

**AGENDA**  
**CANBY PLANNING COMMISSION**  
**REGULAR MEETING**  
**City Council Chambers**  
**December 3, 1990 - 7:30 p.m.**

---

**I. ROLL CALL**

**II. MINUTES**

November 12, 1990

November 19, 1990

**III. BUSINESS FROM THE AUDIENCE**

**IV. COMMUNICATIONS**

**V. UNFINISHED BUSINESS**

**CONTINUED PUBLIC HEARING--SUB 90-05**, continuance of a request by Ron Tatone for approval to subdivide Parcel VIII (6.8 acres) of Partition Plat No. 1990-17 into 24 single family residential lots (Lillian's Meadow). Development is proposed to be constructed in two phases. The property is located west of N.W. Ash Street, north of Knights Bridge Road, and south of N.W. 12th Avenue (Tax Lot 300 of Tax Map 3-1E-32A).

**VI. PUBLIC HEARING**

Tree Ordinance

✓ Ordinance to permit double-wide mobile homes on individual lots

**VII. NEW BUSINESS**

Discussion of Systems Development Ordinance

**VIII. ADJOURNMENT**

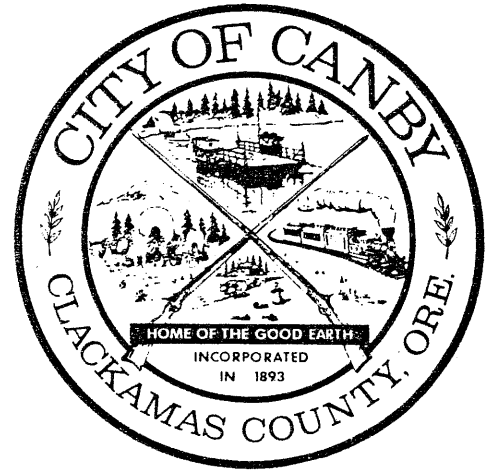
---

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  
Don Bear  
John Zieg

Wade Wiegand  
Robert Westcott  
Henry Fenske

**- S T A F F   R E P O R T -**



**APPLICANT:**

Ron Tatone

**FILE NO.:**

SUB 90-05

**OWNER:**

Ron Tatone

**STAFF:**

Robert G. Hoffman, AICP,  
Planning Director

**LEGAL DESCRIPTION:**

Tax Lot 300 of  
Tax Map 3-1E-32A

**DATE OF REPORT:**

November 9, 1990

**LOCATION:**

West of N.W. Ash Street,  
north of Knights Bridge Rd.,  
and south of N.W. 12th Avenue

**DATE OF HEARING:**

November 19, 1990

**COMP. PLAN DESIGNATION:**

Low Density Residential

**ZONING DESIGNATION:**

R-1 (Low Density Residential)

**I. APPLICANT'S REQUEST:**

The applicant is requesting approval to subdivide Parcel VIII (6.8 acres) of Partition Plat No. 1990-17 into 24 single family residential lots (**Lillian's Meadow**). Development is proposed to be constructed in two phases.

## **II. APPLICABLE CRITERIA:**

### **A. City of Canby Code Section 16.62.020**

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

- i. Conformance with the text and applicable maps of the Comprehensive Plan.
- ii. Conformance with other applicable requirements of the land development and planning ordinance.
- iii. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.

### **B. Other Applicable Policies and Regulations:**

#### **■ City of Canby Comprehensive Plan:**

- I. Citizen Involvement
- II. Urban Growth
- III. Land Use
- IV. Environmental Concerns
- V. Transportation
- VI. Public Facilities and Services
- VII. Economics
- VIII. Housing
- IX. Energy

#### **■ City of Canby General Ordinances:**

- 16.20 Off-Street Parking and Loading
- 16.16 R-1 Low Density Residential Zone
- 16.42 Signs
- 16.46 Access Limitations
- 16.60 Major and Minor Partitions (Subdivisions)  
(especially 16.64, Subdivision Design)
- 16.86 Street Alignment
- 16.88 General Standards

### **III. FINDINGS:**

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

In the past, the site has been used for agricultural and nursery purposes. The realignment of Knights Bridge Road, in 1964, changed the local traffic pattern somewhat. Single family homes surround the site, except to the northwest, which is vacant land. The surrounding zoning is all R-1, Low Density Residential, except the nearby embankment along the Molalla River, which has a Hazard Overlay. The Comprehensive Plan land use designation in the area is Low Density Residential and a Hazard Overlay along the adjacent slope. There is Medium Density Residential designation for the parcel immediately south of the subject parcel. The Molalla River is located an average distance of 500 feet westerly of the site. The river is the City limits. The original tax lot has been partitioned in the past, creating 6 lots along the west side of Ash, between 9th and 10th Avenues. The Commission has, in the past, considered plans for this area.

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

**I. Citizen Involvement** - not applicable

#### **II. Urban Growth**

The proposed subdivision is located within the City limits and within the Urban Growth Boundary. It is a priority "B" area in terms of Growth Priorities. It is provided with urban services.

#### **III. Land Use**

The proposed subdivision area has a Low Density Residential land use designation and is zoned R-1. The proposed development is to be entirely single family homes on adequately sized lots. The triangular area immediately to the south is designated in the Comprehensive Plan as a "unique area," area "L" on the map titled "Areas of Special Concern." The text regarding this area reads as follows:

"12. Area "L" is a small triangular shaped piece of property with potential development limitations due to steeply sloping west and south sides and lack of present sewer service. Proper site planning and some financial investment should mitigate both problems at some point in the future. Until that time,

development will be limited to a single family dwelling. Any further development will require the prior upzoning to R-1.5."

This triangular shaped parcel is currently developed with a single family house and a greenhouse, with intensive landscape treatment. It is currently zoned single family, with a Hazard/Steep Slope Overlay on part of the site near the Molalla River. Access to the property is via a driveway extended from Knights Bridge Road. The applicant proposes a 15 foot easement on his proposed tentative plat in this vicinity. A larger turnaround area near Knights Bridge Road and Ash is proposed to be vacated. Adequate provision of access to this triangular area must be assured. The County has previously informed us that this driveway and turnaround area are County-owned and they have not agreed to vacation at this time. Further steps on the part of the applicant are necessary to resolve this matter. Otherwise, the development implements the intent in the Land Use policies and, in particular, "encourage(s) a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl" and follows the recommended land use map proposals.

#### **IV. Environmental Concerns**

Soil in this vicinity is Dabney loamy sand, a deep and somewhat excessively drained soil. It presents no special construction difficulties for urban type use. The site is basically flat, has been a tree nursery, and has minimal trees now, except in the far northern corner. There are no other particular environmental concerns related to this site.

#### **V. Transportation**

Access to and from the site will be via 9th and 10th Avenues to collector streets on Birch, and 10th Avenue to Knights Bridge Road, or Holly Street and Territorial. Ash Street is not proposed to be connected directly to Knights Bridge Road. This intersection, if it has been made, would have been at a curve and start of grade. This would have been undesirable. The developer states that some neighbors are requesting **not** to have this connection. Staff has received a letter and an office visit from residents on Aspen Street (the next street to the east of Ash), expressing concern about additional traffic on Aspen which would be caused by the development, and also reminding the City that there is a very narrow opening at Aspen and Knights Bridge Road. Staff is satisfied that most traffic will use the arterial and collector systems

rather than the narrow opening at Aspen and Knights Bridge Road. A "No Right Turn" sign at the southwest corner of 10th and Aspen and 9th and Aspen would discourage traffic to use Aspen. The proposed streets within and adjacent to the site are designed to City standards. Full sidewalks to City standards are proposed. Adequate access to the triangular parcel on Knights Bridge Road must be assured. There is a 10 foot wide jogging trail located in the northern corner, which is indicated on the proposed tentative plat. It is not clear what this is intended to access. There also does not appear to be adequate right-of-way shown in this vicinity, as drawn. Two turnarounds and temporary dead-end street barriers will be needed at the end of the north-south streets. A dead-end barrier and a 'Private Road' sign are necessary at the end of the street in the southwestern corner.

## **VI. Public Facilities and Services**

Canby Utility Board (CUB) reports that it can provide electric and water services to this proposed subdivision. Sewer service is available in Ash Street between 5 and 8 feet below grade. It ties into the Knights Bridge Road interceptor. There are no known capacity problems in this part of the City. Other utility services will be provided.

The school board has not reported any service problems for this area. There are two elementary schools just across Knights Bridge Road. These schools include open space for physical education purposes. There is property owned by the school district at the southwestern corner of Territorial and Holly. There has been some discussion by the Parks Committee that additional recreational land should be provided in this vicinity. The tax lot immediately to the west of the subject parcel is almost 13 acres, and is occupied by a single family home which has access to the Molalla River. The northern corner of the proposed subdivision is wooded.

## **VII. Economics**

Since the proposed subdivision is for residential purposes, this plan section does not directly apply. However, adequate homes and living environment is needed for owners, employees and clients of economic enterprises. Therefore, the housing proposal indirectly supports economic activity in Canby and nearby businesses.

## VIII. Housing

The proposed subdivision supports the goals and policies of the Housing Element by adding to the supply and variety of housing available in Canby.

## IX. Energy

No special solar provisions are proposed except that each lot is large enough that solar features could be designed into each home, and solar access provided.

### C. Development Code Consistency Analysis

#### 1. Section 16.62.020 - Standards and Criteria

- **Conformance with Comprehensive Plan**

The foregoing discussion described the subject subdivision, master plan and their relation to applicable Comprehensive Plan Goals and Policies.

- **Conformance with Applicable Requirements of the Land Development and Planning Ordinance**

This is the object of this entire staff report.

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

Since the site is a triangular shape, some creativity and ingenuity are necessary to solve some of the problem areas. The site plan illustrates how the adjacent parcel to the west could be developed and still be related to the subject development in terms of streets, utilities and lot layout to be compatible with this design. There are a few awkward situations which the applicant proposes to solve through deed restrictions. These are as follows: Lots 1, 2 and 8 are to be oversized lots. The house location is proposed to be specified in the CC&Rs so that area within the lot, that lies within the narrow "acute angle" end of the lot, can eventually be combined with adjacent land. This would be done in order to form more regular lots at a later time. Lot 2 is proposed with only 25 feet of frontage on a street and the street end is designed at an extremely acute

angle. The applicant must show how a driveway could work in this situation or lot lines will need to be adjusted to provide a safe driveway to Lot 2. The current access drive, from Knights Bridge Road to the two existing homes near the Molalla River, is to be replaced by access from the new streets and/or by a 15 foot easement located at the rear of Lots 19-24. The applicant reports that the existing access road off Knights Bridge Road exists on his property, but he proposes to leave an easement to continue this access. The County reports that this is a County street with a turnaround. The applicant will need to resolve this matter. Otherwise, the lots are designed to meet City standards and are all larger than the required 7,000 square feet.

**Streets** - The proposed streets are shown in the cross-sections on the proposed Preliminary Plat, to be 50 feet in right-of-way, with 36 feet of pavement and 5 feet of sidewalk on each side. The corner radii are 12 feet. These meet City standards and do not encourage excess traffic on residential streets. Conditions will be needed to cover endings of streets expected to eventually be continued. Temporary turnarounds will need to be required.

**Blocks** - Generally, the block designs, sizes, topography, lengths, and shapes are well suited to the site and provide an adequate framework for lot design. The exceptional situations needing further resolution are the "acute angle" lot structures such as Lots 1 and 2.

**Easements** - All necessary easements will be provided by the developer.

## 2. Section 16.64 - Subdivision Design Standards

**Lots (Section 16.64.040)** - In most cases, lots have been designed to meet standard subdivision practices and are appropriate for the difficult triangular site. Lots 1 and 2 need further work to resolve the difficulties.

**Public Open Spaces (Section 16.64.050)** - The applicant has not proposed any public open space.

**Grading of Building Sites (Section 16.64.060)** - Standard building practices will be followed, meeting City requirements.

**Improvements (Section 16.64.070)** - All improvements will be made to fully comply with Canby requirements.



#### IV. CONCLUSION

The proposed subdivision is consistent with the Comprehensive Plan, all applicable requirements of the Land Development and Planning Ordinance, and the overall design and arrangement of lots is functional and will not unduly hinder use or development of adjacent properties, provided:

1. Certain conditions of approval are adopted, and
2. The driveway access issue to Lot 2 is resolved, turnaround is provided, driveway off Knights Bridge Road (extended), and signage is provided.

#### V. RECOMMENDATION

Based on the findings and conclusions presented in this report, and without benefit of public testimony, staff recommends **delaying** approval of SUB 90-05 (Lillian's Meadow) at this time. At a later time, if the application is approved, the following conditions should be included:

1. Temporary turnarounds, meeting the requirements of the Fire Marshal and Director of Public Works, shall be provided at the ends of the streets that will continue at a later time. A full-width barricade shall be placed, at the developer's expense, at the end of the new streets.
2. N.W. Ash Street shall be constructed 50 feet in width throughout the subdivision, with a 36 foot pavement over its entire length, including the northern end.
3. Any necessary utilities shall be constructed to the specifications of the provider.
4. Utility easements shall be provided and are to be twelve (12) feet along all streets. Exterior lines of the subdivision adjacent to other platted subdivisions with easements, and easements along all interior lot lines, are to be six (6) feet wide off of each lot, for a total of twelve (12) feet.

"As-built" drawings shall be submitted to the City within sixty (60) days of completion.

5. Street name and traffic control signs shall be provided at the developer's expense. This shall include "dead end" signs for the ends of Ash and the new streets, "No Right Turn" signs at the southwest corner of 10th and Aspen and 9th and Aspen, and a "Private Drive" sign at the end of the street in the southwest corner.

6. The final plat shall reference this land use application - City of Canby, File No. SUB 90-05, 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.

**Exhibits:**

1. Vicinity Map
2. Tentative Plat

# VICINITY MAP

R-1

R-1

R-2

R-1

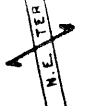
IND. PUD

2928  
1213

CITY LIMITS

site

H overlay



MOJAVE RIVER

N.W. TERRITORIAL ROAD

N.E. 4TH AVE

N.E. 10TH AVE

N.E. 12TH AVE

N.E. 13TH AVE

N.W. 10TH AVE

N.W. 11TH AVE

N.W. 12TH AVE

N.W. 13TH AVE

N.W. 14TH AVE

N.W. 15TH AVE

N.W. 16TH AVE

N.W. 17TH AVE

N.W. 18TH AVE

N.W. 19TH AVE

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

LOCUST

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

HOLLY

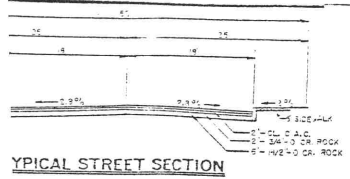
HOLLY

HOLLY

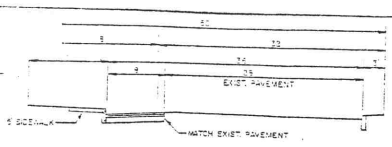
HOLLY

HOLLY

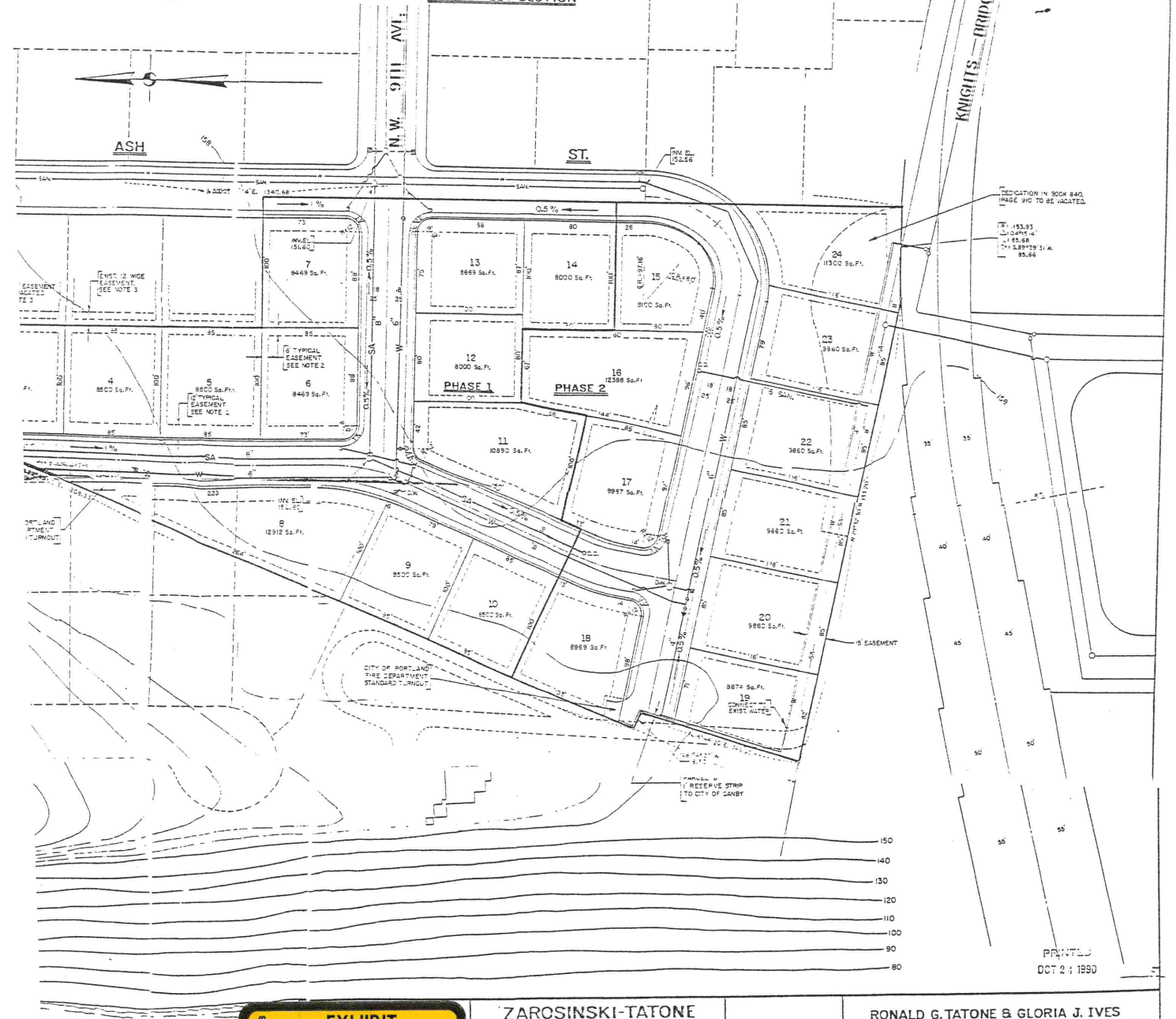
LOCUST



TYPICAL STREET SECTION



ASH STREET SECTION



VER

Blumberg No. 5116  
**EXHIBIT**  
 2  
 SUB90-05

ZAROSINSKI-TATONE  
 ENGINEERS, INC.  
 3737 S.E. EIGHTH AVE. PORTLAND, ORE.  
 LOCATED IN THE WESLEY JOSLYN D.L.C.  
 IN THE N.E. 1/4 SEC. 32 T3S, R1E W.M.  
 CITY OF CANBY

RONALD G. TATONE & GLORIA J. IVES  
 PO BOX 114 CANBY, ORE. 97013  
 PH: 266-9542

TENTATIVE PLAT OF  
 "HUMPHREYS MEADOW"

PRINTED  
 OCT 24 1990

RECEIVED

NOV 16 1990

CITY OF CANBY

Nov 11, 1990

Re Litrau's Meadow

TO: Canby Planning Commission  
RE: Permit to build more homes on  
N. Ash by Mr Yaton.

Please no more homes over here  
until another street is put thru to  
Knights Bridge Rd. N Aspen Ct is  
a 1/2 street to and off Knights  
Bridge & it is getting vary congested.  
I would say 3/4 of us use N Aspen  
Ct. rather than Birch & that would  
mean 48 more vehicles. No way!

Mr & Mrs Gary L Taylor

RE:  
LILLIAN'S  
MEADOW

RECEIVED

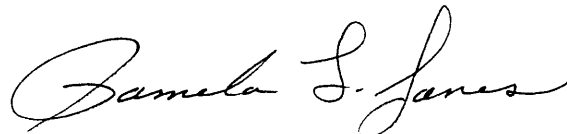
NOV - 6 1990

CITY OF CANBY

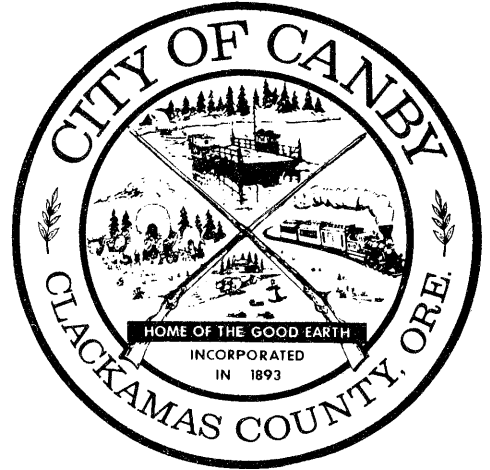
NOVEMBER 5, 1990

TO: Canby Planning Commission.

In regard to your notice on Ron Tatone application to subdivide 6.8 acres. The property has no excess road to Knights Bridge but thur Aspen Street, and that road is very narrow and could not hold the extra traffic. And as a home owner on Aspen Ct. I feel compelled to view my option in that you are trying to turn our town into another Beaverton. You have shown unrestricted building in this town with the idea that Canby residents like the idea of this growth. These tract homes are not a welcome addition to the area, noire in this town. So as a resident I must voice my oppisition to the proposed development.



Pamela L. Jones  
1085 N. Aspen Ct.  
Canby



## **- S T A F F   R E P O R T -**

**TITLE:**           **AN ORDINANCE AMENDING PROVISIONS OF TITLE 16 OF THE CANBY MUNICIPAL CODE REGARDING MANUFACTURED HOMES ON INDIVIDUAL LOTS PLANNED AND ZONED FOR SINGLE-FAMILY HOMES ON INDIVIDUAL LOTS PLANNED AND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE TO BE PERMITTED AS CONDITIONAL USE; AND DECLARING AN EMERGENCY**

**FILE NO:**    **ORDINANCE 853**

**STAFF:**       **Robert G. Hoffman, AICP**  
                  **Planning Director**

**DATE OF REPORT:** **November 21, 1990**

**DATE OF HEARING:** **December 3, 1990**

### **I.     STAFF'S REQUEST:**

The staff is requesting that the Commission recommend to City Council approval of Ordinance 853 regarding the permitting of manufactured homes on individual as conditional uses.

### **II.    APPLICABLE CRITERIA:**

This is a legislative land use application. In judging whether a legislative application should be approved, the Planning Commission must consider the following standards:

1. That the amendments conform with the Comprehensive Plan of the City of Canby;
2. That there is a public need for the amendments and that such changes best serve the public need for the City of Canby;
3. That the amendments will preserve and protect the health, safety, and welfare of the residents of the City of Canby; and
4. That the amendments conform to the statewide planning goals.

### **III. BACKGROUND AND RELATIONSHIPS**

In 1989, the Oregon State Legislature, in HB 2863, enacted requirements that manufactured homes be permitted on lots outside of manufactured housing subdivisions. The proposed new local ordinance to implement this requirement has to be effective by January 1, 1991. The legislation also included placement standards and the state law allowed incorporation of any or all of these placement standards or less restrictive standards within the local implementing ordinance. The recommended ordinance which is the subject of this hearing implements this state law and includes the placement standards allowed by the state law.

### **IV. FINDINGS**

#### **Conformance with Comprehensive Plan**

Page 46 states " . . . Canby is committed to a position of supporting manufactured housing, as well as various density increases for other types of housing, as the best means of providing local housing opportunities for all segments of the population to the year 2000.

**LAND USE POLICY NO. 1: CANBY SHALL GUIDE THE COURSE OF GROWTH AND DEVELOPMENT SO AS TO SEPARATE CONFLICTING OR INCOMPATIBLE USES WHILE GROUPING COMPATIBLE USES.**

#### **IMPLEMENTATION MEASURES:**

B) Utilize the allowable "conditions of approval" for discretionary applications as a means of minimizing or mitigating conflicts between land uses.

**HOUSING POLICY NO. 4: CANBY SHALL ENCOURAGE THE DEVELOPMENT OF HOUSING FOR LOW INCOME PERSONS AND THE INTEGRATION OF THAT HOUSING INTO A VARIETY OF RESIDENTIAL AREAS WITH THE CITY.**



### IMPLEMENTATION MEASURES:

B) Encourage the private sector to provide low income housing.

### ENERGY POLICY NO. 1: CANBY SHALL ENCOURAGE ENERGY CONSERVATION AND EFFICIENCY MEASURES IN CONSTRUCTION PRACTICES.

### IMPLEMENTATION MEASURES:

B) The City shall encourage increased energy/efficiency methods in new construction and remodeling projects.

### Policy Analysis

Permitting as conditional uses manufactured homes on scattered lots wherever single family homes are permitted will aid in meeting these policies. Reviewing each proposed manufactured home as conditional uses will permit a review to ensure compatibility with the neighborhood within which they will be built. Manufactured homes are one of the few available techniques for reducing housing costs. The application of the 1976 HUD building standards will ensure a reasonable standard of construction while allowing economies of scale through factory built construction techniques. The new state building code related to required thermal envelop standards will provide some energy efficiencies. Thus, many of the ordinance provisions will help to implement Comprehensive Plan provisions.

### Public Need

With the projected population growth in Canby, there is a continuing need to expand the housing supply. Scattered individual lots are available for building, and manufactured homes can be one possible resource for utilizing these "infill" sites. Furthermore, costs of construction have been escalating pricing many families out of the market. Manufactured homes are a means to reduce housing costs and serving many of these families. Thus, the proposed ordinance can help to meet a major public need. Canby has long been a location where manufactured homes have been welcomed within mobile home subdivisions and parks. Scattered sites can also be used if each proposed building is reviewed to ensure compatibility with its neighbors.

### Health, Safety and Welfare

The proposed ordinance is concerned with housing and neighborhood quality and helping to meet people's need for an adequate housing supply at prices people can afford. The proposed ordinance process proposed for review of each structure is the one best suited to meet these needs without serious disruption in the community. In adopting House Bill 2863, the State Legislature determined that provision of housing opportunities is a matter of state-wide concern and that

a need exists to allow manufactured homes outside of mobile home parks under specified standards.

### **Conformance to Statewide Planning Goals**

Oregon Statewide Planning Goal 10 Housing is "to provide for the housing needs of citizens of the state." "Needed" housing is specified as "to be encouraged in availability of adequate numbers at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density." The State Goal guidelines included a policy to make changes to local construction and zoning and other land use controls in order to help lower costs of housing. HB2863 which was approved by the State Legislature in 1989 revised the definition of "Needed Housing" under this guideline to include "manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured home subdivisions." Thus the subject ordinance responds to the State Goals and guidelines as amended by recent legislative action.

### **Other Considerations**

The new state law and a related Department of Conservation and Development Technical Bulletin describe a number of alternatives which may be used to carry out the requirements of the state law. We could have done an elaborate needs analysis and then specified which residential zoning districts had enough land to met the identified needs. This method was rejected by staff since we do not have recent population information or land use inventory and the process seems overly complicated. Another alternative would have been to allow manufactured housing in all residential zoning districts "as a matter of right." Staff rejected this alternative since we believe that there are some situations which would not be appropriate for manufactured homes and it would be desirable to review each case for compatibility until we have a better understanding of the type of difficulties which might arise. We believe that the locations where single family homes are already allowed may be appropriate for manufactured housing. Besides the conditions specified within the proposed ordinance we could have required additional design features provided these design features would also apply to all other single family homes. These features could have included the following: dormers; recessed entries; cupolas; bay or bow windows; gables; covered entries; pillars or posts; eaves (minimum 6" projection); off-sets on building face or roof (minimum 16"). Corvallis' new ordinance now requires all single family units to utilize at least two of these design features to provide visual relief along the front of the home. Staff does not recommend requiring these design features at this time.

It is recommended by staff that the ordinance before you be approved. We believe that reviewing each manufactured home on individual lots, as conditional uses, is a process which will be most likely to ensure compatibility between nearby homes while still encouraging design individuality and reasonable costs. One of the findings the Commission must make on each conditional use is "the proposed use will not alter the character of the surrounding areas in a manner which substantially limits or precludes the use of surrounding properties for the uses

listed as permitted in the zone." The "commission may impose conditions which it finds necessary to avoid detrimental impacts and to otherwise protect the best interests of the surrounding area or the community as a whole."

## **V. CONCLUSION**

1. Staff concludes that the proposed ordinance conforms with the Comprehensive Plan.
2. Staff concludes that there is a public need for the amendments and that such changes best serve the public need of the City of Canby.
3. Staff concludes that amendments will preserve and protect the health, safety, and welfare of the residents of the City of Canby.
4. Staff concludes that the amendments conform to statewide planning goals and recent legislation.

## **VI. RECOMMENDATION**

Based upon the findings and conclusions in this report, without benefit of public hearing, and with the additional information contained in the file, staff recommends approval of Ordinance 853.





DATE: November 16, 1990

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the City of Canby Planning Commission on Monday, December 3, 1990 at 7:30 p.m., in the City Council Chambers, N.W. Second Avenue, Canby. The purpose of the meeting is to form a recommendation on a proposed Tree Ordinance for passage onto City Council at their December 19, 1990, meeting.

A copy of the proposed ordinance is available for inspection at no cost, in City Hall, 182 N. Holly, Canby, Oregon, during regular working hours (8:00 a.m. to 5:00 p.m.).

Staff coordinator is Rusty Klem, 266-4021.

Publish: Canby Herald

Tuesday, November 27, 1990