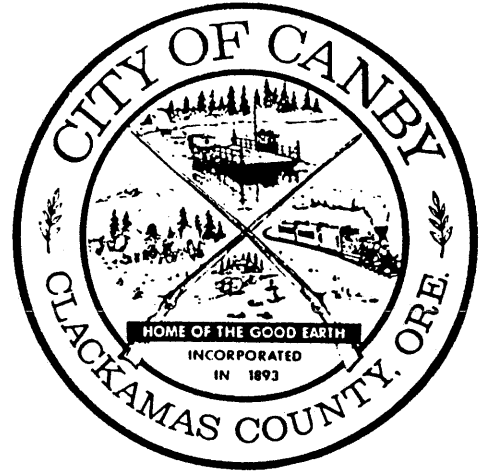
and that it will, and its successors shall, WARRANT AND DEFEND the same to the said Union High School Dist. #1 its heirs and assigns forever, against the lawful claims and demands of all persons whomsoever

IN WITNESS WHEREOF, The City of Canby City Council pursuant to a resolution of its Board of Directors, duly and legally adopted, has caused these presents to be signed by its Mayor President and Recorder Secretary, and its corporate seal to be hereunto affixed this 24 day of June A. D. 19 27

EXECUTED IN THE PRESENCE OF [Signature]

City of Canby, Clackamas County Ore By [Signature] President Mayor City of Canby, Clackamas County Oregon By [Signature] Secretary, Recorder

**- S T A F F   R E P O R T -**



**APPLICANT:**

Teakwood Terrace  
(Wayne Scott)

**FILE NO.:**

ZC 90-02/  
SUB 90-06

**OWNER:**

Wayne Scott

**STAFF:**

Robert G. Hoffman, AICP,  
Planning Director

**LEGAL DESCRIPTION:**

Tax Lots 100, 800, part of 700  
and 900 of Tax Map 3-1E-27C, and  
Tax Lot 500 of Tax Map 3-1E-27DB

**DATE OF REPORT:**

January 4, 1991

**LOCATION:**

Territorial, between  
Redwood and 99E

**DATE OF HEARING:**

January 14, 1991

**COMP. PLAN DESIGNATION:**

Low Density Residential and Light  
Industrial, being considered for  
amendment to Low Density Residential,  
and a portion with a Hazard Overlay

**ZONING DESIGNATION:**

Most of site is R-1 (Low Density  
The southeasterly portion of the  
site is M-1 (Light Industrial). A  
portion of the site has a Hazard  
Overlay

**I. APPLICANT'S REQUEST:**

The applicant is requesting approval of a rezoning of a portion of the site to Low Density Residential and approval of a 143 unit Tentative Subdivision Plat/Planned Unit Development for the total site. The property is located between Territorial and 99E, east of Redwood. Eighty-three units are proposed as single family units. Sixty of the 143 units are proposed as condominiums. There is a 5.6 acre greenway. The total site is 32 acres.

- D. Building - Structures and buildings in any property division shall conform with applicable codes and regulations regarding building. . .
- E. Streets and Roads - A property division shall conform to all applicable City ordinances or policies pertaining to streets, roads and access.

**2. Amendments to the Zoning Map**

**16.54.040 - Standards and Criteria**

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the City, giving special attention to Policy 6 of the Land Use Element and implementation measures therefor, and the plans and policies of the County, state and local districts in order to preserve functions and local aspects of land conservation and development;
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

**3. Hazard Overlay Zone**

**16.40.018 - Subdivisions, Partitions and Lot Line Adjustments**

In approving applications for subdivisions, land partitions and lot line adjustments in "H" Overlay Zones, it must be found that the proposed development will:

- A. Be consistent with the need to minimize flood damage, based upon accurate base flood elevations data;
- B. Have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- C. Have adequate drainage to reduce exposure to flood damage.



copy of the proposed owners' association by-laws, and contractual agreements shall be submitted with the preliminary subdivision. In the case of an individual owner, the Commission may impose special requirements to assure long-term maintenance.

- I. The Planning Commission may, and in the case of single story or townhouse structures, shall, require the separation of utilities from one unit to the next.
- J. In reviewing an application for the conversion of existing residential units to condominiums, the Commission shall utilize the general standards as are applied to the new construction of Planned Unit Developments. A proposed conversion which is not found to meet the standards customarily applied to Planned Unit Developments will not be approved.
- K. In reviewing an application for the conversion of existing residential units to condominiums, the Planning Commission shall consider the vacancy rates of multiple-family rental units throughout the City at the time of the application. It is the intent of the City to assure that there is at least one suitable rental unit available and vacant for each unit converted to condominium ownership.

#### **IV. FINDINGS:**

##### **A. Background and Relationships:**

There has been considerable action on the part of the Planning Commission regarding this site and adjacent property. A portion of the original tax lots has been approved for the Canby Care Center facility. The Commission has reviewed the site related to an annexation. A Comprehensive Plan Amendment was approved.

The area to the northwest is City-owned and is a large forest, with the City Shops and Treatment Plant located further north. Scattered single family homes, on large parcels, are located to the west, southwest and northwest.

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

###### **i. Citizen Involvement**

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

population and housing on land recently annexed to the City. Utility service is available and can be extended to the proposed project without overburdening any public facilities or services, according to reports from the relevant service providers. A large portion of the site is within the "flood plain fringe" with the residential development proposed to be entirely above the 100-year flood level. Any construction of roads, park development or parking will need to take into account FEMA and wetland requirements. Mitigation plans have not been submitted at this time. The Comprehensive Land Use map indicates the site as Low Density Residential development with a Flood Plain Hazard designation for a portion of the site. (This application includes a proposal to rezone a 7.8 acre portion of the site from M-1 Light Industrial to R-1 Low Density Residential. This would be consistent with the Comprehensive Plan Land Use, once amended.) The uses proposed in the project are generally consistent with these proposals, provided detailed criteria and standards are met by specific development proposals. Private recreation is proposed for most of the flood plain fringe area and the wetland area. A portion of the site has previously been recommended for amendment of the Comprehensive Land Use from Light Industrial to Low Density Residential. Provided that the current Comprehensive Plan amendment is given final approval, and approved details of the project meet details of the approval criteria, this proposed project can be made to be consistent with the Comprehensive Plan Land Use policies.

iv. **ENVIRONMENTAL CONCERNS**

- 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.

protected with conditions and detailed review criteria compliance. There is a proposed storm water system which is part of the subject proposal. It drains into the creek from street catch basins at a number of locations. The system will need to meet City standards. There are no known concerns relative to air, water, noise or land pollution associated with this proposal.

Policy #5-R and 6-R are not applicable since no known aggregate or historic resources are affected by the proposal. Policy #7-R and 8-R are implemented through the large lots, meandering roadways, and open space proposed in the flood plain. There are no identified fish and wildlife habitats adversely affected except insofar as the open space protects the stream and wetlands. There has been a preliminary determination, by a wetlands expert, of the existence on the site of a "wetlands" for further delineation in the spring season. No mitigation has been proposed at this time. It is possible that the proposed open space development and roadway construction, especially near Lots 54, 55 and 56, may affect this wetlands and some fill of flood plain fringe may be required. Implementation of the Hazard Overlay criteria and wetlands review procedures will assist in minimizing any potential adverse impacts on the environmental resources. FEMA regulations will be implemented. No steep slopes have been identified. In selected areas, special construction methods will need to account for the soil conditions. This is so for roadways near stream areas. A certified statement from a registered engineer or engineering geologist may be required in a few areas near flood plains and stream beds, prior to construction.

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.**

will need to be widened in the right-of-way, and half-street improvements made, including curbs and sidewalks and a 6-foot bike path. It is a designated truck route and must meet construction standards of the City and County. A condition will need to cover this aspect, since the proposal makes no provision for this. All local streets will need to be built with standard widths and full sidewalks. None are shown.

The development will need to meet the requirements of the police and fire agencies who have not yet expressed their needs. Clackamas County has expressed concern about the lack of access to the northeast and southwest. As proposed, there would be a total of 143 dwelling units, with access only to Territorial. The County recommended stubs to the northeast and southwest, as ultimate additional outlets to Territorial, Redwood and 99E. Transportation Policies #8, 9 and 10 do not apply. Mr. DeVries, an adjacent land owner, has expressed concerns about his future access. His property is located immediately southwesterly of a portion of the site near 99E. He currently has access across the railroad, but is concerned about access should the railroad not continue his access.

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.**

employees. It will add to the supply of needed larger lots for homes and condos. It will not directly affect the Canby economy, except as it redirects some land from sheep grazing to residential development.

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 form mobile home developments in all residential zones, subject to appropriate design standards.**

**ANALYSIS**

The area has recently been annexed to the City as a residential development site. The proposed development is for sites for 83 single family houses and 60 condominium units and, thus, would provide space for 143 housing units to be constructed to provide room for Canby's expected growth of households and population. The project proposes use of the Planned Unit Development feature to encourage clustering of the higher density housing near the entrance and to provide some additional variety to Canby's available lot supply for new housing development.

approval by the Planning Commission, from Light Industrial Land Use to Low Density Residential Land Use. Provided this Comprehensive Plan amendment is approved by City Council, then rezoning the parcel from M-1, Light Industrial, to R-1, Low Density Residential, would be consistent with the Comprehensive Plan land use policies. The County has recommended that access from the larger project parcel be provided to the southwest and northeast. This could be accomplished from this parcel. However, the Comprehensive Plan Land Use of Canby shows parts of the adjacent areas as future light industry and this access needs to be accomplished in such a fashion that trucking is not encouraged through the residential area. There is a small stream at the northern edge of the tax lot, and the edge of a flood plain fringe and potential wetlands are also along the northern edge of the parcel. Careful treatment of this edge will be needed, while still providing the needed access to Territorial Road. This does seem possible through use of Tax Lot 800, or a new road. The previous section of this report discussed the other Comprehensive Plan consistency issues.

**2. Public Facilities and Services Availability**

Annexation has recently been accomplished and a determination was made at that time, that the public services and facilities are available or can be made available to adequately meet the needs of the permitted use (which was industrial at that time). Residential utility and service loads are not substantially different than industrial, except for schools and recreation. Most utility and road service would need to be from Territorial and can be provided at a later phase, when the land closest to Territorial is developed. Elementary school service and recreational service can also be provided for at the time the City land, along Territorial, is developed. Timing is critical.

**3. Conclusion (ZC 90-02)**

Based upon the above analysis, and without benefit of public testimony, staff concludes that Comprehensive Plan consistency is possible and public facilities and services can be provided concurrent with development.

**a. Recommendation (ZC 90-02)**

Based on the findings and conclusions presented in this report, staff recommends approval of ZC 90-02 (rezoning to

3. **Overall Design and Arrangement of Lots is Functional and Shall Adequately Provide Building Sites, Easements, and Access Necessary for Development Without Hindering Use and Development of the Adjacent Property.**

We have previously mentioned the County's request for stub streets to access the area to the northeast and southwest and for widening Territorial Road, and providing street lights, sidewalks and bike paths. The County Planner also expressed concern about Lots 20 and 21, with relation to "sight distance" at the intersection, and recommended larger radii and landscape and building setbacks. We have previously expressed concern about the relationship between the stream, flood plain, wetlands, slopes and roadway in the vicinity of NE 18th Street and Lots 54, 55 and 56. As designed currently, the sewers for Lots 55 and 56 would need to flow under the stream. It is unclear to what degree flood plain and wetlands are present here and no mitigation is proposed at this time. Lots 1 to 10 should be limited in access so that all driveways enter 21st and do not directly enter Territorial Road. The proposed condominium lots, 84 to 87, have substantial portions of their area in "flood plain fringe" area and in areas the wetlands consultant has indicated as "approximate wetlands areas." No wetlands mitigation plans or procedures are proposed at this time. Parking requirements would use about 50% of each lot and building footprints would use at least 25% of each site if height limits are met. Development of these sites at the density proposed, appears difficult. More information is needed regarding these lots (84-87). No utility easements have been indicated at this time. Conditions would be necessary regarding these aspects. Otherwise, the overall design and lot arrangements is functional and does not hinder development of adjacent land.

4. **Criteria D - does not apply since the City has an acknowledged Comprehensive Plan.**

5. **Conclusion Regarding Subdivision Criteria**

It appears that the proposed subdivision can be made to comply with subdivision approval criteria, provided certain details are worked out and approval conditions are added.

**F. Hazard Overlay Zone Approval Criteria Evaluation (16.40.018)**

Portions of the site are located within the area that the Comprehensive Plan designates as Flood Prone/Steep Slope, and the Zoning Ordinance designates as Hazard Overlay. There are no steep slope areas present.

**G. Condominium and Planned Unit Development Approval Criteria Evaluation**

The applicant has indicated that he is requesting approval as a Planned Unit Development in order to allow for a homeowners' association to maintain the greenway area and to allow for condominium development on four lots, Lots 84-87. Otherwise, this would only be a subdivision review. No standards have been requested to be modified except for the density transfer for the condominium lots.

**1. Uses Permitted**

In Planned Unit Developments, residential units, either detached or in multiple type dwellings, are permitted at no greater density than is allowed in the base zoning district. Accessory uses, including retail and recreational facilities are allowed. The base zone is R-1, Low Density Residential District, which permits residential use at 7,000 square feet per unit. With the street system the applicant has proposed, this would allow up to 171 units, or even higher, with the PUD bonus. Only 143 units are proposed, or an overall density of 8,398 square feet per unit. The applicant proposes 5.58 acres of space, or 17.4% of the site, for use as "greenway" to protect the flood plain fringe and wetlands area, and provide recreation area. Thus, the development proposed complies with the uses allowed and the density allowed. The lot frontage exceeds the ordinance requirement of a minimum of 50 feet in all cases except in the case of a few flag lots which will require driveways of at least 20 feet in width (in some cases, with reciprocal easements). No specific waivers or modifications of yards, parking, or height have been requested.

**2. Other Requirements**

- i. Regarding the condominium units, it is not possible to review these proposed developments at this time, since no specifics are given. The applicant understands that specific design review of each proposal will be done, lot by lot, under the newly approved Design Review Ordinance. Such review is not a part of this staff report. The applicant has proposed 15 dwelling units for each of the condo lots, which range in size from 22,000 to 27,000 square feet. Parking requirements are now 2 per unit, plus 1 space for each 5 units, or 33 per building. This would total over 11,000 square feet, plus landscaping for each lot. The building footprint will occupy another 25% to 33% of the site. Building height restrictions



- vii. Where a subdivision is traversed by a watercourse, a storm water easement or drainage right-of-way is required. None have been proposed by the applicant. If approved, a condition of approval should address this, for the area of the stream that is not in the "greenway."
- viii. Right-of-way widths are indicated as 40 feet. Local streets must be a minimum of 40 feet in right-of-way width. Territorial must be widened to meet both City and County standards and half-street improvements need to be provided. Teakwood Drive may need to be constructed with collector street standards since it will carry the traffic from in excess of 120 dwelling units. Full sidewalks are needed on both sides of all streets and a bike path and sidewalks are required on Territorial Road and should include street lights.
- ix. Since the project is to be developed in phases, temporary barricades and signs and one foot plugs are necessary for the end of Teakwood Drive.
- x. Identification is required of all natural features, including wooded areas, isolated preservable trees and significant areas of vegetation. The applicant has submitted an aerial photo and text. The applicant states that "It will not be practical to design around trees in the forested area; however, where it is practical, trees will be saved on the lots where they do not conflict with the probable building areas or present a hazard." A process must be established to accomplish this objective.
- xi. A more adequate design is needed for the proposed storm water system.
- xii. Details of the lift station, the sewer line, the storm flow lines, and catch basins will require City approval. The catch basins will need to be filtered and trapped and maximum distance between manholes must be 300 feet.
- xiii. The costs incurred to construct the forced main and lift station will be borne by the developer.
- xiv. For road construction near the flood plain, the developer must provide a more adequate base. The proposed 6 inch base needs to be increased to 10 inches and extended under curbs. The City will need to approve details. Two inches of

**ACTION #2:**

The proposed Phase I, without the area west of Teakwood, should be approved as a PUD subdivision, with conditions as outlined below, and with the understanding that Phase II, including the remainder of Phase I, will be continued until further information is available.

**V. CONDITIONS OF APPROVAL FOR ACTION II:**

1. This approval is only for the first phase of development, less the portion located westerly of the proposed Teakwood Drive. Further approvals will be needed for later phases and especially for the area westerly of Teakwood Drive.
2. The applicant shall participate in a preconstruction meeting with City staff, CUB, the fire district, etc., prior to construction of the first phase of development.
3. The applicant shall dedicate additional right-of-way along Territorial Road to meet both Canby and County standards. Such dedication shall include space for 5 feet minimum sidewalks and a 6 foot bikeway. Right-of-way shall be a minimum of 60 feet in width. Half street improvements shall be provided by the developer and shall include pavement, curbs, sidewalks, bikeway and urban-type street lighting, and shall meet Canby Construction Standards. Right-of-way designs and construction designs shall be approved by the Director of Public Works. Street pavement width between curbs shall be a minimum of 40 feet.
4. The watercourse on Lot 45 shall be provided with a protective easement with a minimum of 25 foot setbacks from the centerline of such watercourse. Any change shall be approved by the Director of Public Works.
5. For any portions of property within the Hazard Overlay Zone area, approval of the City Forester shall be obtained prior to removing any trees over 6-inches in diameter, to help preserve the wetlands as wildlife habitat. Grading plans for such area shall be provided to the Director of Public Works, who shall review such plans for consistency with the Hazard Overlay Zone.

14. The final plat shall reference this land use application - City of Canby, File No. ZC 90-02/SUB 90-06, and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits requested subsequent to the date of this approval.
15. The intersection of 20th Street and Teakwood Drive shall be designed to provide adequate radii to provide safe sight distance. Such design shall be reviewed and approved by the Director of Public Works.
16. Regarding covenants, conditions and restrictions, the following shall apply:
  - a. Such covenants, conditions and restrictions and homeowner association by-laws shall be filed with the County Register of Deeds and shall provide for notice to the City Attorney and to the purchaser of any lot, at least ten (10) days in advance of any changes to be made, if such change is made prior to the sale of 75% of all lots in the development.
  - b. Such covenants, conditions and restrictions shall assure the continued maintenance of the commonly held areas by a homeowners' association, created thereunder.
  - c. All covenants, conditions and restrictions and homeowner association by-laws adopted thereunder shall be reviewed and approved by the City Attorney to assure continued conformity with City Code provisions and the conditions of this approval.
17. Construction costs of all roads and utilities shall be borne by the applicant.
18. Street names and numbering shall meet City requirements, and numbering shall be uniform and conspicuous on all units.
19. The developer shall maintain separation between the sanitary sewer and water system improvements to comply with State health division requirements.

PLANNED UNIT DEVELOPMENT APPLICATION

Fee: \$300 + \$10/unit

OWNER

APPLICANT

Name Mr. A. Wayne Scott
Address 11310 S Maeksburg Rd.
City Canby State OR Zip 97013
SIGNATURE [Signature]

Name Mr. A. Wayne Scott
Address 11310 S Maeksburg Rd.
City Canby State OR Zip 97013
Phone: 266-3837

DESCRIPTION OF PROPERTY:

Tax Map Tax Lot(s) Lot Size (Acres/Sq. Ft.)

or

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

PROPERTY OWNERSHIP LIST

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

USE

Existing 1 Frame House, Pasture Proposed Residential Subdivision PUD

Existing Structures Frame residence and barn. Existing structures will be removed.

PROJECT DESCRIPTION

Single family residential subdivision with a PUD overlay to allow four condominium lots and a common greenway. 83 Single family residential lots and four condominium lots are proposed.

ZONING R-1 & M-1 COMPREHENSIVE PLAN DESIGNATION R-1

PREVIOUS ACTION (if any) Comp. Plan Amendment for TL 100, 3-1E-27C, M-1 to R-1

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.

( SUBDIVISION APPLICATION (

Fee: \$300 + \$10/lot

OWNER

APPLICANT

Name Mr. A. Wayne Scott  
Address 11310 S Maeksburg Rd.  
City Canby State OR Zip 97013  
SIGNATURE *A. Wayne Scott*

Name Mr. A. Wayne Scott  
Address 11310 S Maeksburg Rd.  
City Canby State OR Zip 97013  
Phone: 266-3837

DESCRIPTION OF PROPERTY:

Tax Map \_\_\_\_\_ Tax Lot(s) \_\_\_\_\_ Lot Size \_\_\_\_\_  
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy) See Attached Legal Description  
Plat Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

PROPERTY OWNERSHIP LIST

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

USE

Existing 1 Frame House, Pasture Proposed Residential Subdivision-PUD

Existing Structures Frame residence and Barn. Existing structures will be removed.

PROJECT DESCRIPTION

Single family residential subdivision with a PUD overlay to allow four condominium lots and a common greenway. 83 Single family residential lots and four condominium lots are proposed.

ZONING R-1&M-1 COMPREHENSIVE PLAN DESIGNATION R-1

PREVIOUS ACTION (if any) Comp. Plan Amendment for TL 100, 3-1E-27C, M01 to R-1

File No. \_\_\_\_\_  
Receipt No. \_\_\_\_\_  
Received by \_\_\_\_\_  
Date Received \_\_\_\_\_  
Completeness Date \_\_\_\_\_  
Pre-App Meeting \_\_\_\_\_  
Hearing Date \_\_\_\_\_

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

ZONE CHANGE APPLICATION

Fee: \$500.00

OWNER

APPLICANT

Name Mr. A Wayne Scott

Name Mr. A. Wayne Scott

Address 11310 S Maeksburg Rd.

Address 11310 S Maeksburg Rd.

City Canby State OR Zip 97013

City Canby State OR Zip 97013

SIGNATURE 

Phone: 266-3837

DESCRIPTION OF PROPERTY:

Tax Map 3-1E-27C Tax Lot(s) 100 Lot Size 7.81 Ac.  
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

PROPERTY OWNERSHIP LIST

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

USE

Existing Pasture Proposed Residential Subdivision

Existing Structures None

PROJECT DESCRIPTION

Single family residential subdivision.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ZONING M-1 COMPREHENSIVE PLAN DESIGNATION R-1

PREVIOUS ACTION (if any) Comp. Plan Amendment M-1 to R-1

File No. \_\_\_\_\_  
Receipt No. \_\_\_\_\_  
Received by \_\_\_\_\_  
Date Received \_\_\_\_\_  
Completeness Date \_\_\_\_\_  
Pre-App Meeting \_\_\_\_\_  
Hearing Date \_\_\_\_\_

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

**CITY OF CANBY  
ZONE CHANGE  
TAX LOT 100-3S 1E 27C**

**NARRATIVE:** Applicant requests a zone change for the above tax lot to allow residential development rather than light industrial. Applicant is in the process of developing approximately 25 acres to the north of this lot into a residential subdivision. The 7.81 acres in this lot would provide approximately 26 single family residential lots.

Adequate access is not available to develop this property as light industrial. The property is separated from Highway 99E by the Southern Pacific right of way. Abutting property on the Northeast is accessed from Territorial and is developed with a newer single family residence. Property on the Southwest is developed with older single family residences and is accessed across the Southern Pacific right of way to highway 99E. This parcel does not provide access to any other parcels. At present and for the foreseeable future there is adequate land designated as light industrial in the Canby area.

**STANDARDS & CRITERIA:** The comp. plan indicates 154 acres of light industrial property in the City and 240 acres in the UGB for a total of 394 acres of proposed industrial land. Page 51 paragraph 4 of the comp. plan indicates a desire to provide light industrial growth through development of large tracts suitable for campus type development. Tax lot 100 is not part of a tract large enough for that style of development.

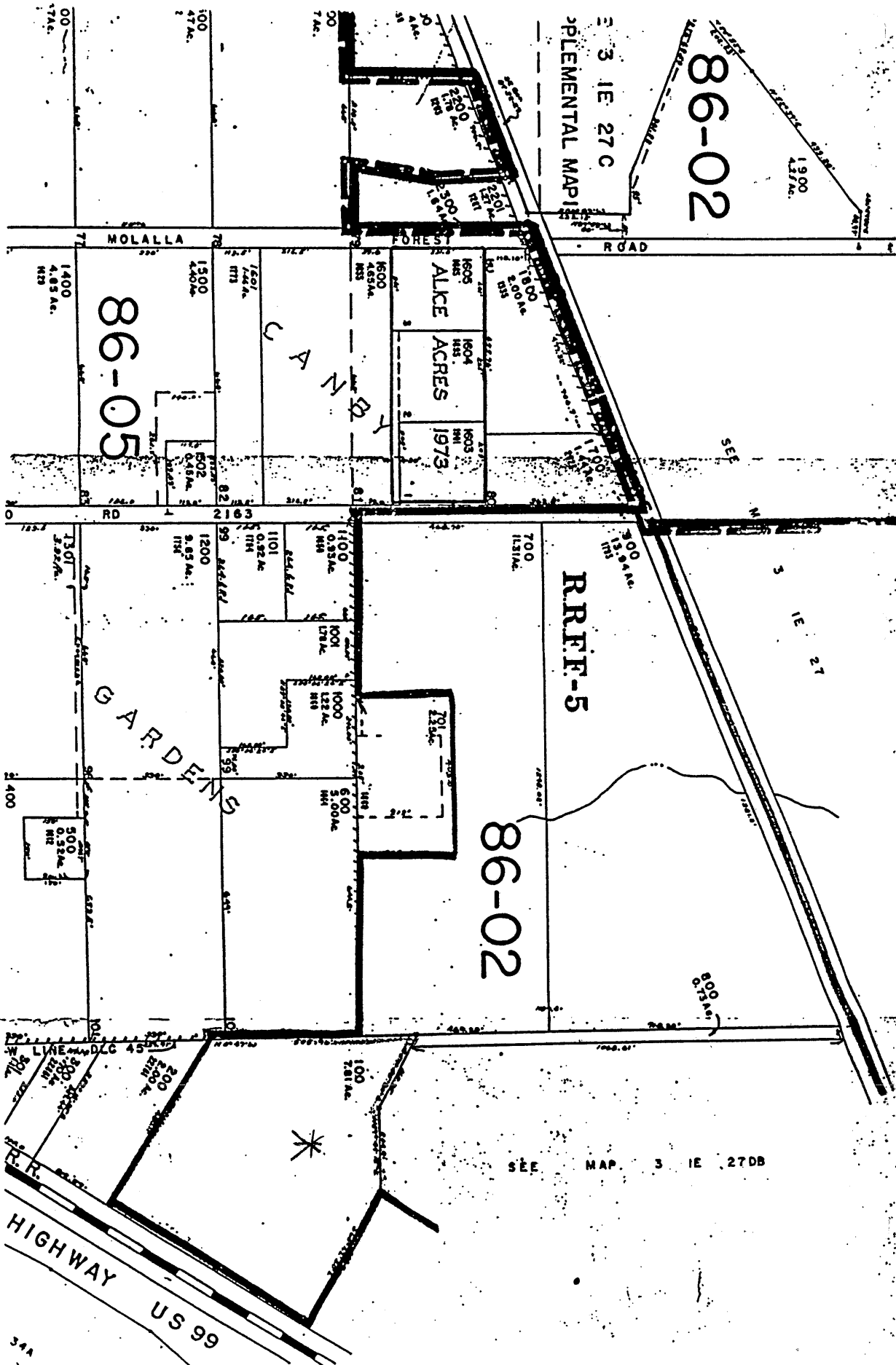
The last two sentences of the third paragraph under "Buildable Lands" on page 54 of the 1984 Comprehensive Plan appears to describe the area proposed for development. This section deals with the Hazardous Overlay Zone:

"The 25 acre portion which is outside the present city limits, but within the UGB, is part of a larger ownership of about 60 contiguous acres. It is along the flood path of a small creek and does not have the potential slope stability problem of properties along the Molalla River. It is anticipated that this area will eventually be developed in some form of planned unit development which will transfer the growth from the flood prone area to the remainder of the site. Existing city development policies will support such an approach. The result is likely to be an attractive greenway through a new development."

All public facilities for residential development are available and will be provided for this tax lot from the north. Adequate transportation facilities are not available, nor are they practical to develop for this site as light industrial.

86-02

3 IE 27C  
PLEMENTAL MAP



86-02

RRFF-5

86-05

ALICE ACRES 1973

GARDENS

HIGHWAY US 99

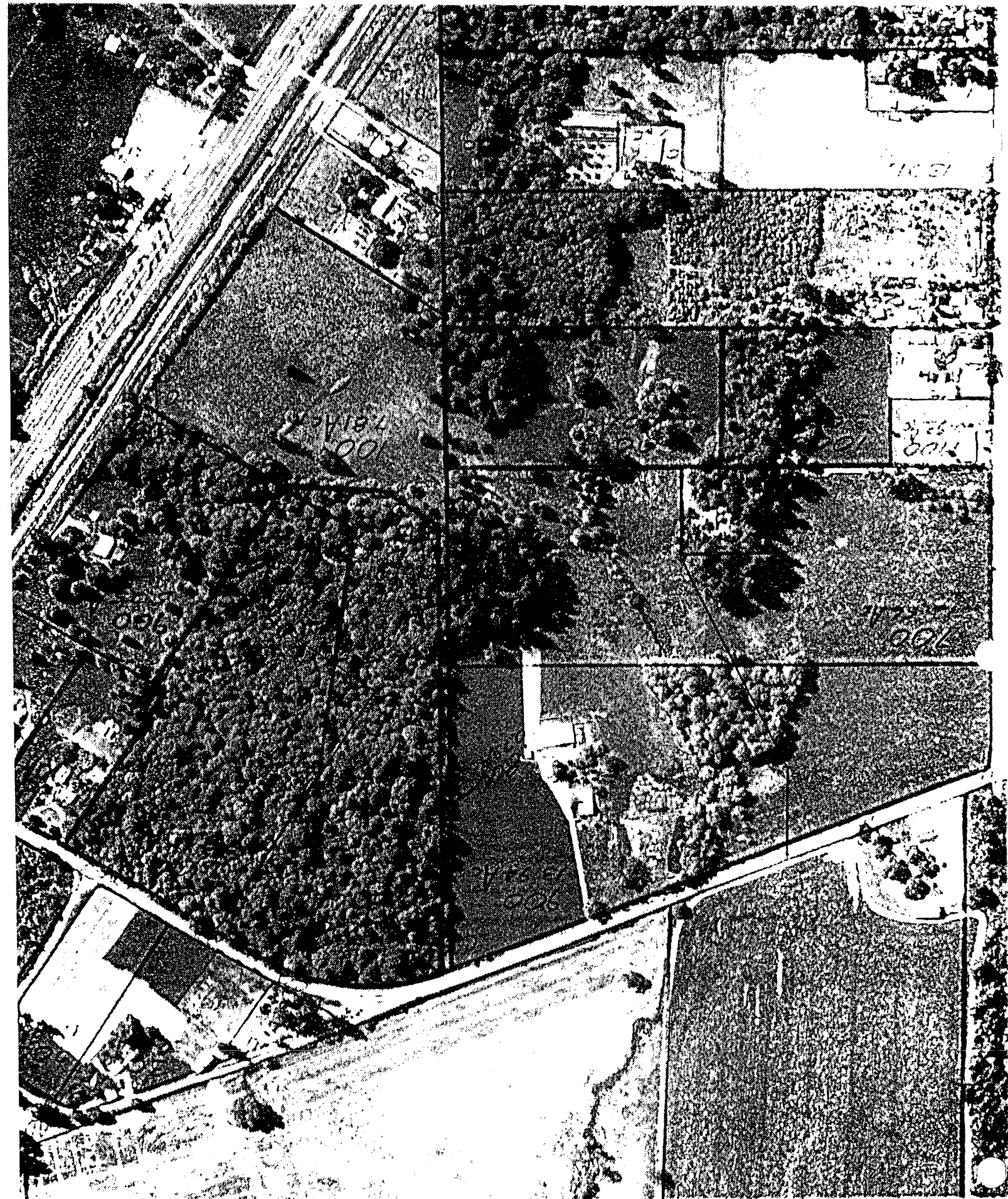
SEE MAP 3 IE 27DB

34A



**SUPPLEMENT TO SUBDIVISION APPLICATION  
TEAKWOOD TERRACE  
December 26, 1990**

The attached aerial photo of the site depicts the major vegetative areas. It appears that the site has been selectively logged after the photo was taken. The significant forested areas are in portions of the floodplain which is planned for a greenway and approximately 8.6 acres along the northeasterly boundary of the property. This development proposal will preserve the wetlands area and a majority of the floodplain area. It will not be practical to design around trees in the forested area; however, where it is practical trees will be saved on the lots when they do not conflict with the probable building areas or present a hazard.



1810 N.E. Seavy Avenue, Corvallis, Oregon 97330 (503) 752-4156

18 December 1990

George H. Wilhelm  
Wilhelm Engineering, Inc.  
546 SE Township Road  
Canby, OR 97013

Dear George:

Yesterday, 17 December 1990, you and I visited a proposed development site, currently called Teakwood Terrace, near the Willamette River in Canby. The purpose of the visit was to determine the approximate extent of wetlands on the property. This letter is a summary of my observations on the site.

The property is irregularly shaped and lies between Pacific Highway and Territorial Road, south of the Willamette River. A small stream flows across the property. It enters on the east, flows west, then north, and leaves the property at Territorial Road. The stream and associated bottom lands are part of the Willamette River floodplain. Topographic features on the rest of the property are hill slopes and flat to gently rolling upper terraces. Almost all the property is being grazed by sheep.

Assessment of the plant communities on the site indicates the slopes and upper terraces support upland communities. The forest stands on the east side of the property are primarily red alder and big-leaf maple with scattered western red cedar and Douglas fir. Most of the understory has been eliminated through grazing. The forests were once dominated by Douglas fir, but these were logged off years ago, except for one small patch south of the current farm buildings. The meadow areas are in pasture grasses, primarily bentgrass.

The bottom lands and stream banks that are within the 100-year floodplain support wetland plant communities. Composition and dominance of species vary along the stream corridor, but hydrophytic (wetland) species are clearly dominant, even in December. Major species include soft rush, slough sedge, small-fruited bulrush, creeping buttercup, and velvetgrass. Other common species include willow, Douglas spirea, cattail, watercress, and a variety of sedges. Along the stream in the northwest part of the property, there is a forested area dominated by Oregon ash, with willow, red alder, and western red cedar as associated species. All these species are classified as wetland plants (Reed 1988).

George H. Wilhelm  
18 December 1990

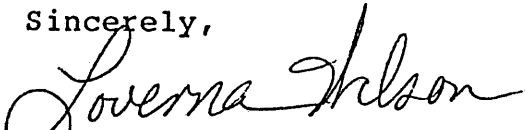
Page 2

Enclosed is a map showing the approximate location and extent of wetlands on this property. In this preliminary assessment, only vegetation was examined to determine the presence of wetlands. Although it was mid-December, there was enough remnant vegetation to determine that wetlands are present over most of the bottomlands that are part of the 100-year floodplain. However, it is not possible to accurately delineate a wetland boundary at this time of year.

When conducting a jurisdictional wetland determination and delineation, three components are examined: hydrology, soil, and vegetation. In order for a site to be considered a wetland under current regulations, it must have wetland hydrology, wetland soils, and wetland vegetation (Federal Interagency Committee for Wetland Delineation 1989). If you wish to have a jurisdictional wetland delineation conducted, a more complete study of hydrology, vegetation and soils would be needed. This should be conducted during the growing season, preferably between May and July, in order to best comply with regulatory requirements for wetland delineations.

Thanks for calling me to come look at the property. In the next week or two, I'll be sending you a estimate for conducting a wetland study on the property. If you need any additional information or have any questions, give me a call.

Sincerely,

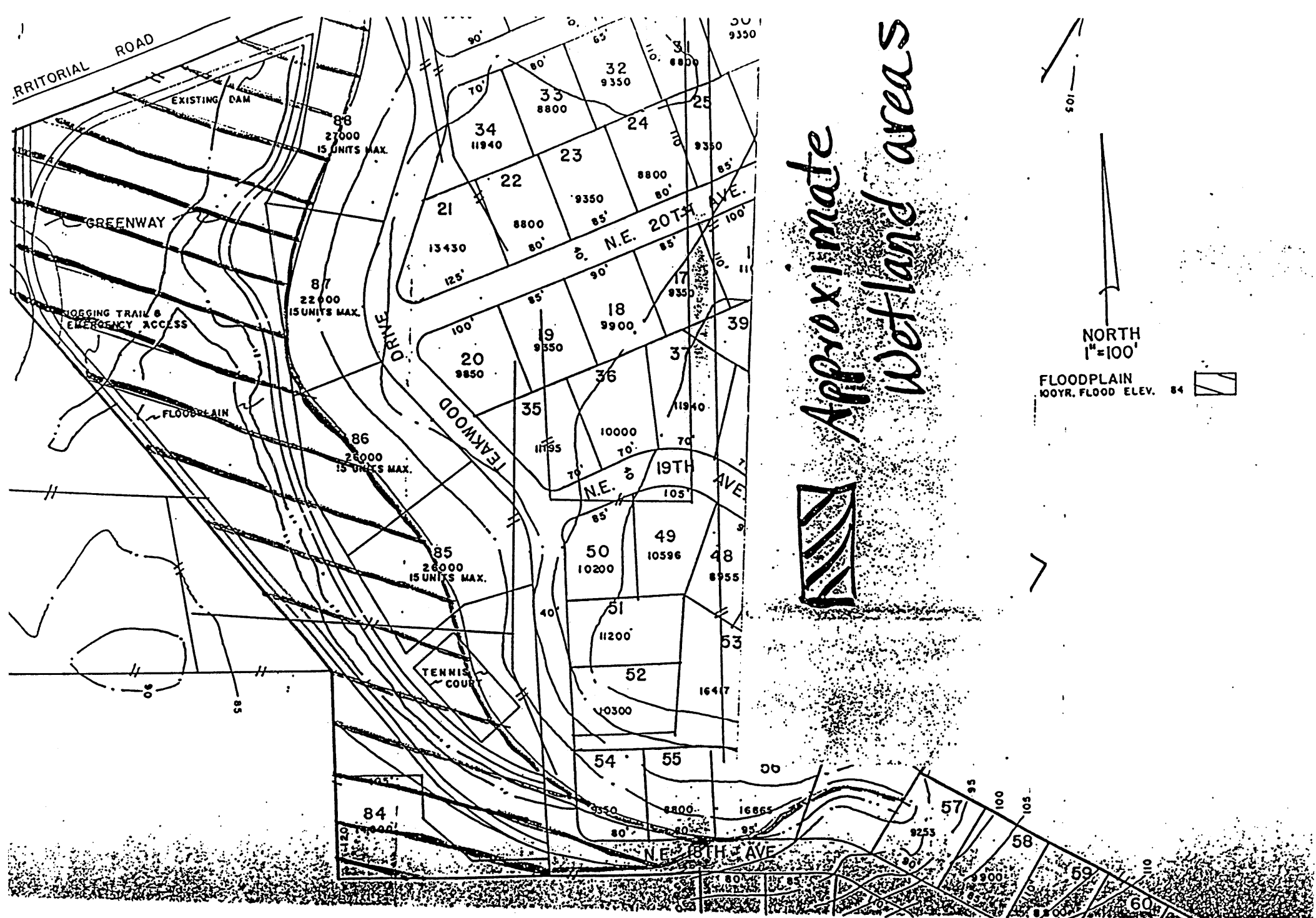


Loverna Wilson  
Plant Ecologist

Enclosure

REFERENCES CITED:

- Federal Interagency Committee for Wetland Delineation. 1989. Federal manual for identifying and delineating jurisdictional wetlands. US Army Corps of Engineers, US Environmental Protection Agency, US Fish and Wildlife Service, and USDA Soil Conservation Service, Washington, Dc. Cooperative technical publication. 76 pp. plus appendices.
- Reed, P. B., Jr. 1988. National list of plant species that occur in wetlands: national summary. US Fish and Wildlife Service Biol. Rept. 88(24). 244 pp.



## GENERAL INFORMATION:

**APPLICANT/DEVELOPER/CONTRACT PURCHASER:** Mr. A. Wayne Scott

**LAND DESCRIPTION:** Tax Lots 100, 800 and a portion of lots 700 and 900; 3S, 1E, 27C and Tax Lot 500; 3S, 1E, 27DB approximately 32 Acres.

**EXISTING ZONING:** The land was recently annexed. The northerly 24.8 acres came in to the city as R-1 (low density residential), the southerly 7.8 acres came in as M-1 (light industrial). Applicant is currently requesting a Comp. Plan Amendment and Zone Change to change the light industrial zoning to Residential zoning.

**HAZARD OVERLAY:** A hazard overlay has been put on a portion of this property. "The hazard overlay zone is intended to be applied only to those specific properties which have been identified as having steep slopes or potential for flooding"(16.40.010). This property has no steep slopes but does have a portion lying below the 100 year flood elevation as shown on the plat. It is intended that all construction will be in accordance with the Federal Emergency Management Agency and comply with Flood Insurance requirements. The project has been designed to utilize the flood prone areas as a greenway.

**WETLANDS:** A small unnamed creek flows through the property. A portion of the property is a wetlands area. Loverna Wilson, an Environmental Consultant, is working with the project to define the wetlands area. She has completed a cursory investigation and has indicated that the proposed design is in accordance with the wetlands management policies and that except for the creek bed itself the wetlands are confined below the 100 year flood elevation. The final design will incorporate wetlands construction mitigation policies and wetland preservation.

**LAND USE:** The land is used as a single family residence and sheep pasture.

**PROJECT NARRATIVE:** A two phase project is proposed. Phase 1 will consist of 50 single family residential lots and 4 condominium lots, phase 2 will include another 33 residential lots. The project is proposed as a PUD for two reasons: 1. A PUD will allow a private greenway area and provide a mechanism to maintain the greenway, jogging trail and tennis court. 2. A PUD will allow increased density for the condominium lots and at the same time maintain an R-1 overall density. All utilities and roadways will be constructed to city standards and dedicated to the city; the greenway, jogging trail and tennis court will be common property owned and maintained by the homeowner's association.

**ACCESS:** Access to the project will be restricted to one access from Territorial. An emergency access will be provided along the jogging trail.

**IMPROVEMENTS:** Improvements will be in accordance with the City of Canby Land Development and Planning Ordinance No. 740. Construction will be in accordance with City of Canby and Canby Utility Board Standards. A greenway area equal to 5.58 acres or 17.4% of gross area is proposed.

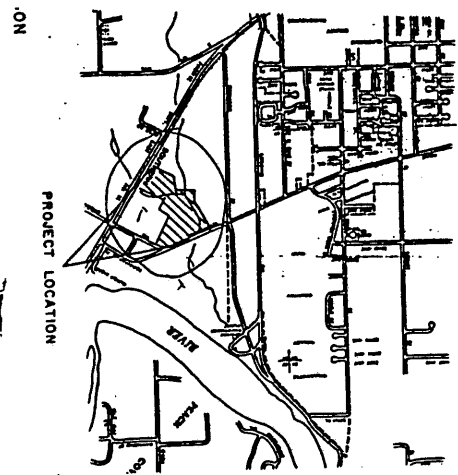
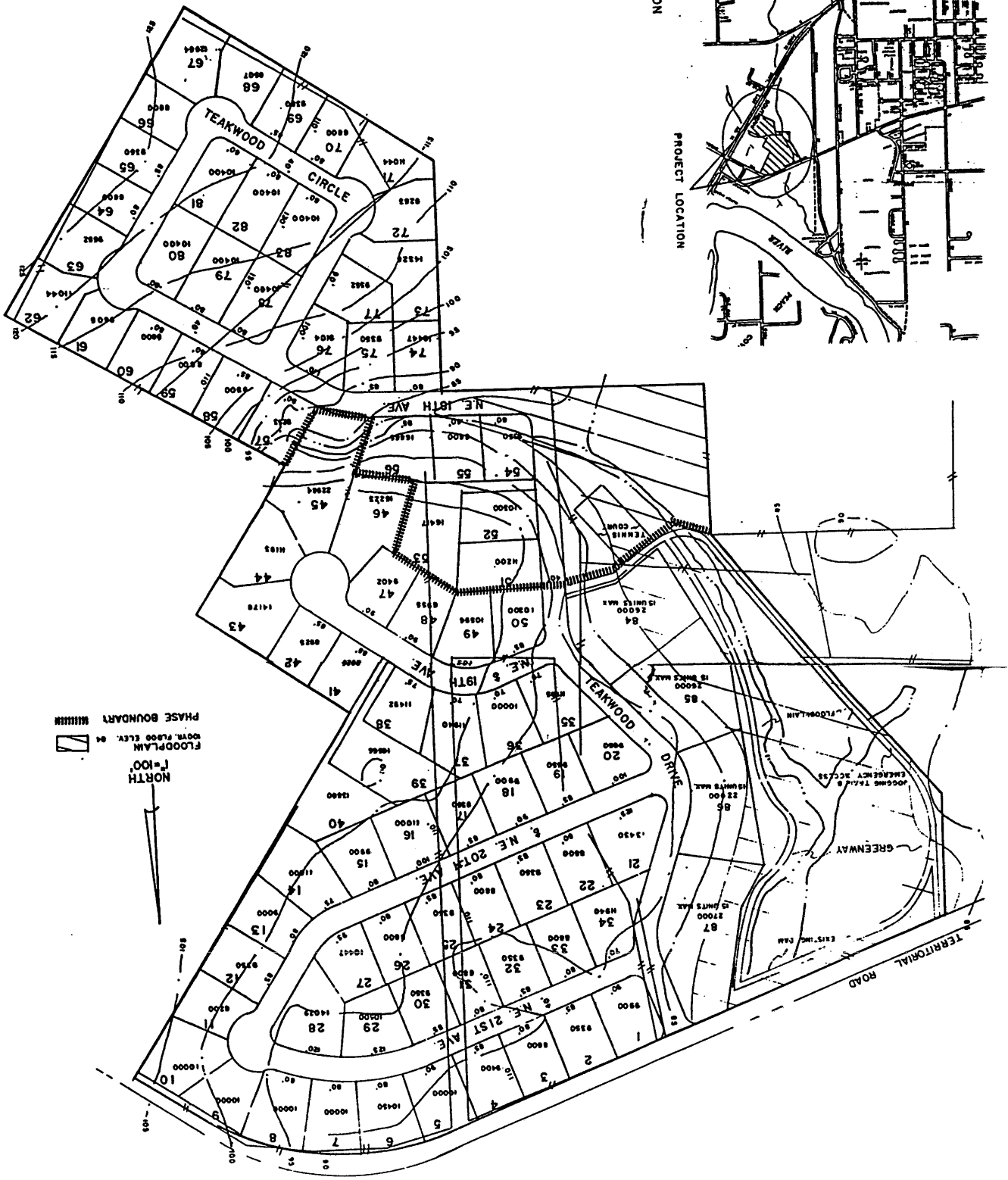
**DENSITY(R-1):** Gross Land Area = 1,393, 920 S.F., Roadway Area = 193,000 S.F., Net Land Area = 1,200,320 S.F.

ALLOWABLE DENSITY(without PUD Bonus) = 171 units  
ALLOWABLE DENSITY(with PUD Bonus) = 196 units

PROPOSED DENSITY = 143 units  
AVERAGE LOT SIZE (including Multiple Units) = 8,394 S.F.

### ACTION REQUESTED:

1. Recommend approval of the zone change from M-1 (light industrial) to R-1 (low density residential) for the southerly 7.8 acres, contingent on council approval of the Comp. Plan Amendment.
2. Approve the tentative plat with a PUD overlay for Teakwood Terrace Phases 1 and 2. contingent on council approval of the zone change.



PHASE BOUNDARY   
 FLOODPLAIN NORTH FLOOD ELEV. 100'

