

CANBY CITY COUNCIL

SPECIAL MEETING

MAY 12, 1980

Mayor Robert E. Rapp presiding. Councilmembers present: Beryl Brown, Beauford Knight, Richard Nichols, Bill Pulver, Robert Swayze and Robert Westcott.

Also present: Administrator Harold Wyman, City Planner Stephan Lashbrook, Secretary Marilyn Perkett, David Bury, Brenda Lashbrook, Ralph Tehran, Ken Crutcher, Carl and Florence Krueger, Harry Culp, Charles MacKenzie, Norris Hart, John Tatone, Earl Oliver, Tim Tofte, Harvey Tofte, John Saari, Norman Pantenbury, Robert Hamilton, Donald Baldwin, Sally Rettke, Dick Crites, Glenn and Elsie Cutsforth, Earl and Anita Walker, Harold Oathes, Jim and Sandy Oliphant, Catherine Davis, Edward Montecucco, Helen Stricklin, Sadie Stricklin, Carol Lumb, Rick Maier, Bob Prieve, Steven Hughes, Jeff Bond, Marv Dack, Steve Frederick, Herman Bergman, John Harpster, Walt Daniels, Frank Amato, Jerry Grossnickle, Don Hanson, Ben Feller and others.

Mayor Rapp called the Special Meeting to order at 7:35 p.m., followed by the flag salute and roll call of Council.

No business was presented to the Council at this time so the Mayor immediately recessed to go into the Public Hearing on the Comprehensive Plan at 7:36 p.m.

Mayor Rapp explained to the audience that the meeting was being tape recorded and also explained the procedure for entering testimony, stepping to the microphone and stating their name, address and location of property of concern.

City Planner Stephan Lashbrook proceeded with his staff report first explaining that there are 8 or 9 sections of the plan and the Urban Growth Boundary (UGB) is the most critical and will affect the remainder of the plan. Mr. Lashbrook welcomed the audience and noted that it was the intent of the Council to hear everyone who wished to speak and also welcome any written testimony.

Mr. Lashbrook first addressed the question: "WHAT IS AN URBAN GROWTH BOUNDARY?" It is an attempt to determine which lands will be urbanized and become a part of the City. He stressed that this is an imperfect process but still important for the City, County, State, and property owners.

"WHY ESTABLISH AN URBAN GROWTH BOUNDARY?" It helps the City to plan for public facility services such as sewer, waterlines, etc.; it tells the property owners what to expect in the way of development potential of their property; it helps to clarify the roles of the County and City in relationship to each other; and since LCDC must approve this task it helps them in their determination in reviewing the Statewide Planning Goals.

Planner Lashbrook next reviewed the seven factors of requirements which must be considered throughout this process and which are from the LCDC Goal # 14: 1) a demonstrated need to accommodate long-range urban population growth consistent

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with LCDC Goals, i.e., we must justify UGB based upon population projectives which are reasonable for our area; 2) the need for housing, employment opportunity and livability; 3) orderly and economic provision for public facilities and services, which is really the key factor of whether we can really provide the services for the projected population; 4) maximum efficiency of land uses within the existing urban area; 5) consideration of environmental, energy, economic and social consequences; 6) retention of agricultural land with Class I soils the highest priority and Class IV the lowest priority; and 7) compatibility of proposed urban uses with nearby agricultural activities. At this point, Mr. Lashbrook went to the maps and explained the boundary lines and also the soil classifications as shown on the soil map. He also noted that some of the best soils aren't farmed and the Class II soils are farmed due to the type of crop best suited for that soil.

Mr. Lashbrook pointed out the following statistics: present acres, 1,780; present population, 7,500; and based upon the past history of growth doubling every 11 to 12 years, for the year 2000, 20,000 population; and without expanding the City limits we could also expect an infill population of 1,350 by the year 2000. We also must address industrial and commercial acres, public (for schools, parks, etc.) acres, and recreational acres.

Mr. Lashbrook again referred to the maps and pointed out the various areas for low and medium density residential areas, commercial areas, recreational areas, and light and heavy industrial areas. He also noted that there is more land than actually needed for the 20,000 projection of population, however, it can still be a valid concept as an ultimate plan for the area. Mr. Lashbrook referred to the Barlow Flats which was considered by both the Council and CAC but was not recommended due to flooding and changing the focus of industrial development from the City.

He also reviewed briefly some written comments: David Bury (Township Road), concerning eliminating part of the northwest section of the proposed plan on the UGB and his concern of the Barlow Flats area; Dave Signour (County Planning Director), regarding the soils and burden of selections; William Rankin (Economic Specialist with the Oregon Department of Economics), concerning land use; Kathleen Keene (Oregon Business Planning Council) regarding confusion of statistics; and Gordon Ross and Roger Reif (on behalf of the Canby Planning Commission), regarding controlling the growth, keeping it a small community and consideration of the Barlow Flats area.

At this point in the hearing Mayor Rapp opened the floor to the audience for public comment.

DAVID BURY (Township Road) - Voiced his concern against the Barlow Flats and felt the Molalla River should be the boundary. If cuts are needed to meet LCDC goals he suggested cutting beyond 22nd Avenue to the north and to Holly Street. For the industrial area he suggested cutting from 13th Avenue to Township, the logging road and Mulino Road.

EARL WALKER (west of Haines Road) - He expressed the projections often become goals. His concern was about what is a desirable future for Canby. He noted that if you add up all the projections of the Planners in the state it would add up to far more than the state will hold. Mr. Walker felt that expansion will cost the residents in higher taxes.

HAROLD OATHES (Township Road) - Asked if action that is taken on this plan tonight will it take all rights away from the citizens on annexing to the City or will the procedure be the same as it is now? He also went on record as being not in favor of the expansion.

MAYOR RAPP - Explained that the City does not initiate annexations, the property owners do this and the MSD Boundary Review Board has final approval.

JIM OLIPHANT (Hains Road) - Asked what advantages does a property owner get if they are annexed and what services are provided.

MAYOR RAPP - Explained again, that we do not annex, we provide a UGB because the State tells us we have to. He asked Mr. Lashbrook to explain the procedure.

LASHBROOK - He noted that just because a property owner is in the UGB does not guarantee that he will become an annexed part of the City, this is our best estimate of what will be in the City by a given period of time. However, an individual property owner can be forced into an annexation by a process called the triple majority system, the majority of property owners in a given area are in favor of annexing. What an individual gains on an annexation is a value judgement, what you might be able to do with your land in the future.

MAYOR RAPP - Being in the City provides the property owner the opportunity to have City services such as sewer, police protection, water, etc., however, at their own expense.

RALPH THRAN (Planning Director of Architectural and Engineering Firm of Marks and Chase in Gresham) - He noted that the UGB is a sound approach, however, Canby is in a dilemma due to the prime agricultural land of Class I and II soils. He felt we needed to supply approximately 1,400 acres for housing for the proposed approximate 500 acres of industry planned. He expressed a strong concern to have the Molalla River become the natural boundary on the south side, from the Middle School south to the river.

EARL WALKER - Asked if we could control the density of an area?

LASHBROOK - Mr. Lashbrook first referred back to an earlier statement of Mr. Walker's when he stated that projections of planners would add up to more than the state would hold, this is one of the reasons LCDC reviews the process and why we must coordinate with Clackamas County, who in turn coordinates with MSD and passes it on to the State. Mr. Lashbrook felt it is not valid for the City to make a "no growth" position and in fact is a violation of the Statewide Planning Goals. We can determine growth by what the County and other cities in the area are doing. On the housing issue, Mr. Lashbrook felt we will see a change in the types of housing Canby is accustomed to partly because of economic reasons and also because we must meet statewide housing goals to do our best to accommodate a wide range of people in different financial situations. Some of the types of housing to expect are cluster type, duplexes, mobile homes, modular, condominiums and things of that sort.

KEN CRUTCHER (REDLAND ROAD) Asked whether the LCDC's 20 year projector was in accord with the City's projector and what do they base their decision on for annexation?

LASHBROOK - Their review focuses mostly on coordinating agencies, which are mostly counties. Mr. Lashbrook noted this was a complicated business and urged Mr. Crutcher to obtain a copy of one of LCDC's reviews of another city which are available. He also noted that in the plan that we have to submit to LCDC includes a great deal about our services, sewer, water system, etc., for their consideration.

COUNCILMAN WESTCOTT - He pointed out that our staff has been working with the County, MSD and several surrounding communities to coordinate our plans.

RICK MAIER (Adkins Circle) - Questioned the residential requirements as far as lot sizes.

LASHBROOK - Explained that we have two residential zones, low and medium density and the future zoning depends on decisions yet to be made concerning issues on mobile home courts, cluster housing and such. The present lot size is 7,000 feet.

RALPH TEHRAN - Questioned if our population projections were in line with the County projections, for which the UGB acreage is based.

LASHBROOK - Pointed out that we have approximately 4.5 population per acre and explained that we have coordinated with the County projections.

MAYOR RAPP - Explained that this Comprehensive Plan started about 7 years ago and at least 400 citizens have participated in the planning.

Mayor Rapp recessed the Public Hearing at 8:35 p.m. for a coffee break. The Public Hearing was reconvened at 9:00 p.m. Mayor Rapp asked each Councilmember to express their opinions on the proposed Urban Growth Boundary.

COUNCILMAN WESTCOTT - After listening to letters and testimony, his feelings are to bring the boundary back to either 22nd Avenue or Territorial Road in the north section, this puts the burden of proof on the citizens keeping in mind the Class I soil and its uniqueness to the Canby area for crops grown there.

COUNCILMAN SWAYZE - Felt the citizens in and about Canby wanted an orderly and planned growth, however, we can't stop growth but need to determine when and where it is needed. He too felt the majority of the area north of Territorial Road should be deleted from the plan if a need to cut is required. He also expressed that the Molalla River should be the natural boundary to the south.

COUNCILMAN PULVER - He concurred with the previous Councilmen as to the shrinkage of the boundary line on the northwest corner, however, he felt growth was going to come and we should be prepared to deal with that growth now.

MAYOR RAPP - Concurred with all that had been said, however, he noted we have always had commuters in respect to jobs and more local jobs would help with taxing capabilities and also the energy supplies are decreasing. He felt we should provide all the commercial growth we can without it becoming a dominate thing in the community. The Mayor noted that we have 3 sides with rivers to provide natural boundaries and the 4th is a bluff. He also would like to see the Barlow Flats in the boundary, he sited the White City in relationship to the Medford area and we could have the same situation if we don't consider the Barlow Flats area.

COUNCILWOMAN BROWN - Due to the natural boundaries, the existing road systems of the various areas and the balanced industrial sites, she felt it was a balanced plan. Also, the logical cutback should be in the northwest area.

COUNCILMAN NICHOLS - noted that 6 or 7 years ago when he was on an advisory committee working on the Interim Plan, they had roughly the same boundaries. Regarding

the Barlow Flats, he thought it would be a good idea to have some control in that area for industrial use. If we were forced to cut back, the last resort in his opinion would be the northwest corner.

COUNCILMAN KNIGHT - He said he always pictured the northwest area as good for residential use, however, if we must cut back we could cut from 22nd Avenue back. He noted that the industrial area was logically located with rail service, hiway access available and also in line with the sewage treatment plant.

HERMAN BERGMAN (Canby resident) - Asked why do we have to cut the plan down, it has not yet be reviewed.

STEVE FREDERICK - Spoke to the Council commending the planning effort and noted it is something that has to be done.

Mayor Rapp expressed thanks to Mr. and Mrs. Glenn Cutsforth for providing the hall and the coffee and thanked everyone for attending.

Mr. Crutcher asked about the time frame for the Plan. Mr. Lashbrook said that our compliance date with LCDC is July 1, 1980, and we have more Public Hearings planned for May 28, June 2 and June 9 if necessary.

Mayor Rapp adjourned the Public Hearing at 9:20 p.m. The Special Meeting was re-convened at 9:30 p.m.

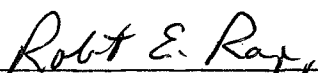
Administrator Wyman informed the Council that we needed an amendment to the motion regarding the accounts payable from the last Regular Meeting, May 7. Councilman Westcott moved to correct the total of accounts payable of the Regular Meeting, May 7, 1980, to be \$124,071.32 with the addition of \$180.00, purchase order 9632. Seconded by Councilman Swayze and approved 6-0 by roll call vote.

In regards to procedure for encumbering money for the water bond, Mr. Wyman presented a copy of a procedure recommended by staff. The Council reviewed this with Councilman Westcott adding one more step to the procedure. Councilman Nichols moved to approve the seven (7) step procedure for encumbering and paying water bond expenditures with a copy to be attached to the minutes of this meeting and a copy for the Book of Policy. Seconded by Councilman Pulver and unanimously approved.

Mayor Rapp questioned about not answering Mr. Berman's question on the necessity for cutting back on the Comp Plan. Mr. Lashbrook assured him that he would call Mr. Berman and explain the matter.

Mayor Rapp reminded the Council of the Workshop on Monday, May 19, with the Loaves and Fishes at 7:30 p.m.

The Meeting was adjourned at 9:40 p.m.


Robert E. Rapp, Mayor


Harold A. Wyman, Administrator/Recorder

PROCEDURE FOR ENCUMBERING AND PAYING WATER BOND EXPENSES

1. Canby Utility Board Members approval of intent to spend Water Bond monies.
2. Requisition signed by Canby Utility Manager on approval, Canby City Council representative signs on approval and Canby City Administrator signs approval.
3. Encumbrance will then be processed on City's printout on year to date.
4. When job is complete, the invoice will go to the Canby Utility Board Members for approval after checking the conformance according to contract.
5. After Canby Utility Board approval of invoice, the invoice will be processed on City Accounts Payable Purchase Order List for Council approval.
6. A Warrant will be made from the Clackamas County Treasury when all have approved the Water Bond expenditure.
7. A copy of Warrant with invoice will be in the City's Water Bond File and a copy to be sent to the Utility Board to show it has been paid.