

GENERAL INFORMATION ON  
CANBY UTILITY BOARD  
WATER DEPARTMENT  
April 1977  
Page 2

5. The Oregon State Water Resources Board adopted in June 1964 an established minimum flow of 60 cubic feet per second for the Molalla River at Goods Bridge. Records indicate that the flow dropped below 60 cubic feet per second for a week or more during the summers of 1965, 1966, and 1967.

The October 1, 1976 reading at Goods Bridge was 162 cubic feet per second and the March 28, 1977 reading was 1360 cubic feet per second. Unfortunately, the recording device at Goods Bridge was not operating properly during the dry period of January and February 1977 when the river was quite low by winter standards.

6. As of December 1976 the Utility Board owed \$370,000.00 for the outstanding water bond. The total annual requirements for principal and interest on these water bonds are as shown in the attached schedules -- encl. (2).
7. Estimated cost to enlarge the treatment plant facility (to approx. double the present capacity), as prepared by C & G Engineering in the fall of 1976, was approximately \$520,000.00.
8. Water sold from both sources from July 1975 through February 1977 in millions of gallons are as shown in encl. (1). It should be noted that the gallons sold are based on the meter reading month and the gallons produced are based upon the calendar month.
9. It is estimated that an additional 10 million gallons per month could be produced provided that there was water available to pump from the Molalla River and provided that the springs source recovered rapidly to permit pumping from it as the demand occurred.
10. During the recent dry spell in early 1977 the water at the springs source dropped approximately one inch per day without any pumping from that source. The Molalla River was at approximately the same level as observed during late summer of 1976. Preparation was being made to place blocks in the river to divert the water to the intake structure when we had some relief from the drought by rain.

DATE: May 9, 1977

TO: Honorable Mayor and City Council

FROM: Ken Ferguson  
Public Works Director

SUBJECT: Sewage Treatment and Collection System Capacities

At present, there exists within the city approximately 422 buildable lots. Of the 422, 362 are in subdivisions. Of the 362, 78 are presently being built on. This total multiplied by 3 persons per lot or dwelling equals a total of 1,086 persons maximum.

The above figures relate to single family units only. There are also 213.6 acres in the city now zoned R-2. Of this, 30.51 acres are now being used for R-2 or multiple family; 49.37 acres are vacant; 1.21 acres are being used for agriculture and 43.66 acres are presently being used for R-1, or have single family residences on them. The balance of the 213.6 acres are being used for schools, streets, etc.

The total potential acres for R-2 is 94.24 out of the 213.6 acres zoned R-2. There is a practical potential of 630 additional multi-family units that can be built in the city. Multiply this by the average of 2.48 persons per unit and this amounts to 1,562 persons.

In summary the total projected increase in population in single family units is 1,086 and the total projected increase in multi-family population is 1,562 persons. The estimated present population of the city is 6,200. Add to this figure 1,086 and 1,562 and the projected population of the city within the existing city limits is 8,848.

It is estimated that the population is increasing at the rate of 500 per year. On this basis and not taking into effect the acceleration of growth, the population of the city should be 8,700 by the summer of 1982.

Accepted figures of 100 gallons per day per person result in a sewage flow to the treatment plant of 870,000 gallons per day for a population of 8,700. The treatment plant is designed for 850,000 gallon per day. These figures do not include any new industry coming into the area. On the basis of the above figures, the treatment plant will reach capacity in the spring of 1982. Plans should be formulated to enlarge the treatment plant capacity beginning in the year 1980 at the latest.

The collection system is adequate at present for the projection to 1982. A study should be made at the time plans are formulated to enlarge the treatment plant. At that time, it can be determined in which direction growth is taking place and the collection system designed accordingly.

Exhibit 2



6-6-70

Total vacant land in City of Canby to be developed SFR = 138 acres

Of the available land, we have 7 subdivisions with a total of 133 lots comprising approximately 40 acres of land. All of the lots in these subdivisions have been sold to builders.

Of the remaining 98 acres, 5½ acres are landlocked.

Of the remaining 92½ acres, 15 acres does not have available sewer services.

Of the remaining 77½ acres, 66.45 is under the ownership of three individuals or corporations. One parcel of 41.90 acres is owned by a corporation, a second parcel of 12.85 acres is owned by an individual and a third parcel of 11.70 acres is owned by an individual. This leaves 11.05 acres in scattered large lots that could be divided.

Not included in this inventory is property owned by the Canby Utility Board, Canby School District, City of Canby, or churches within the city limits.

Total vacant land in City of Canby to be developed MF = 35.22 acres

Of the available land, 9.62 acres is presently be developed through a subdivision of 21 lots, a minor land partition of 3 lots and a Planned Unit Development.

Of the remaining 25.60 acres, 1.09 acres is landlocked.

of the remaining 24.51 acres, 17.31 is in the process of a zone change to conform to the Interim General Plan. This property to be developed as soon as decisions on zone change are made.

Other available property in small parcels = 7.20 acres.

Not included in this inventory is property owned by the Canby Utility Board, Canby School District, City of Canby, or churches within the city limits.

1 FINDINGS AND CONCLUSIONS OF CANBY CITY COUNCIL

2 Public Hearing - September 6, 1978

3 ROBERT S. OVERTON - MARTIN CLARK ANNEXATION

4 Applicants request the Canby City Council to recommend the  
5 annexation of 5.68 acres now situated within Clackamas  
6 County, Oregon known as the Crestview Subdivision (Section  
7 28CD, T3S, R1E, Tax Lots 100 through 1300 inclusive; however,  
8 excluding any right-of-way and paved portion of Territorial  
9 Road, and the paved portion and any right-of-way of North  
10 Locust Street.

11 The following findings and conclusions are based on the Planning  
12 Commission minutes of August 23, 1978, Planning Consultants report  
13 of June 14, 1978, testimony and materials presented at the Public  
14 Hearing of September 6, 1978.

15 CONCLUSION:

16 The request for recommendation of the annexation is granted by  
17 the City Council, subject to the following conditions:

18 "See attached Exhibit "A" for conditions if any are imposed by  
19 the City Council".

20 The Annexed territory consists of 5.68 acres of vacant land.  
21 The property is generally flat from East to West. The property is  
22 primarily covered with grass; a stand of filbert trees exist in the  
23 center and a stand of Fir trees at the Northern edge. Crestview is  
24 a platted subdivision and annexation would allow for the construction  
25 of 13 single-family dwellings. The current assessed value is  
26 \$27,000.00.

27 FINDINGS:

28 The above conclusion is based upon the following findings:

29 THE ANNEXATION IS A LOGICAL EXTENSION OF THE BOUNDARIES OF THE CITY  
30 OF CANBY: WILL HAVE NO ADVERSE AFFECT ON THE QUALITY AND QUANTITY OF  
31 PUBLIC SERVICES NOR THE FINANCIAL INTEGRITY OF THE CITY OF CANBY AND  
32 CLACKAMAS COUNTY.

33 Public sewer and public water facilities are in close proximity  
34 to the property. An 8 inch sewer line is located at the end of Juniper  
35 Street, 330 feet from the southwest corner of the property. An 8  
36 inch water line exists on Locust Street which extends to the southeast  
37 corner of the property to be annexed.

1 The City's Planning Consultant states that the annexation of  
2 the 13-lot subdivision will result in an increase upon the existing  
3 water system of approximately 2,600 gallons per day for both sewer  
4 and water service. Sufficient water capacity exists for service of  
5 this subdivision as is disclosed in the memorandum from Fred Egger,  
6 Canby Utility Manager, to the Mayor of Canby dated May 6, 1977 and  
7 which was attached to the applicant's statement as Exhibit No. 1.  
8 This memorandum shows that approximately 11 million gallons per month  
9 (mg/m) additional water is available and could be produced each month.  
10 Sufficient sewer capacity exists to serve this 13-lot subdivision as  
11 is disclosed by Ken Ferguson's memorandum of May 9, 1977 to the Mayor  
12 and City Council. This memorandum of the Public Works Director fully  
13 discusses the capacity of the municipal sewer system.

14 Six of the 13 lots would have access on Juniper Street. North  
15 Juniper is an unimproved street and the applicant would be required  
16 to provide improvements to Juniper Street consistent with the City  
17 of Canby zoning ordinance. If the applicant improves the full width  
18 of North Juniper Street to City standards, then a problem arises as  
19 to reimbursement for the applicant as the City has repealed its  
20 ordinance allowing one to recoup a portion of the cost of these  
21 improvements upon subsequent annexation of property to the west of  
22 Juniper Street. Ordinance No. 579 requires payment of an annexation  
23 fee. Section 8 of this Ordinance provides that all sums collected  
24 for annexation fees shall be credited to a capital development and  
25 improvement fund. Some consideration should be given to reimbursement  
26 of the applicant for the cost of improvement of all Juniper Street  
27 which specially benefits the property owners to the west upon annexation.  
28 This discussion arises because it was pointed out at the Planning  
29 Commission that the Ordinance requiring reimbursement has been repealed.

30 To resolve the potential problems of a half street, the applicant  
31 has deleted from the application for annexation that portion of land  
32 which includes the right-of-way and paved portion of Territorial Road  
33 adjacent to Tax Lots 100 and 1300 so that the paved portion and right-  
34 of-way of Territorial Road are not included in the annexation. The  
35 applicant will, at his expense, obtain transfer of jurisdiction from  
36 Clackamas County to the City of Canby pursuant to ORS 373.270 North  
37 Juniper Street and the applicant will improve North Juniper Street to  
38 City standards. Annexation of this property and the construction of  
39 13 single-family residences would increase the traffic count in the  
40 City to approximately 42 vehicle trips per day.

41 The City's Planning Consultants state that approximately 11.7  
42 children would be added to the public school system from this 13-lot  
43 subdivision. The Consultants also state that current fire and police  
44 protection will adequately serve the proposed development.

45 Assuming a dwelling unit value of \$55,000 per dwelling, the  
46 valuation of the total project would exceed \$715,000. This would  
47 result in an increase in City tax revenue of approximately \$4,700,

1 computed upon the existing tax rate of \$1,000 of assessed value.  
2 The annexation would also result in the generation of \$7,500 in  
3 spendable income per family and would add \$97,700 to the economy  
4 of the general area. The property is adjacent to the present City  
5 limits and provides additional tax base for public services. The  
6 proximity of the property to the City does not impose additional  
7 demands on the police, fire and other public services. The distance  
8 from Territorial Road to the present City limits is approximately  
9 700 feet. Territorial Road is a County road and a major arterial  
10 which consists of heavy traffic patterns and connects to major  
11 sources of transportation ingress and egress for City residents.

12 THE ANNEXATION AND DEVELOPMENT OF 13 SINGLE-FAMILY RESIDENCES IS  
13 COMPATIBLE WITH THE CANBY INTERIM GENERAL PLAN TEXT AND MAP; ZONING  
14 ORDINANCE, CLACKAMAS COUNTY COMPREHENSIVE PLAN AND ZONING ORDINANCE;  
15 AND ADJACENT LAND USES.

16 The Clackamas County Comprehensive Plan Map and zoning ordinance  
17 allow this property to be developed as low density residential (single-  
18 family). Annexation of the 13-lot subdivision would result in a low  
19 density residential development of 2.29 dwelling units per acre.  
20 Development of this density and single-family dwellings is compatible  
21 with adjacent and nearby land uses as illustrated by the nine photo-  
22 graphs submitted by the applicant. The property to be annexed consists  
23 of 5.65 acres and would allow for the construction of 13 single-family  
24 dwellings. The typical lot size for the proposed development would  
25 be 16,390 square feet with the smallest lot consisting of 14,750 square  
26 feet. The Interim General Plan designates this property as single-  
family residential. The Planning Consultant's report of June 14, 1978  
finds that the 13-lot subdivision would be compatible with the Canby  
Interim General Plan and zoning ordinance.

17 THE PROPERTY SUBJECT TO ANNEXATION CONSISTS OF 5.65 ACRES AND IS  
18 LOCATED WITHIN AN AREA PHYSICALLY DEVELOPED FOR URBAN USES.

19 The Northern Boundary of the property is Territorial Road.  
20 Territorial Road is the major arterial and is a County road. Territorial  
21 Road consists of heavy traffic patterns and connects to major sources  
22 of transportation ingress and egress for City residents. The Eastern  
23 Boundary of the property is North Locust Street. Residential develop-  
24 ment and vacant land characterize the existing land uses across North  
25 Locust Street. The Western Boundary of the property is North Juniper  
26 Street. Vacant parcels and residential development characterize the  
existing land uses on the West Side of North Juniper Street. The  
Southern Boundary of the property is adjacent to the present Canby City  
limits. Residential development and vacant parcels characterize the  
existing land uses to the South. The distance from Territorial Road  
to the present City limits is approximately 700 feet.

27 The property has been platted as a 13-lot subdivision for a  
28 substantial period of time. Independent investigation has failed to

1 substantiate when the property was last used for agricultural purposes.  
2 The small size of the parcel and its separate ownership from adjacent  
3 parcels is one reason why the property is not an economic unit for  
4 purposes of agricultural production. If the property were to be  
5 devoted to agricultural uses, legitimate complaints from neighbors as  
6 to dust pollution from tilling, crop rotation, noise from machinery  
7 and other normal farming or agricultural operations would require  
8 abandonment of accepted farming practices and the attendant resource  
9 and economic productivity of agricultural uses on the property. The  
10 property appears to have a soil classification of Class III. This  
11 statement is based on inspection of maps only and does not take into  
12 consideration erosion and other natural forces affecting the property.  
13 Independent of any soil classification, urbanization (including public  
14 investment in public facilities) of the immediate area and the  
15 properties' proximity to residential uses precludes meaningful use of  
16 the property for agricultural purposes.

17 The Interim General Plan and Interim General Plan Map designate  
18 this property as low density residential. Annexation would allow  
19 low density residential development. This level of development is  
20 compatible with adjacent land uses as well as the Interim General Plan  
21 and current zoning for the immediate area within the City. Annexation  
22 of the land would allow for development of the 13-lot subdivision  
23 with public sewer and public water; rather than development with  
24 private water and private septic tank systems. Both an 8 inch sewer  
25 line and an 8 inch water line are in close proximity to the property.  
26 Such normal public facilities as electric, police and fire protection  
are available to the site. The development would be in a manner  
compatible with other residential development in the area and assist  
community residential needs consistent with the Interim General Plan  
and residential zoning in the immediate area within the City.

17 The property subject to annexation is a platted subdivision. The  
18 Clackamas County Comprehensive Plan and zoning ordinance would allow  
19 for this property to be developed as low density residential. If  
20 the applicant wished to use private water and private septic tank  
21 systems, no impediments exist to the development of the property other  
22 than street improvements to North Juniper Street. The Clackamas County  
23 Zoning Ordinance recognizes certain rights for lots within a platted  
24 subdivision and also referred to as "lots of record".

21 It is clear that the land subject to annexation will be within  
22 an Urban Growth Boundary when the boundary is adopted in accordance  
23 with the goals. The annexation is consistent with LCDC Goal No. 14  
24 in that the property is located within the Interim Immediate Growth  
25 Boundary established by the Columbia Region Association of Governments.  
26 Public utilities are readily available to this site through extension  
of the existing system on North Locust and North Juniper Streets. The  
land subject to annexation is not "rural land", nor part of an urban  
growth boundary established before January 1, 1975.



1 The land to be annexed is clearly needed for urban use prior  
2 to the acknowledgement of the Canby Comprehensive Plan. According  
3 to the May, 1978 survey of buildable land within the City of Canby,  
4 the Public Works Department found that the total vacant land in the  
5 City to be developed for single-family residences consists of 138 acres.  
6 40 acres of this land contains 7 subdivisions with a total of 133 lots.  
7 All of these lots in the 7 subdivisions have been sold to builders.  
8 Of the remaining 98 acres, 5-1/2 acres are landlocked and must be  
9 considered unavailable. Of the remaining 92-1/2 acres, 15 acres do  
10 not have sewer service available to it. This leaves 77-1/2 acres of  
11 vacant land and of which 66.45 acres are under the ownership of three  
12 individuals or corporations. Two individuals own 12.85 acres and 11.70  
13 acres respectively. The corporation owns 41.90 acres. This leaves  
14 11.05 acres in scattered large lots that could be subdivided. It  
15 appears that the City will issue approximately 300 building permits for  
16 single-family dwellings per fiscal year. Assuming that all of the  
17 77-1/2 acres of vacant land are "available", this represents approx-  
18 imately a one year supply. Not included in the Staff's inventory is  
19 property owned by the Canby Utility Board, Canby School District,  
20 City of Canby or Churches within the City limits.

11 The annexation is also consistent with LCDC Goal No. 11 as the  
12 request for annexation will utilize present public facilities and is  
13 capable of being served by urban facilities and services as that term  
14 is used in Goal No. 11. Annexation will allow for the completion and  
15 improvement by the applicant of North Juniper Street and provide needed  
16 access to Territorial Road. The southerly portion of Juniper which is  
17 now undeveloped will be completed in the immediate future. This  
18 necessary link provides one aspect of completion of a street system  
19 which complies with LCDC Goal No. 12 in that the street system will be  
20 a part of a safe, convenient and economic transportation system.

17 Annexation and subsequent development of the 13-lot subdivision  
18 will add to the housing stock of the City 13 single-family dwelling  
19 units at a price range from \$57,500 - \$80,000. Utilization of this land  
20 for single-family residences will assist the City in providing housing  
21 opportunities that allow for flexibility of housing location, type  
22 and density.

20 The property subject to annexation is not subject to natural  
21 disasters and hazards; nor has it ever been employed for recreational  
22 purposes; nor will the 13-lot subdivision and single-family dwellings  
23 have any adverse affect on the air, water and land resource quality of  
24 the City of Canby. Investigation does not indicate that this property  
25 was ever considered "forest lands" nor open space, natural resource,  
26 scenic and a historic area.

24 Goals 15-19 would not seem to be applicable as the subject property  
25 is not within the Willamette Greenway nor near the Ocean.



RESOLUTION NO. CCXLVII (247)

A RESOLUTION APPROVING ANNEXATION TO THE CITY OF CANBY,  
CLACKAMAS COUNTY, OREGON (APPLICATION OF ROBERT S. OVERTON  
FOR CRESTVIEW SUBDIVISION)

WHEREAS, the annexation of the CRESTVIEW SUBDIVISION to the City of Canby has been initiated by the petition of Robert S. Overton, pursuant to the provisions of ORS 199.490(1)(c); and,

WHEREAS, the matter was submitted to the Canby City Planning Commission for review, study, findings, report and recommendations to the Canby City Council, and the Planning Commission considered the matter at regular meetings on June 14, 1978 and August 23, 1978, and during that period, obtained reports and recommendations from all interested and affected public service agencies and City departments, planning consultants and submittals by the applicant and his attorney; and,

WHEREAS, the Canby City Council considered the matter at its regular meeting on September 6, 1978 and reviewed all of the documentary evidence obtained and submitted by the Planning Commission, the City's planning consultant and City staff; and heard the oral presentations of the applicant and his attorney Mark P. O'Donnell of the firm of O'Donnell Rhoades and Gerber of Portland, Oregon; and,

WHEREAS, the Canby City Council fully considered the records and file of this matter and the requirements for exercising good planning responsibilities as specified by the Oregon Supreme Court in the case of Petersen, et al v. Mayor and Council of the City of Klamath Falls, et al, 279 OR. 249(1977), and made the following:

FINDINGS

- 1) The subject property is owned by the applicant, is located at 1140 North Ash Street, Canby, Oregon and is the CRESTVIEW SUBDIVISION consisting of thirteen (13) lots which is a duly recorded subdivision in Section 28cd in Township 3 South, Range 1 East of the Willamette Meridian in Clackamas County Oregon.

- 2) The property consists of 5.68 acres of land without improvements and is county zoned R-20 and designated in the City's Interim Development Plan as R-1 (single family residential).
- 3) The property is bounded on the north by Territorial Road, on the west by N. Juniper Street and on the east by N. Locust Street and the Canby City limits adjoin the property for the entire width of its southerly boundary.
- 4) Public utilities (by the City of Canby and the Canby Utility Board) are readily available to the property by extensions of lines on N. Juniper Street and N. Locust Street.
- 5) The proposed annexation is a logical extension of the boundaries of the City of Canby; will have no adverse affect on the quality and quantity of public services, nor the financial integrity of the City of Canby and Clackamas County.
- 6) The annexation and development of 13 single family residences is compatable with the City's Interim Development Plan, text and map; its zoning ordinance and the Clackamas County Comprehensive Plan and zoning Ordinance; and adjacent land uses.
- 7) The property is located within an area physically developed for urban uses.
- 8) The proposed annexation is consistent with all applicable LCDC goals and guidelines; and the applicant's proposed findings (dated and submitted to the Council on September 6, 1978) are accepted and adopted by the Council as its additional findings.

Based on the said FINDINGS, the Canby City Council

CONCLUDES

- 1) The CRESTVIEW SUBDIVISION in Section 28cd in Township 3 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon should be annexed to the City of Canby TOGETHER WITH the entire street area of both N. Juniper and N. Locust Street and for the entire length of those streets which abut on said subdivision and extending northerly to the center of Territorial Road; and TOGETHER WITH the southerly half of Territorial Road between the extensions of the westerly boundary of N. Juniper Street and the easterly boundary of N. Locust Street.
- 2) The Canby City Council has no objections to the applicant's petition for annexation to be filed with the Portland Metropolitan area local government boundary commission if such petition is filed pursuant to the procedures prescribed by ORS 199.490(1)(c) and includes for annexation all of the above described portions of Territorial Road, N. Juniper Street and N. Locust Street.

It is therefore, hereby RESOLVED that:

1) The annexation to the City of Canby of the following described real property is approved;

Crestview subdivision and the entire street area of both N. Juniper Street and N. Locust Street for the entire length of those streets which abut on said subdivision and extending northerly to the center of Territorial Road, and the southerly half of Territorial Road between the extensions of the westerly boundary of N. Juniper Street and the easterly boundary of N. Locust Street.

2) The Canby City Council requests the Portland Metropolitan Area Local Government Boundary Commission to approve and effect this annexation as soon as possible upon the applicants' filing with that Commission of the appropriate petition; and the City Recorder is hereby directed to file a certified copy of this Resolution with the Commission at once.

ADOPTED BY THE CANBY CITY COUNCIL at a regular meeting thereof this 4th day of October, 1978.

12/ Robt. E. Rapp  
ROBT. E. RAPP - Mayor

ATTEST:

12/ Nancy D. Boggs  
NANCY S. BOGGS - City Recorder

It is therefore, hereby RESOLVED that:

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ROBT. E. RAPP - Mayor

ATTEST:

12/ Nancy D. Boggs  
NANCY S. BOGGS - City Recorder

CANBY CITY COUNCIL  
Regular Meeting  
February 21, 1979

Regular meeting of the Canby City Council was called to order Wednesday, February 21, 1979, at 7:31 p.m., by Mayor Robert E. Rapp. All Councilmembers were present: Beryl Brown, Beauford Knight, Richard Nichols, Robert Swayze, Leonard Taylor and Robert Westcott.

Also present were Attorney Wade P. Bettis, Treasurer Myra Weston, Administrator H. A. Wyman, Public Works Director Ken Ferguson, Planner Stephan Lashbrook and Public Works Foreman Ralph Atwood; Denise O'Halloran of the Canby Herald; Diana Schmid of the Oregonian; David Bury, Martin Clark and his attorney, Mark P. O'Donnell; Warren Feller and Pete Feller and their attorney, Roger Reif; Stan Webber, new controller at Globe-Union, Inc.; a representative of Potters Industries, and Tod DeKanter, N.E. 34th Place, and others.

After roll call and flag salute, DeKanter spoke in opposition to grants and possible duplication of planner duties. Planner Lashbrook explained use of some of the \$209,000 referred to as available to develop a package for total use of Funds. DeKanter offered to work free for the city in planning, and left a copy of a January Reader's Digest article on grants.

When Mayor Rapp recessed the meeting at 7:39 p.m., for a public hearing in regard to Martin Clark's zone change application in the Overton (Crestview) parcel of 5.65 acres, Councilman Westcott declared a conflict of interest, due to his negotiations on other Clark property which had failed. Attorney O'Donnell agreed. Councilman Swayze moved to accept Westcott's conflict of interest, seconded by Brown, and voted 5-0. Westcott then was excused and left the Council room. Councilman Nichols inquired whether he would have a conflict of interest, to which O'Donnell said no.

Planner Lashbrook summarized the zone-change application from county R-20 to Canby city R-1, and noted its recommendation by the City Planning Commission. In response to Councilman Knight's question regarding a stable on the property, Attorney Bettis said it could remain as pre-existing use until its use is changed. Clark stated that the stable will be removed when the zone change is granted. O'Donnell stated that five public hearings had been held on annexation of the parcel. No opponents appeared. Administrator Wyman objected to one statement (Overton Annexation Papers, pg 2, III), explaining that due to the city's tax base an annexation does not produce greater revenue to the city in taxes, unless the 6 per cent limitation is exceeded; only the assessed valuation increases. Attorney O'Donnell expressed appreciation of the "education" and said he had copied the material from another source.

The hearing concluded at 8:06 p.m., and Mayor Rapp reconvened the Council meeting. Councilman Swayze moved, with Councilman Taylor, seconding, that the zone change asked by Martin Clark on tax lots 1-1300 inclusive of section 28CD, T3S, R180 from county R-20 to City of Canby R-1 be approved according to findings and facts of the Planning Commission and that posting, advertising and ordinance be prepared upon payment of annexation fees and to add the entire Planning Commission packet on the zone change to the minutes of this meeting.(Westcott excused. Westcott returned after vote.)

Councilman Swayze moved to approve accounts payable in amount of \$62,429.30. Taylor seconded. Roll call vote was unanimous, 6-0.

Handed to the Public Works Department February 16, had been a petition, with map, signed by Martin Clark and Potters Industries asking formation of an LID for improvement of NW 3rd Avenue and NW Baker drive, Administrator Wyman advised the Council. Clark said Globe-Union had been much interested in such street improvement earlier, that Potters

February 21, 1979

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was eager for approval, and that Dick Jacobson of S.P. railroad, the fourth major property owner, had said the company had a policy of not signing such petitions but would not oppose it. Globe-Union, now with new management personnel, seeks to know cost of the improvement and its benefit to that company. Clark stated that the Fred Matteson Co., negotiating property purchase in his industrial tract, is interested.

Councilman Knight noted that NW Baker Drive is but 20-feet wide in that sector, of which Clark said he was aware, and Knight added that part of NW 3rd near Cedar is under perpetual lease from Southern Pacific to the City for street purposes. Public Works Director Ferguson said that Southern Pacific, with 100-foot frontage on NW 3rd Avenue, would benefit from the improvement, and that Globe-Union and Potters Industries had verbally authorized a 20-foot width to be added to NW Baker Drive. Stan Webber, Glenn Grand, was still giving new personnel "in-put" on the subject, that the company was neither in favor of nor opposed to the proposal; he did not know about the 20-foot land donation along the property; that the company would not be concerned with sanitary and storm sewers and water lines embodied in the project. He expressed desire to keep informed and have further discussion, and suggested that part of the cost of a railroad spur Globe-Union seeks to its property, and in which Potters also is interested, might be included in the LID.

Liquor License renewals for Giuseppe's, Tradewell, Inc., store 71 and El Gazebo Tavern were presented. A posted limit on occupancy by patrons of El Gazebo was noted. Councilman Swayze moved, Taylor seconded, a motion to approve the requested renewals. Roll call vote was 5-1, Westcott voting no.

Permission to expend \$2,600 for grading and other work at the N. Maple Street Park was asked by Administrator Wyman, as weather conditions permit. Motion by Councilman Taylor seconded by Brown, to allow for this second-phase park development was approved, 6-0.

Clark's attorney O'Donnell, requested that Clark's annexation fee be returned to him in part, due to improvements made in the Crestview addition which would benefit an adjoining property owner (Chet Tompkins) not sharing in the cost. He estimated \$44,591 in benefits to Tompkins and another \$12,700 to other adjoining property (Tatone). He said Richard Morse had verbally agreed to share costs with Clark of bringing the sewer line west to Clark's 360-foot frontage of the total 1,800-foot line. He made four requests, which he agreed to put into writing. Administrator Wyman said an LID could be formed on NE Territorial Road, from Maple West to Holly Street, that would solve the Clark and other problems. Mayor Rapp set Thursday, March 1, at 7:30 p.m., for a workshop to deal with this and other matters.

After a 5-minute recess announced by the Mayor, the meeting reconvened at 9:25 p.m. Mayor Rapp asked Councilman Swayze, as budget committee chairman, to name two budget committee members to join with Councilmen Westcott and Knight and Fire Department representatives in discussing an increase in the Fire Department budget.

Returning to non-agenda items, Mayor Rapp invited audience participation. Councilman Westcott referred to a newscast, stating an opinion by Oregon's Attorney-General ruled that secret ballots are not lawful, under the Oregon Open Meetings Law. Administrator Wyman was requested to obtain a copy of the opinion.

Meeting adjourned 9:30 p.m.

  
Robert E. Rapp, Mayor

  
Harold A. Wyman, City Recorder

February 21, 1979



DATE: February 13, 1979  
TO: Honorable Mayor and City Council  
FROM: Stephan A. Lashbrook, City Planner  
SUBJECT: Application for Zone Change  
APPLICANT: Martin Clark

Attached for your review and consideration are complete copies of the record of the Planning Commission on this application. Note that the subject property, the southwest corner of N. Locust and N.E. Territorial Road, was recently annexed. This application would merely change the zoning from a County R-20 (20,000 square foot minimum) to a City R-1 zone. The Planning Commission has approved a resubdivision of the site, subject to several conditions and contingent upon this zone change.

A zone change can only be completed by ordinance and requires a public hearing before the City Council. The public notice requirements of the City Zoning Ordinance and state law have been met.

The staff is aware that the annexation fee for this property is still the subject of some discussion and has not been paid to date. Final action on this zone change should be withheld until the appropriate fee has been paid.

RECOMMENDATIONS:

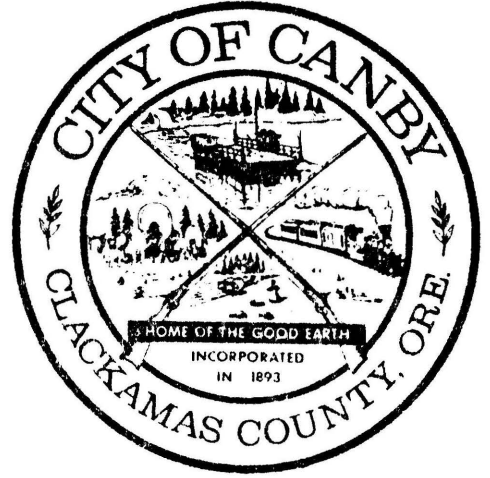
- 1) Accept the recommendation of the Planning Commission to rezone the subject property from a County R-20 to a City R-1 designation.
- 2) Adopt the Planning Commission's findings of fact.
- 3) Instruct the City Attorney to prepare the appropriate ordinance and schedule same for consideration at your earliest convenience.



Stephan A. Lashbrook  
City Planner

SAL:mlp

January 18, 1979



Mr. Martin Clark  
1411 N. Juniper  
Canby, Oregon 97013

Dear Mr. Clark:

On Wednesday, January 10, 1979, the Canby Planning Commission heard your request for a zone change of property located east of N. Juniper, west of N. Locust and south of Territorial Road and described as Tax Lots 100 through 1300 inclusive, Section 28CD, T3S, R1E.

The Planning Commission made a recommendation to the Canby City Council to approve your request (subject to payment of the annexation fee) based on the following findings of fact: 1) There is sufficient public need to justify the zone change. 2) The change is the best method of meeting the public need. 3) The proposal complies with the adopted City plan and applicable statewide planning goals. 4) The change complies with the general welfare standards of the City of Canby and the immediate surrounding neighborhood of the subject property.

The Canby City Council will hear your request for a zone change on February 21, 1979. If you have any questions, please feel free to contact our office.

Sincerely,

Gordon L. Ross, Chairman  
Canby Planning Commission

By:  
Virginia J. Shirley, Secretary  
Canby Planning Commission

182 N. Holly, P.O. Box 930, Canby, Oregon 97013, (503) 266-4021

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Commissioner Edgerton asked the applicant if the duplex lot now had a driveway. Mr. Clark stated the driveway was gravel at this time but would be paved when the street was put in. The approaches and sidewalk would also be put in at that time. \*Commissioner Kahut moved that the variance request for lot frontage on Lot #17 be approved from 70 feet to 67 feet on N.E. 4th Avenue based on the city planner's findings-of-fact. The motion was seconded by Commissioner Cutsforth. Question was called and the motion passed unanimously. The variance request for less than 7,500 square feet on two separate lots did not need to be heard as granting of the variance for a 40 foot right-of-way did not reduce the two lots in question below 7,500 square feet.

Item #5: Request for approval of a preliminary plat of a subdivision to be called "Sorenson Addition". This property is located north of N.E. 4th Avenue and west of N. Locust Street and described as Tax Lots 8500, 8600, 8800, part of 9100, 10300, part of 10400, 10500, Section 33BD, T3S, R1E and Tax Lot 1400, Section 33CA, T3S, R1E. The applicant is Martin Clark. City Planner Lashbrook gave his presentation and recommended approval based on the following conditions:

- 1) Placement of a sign to instruct drivers that this section of N. Knott Street is a dead end;
- 2) Surface width of street to be 39 feet. All construction to be to standards required by local ordinance and subject to review by the Superintendent of Public Works. 5 foot easements on each side of the street for utilities will be required;
- 3) Applicants shall dedicate to the City a one foot strip for future expansion of N. Knott Street;
- 4) Applicants shall agree to salvage all possible trees over 20 feet in height;
- 5) A temporary turnaround, meeting the requirements of the Fire Marshal, to be constructed at the north end of N. Knott Street;
- 6) All information relative to utility easements shall be provided;
- 7) Other conditions stipulated in other staff reports;
- 8) Applicants to submit written evidence of permission to utilize the name "Sorenson Addition",
- 9) Structure or structures located on Lot #8 to be moved or demolished to assure adequate setbacks as required by zoning; and
- 10) Applicant to provide driveway approach, curbing and sidewalk on Lot #17 (duplex lot) at the time of street development.

Martin Clark (applicant) stated he wouldn't mind dedicating an additional 10 feet on 4th Avenue but did not see that it served any purpose as none of the other residents on the street had made dedications. D. G. Page (4th Street resident) stated his deed showed his property line right out to the curb so he would not be able to dedicate 10 feet. Lyle Read spoke in favor of this application by stating Mr. Clark's proposed development would be alleviating a lot of problems in the area. Discussion followed regarding parking problems on the street and whether any conditions should be attached to this approval. Commissioner Kahut felt there were no parking problems in this case, and if such were to occur, it could then be turned over to the city for correction. \*Commissioner Kahut moved to approve the preliminary plat of Sorenson Addition subject to the planner's 10 conditions plus the following: 11) Dedication of an additional 10 feet on N.E. 4th Avenue; and 12) No parking signs be placed in front of Lots #6, 7, 10, and 11. The motion was seconded by Commissioner Edgerton. Question was called and the motion passed unanimously.

Item #6: Request for a Zone Change from R-20 (County Zoning) to R-1 (City Zoning) on recent annexation of property to the city which must conform to city zoning. The property is located east of N. Juniper Street and south of

N.E. Territorial Road and described as Tax Lots 100 through 1300 inclusive, Section 28CD, T3S, R1E. The applicant is Martin Clark. City Planner Lashbrook gave his presentation and recommended approval (subject to payment of the annexation fee) based on the following findings-of-fact: 1) There is sufficient public need to justify the zone change; 2) The change is the best method of meeting the public need; 3) The proposal complies with the adopted City plan and applicable Statewide Planning Goals; and 4) The change complies with the general welfare standards of the City of Canby and the immediate surrounding neighborhood of the subject property. Tom Tye, engineer, stated this application was to bring the annexed property into conformance with city zoning. \*Commissioner Kahut moved to approve the zone change request for Crestview based on the city planner's findings-of-fact and to include: all findings-of-fact submitted by Attorney Mark O'Donnell; and because the R-1 is the most restrictive zone within the city. The motion was seconded by Commissioner Edgerton. Question was called and the motion passed unanimously.

Item #7: Request for approval of preliminary plat of Crestview Subdivision. The property is located east of N. Juniper Street and south of N.E. Territorial Road and described as Tax Lots 100 through 1300 inclusive, Section 28CD, T3S, R1E. The applicant is Martin Clark. City Planner Lashbrook gave his presentation and recommended approval subject to the following conditions: 1) Building layout and site improvements to be such that the residents of Lots #1, 22 and 23 will not have to back into the flow of traffic on Territorial Road; 2) Approval to be contingent upon final adoption, by the City Council, of the ordinance to change the zoning to R-1; 3) All improvements to be at the expense of the subdivider unless the City Council rules that all or part of the annexation fee can be applied to such improvement costs; 4) Access strips to all flaglots to be paved to the same basic structural standards as city streets; 5) Subdivider to record appropriate documents to assure that access strips of flaglots will remain unobstructed and that each facing flaglot shall share the total access strip (30 feet in width) for ingress and egress purposes. Tom Tye explained that only Lot #22 would need access to Territorial Road as the access on Lots #1 and 23 would be on to Juniper Street (Lot #1) and Locust Street (Lot #23). Public Works Director Ferguson stated that any access onto a county road has to be approved by the county and has to be by permit (driveway access permit). This is a state law. Discussion followed regarding the placement of sidewalks and the Planning Commission stated the determination of placement of sidewalks would be up to the Public Works Department. Public Works Director Ferguson read his staff report and recommended: 1) Juniper and Locust Streets be paved 40 feet in width and sidewalks be installed on Locust Street; 2) Curbs and paving to oil mat on Territorial Road; 3) A waiver of remonstrance should be put on plat for street and sanitary sewer improvements on Lots #1, 22 and 23 fronting on Territorial Road; 4) All construction to be in accordance with City of Canby specifications. Commissioner Edgerton asked about obstruction on the access strips of flaglots. City Attorney Reif suggested having a reciprocal easement on those access strips. Martin Clark asked about putting in a half street on N. Juniper Street so he wouldn't be burdened with paying the full development of the street. The Planning Commission suggested full improvement of N. Juniper Street and explained that the applicant could appeal this decision to the City Council. \*Commissioner Kahut moved to approve the preliminary plat of the

DATE: December 29, 1978  
TO: Planning Commission  
FROM: Stephan A. Lashbrook, City Planner  
SUBJECT: Application for Zone Change & Resubdivision of Crestview (Clark's Second Addition)  
APPLICANT: Martin L. Clark

PROJECT DESCRIPTION:

The applicant has requested a change in zoning from a County R-20 to a City R-1 (low density residential) zone, and has applied to resubdivide the original Crestview Subdivision into 23 lots. The property consists of approximately 5 acres, presently in 13 lots, described as Tax Lots 100 through 1300, Section 28CD, T3S, R1E, of the W.M.

If both applications are approved, the applicant will create 10 lots having frontage on N. Juniper Street, 12 lots fronting N. Locust Street, and one lot fronting Territorial Road. Six of the proposed lots will be flaglots. The lots will range in size from 7,500 to approximately 10,650 square feet.

PROCEDURAL INFORMATION:

To reduce the amount of paperwork, the staff has prepared a single staff report for these two applications. However, the Planning Commission should take separate action on the two applications due to the fact that the zone change is quasi-judicial (requiring a public hearing and "Fasano" findings) and the subdivision proposal is not.

The Planning Commission should conduct the public hearing on the zone change first and then consider the subdivision application. The Commission has the authority to approve, deny, or modify the subdivision application but is only empowered to recommend that the City Council adopt or not adopt the zone change. For this reason, action to approve the subdivision should be contingent upon final adoption, by the City Council, of an ordinance to change the zoning.

LOCATION, PRESENT ZONING, & LAND USES:

The subject property is located south of Territorial Road and west of N. Locust Street. N. Juniper Street, when extended, will form the western boundary of the site.

The site is presently zoned R-20 by County ordinance. This would require 20,000 square foot lots and somewhat greater setbacks than the City R-1 zone.

The northern portion of the site is vacant and covered with scotch broom bushes. The southern portion is presently being used as a corral for

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several horses. A small stable has been constructed in the southwest corner.

The surrounding area is presently being used for residential or agricultural purposes. The subject property is one of several sites on the north side of Canby which is undergoing the conversion from agricultural to residential use.

ACCESS:

Having streets on three sides, the site does not have any real access limitations. The use of flaglots need not create any access problems if properly designed. Special conditions of approval are appropriate for the flaglots and for lots #1, #22, and #23 to prevent vehicles from backing into the flow of traffic on Territorial Road.

PUBLIC FACILITIES & SERVICES:

Sewer, water, and all other necessary services are available to serve the site. Public elementary schools and recreation facilities are located within approximately ½ mile.

CONFORMANCE WITH ZONING & SUBDIVISION ORDINANCES:

Assuming that the zoning of the property is changed from the present County designation to a City zoning category, the resubdivision or any other use of the site must conform to City zoning requirements. If, for some reason, the County zoning remains unchanged, the subdivision must meet County zoning requirements.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

Portions of the adopted plan dealing with growth, land use, transportation, and neighborhoods and housing, are relative to the proposal. The adopted land use map designates the area for low density residential development. Territorial Road is listed as an "arterial" while all other nearby streets are considered "local" in the plan.

Both the zone change and the subdivision application conform with the adopted plan.

COMPLIANCE WITH STATEWIDE PLANNING GOALS:

Both the zone change and the subdivision proposal must be reviewed for compliance with the applicable Goals.

An exception to Goal 3 (Agricultural Lands) was taken when the property was included within the City's immediate Urban Growth Boundary. Now that the property has been annexed, no further consideration of this Goal is required.

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Goal 10, (Housing) requires a finding that the project will result in "housing units 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". Such a finding is difficult because of such things as inflation and the limited availability of building sites within Canby. However, it should be noted that the development of 13 homes on the large, previously recorded lots of the Crestview Subdivision would be less in compliance with the Housing Goal than the applicants' proposal to create 23 lots in the same area.

Goal 12 (Transportation) requires safety, convenience, and economy in the design and utilization of roads. Appropriate conditions of approval to prevent traffic obstructions, particularly on Territorial Road, will help to assure Goal compliance.

OTHER REQUIRED FINDINGS:

The applicant has submitted adequate information (letter from Mark O'Donnell dated 12-27-78) to support the public need for the requested zone change. No information was submitted to determine whether the proposal meets the "need best met" requirement. The staff feels, however, that the present lack of available building sites within the City, combined with the information contained in the record of the annexation proceedings, is sufficient to justify a finding that the proposed zone change is the best method of meeting the public need.

There is no reason to suspect that the proposed zone change will have any adverse impact upon the general welfare of the citizens of Canby.

DISCUSSION & RECOMMENDATIONS:

Pending payment of the required annexation fee, the staff recommends approval of the zone change application based upon the following findings of fact:

- (1) There is sufficient public need to justify the zone change;
- 2) The change is the best method of meeting the public need;
- 3) The proposal complies with the adopted City plan and applicable Statewide Planning Goals; and
- 4) The change complies with the general welfare standards of the City of Canby and the immediate surrounding neighborhood of the subject property.

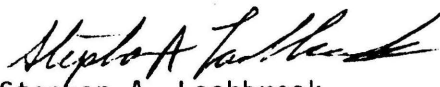
The staff recommends approval of the preliminary plat subject to the following conditions:

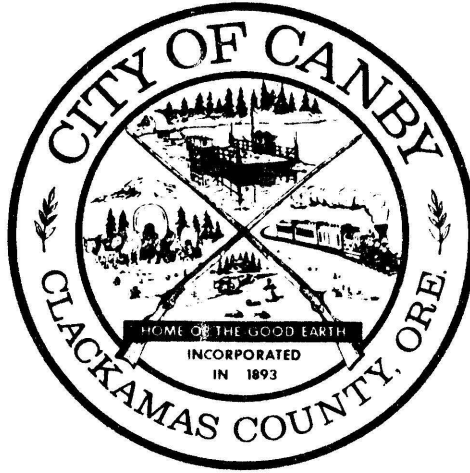
- 1) Building layout and site improvements to be such that the residents
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of lots #1, #22, and #23 will not have to back into the flow of traffic on Territorial Road.

- 2) Approval to be contingent upon final adoption, by the City Council, of the ordinance to change the zoning to R-1.
- 3) All improvements to be at the expense of the subdivider unless the City Council rules that all or part of the annexation fee can be applied to such improvement costs.
- 4) Access strips to all flaglots to be paved to the same basic structural standards as city streets.
- 5) Subdivider to record appropriate documents to assure that access strips of flaglots will remain unobstructed and that each facing flaglot shall share the total access strip (30' in width) for ingress and egress purposes.
- 6) All other requirements of accompanying staff reports to be met.

It is important to note that the City of Canby has no real policy established for the treatment of flaglot developments. The staff would welcome the instruction of the Planning Commission and City Council on this subject. We can expect to see an increasing number of flaglot proposals in the future, due to the unusual lot shapes and street patterns which exist. In considering the proposed replat of the Crestview Subdivision, the staff could see no alternatives to the flaglot design which were clearly preferable.

  
Stephan A. Lashbrook  
City Planner



January 5, 1979

To: Canby Planning Commission

From: Police Department

Subject: Zone Change-Martin Clark

Dear Sirs:

This department has no objections to the zone change request, and feels that it will not affect the police department at this time.

Respectfully,

*Jerry Giger*

Jerry Giger, Lt.-Acting Chief

# G & T CONSTRUCTION CO., INC.

108 Molalla Avenue  
Oregon City, Oregon 97045



GERALD THOMPSON  
LEE THOMPSON

Telephone (503) 656-7743  
Commercial & Residential

January 4, 1979

*Received  
1-5-79 ge*

Canby Planning Commission

182 North Holly

Canby, Oregon 97013

Dear Sirs:

We would like to take this opportunity to acknowledge receipt of the notice for a public hearing in request for a Zone Change applied for by Martin Clark.

Although we will be unable to attend the January 10th meeting, we would like to inform the Planning Commission that we are very much in favor of this zone change. We do hope it will be approved as we feel that, with the type of housing proposed, this will be a definite asset to the city of Canby.

We hope this letter will be of some assistance in lieu of our absence.

Sincerely,

LeRoy Thompson  
President  
G & T CONSTRUCTION

*LeRoy Thompson*

LT/tr

***Financing Available***



## CANBY UTILITY BOARD

P. O. BOX 470

CANBY, OREGON 97013

PHONE 266-1156

January 3, 1979

### BOARD MEMBERS

GENE NEWTON  
HOWARD BARLOW  
DENNIS NOLDER

CHAIRMAN  
MEMBER  
MEMBER

FRED W. EGGER  
JOAN E. THOMPSON

MANAGER  
SECRETARY

Mr. Gordon L. Ross, Chairman  
Canby Planning Commission  
P.O. Box 930  
Canby, OR 97013

FILE CPC3

SUBJECT: Martin Clark Application for Zone Change from R-20 to R-1.  
Tax Lots 100 through 1300, N. Juniper and NE Territorial Rd.,  
Canby, Oregon.

Gentlemen:

Reference is made to your letter of December 26, 1978 which forwarded a copy of the vicinity map and a request for a zone change from R-20 to R-1 for property located east of N. Juniper Street and south of N.E. Territorial Road.

The Utility Board has no recommendations or objections to the proposed zone change.

Sincerely,

CANBY UTILITY BOARD

Fred W. Egger,  
Manager

FWE/jet

cc: Martin Clark Construction, Inc.  
1411 N. Juniper St.  
Canby, OR 97013

# Canby Fire Protection District No. 62

230 S. GRANT ST.

CANBY, OREGON 97013

PHONE (503) 266-5851

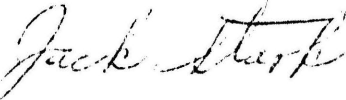
RECEIVED  
A 74

December 29, 1978

TO: Canby Planning Commission  
FROM: Canby Fire Marshal  
SUBJECT: Crestview Zone Change

At this time our Department has no objections  
to the zone change requested by Mr. Clark.

Sincerely,



Jack Stark  
CANBY FIRE MARSHAL

JS:np

THREE MOST COMMON CAUSES OF FIRE: MEN-WOMEN-CHILDREN



# CANBY TELEPHONE ASSOCIATION

184 N. GRANT STREET - P.O. BOX 780 - CANBY, OREGON 97013

TELEPHONE 503-266-8111

December 28, 1978

EUGENE COLE, MANAGER

Mr. Gordon Ross, Chairman  
Canby Planning Commission  
City of Canby  
P.O. Box D  
Canby, OR 97013

Dear Gordon:

We have received your letter dated 12-26-78 in regards to the proposed zone charge by Martin Clark located as described as tax lots 100 through 1300 inclusive, Section 28CD, T3S, R1E.

The Canby Telephone Association will require, at the subdividers expense the following items:

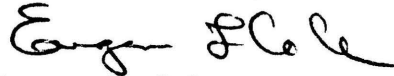
1. One copy of the proposed plat vicinity map showing the property location and type of subdivision being proposed and the date the subdivider is proposing completion of project.
2. Two approved copies of the completed plat vicinity map is to be sent to Canby Telephone Association no later than fifteen (15) days after final plat approval.
3. Because of the possibility of delay in the use of the telephone facilities, the Telephone Company may require a written agreement setting forth the amount and condition for prepayment to the Company of the cost of construction before any work begins.
4. It is the subdividers responsibility to contact Canby Telephone Association at least 15 days before telephone facilities are to be placed within the subdivision.
5. 6' utility easement on all interior lot lines.
6. 12' utility easement on all exterior lot lines.
7. 2" conduits to be placed under all existing and proposed roadways, sidewalks, or any other areas covered by asphalt or cement where telephone facilities are to be placed.
8. All trenching within the subdivision is the responsibility of the subdivider. The subdivider is to open all trenches with a minimum depth of 30" of cover on final grade. The routing of all trenches will be at the option of the Telephone Company. Trenches will be opened in such a manner that telephone facilities can be placed without delay.

9. The subdivider will be held responsible for any damage that occurs to the telephone facilities during the construction of other utilities within the subdivision.

If you have any questions please feel free to call at your convenience.

Very truly yours,

CANBY TELEPHONE ASSOCIATION




Eugene L. Cole  
General Manager

ELC:cs

DATE: December 28, 1978  
TO: City of Canby Planning Commission  
FROM: Ken Ferguson, P.E.  
City Engineer  
SUBJECT: Zone Change - Martin Clark

The Public Works Department has no recommendations or objections to the above Zone Change.

  
Ken Ferguson

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**O'DONNELL, RHOADES, GERBER & SULLIVAN**

ATTORNEYS AT LAW

811 N. W. 19TH AVENUE  
PORTLAND, OREGON 97209  
(503) 222-4402

MARK P. O'DONNELL  
GARY E. RHOADES  
THOMAS A. GERBER  
EDWARD J. SULLIVAN  
CHARLES P. DUFFY  
TIMOTHY RAMIS  
CHARLES J. HUBER  
MARTHA M. HICKS

CANBY OFFICE

181 N. GRANT, SUITE 202  
CANBY, OREGON 97013  
(503) 266-1149

PLEASE REPLY TO  
PORTLAND OFFICE

RECEIVED  
DEC 28 1978

December 27, 1978

Mrs. Virginia Shirley  
City of Canby  
P. O. Box 930  
Canby, Oregon 97013

Re: Crestview

Dear Virginia:

Enclosed is the original Amended Justification Statement for zone change for Crestview. Would you please distribute this Amended Statement with the attachments previously sent to you in your packet to the Planning Commission.

Sincerely,

*Mark O'Donnell*

Mark P. O'Donnell  
MOD:sw  
Enclosure

cc: Martin Clark

## AMENDED JUSTIFICATION STATEMENT FOR ZONE CHANGE FOR CRESTVIEW

### I. INTRODUCTION

The City of Canby Planning Commission and City Council recently approved the annexation of the Crestview Subdivision to the City of Canby. The Order of the Boundary Review Commission became final in December of 1978.

The members of the Planning Commission and City Council are familiar with the property as well as information previously submitted in the annexation process.

The applicant incorporates, as part of this Justification Statement, the Planning Consultant's report of June 14, 1978 for the annexation, study prepared and entitled "Robert S. Overton Annexation" consisting of five pages and three exhibits, findings and conclusions of Canby City Council from the public hearing of September 6, 1978 in approving the annexation and consisting of five pages and Resolution No. 247 entitled "A RESOLUTION APPROVING ANNEXATION TO THE CITY OF CANBY", consisting of three pages. Resolution No. 247 is attached as Exhibit "A" to this Justification Statement.

The land which is the subject of the zone change consists of 5.68 acres of vacant land. The property is generally flat from East to West. The property is primarily covered with grass; a stand of filbert trees exists in the center and a stand of fir trees exists at the northern edge. Crestview is a platted subdivision and the zone change from Clackamas County zoning of R-20 to City of Canby zoning R-1 would allow for the construction of 24 single-family dwellings.

### II. THE ZONE CHANGE CONFORMS TO THE INTERIM GENERAL PLAN MAP AND TEXT

The Clackamas County Comprehensive Plan Map and zoning ordinance allow the subject property to be developed as low-density residential (single-family). The zone change would result in a low-density residential development of approximately 4 dwelling units per acre. Development of this density in single-family dwellings is compatible with adjacent and nearby land uses as illustrated by the nine photographs submitted to the Planning Commission and City Council during the annexation request, as well as each member's personal knowledge of the area. The Interim General Plan designates this property as single-family residential. The change from County zoning designation of R-20 to City of Canby R-1 is only to conform the current zoning to that zoning designated by the Interim General Plan Map designation.

### III. PUBLIC NEED

Technically, the applicant is not required to demonstrate a public need for the zone change request of R-20 to R-1. The current zoning of the property is zoning designated by Clackamas County, Oregon under the Clackamas County Comprehensive Plan. When the Crestview Subdivision was annexed to the City of Canby, the Clackamas County zoning designation of R-20 remains in effect until changed. The applicant's request to change the zoning is merely to conform the zoning to the designation of the property by the Interim General Plan Map and Text.

A public need exists for this land in low-density development. According to the May, 1978 survey of buildable land within the City of Canby, the Public Works Department found that the total vacant land in the City to be developed for single-family residences consists of 138 acres. Forty acres of this land contains seven subdivisions with a total of 133 lots. All of these lots in the seven subdivisions have been sold to builders. Of the remaining 98 acres, five and one-half acres are landlocked and must be considered unavailable. Of the remaining 92-1/2 acres, 15 acres do not have sewer service available to it. This leaves 77-1/2 acres of vacant land and of which 66.45 acres are under the ownership of three individuals or corporations. Two individuals own 12.85 acres and 11.70 acres respectively. The corporation owns 41.90 acres. This leaves 11.05 acres of scattered large lots that could be subdivided. It appears that the City will issue approximately 300 building permits for single-family dwellings in each fiscal year. Assuming that all of the 77-1/2 acres of vacant land are available, this represents approximately a one year's supply. Not included in the Public Works Department's inventory is property owned by the Canby Utility Board, Canby School District, City of Canby or Churches within the city limits.

In addition to the actual physical need for this land, this land is needed to provide a realistic supply of single-family lots so that significant market choice will exist and will assist in deterring unnecessary price increases occasioned by a lack of single-family lots.

### IV. THE ZONE CHANGE WILL PRESERVE AND PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF THE RESIDENTS IN THE AREA

Public sewer and public water facilities are in close proximity to the land subject to the zone change and will be provided by the applicant. An 8-inch sewer line is located at the end of Juniper Street, 330 feet from the southwest corner of the property. An 8-inch waterline exists on Locust Street, which extends to the southwest corner of the property to be annexed. The City's planning consultant



states that the development of a 24 lot subdivision would result in an increase upon the existing water system of approximately 4,800 gallons per day for both sewer and water. Sufficient sewer and water capacity exists for service of the Crestview Subdivision. Current fire and police protection will adequately serve the proposed development and approximately 21-22 children would be added to the public school system for the subdivision. Twenty-four single-family residences would increase the traffic count in the city to approximately 75-80 vehicle trips per day.

Assuming a dwelling unit value of \$60,000 per dwelling, the valuation of the total project would exceed \$1,400,000. This would result in an increase in city tax revenue of approximately \$5,000-\$6,000 computed upon existing tax rates per \$1,000 of assessed value. Generation of approximately \$7,500 in spendable income per family would result in the addition of over \$180,000 to the economy of the general area.

The development of the subdivision would be in a manner compatible with other residential development in the area and assist community residential needs consistent with the Interim General Plan and residential zoning in the immediate area within the city.

V. THE ZONE CHANGE IS CONSISTENT WITH STATEWIDE PLANNING GOALS

The zone change from Clackamas County zoning designation of R-20 to City of Canby zoning R-1 is consistent with applicable statewide planning goals. Goals 15-19 are inapplicable as the subject property is not within the Willamette Greenway nor near the ocean. All applicable statewide planning goals were discussed in the report filed with the annexation request of the Crestview Subdivision as well as in the findings and conclusions of the Canby City Council. These three reports are incorporated by reference in this Justification Statement as if fully set forth. Both the Planning Commission and City Council has received evidence and otherwise studied the applicability of the annexation to statewide planning goals. The same facts and evidence has been previously presented and remains unchanged. No benefit exists to either the city or the applicant to discuss these previously submitted reports and findings. They are attached to this Justification Statement for review by any person who so desires.

Martin Clark

By Mark P. O'Donnell  
Mark P. O'Donnell

APPLICATION FOR ZONE CHANGE

City of Canby Planning Commission

City Hall

Canby, Oregon

Hearing Date: 1-10-78

Receipt No. 24 Fee 20.00

Present Zone: R-20 County

Proposed Zone: R-1 City

Interim Gen. Plan: \_\_\_\_\_

Name of Applicant: Martin Clark Construction, Inc Phone: 266-6824

Mailing Address: 1411 N. Juniper St., Canby, OR

LEGAL DESCRIPTION OF PROPERTY INVOLVED IN THIS APPLICATION

Location: see attached Size of Lot X

Tax Lot: 1 through 13 inclusive Section 28CD, T 38, R 1E, Total Area \_\_\_\_\_

(IF METES AND BOUNDS DESCRIPTION INDICATE ON A SEPARATE SHEET AND ATTACH)

1. What is requested: Zone change from R-20 county to R-1 City
2. Present use of this property: vacant
3. Will fill be required for this site: Yes \_\_\_\_\_ No X How Much? \_\_\_\_\_
4. State specific reasons for this request and its effects on the surrounding area: \_\_\_\_\_

Recent annexation of property to city which must  
conform to city zoning.

5. Total off-street parking spaces (paved 10' X 20') proposed: \_\_\_\_\_

6. Total employees and/or occupants: Present \_\_\_\_\_ Proposed \_\_\_\_\_

LEGAL OWNER OF PROPERTY: Robert and Helen Christensen - Canby, OR  
Name Mailing Address

APPLICANT IS: Legal Owner ☐ Contract Buyer ☒ Opt. Holder ☐ Agent ☐

7. I HEREBY CERTIFY THE STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Martin Clark Construction Inc. by Martin L Clark  
(DATE) (APPLICANT'S SIGNATURE)

12-14-78

Attest:

Exhibit "B"  
Proposal No. 1332

Annexation  
CITY OF CAMAS

Crestview subdivision and the entire street area of both N. Juniper Street and N. Locust Street for the entire length of those streets which abut on said subdivision and extend northerly to the center of Territorial Road; and the southerly half of Territorial Road between the extensions of the westerly boundary of N. Juniper Street and the easterly boundary of N. Locust Street.

# ROAD

1400  
4.00Ac.

86-05

3 DENNIS  
TOMPKINS

JUNIPER STREET  
NORTH LINCOLN

CRESTVIEW

# LEAFS AND SHOOTS

**Q**

10

400  
2.38Ac

# Clarks First Addition

200  
200

300  
137A

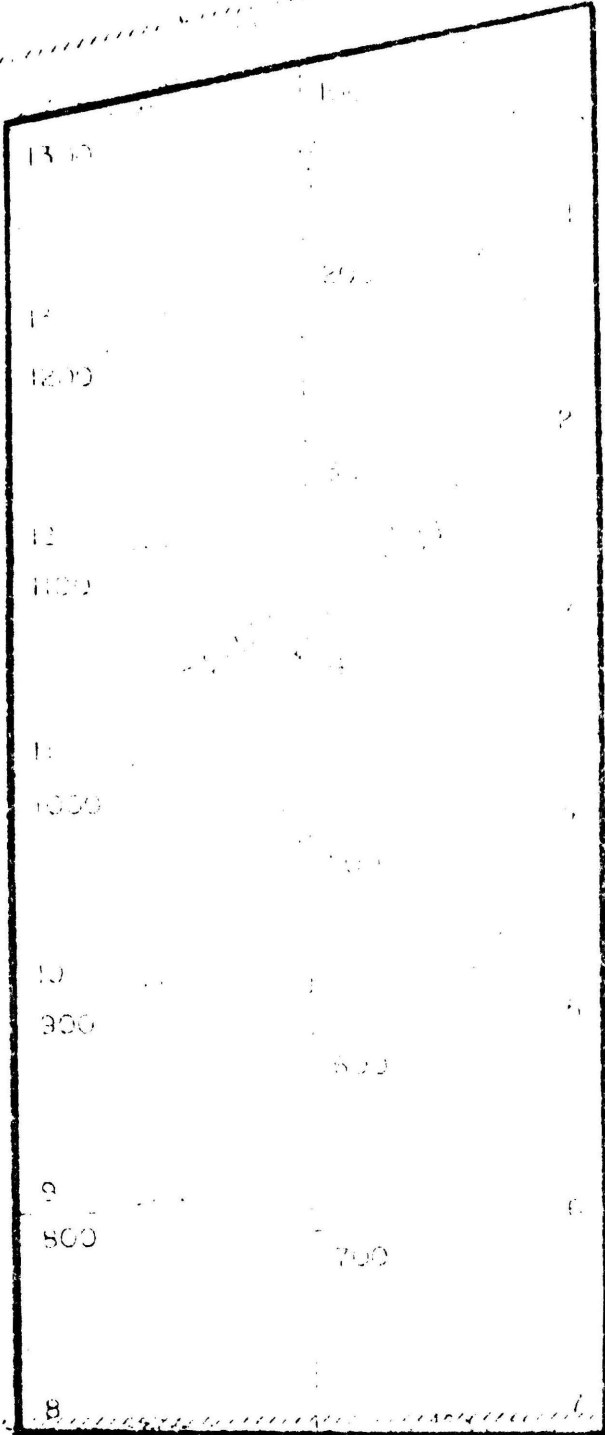


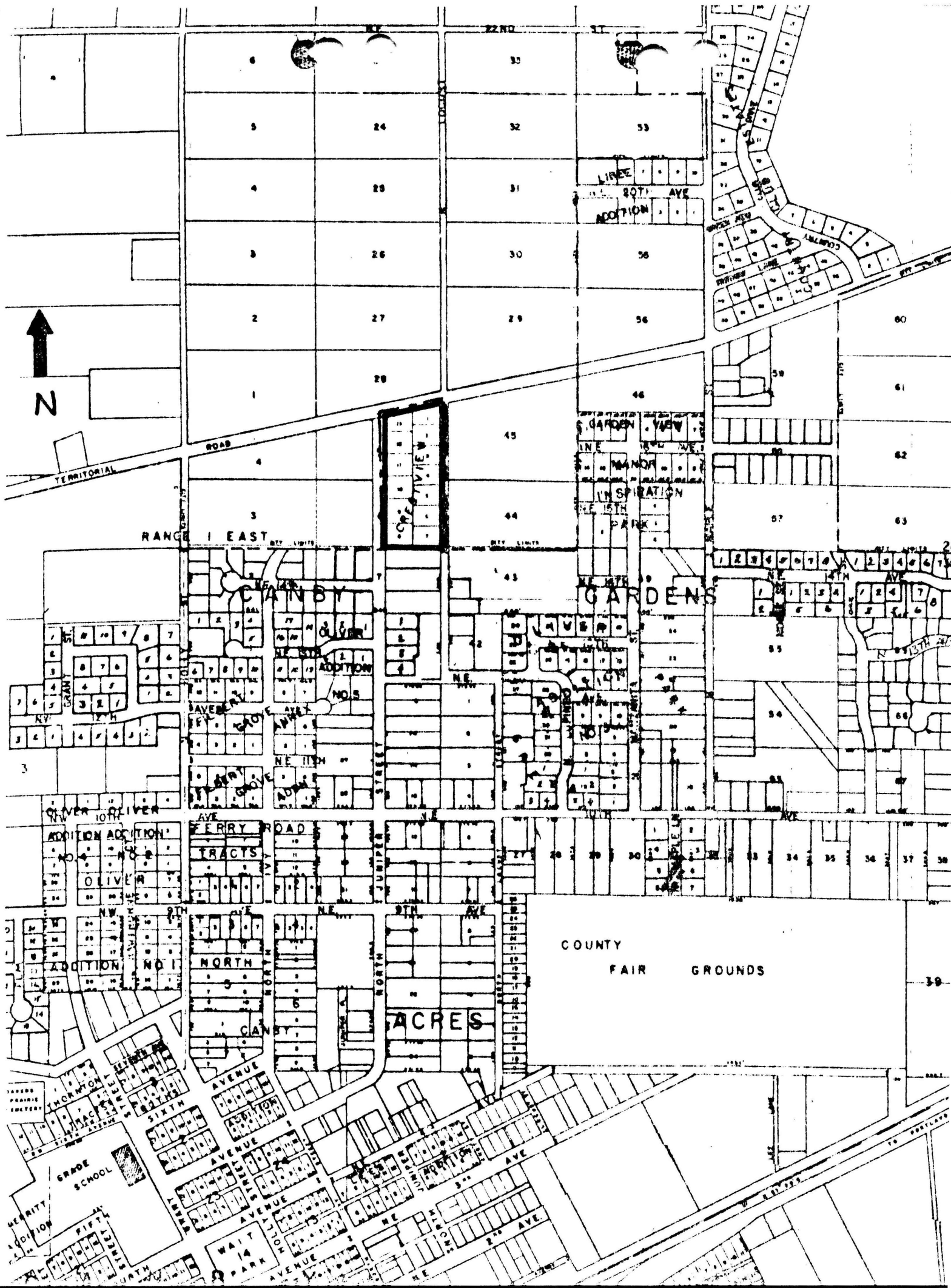
Territorial  
ROAD

3-05

JUNIPER STREET

LOCUST STREET







## JUSTIFICATION STATEMENT FOR ZONE CHANGE FOR CRESTVIEW

### I. INTRODUCTION

The City of Canby Planning Commission and City Council recently approved the annexation of the Crestview Subdivision to the City of Canby. The Order of the Boundary Review Commission became final in December of 1978.

The members of the Planning Commission and City Council are familiar with the property as well as information previously submitted in the annexation process.

The applicant incorporates, as part of this Justification Statement, the Planning Consultant's report of June 14, 1978 for the annexation, study prepared and entitled "Robert S. Overton Annexation" consisting of five pages and three exhibits, findings and conclusions of Canby City Council from the public hearing of September 6, 1978 in approving the annexation and consisting of five pages and Resolution No. 247 entitled "A RESOLUTION APPROVING ANNEXATION TO THE CITY OF CANBY", consisting of three pages. Resolution No. 247 is attached as Exhibit "A" to this Justification Statement.

The land which is the subject of the zone change consists of 5.68 acres of vacant land. The property is generally flat from East to West. The property is primarily covered with grass; a stand of filbert trees exists in the center and a stand of fir trees exists at the northern edge. Crestview is a platted subdivision and the zone change from Clackamas County zoning of R-20 to City of Canby zoning R-1 would allow for the construction of 13-18 single-family dwellings.

### II. THE ZONE CHANGE CONFORMS TO THE INTERIM GENERAL PLAN MAP AND TEXT

The Clackamas County Comprehensive Plan Map and zoning ordinance allow the subject property to be developed as low-density residential (single-family). The zone change would result in a low-density residential development of approximately 3.12 dwelling units per acre. Development of this density in single-family dwellings is compatible with adjacent and nearby land uses as illustrated by the nine photographs submitted to the Planning Commission and City Council during the annexation request, as well as each member's personal knowledge of the area. The Interim General Plan designates this property as single-family residential. The change from County zoning designation of R-20 to City of Canby R-1 is only to conform the current zoning to that zoning designated by the Interim General Plan Map designation.

### III. PUBLIC NEED

Technically, the applicant is not required to demonstrate a public need for the zone change request of R-20 to R-1. The current zoning of the property is zoning designated by Clackamas County, Oregon under the Clackamas County Comprehensive Plan. When the Crestview Subdivision was annexed to the City of Canby, the Clackamas County zoning designation of R-20 remains in effect until changed. The applicant's request to change the zoning is merely to conform the zoning to the designation of the property by the Interim General Plan Map and Text.

A public need exists for this land in low-density development. According to the May, 1978 survey of buildable land within the City of Canby, the Public Works Department found that the total vacant land in the City to be developed for single-family residences consists of 138 acres. Forty acres of this land contains seven subdivisions with a total of 133 lots. All of these lots in the seven subdivisions have been sold to builders. Of the remaining 98 acres, five and one-half acres are landlocked and must be considered unavailable. Of the remaining 92-1/2 acres, 15 acres do not have sewer service available to it. This leaves 77-1/2 acres of vacant land and of which 66.45 acres are under the ownership of three individuals or corporations. Two individuals own 12.85 acres and 11.70 acres respectively. The corporation owns 41.90 acres. This leaves 11.05 acres of scattered large lots that could be subdivided. It appears that the City will issue approximately 300 building permits for single-family dwellings in each fiscal year. Assuming that all of the 77-1/2 acres of vacant land are available, this represents approximately a one year's supply. Not included in the Public Works Department's inventory is property owned by the Canby Utility Board, Canby School District, City of Canby or Churches within the city limits.

In addition to the actual physical need for this land, this land is needed to provide a realistic supply of single-family lots so that significant market choice will exist and will assist in deterring unnecessary price increases occasioned by a lack of single-family lots.

### IV. THE ZONE CHANGE WILL PRESERVE AND PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF THE RESIDENTS IN THE AREA

Public sewer and public water facilities are in close proximity to the land subject to the zone change and will be provided by the applicant. An 8-inch sewer line is located at the end of Juniper Street, 330 feet from the southwest corner of the property. An 8-inch waterline exists on Locust Street, which extends to the southwest corner of the property to be annexed. The City's planning

consultant states that the development of a 13 lot subdivision would result in an increase upon the existing water system of approximately 2,600 gallons per day for both sewer and water. Sufficient sewer and water capacity exists for service of the Crestview Subdivision. Current fire and police protection will adequately serve the proposed development and approximately 13-15 children would be added to the public school system for the subdivision. Eighteen single-family residences would increase the traffic count in the city to approximately 60-65 vehicle trips per day.

Assuming a dwelling unit value of \$60,000 per dwelling, the valuation of the total project would exceed \$1,000,000. This would result in an increase in city tax revenue of approximately \$3,000-\$4,000 computed upon existing tax rates per \$1,000 of assessed value. Generation of approximately \$7,500 in spendable income per family would result in the addition of over \$110,000 to the economy of the general area.

The development of the subdivision would be in a manner compatible with other residential development in the area and assist community residential needs consistent with the Interim General Plan and residential zoning in the immediate area within the city.

V. THE ZONE CHANGE IS CONSISTENT WITH STATEWIDE PLANNING GOALS

The zone change from Clackamas County zoning designation of R-20 to City of Canby zoning R-1 is consistent with applicable statewide planning goals. Goals 15-19 are inapplicable as the subject property is not within the Willamette Greenway nor near the ocean. All applicable statewide planning goals were discussed in the report filed with the annexation request of the Crestview Subdivision as well as in the findings and conclusions of the Canby City Council. These three reports are incorporated by reference in this Justification Statement as if fully set forth. Both the Planning Commission and City Council has received evidence and otherwise studied the applicability of the annexation to statewide planning goals. The same facts and evidence has been previously presented and remains unchanged. No benefit exists to either the city or the applicant to discuss these previously submitted reports and findings. They are attached to this Justification Statement for review by any person who so desires.

Martin Clark

By Mark P. O'Donnell  
Mark P. O'Donnell

## ROBERT S. OVERTON ANNEXATION

### I - INTRODUCTION

The applicant incorporates the planning consultant's report of June 14, 1978 as a part of his presentation.

### II - PUBLIC FACILITIES

Public sewer and public water facilities are in close proximity to the property to be annexed. An 8 inch sewer line is located at the end of Juniper Street, 330 feet from the southwest corner of the property to be annexed. An 8 inch water line exists on Locust Street which extends to the southeast corner of the property to be annexed. The City's planning consultant states that the annexation of the 13 lot subdivision will result in an increase upon the existing water system of approximately 2,600 gallons per day for both sewer and water. Sufficient water capacity exists for service of this subdivision. Please see the memorandum from Fred Egger to the Mayor of Canby dated May 6, 1977 which is attached as Exhibit No. 1. This memorandum shows that approximately 11 million gallons per month (mg/m) additional water is available and could be produced each month. Sufficient sewer capacity exists to serve this 13 lot subdivision. Please see Ken Ferguson's memorandum of May 9, 1977 to the Mayor and City Council.

Six of the thirteen lots would have access on Juniper Street. North Juniper is an unimproved street and the applicant would be required to provide improvements to North Juniper Street consistent with the City of Canby zoning ordinance. If the applicant improves the full width of North Juniper Street to City standards, then the applicant should be allowed to recoup a portion of the cost of these improvements if the property to the west of Juniper Street is annexed to the City.

To resolve the problem of a half street, the following language is suggested for a motion of approval:

- Recommend approval of the annexation request; delete from the application for annexation that portion of land which includes the right-of-way and paved portion of Territorial Road adjacent to Tax Lots 100 and 1300 so that the paved portion and right-of-way of Territorial Road not be included in the annexation;

- And, that the applicant, at his expense, ob of jurisdiction from Clackamas County to th Canby pursuant to ORS 373.270 for North Loc Juniper Streets if the Canby City Council so desires to acquire jurisdiction over these two streets; and that the applicant improve North Juniper Street to City standards (Ordinance No. 443, Sec. 32 P-18) and include a roadway width of 40 feet;
- Clackamas County will pay to the City of Canby a sum in the approximate amount of \$5,000. This sum represents the cost of two inches of blacktop for North Juniper Street. The applicant has agreed to improve North Juniper Street to City standards. The applicant shall be entitled to use these funds for improvement of North Juniper Street.

The City's planning consultants state that approximately 11.7 children would be added to the public school system from this 13 lot subdivision. The consultants also state that current fire and police protection will adequately serve the proposed development.

The suggested language for the motion is illustrated on the map which is attached as Exhibit 3. Annexation of this property and the construction of 13 single-family residences would increase the traffic count in the City to approximately 42 vehicle trips per day.

### III - ECONOMIC

Assuming a dwelling unit value of \$55,000 per dwelling, the valuation of the total project would exceed \$715,000. This would result in an increase in City tax revenue of \$4,719, computed upon existing tax rate of \$6.60 per \$1,000 of assessed value. Generation of \$7,500 in spendable income per family would result in the addition of \$97,700 to the economy of the general area.

### IV - LAND USE

Annexation of the 13 lot subdivision would result in a low density residential development of 2.29 dwelling units per acre. Development of this density and single-family dwellings is compatible with adjacent and nearby land uses as illustrated by the 9 photographs submitted by the applicant. The property to be annexed consists of 5.68 acres and would allow for the construction of 13 single-family dwellings. The typical lot size for the proposed development would be 16,390 square feet with the smallest lot consisting of 14,750 square feet. The Interim General Plan designates this property



as single-family residential. The property is also within the Interim Immediate Growth Boundary which has been adopted and approved by the Columbia Region Association Of Governments. The proposed annexation and subsequent use is compatible with the City zoning ordinance, Interim General Plan and adjacent - existing land uses.

#### V - STATEWIDE PLANNING GOALS

The property subject to annexation consists of 5.65 acres. The Northern Boundary of the property is Territorial Road. Territorial Road is the major arterial and is a County road. Territorial Road consists of heavy traffic patterns and connects to major sources of transportation ingress and egress for City residents. The Eastern Boundary of the property is North Locust Street. Residential development and vacant land characterize the existing land uses across North Locust Street. The Western Boundary of the property is North Juniper Street. Vacant parcels and residential development characterize the existing land uses on the West Side of North Juniper Street. The Southern Boundary of the property is adjacent to the present Canby City limits. Residential development and vacant parcels characterize the existing land uses to the South. The distance from Territorial Road to the present City limits is approximately 700 feet.

The property has been platted as a 13 lot subdivision for a substantial period of time. Independent investigation has failed to substantiate when the property was last used for agricultural purposes. The small size of the parcel and its separate ownership from adjacent parcels is one reason why the property is not an economic unit for purposes of agricultural production. If the property were to be devoted to agricultural uses, legitimate complaints from neighbors as to dust pollution from tilling, crop rotation, noise from machinery and other normal farming or agricultural operations would require abandonment of accepted farming practices and the attendant resource and economic productivity of agricultural uses on the property. The property appears to have a soil classification of Class III. This statement is based on inspection of maps only and does not take into consideration erosion and other natural forces affecting the property. Independent of any soil classification, urbanization (including public investment in public facilities) of the immediate area and the properties' proximity to residential uses precludes meaningful use of the property for agricultural purposes.

The Interim General Plan and Interim General Plan Map designate this property as low density residential. Annexation would allow



low density residential development. This level of development is compatible with adjacent land uses as well as the Interim General Plan and current zoning for the immediate area within the City. Annexation of the land would allow for development of the 13 lot subdivision with public sewer and public water; rather than development with private water and private septic tank systems. Both an 8 inch sewer line and an 8 inch water line are in close proximity to the property. Such normal public facilities as electric, police and fire protection are available to the site. The development would be in a manner compatible with other residential development in the area and assist community residential needs consistent with the Interim General Plan and residential zoning in the immediate area within the City.

The annexation is consistent with LCDC Goal No. 14 in that the property is located within the Interim Immediate Growth Boundary established by the Columbia Region Association of Governments. Public utilities are readily available to this site through extension of the existing system on North Locust and North Juniper Streets. The land subject to annexation is not "rural land", nor part of an urban growth boundary established before January 1, 1975.

The annexation is also consistent with LCDC Goal No. 11 as the request for annexation will utilize present public facilities and is capable of being served by urban facilities and services as that term is used in Goal No. 11. Annexation will allow for the completion and improvement by the applicant of North Juniper Street and provide needed access to Territorial Road. The southerly portion of Juniper which is now undeveloped will be completed in the immediate future. This necessary link provides one aspect of completion of a street system which complies with LCDC Goal No. 12 in that the street system will be a part of a safe, convenient and economic transportation system.

Annexation and subsequent development of the 13 lot subdivision will add to the housing stock of the City 13 single-family dwelling units at a price range from \$57,500 - \$80,000. Utilization of this land for single-family residences will assist the City in providing housing opportunities that allow for flexibility of housing location, type and density.

The property subject to annexation is not subject to natural disasters and hazards; nor has it ever been employed for recreational purposes; nor will the 13 lot subdivision and single-family dwellings have any adverse effect on the air, water and land resource quality of the City of Canby. Investigation does not indicate that this property was ever considered "forest lands" nor open space, natural resource, scenic and a historic area.

Goals 15-19 would not seem to be applicable as the subject property is not within the Willamette Greenway nor near the Ocean.



# CANBY UTILITY BOARD

P. O. BOX 470 - 465 S. E. 1st AVE

CANBY, OREGON 97013

PHONE 266-1156

## BOARD MEMBERS

GENE NEWTON  
S. W. CRISP  
HOWARD BABLOW

CHAIRMAN  
MEMBER  
MEMBER

FRED W. EGGER  
JOAN E. THOMPSON

MANAGER  
SECRETARY

May 6, 1977

MEMO TO: Honorable Mayor Robert E. Rapp  
City of Canby, Oregon

MEMO 21

FROM: Fred W. Egger,  
Manager  
Canby Utility Board

SUBJECT: Miscellaneous Information Pertaining to  
Canby Utility Board Water Source, Production,  
and Probable Availability.

### 1. Infiltration Gallery (Springs)

By certificate of Water Rights Permit No. G-4784 dated March 9, 1977, the Canby Utility Board is entitled to 1.5 cubic feet per second (cfs) of water from the existing infiltration tube.

Although this source has been used for many, many years, no "Notice of Complete Application of Water" had been filed and therefore no Certificate of Water Right issued until recently.

Priority date for this Certificate of Water Rights has been established at October 16, 1969 for the 1.5 cfs.

Gallons of water pumped from the infiltration gallery (springs) per month from January 1975 through March of 1977 are as shown in column 2 on enclosure (1).

During the dry spell in early 1977 the water in this infiltration gallery source dropped at the rate of approximately one inch per day without any pumping. Unless we have an unusually wet late spring and summer it is felt that we should not rely very heavily on the spring source.

All water pumped to date from the springs has been pumped directly into the Canby Utility Board water system with chlorination being the only treatment given. Beginning June 24, 1977, in order to comply with the Federal Safe Drinking Water Act (PL93-523), all water from a source as shallow as this source must have complete treatment and be run through the water treatment plant. This will eliminate the springs as a source as far as the water production report is concerned.

Exhibit 1

Honorable Mayor Rapp, City of Canby.

Fred W. Egger, CUB Manager.

SUBJECT: Misc. Info. on CUB Water  
Production & Availability.

May 6, 1977

Page 2

## 2. Molalla River Intake Structure

By application for Water Rights Permit No. 35453 dated September 2, 1970, the Canby Utility Board was granted permission to pump a maximum of 10 cfs from the Molalla River. This permit was granted initially for the purpose of augmentation of the Canby municipal water supply by the use of a portable 700 g.p.m. centrifugal gasoline engine-powered pump to pump water into a large settling pond where the water would filter through gravel beds into the underground perforated collection tubes which feed into the infiltration gallery described in paragraph (1) above.

Priority date for this usage was established at July 31, 1970 for 5 cfs and December 22, 1970 for the remaining 5 cfs.

Construction work and complete application of the water to the proposed usage was to have been made by October 1, 1974.

By Canby Utility Board letter of October 28, 1976 request was made to extend the time to complete the application of the water to the proposed usage.

Permission was granted by the State of Oregon Water Resources Department letter of November 2, 1976 to extend the application until October 1, 1978.

Gallons of treated water per month produced through the treatment plant from the Molalla River source is as shown in column one of encl. (1) for the time period of January 1975 through March 1977.

## 3. Water Production and Usage

Total estimated production capacity of the water treatment plant with existing facilities is 48,000,000 per month. Average loss of produced water to salable water is approximately 10% leaving 43.2 million gallons maximum for use.

Actual average production per month for the five high water usage months of June through October of 1976 was 31,234,320 gallons from both sources (infiltration gallery and Molalla River).

Water sold for this same five month time period averaged 25,667,948 gallons per month.

Residential lots that have been approved for construction would take approximately 4.7 million gallons per month.

Known industrial usage will increase approximately 1.1 million gallons per month within the next year.

Mayor Rapp, City of Canby.  
W. Egger, CUB Manager.  
Misc. Info. on CUB Water  
Production & Availability.

6, 1977

Page 3

Usage for apartment units estimated to be constructed in the near future was previously estimated at 982,500 gallons per month. Probably a more realistic figure would be 500,000 gallons per month for those apartments.

#### 4. Probable Available Water for Future Use

Maximum available for all usage with existing facilities -- 43.2 million gallons per month (mg/m)

Existing School, Commercial & Industrial Usage - 6.9 mg/m  
Existing Residential Use ----- 18.8 mg/m

Present Total Usage (5 high-month average) 25.7 mg/m

Estimated Immediate Future Committed  
Residential Usage ----- 4.7 mg/m

Estimated Immediate Future Committed  
Apartment Usage ----- .5 mg/m

Estimated Immediate Future Committed  
Industrial Usage ----- 1.1 mg/m

Total Estimated Immediate Increases 6.3 mg/m

TOTAL COMMITTED 32.0 mg/m

#### 5. Summary

Although the above figures indicate that approximately 11 mg/m additional salable water could be produced each month, it must be remembered that this estimate is based upon ideal conditions and no loss production at the treatment plant. Also water must be available from the Molalla River for pumping to the treatment plant.

Planned expansion of the treatment plant will cost in excess of \$520,000.00. This expansion would approximately double the capacity of the plant and would take approximately 1½ years to complete.

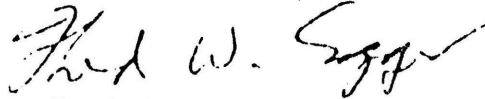
Expansion plans are included in the Canby Utility Board application for Public Works Employment Act of 1976 funding. Although the Canby Utility Board did not receive any Grant money for the First Phase, they are still hopeful of receiving some funds from the four billion to be released soon through Phase Two.

MEMO TO: Honorable Mayor Rapp, City of Canby  
FROM: Fred W. Egger, CUB Manager.  
SUBJECT: Misc. Info. on CUB Water  
Production & Availability.

May 6, 1977  
Page 4

Since any construction work begun on projects included in the application for Federal Grant (before the Grant had been awarded) would cancel out that part of the Grant, the Canby Utility Board is waiting until word is received on the Grant before proceeding with any other funding program.

CANBY UTILITY BOARD



Fred W. Egger,  
Manager

FWE/jet  
5/6/77

Encl. (1)



# CANBY UTILITY BOARD

## WATER PRODUCTION REPORT

YEAR	MONTH	GALLONS TREATMENT PLANT	GALLONS SPRINGS	TOTAL GALLONS Calendar Month	MILLIONS OF GALLONS Billing Month	TOTAL GA PRODUC Year to
1975	January	2,659,000	13,139,003	15,798,003		15,798,003
	February	491,000	14,006,483	14,497,483		30,295,486
	March	1,813,000	19,042,210	20,855,210		51,150,696
	April	98,000	21,616,002	21,714,002		72,864,700
	May	5,714,200	18,055,551	23,769,751		96,634,451
	June	19,518,000	16,832,550	36,350,550		132,984,901
	July	21,864,900	13,207,950	35,072,850	28.91	168,057,801
	August	17,414,000	12,757,812	30,171,812	40.68	198,229,613
	September	19,287,212	8,548,930	27,826,150	24.92	226,065,801
	October	3,319,000	14,084,434	17,403,434	22.01	243,469,235
	November	3,553,000	10,887,270	14,440,270	11.13	257,909,505
	December	415,000	14,249,402	14,664,402	11.94	272,573,910
TOTALS FOR 1975		96,146,312	176,427,605	272,573,917		
1976	January	1,109,000	12,892,496	14,001,496	15.01	14,001,496
	February	-0-	13,656,401	13,656,401	15.39	27,657,897
	March	341,000	15,341,784	15,682,784	15.60	43,340,681
	April	1,528,000	14,237,232	15,765,232	15.61	59,105,913
	May	499,000	22,736,252	23,235,252	16.66	82,341,169
	June	16,802,000	13,235,850	30,037,850	19.70	112,379,019
	July	28,091,000	15,439,500	43,530,500	30.88	155,909,519
	August	25,353,000	7,345,500	32,698,500	39.81	188,608,019
	September	22,241,000	3,616,500	25,857,500	23.85	214,465,519
	October	19,305,000	4,742,250	24,047,250	18.67	238,512,769
	November	17,009,000	3,813,750	20,822,750	16.36	259,335,519
	December	15,882,000	5,256,750	21,138,750	14.05	280,474,269
TOTALS FOR 1976		148,160,000	132,314,265	280,474,265		
1977	January	17,689,000	2,504,250	20,193,250	14.61	20,193,250
	February	16,995,000	-0-	16,995,000	13.99	37,188,250
	March	9,730,000	11,874,000	21,604,000		58,792,250
TOTALS FOR 1977 (Jan., Feb., & March)		44,414,000	14,378,250	58,792,250		

Jet  
1977

Enclosure (1)



## CANBY UTILITY BOARD

P. O. BOX 470 - 465 S.E. 1ST AVE

CANBY, OREGON 97013

PHONE 266-1156

### BOARD MEMBERS

GENE NEWTON  
S. W. DRESEN  
HOWARD BARLOW

CHAIRMAN  
MEMBER  
MEMBER

EDD W. EGGER  
JOAN E. THOMPSON

MANAGER  
SECRETARY

### GENERAL INFORMATION ON CANBY UTILITY BOARD WATER DEPARTMENT

April 1977

1. The Canby Utility Board has Certificate of Water Rights for 1.5 cubic feet per second (969,500 gal. per day) (29,086,613 gal. per month) from the infiltration gallery source (springs).

Although the 750 gal. per minute pump at that source has the theoretical capacity to pump 32,400,000 gal. per month, the highest production from that source since January 1975 was during the month of May 1976 and that production was 22,736,252 gallons. Other high production months from that source were March 1975 - 19,042,210, April 1975 - 21,616,002 and May of 1975 - 18,055,551. Average production per month from the springs source for 1975 was 14,702,300 gallons and for 1976 was 11,026,188 gallons.

2. The Canby Utility Board has application for water rights for 10 cubic feet per second (6,463,584 gallons per day) (193,907,520 gallons per month) from the Molalla River Source.

A 1400 gallon per minute pump located at the intake structure in the Molalla River provides raw water to the water treatment plant located at 575 N. Cedar Street.

The highest production from the treatment plant to date was 28,091,000 gallons for the month of July 1976. Other high production months were August, September, and October with 25,353,000, 22,241,000 and 19,305,000 gallons, respectively.

Estimated maximum monthly capacity of the treatment plant with the existing filter beds and effluent pump is 48,000,000 gallons. Loss of produced water to water sold varies from 4 to 18 percent depending on the amount used for flushing mains, loss due to water main leaks, and general loss through unmetered sources.

3. Total production from the springs and treatment plant sources for 1975 and 1976 and January, February and March of 1977 as shown on the attached water production reports in encl. (1).
4. Storage capacity for the CUB water system is 2,500,000 gallons at the treatment plant, 500,000 gallons in the street tank at 4th and Fir Streets and 100,000 gallons in the elevated tank at 4th and Fir. Total capacity = 3.1 million gallons.