



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

## NOTICE OF ADOPTED AMENDMENT

May 21, 2007

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Canby Plan Amendment  
DLCD File Number 003-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 30, 2007**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Stacy Humphrey, DLCD Regional Representative  
Matthew Crall, DLCD Transportation Planner  
Kevin Cook, City of Canby

<paa> ya/ph

FORM 2

# DLCD

## Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD  
**WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION**  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **City of Canby**

Local file number: **ZC 07-02**

Date of Adoption: **5/2/2007**

Date Mailed: **5/9/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **2/7/2007**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

**The application requests a change in zoning designation to R-2, consistent with the "High Density Residential" Comprehensive Plan designation. The Property is currently zoned R-1 (Low Density Residential).**

Does the Adoption differ from proposal? No, no explanation is necessary

No

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **R-1**

to: **R-2**

Location: **outh of NE Territorial Rd. & West of Logging Rd. Trail**

Acres Involved: **0.89**

Specify Density: Previous: **1 unit/lot**

New: **14+ units/acre**

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
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Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

**DLCD # 003-07 (15852)**

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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Local Contact: **Kevin Cook**

Phone: (503) 266-7001 Extension: 212

Address: 170 NW 2<sup>nd</sup> Ave

Fax Number: 503-266-1574

City: Canby

Zip: 97013-

E-mail Address: [cookk@ci.canby.or.us](mailto:cookk@ci.canby.or.us)

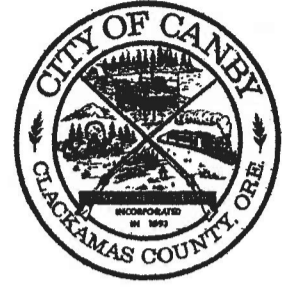
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## **ADOPTION SUBMITTAL REQUIREMENTS**

This form **must be mailed** to DLCD **within 5 working days after the final decision**

per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:  
**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: [webserver.lcd.state.or.us](http://webserver.lcd.state.or.us). To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us).
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.



**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF CANBY**

**A REQUEST TO CHANGE ZONING ) FINDINGS, CONCLUSION & FINAL ORDER  
FROM LOW DENSITY RESIDENTIAL ) ZC 07-02  
TO HIGH DENSITY RESIDENTIAL ) (S.T.J., LLC)**

**NATURE OF APPLICATION**

The applicant is seeking to change the zoning designation for two tax lots totaling 0.89 acres. The lots are described as Tax Lot 1500 and 1501 of Map 3-1E-27CB. The lots are located south of NE Territorial Road and west of the Molalla Forest Road. Tax lots 1500 and 1501 are zoned R-1. The applicant proposes to amend zoning to reflect the Comprehensive Plan designation of R-2, High Density Residential. Adjacent properties are also designated High Density Residential in the Comprehensive Plan. There is an existing residence located on Tax Lot 1501.

Adjacent uses include single family subdivisions (west and east, across the Molalla Forest Road); apartments (south); large lots not yet subdivided or annexed (east across the Molalla Forest Road); and the golf course with associated residential development (north). Water and Sewer are available from NE Territorial Road. No development plans are associated with the zone change at this time.

**HEARINGS**

The Planning Commission held a public hearing and considered this application at its meeting on March 26, 2007. The Planning Commission voted 7-0 to recommend approval. The City Council held a second public hearing to consider the application at its April 18, 2007 meeting. The Council voted 6-0 to approve the proposed zone map amendment.

**CRITERIA AND STANDARDS**

Section 16.54.040(B) states: *In judging whether or not the zoning map should be amended or changed, the City Council shall consider:*

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

**FINDINGS AND REASONS**

At the public hearing of April 18, 2007 the City Council considered the record and the Planning Commission's findings and recommendation for approval.

After holding the public hearing and considering the Record for the application, the City Council deliberated and reached a decision on April 18, 2007 for approval of the applicant's request for zone change. The City Council adopted the Planning Commission's written findings of April 9, 2007 which are reflected below:

- A. This application is in compliance with all elements of the Comprehensive Plan of the City, including Policy 6 of the Land Use Element, and the plans and policies of the County, state and local districts.
- B. All required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

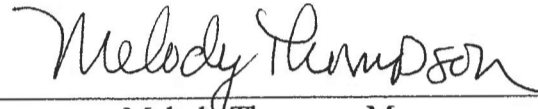
**DECISION**

**THE CITY COUNCIL** of the City of Canby hereby approves **ZC 07-02**.

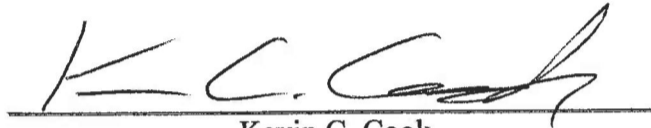
**ORDER**

**I CERTIFY THAT THIS ORDER** for approval of **ZC 07-02** was presented to and **APPROVED** by the City Council of the City of Canby.

DATED this 2<sup>nd</sup> day of May, 2007.



Melody Thomson, Mayor  
City of Canby



Kevin C. Cook  
Associate Planner

**ATTEST:**

**ORAL DECISION – April 18, 2007**

AYES: Blackwell, Carlson, Carson, Daniels, Helbling, & Oliver

NOES: None

ABSTAIN: None

ABSENT: None

**WRITTEN FINDINGS – May 2, 2007**

AYES: Blackwell, Carlson, Daniels, Helbling & Oliver

NOES: None

ABSTAIN: None

ABSENT: Carson

**ORDINANCE NO. 1239**

**AN ORDINANCE AMENDING THE ZONING MAP OF  
THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON  
FOR TAX LOTS 1500 & 1501 OF TAX MAP 3-1E-27CB.**

**WHEREAS**, an application was filed with the City by S.T.J. LLC to change the zoning of two parcels totaling 0.89 acres from Low Density Residential (R-1) to High Density Residential (R-2); and

**WHEREAS**, a public hearing was conducted by the Canby Planning Commission on March 26, 2007 after public notices were mailed, posted and printed in the Canby Herald, as required by law; and

**WHEREAS**, the Canby Planning Commission heard and considered testimony regarding the proposed zone change at the public hearing. At the conclusion of the public hearing, the Planning Commission voted 7-0 to recommend that the City Council approve the application. The Findings, Conclusions and Order was approved by the Planning Commission and forwarded to the Council with its recommendation; and

**WHEREAS**, the Canby City Council considered the matter and the recommendation of the Planning Commission following a public hearing held at its regular meeting on April 18, 2007; and

**WHEREAS**, the Canby City Council, after considering the staff report, reviewing the record of the Planning Commission's decision and conducting its own public hearing, voted to accept the Planning Commission's recommendation;

**NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. Tax Lots 1500 & 1501 OF TAX MAP 3-1E-27CB is rezoned from Low Density Residential (R-1) to High Density Residential (R-2) as called for in Canby's Comprehensive Plan.

Section 2. The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate change on the City's zoning map in accordance with the dictates of Section 1 of this Ordinance.

**SUBMITTED** to the Council and read the first time at a regular meeting thereof on April 18, 2007 ordered posted in three (3) public and conspicuous places in the City for a period of

five (5) days, as authorized by the Canby City Charter; and to come up for final reading and action by the Canby City Council at a regular meeting thereof on May 2, 2007, commencing after the hour of 7:30 p.m., at the Council's regular meeting chambers at the Canby City Hall in Canby, Oregon.

Kimberly Scheafer  
Kimberly Scheafer  
City Recorder - Pro Tem

**PASSED** on the second and final reading by the Canby City Council at a regular meeting thereof on May 2, 2007 by the following vote:

YEAS 5      NAYS 0

Melody Thompson  
Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer  
Kimberly Scheafer  
City Recorder Pro Tem





## **- STAFF REPORT -**

**APPLICANT:**  
S.T.J., LLC  
214 SW 2<sup>nd</sup> Ave  
Canby, OR 97013

**FILE NO.:**  
ZC 07-02

**OWNER:**  
S.T.J., LLC  
214 SW 2<sup>nd</sup> Ave  
Canby, OR 97013

**STAFF:**  
Kevin C. Cook  
Associate Planner

**LEGAL DESCRIPTION:**  
Tax Lots 1500 & 1501  
of Tax Map 3-1E-27CB

**DATE OF REPORT:**  
March 14, 2007

**LOCATION:**  
South of NE Territorial Road  
and west of the Molalla Forest Road

**DATE OF HEARING:**  
March 26, 2007

**COMP. PLAN DESIGNATION:**  
High Density Residential (R-2)

**ZONING DESIGNATION:**  
Low Density Residential (R-1)

### ***I. APPLICANT'S REQUEST:***

The applicant is seeking to change the zoning designation for two parcels totaling 0.89 acres. The current zoning on the parcels is R-1 Low Density Residential. The applicant proposes to amend zoning to reflect the Comprehensive Plan designation. No development plans are associated with the zone change at this time.

### ***II. APPLICABLE REGULATIONS***

**City of Canby General Ordinances:**

- 16.20 R-2 High Density Residential Zone
- 16.54 Amendments to Zoning Map
- 16.88 General Standards

**Oregon Administrative Rules**  
OAR 660-012 Transportation Planning Rule

### ***III. MAJOR APPROVAL CRITERIA***

#### **16.54.040 - Amendments to the Zoning Map - Standards and Criteria**

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

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

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

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

The site is located south of NE Territorial Road and west of the Molalla Forest Road. Tax lots 1500 and 1501 are zoned R-1. Adjacent properties are also designated High Density Residential in the Comprehensive Plan. There is an existing residence located on Tax Lot 1501.

Adjacent uses include single family subdivisions (west and east, across the Molalla Forest Road); apartments (south); large lots not yet subdivided or annexed (east across the Molalla Forest Road); and the golf course with associated residential development (north). Water and Sewer are available from NE Territorial Road.

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

##### ***ii. URBAN GROWTH ELEMENT***

- GOAL: 1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.**

- 2) **TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITHIN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.**

**iii. LAND USE ELEMENT**

**GOAL: TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.**

Policy #1 Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.

***ANALYSIS:** Eventual high density residential development is consistent with nearby development and with the Comprehensive Plan.*

Policy #2 Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.

***ANALYSIS:** This application would permit residential development on the subject parcel. The proposed zone change will allow an increase in density as opposed to encouraging urban sprawl.*

Policy #3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

***Analysis:** A "Request for Comments" has been sent to all public facility and service providers (please see discussion under Public Services Element).*

Policy #6: **CANBY SHALL RECOGNIZE THE UNIQUE CHARACTER OF CERTAIN AREAS AND WILL UTILIZE THE FOLLOWING SPECIAL REQUIREMENTS, IN CONJUNCTION WITH THE**

**REQUIREMENTS OF THE LAND DEVELOPMENT  
AND PLANNING ORDINANCE, IN GUIDING THE  
USE AND DEVELOPMENT OF THESE UNIQUE  
AREAS.**

*The parcel is not located within an area of special concern.*

**ENVIRONMENTAL CONCERNS ELEMENT**

**GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL  
RESOURCES.**

**TO PREVENT AIR, WATER, LAND, AND NOISE  
POLLUTION.**

**TO PROTECT LIVES AND PROPERTY FROM NATURAL  
HAZARDS.**

*The subject property is surrounded by urbanized parcels and has no known steep slopes, historic resources, expansive soils, or wetlands, and is not located in a flood plain. Compared with urban sprawl, increased residential density reduces overall vehicle miles traveled and thus an energy savings is realized.*

*Applicable Policies:*

Policy #3-R: Canby shall require that all existing and future development activities meet the prescribed standards for air, water and land pollution.

*Analysis:* *Subsequent development of the proposed subdivision must meet stormwater management approval from DEQ, the City Engineer and Canby Public Works prior to the issuance of building permits.*

**TRANSPORTATION ELEMENT**

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

*Applicable Policies:*

Policy #1: Canby shall provide the necessary improvements to city streets...in an effort to keep pace with growth.

*Analysis:* Existing street and utility improvements are sufficient to support future development.

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

*Analysis:* Any needed sidewalks will be provided as a condition of future development.

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

*Analysis:* The Canby Police Department and Canby Fire District received notice of the proposed partition. Neither agency returned comment as of the date of this report.

#### ***PUBLIC FACILITIES AND SERVICES ELEMENT***

**GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.**

#### ***Applicable Policies:***

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

*Analysis:* All public facility and service providers were sent a "Request for Comments." Returned comments indicate that utilities and services are available to the site. No neighborhood comments have been received.

#### **CONCLUSION REGARDING CONSISTENCY WITH THE POLICIES OF THE CANBY COMPREHENSIVE PLAN:**

Review of the goals, policies, and implementation measures of the

Comprehensive Plan indicates that the proposed Zone Map Change and proposed subdivision, with recommended conditions of approval, is consistent with Canby's Comprehensive Plan. Development of the parcels shall comply with applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State regulations.

**Evaluation Regarding Zone Map Amendment Criteria:**

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

- A. The Comprehensive Plan of the city, giving special attention to Policy 6 of the land use element and implementation measures therefore, and the plans and policies of the county, state and local districts in order to preserve functions and local aspects of land conservation and development;

*See discussion in part III.2, above.*

- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

*All utilities and City facilities are available or will become available through development.*

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

Staff concludes that the proposed Zone Change is consistent with the policies of the Comprehensive Plan. The subject parcel is currently zoned R-1 but the Comprehensive Plan designation recommends eventual R-2 zoning as proposed. The proposed Zone Change will provide for efficient development of the property.

**Transportation Planning Rule:**

The City Traffic Engineer has submitted findings regarding the Transportation Planning Rule (See Exhibit 1).

**V. CONCLUSION**

This proposal to amend the Current Zoning map is appropriate in light of the Goals and

Policies of the Comprehensive Plan. All public facilities and services exist or will be provided concurrent with the development of the property. Any redevelopment of the subject property will require Site and Design Review approval from the Canby Planning Commission prior to construction.

**VI. RECOMMENDATION**

Based on the findings and conclusions presented in this report, and without benefit of a public hearing, staff recommends that the Planning Commission recommend approval of ZC 07-02 to the City Council.

**Exhibits:**

1. TPR findings – provided by Lancaster Engineering
1. Applicant's submittal Packet
2. Responses to Request for Comments



March 15, 2007

Kevin Cook  
City of Canby Planning  
170 NW 2<sup>nd</sup> Avenue  
Canby, OR 97013

*RE: Tom Scott Property - Zone Change*

Dear Kevin:

This letter has been written to address the Transportation Planning Rule impacts from the zone change of tax lots 1500 and 1501. The zoning designation is proposed to be changed from the existing R-1 (Low-Density Residential) to R-2 (High-Density Residential). The Comprehensive Plan designation for both tax lots is R-2.

The site is located on the south side of Territorial Road west of Molalla Forest Road, a pedestrian accessway through the City. The site is a "flag" lot and access is via the "flagpole" to Territorial Road. There is no other access to the site.

The Transportation Planning Rule (TPR) requirements are intended to provide a safe, convenient and economic transportation system through the planning horizon. Allowing a new zoning designation on a site could result in a more traffic-intensive use to be developed on that site.

Under the existing zoning, a maximum of four single-family homes could be constructed on the site. These homes would generate four evening peak hour trips. The proposed zoning designation would allow up to 18 townhouse units to be constructed. A townhouse development could generate up to nine evening peak hour trips. Therefore, the proposed zone change could increase the number of trips on the City's streets by five evening peak hour trips. There have been no intersections near the site that have been identified with either safety or operational issues through the planning horizon. Five additional peak hour trips will not degrade the nearby intersections to unacceptable levels.

A maximum of 38 weekday trips could be generated under the existing zoning with up to 106 weekday trips under the proposed zoning. The proposed zone change would increase the







Kevin Cook  
March 15, 2007  
Page 2 of 2

number of weekday trips by up to 68 trips. Territorial Road is classified an *Arterial* and has been designed to carry moderately high volumes of traffic. The road is currently functioning well below its intended capacity and is expected to continue to function below capacity through the planning horizon. Sixty-eight additional weekday trips will not change the functional classification of Territorial Road or any of the nearby streets.

The City's Transportation System Plan (TSP) outlines the improvements that will be needed in order for the system to function adequately through the planning horizon. Since the TSP is based on build-out under the existing Comprehensive Plan designations, a more traffic-intensive use could cause additional improvements to be needed in order for the transportation system to continue to function adequately.

Most importantly, the proposed zone change will bring the subject properties into compliance with the Comprehensive Plan designation of R-2. Therefore, the trips that could result from future development of the site under the R-2 zoning designation were included in the analyses prepared for the TSP. The conclusions and recommendations of the TSP will not be changed after the proposed zone change. No mitigation would be necessary beyond what has been recommended in the TSP.

In conclusion, the proposed zone change will have no significant effect on the transportation system.

If you have any questions about this letter, please don't hesitate to call me.

Yours truly,

Catriona Sumrain  
Transportation Analyst

**CITY OF CANBY  
ZONE MAP CHANGE APPLICATION**

Fee \$2,640

**OWNERS**

**APPLICANT\*\***

Name S.T.J., LLC

Name Same

Address 214 SW 2<sup>nd</sup> Avenue

Address \_\_\_\_\_

City Canby State OR Zip 97013

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

Phone 503-266-5488 Fax 503-266-4570

Phone \_\_\_\_\_ Fax \_\_\_\_\_

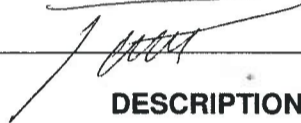
E-mail tomscott@scott-investments.com

E-mail \_\_\_\_\_

Please indicate who is to receive correspondence (i.e. staff reports etc) and what format they are to be sent

Owner  Email  US Postal  Fax  
 Applicant  Email  US Postal  Fax

**OWNER'S SIGNATURE** \_\_\_\_\_



**DESCRIPTION OF PROPERTY**

Address 1295 NE Territorial Rd; Canby OR 97013

Tax Map 31E27CB

Tax Lot(s) 1500, 1501

Lot Size 0.89 Acre  
(Acres/Sq.Ft.)

Existing Use Single Family Residential

Proposed Use Future R-2 Residential

Existing Structures One single-family residence

Zoning R-1

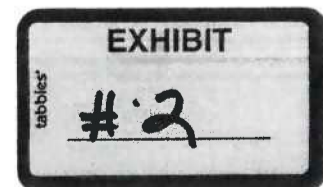
Comprehensive Plan Designation HDR

Project Description Zone change to allow future R-2 residential development

Previous Land Use Action (If any) Annexation ANN 06-02 Approved; ANN 05-02 Denied by voters

FOR CITY USE ONLY	
File # :	<u>2C 07-02</u>
Date Received:	<u>1/12/07</u> By: <u>JS</u>
Completeness:	
Pre-App Meeting:	
Hearing Date:	

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



## ZONE CHANGE APPLICATION: INSTRUCTIONS TO APPLICANTS

**All materials must be submitted in .pdf format on CD**

1. The applicant will be required to hold a neighborhood meeting with adjacent property owners and neighborhood representatives prior to submitting their application, unless this requirement is waived by the City.
2. An application for amendment by a property owner or his authorized agent shall be filed with the City Planner on forms prescribed for the purpose, typed or printed and the application shall include the following.

Applicant Check	City Check	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A. Comprehensive Plan designation of the property.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	B. The application shall be accompanied by a written statement on 8 ½ x 11" paper and electronically in MS Word explaining the existing use of the property and the need for the change in zoning.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	C. A list of property owners within 500 feet of the subject property, on mailing labels (1" x 2-5/8") and in electronic form. <b>If the address of a property owner is different from the address of a site, a label for each unit on the site must also be prepared and addressed to "occupant."</b> A list of property owners may be obtained from a title insurance company or from the County Assessor. If applicable, labels must be prepared for any property owners and sites that will be "islanded" by the proposed annexation.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	D. Appropriate fee.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	E. Twenty (20) copies of the application and all corresponding attachments on 8.5"x11" paper and electronically in .pdf format.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	F. Site plan, drawn to scale (not greater than 1"=50') on paper no less than 8.5"x11" and no larger than 18"x24" and .pdf format indicating:
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1. The location of existing buildings (if any);
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2. The location of streets, sewer, water, electric, and other utility services;
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3. Major topographic and landscape features.
<input type="checkbox"/>	<input type="checkbox"/>	G. One (1) copy in written format and .pdf format of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes to include the date of the meeting and a list of attendees.

3. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. Along with the comments received from others, the application is reviewed for completeness. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
4. Staff investigates the request, writes a staff report, places a public notice in the newspaper, notifies surrounding property owners, and makes all facts relating to the request available to the

Planning Commission and all interested parties.

5. The staff report will be available ten (10) days prior to the hearing.
6. The Planning Commission holds a public hearing after the determination of a complete application. At the hearing the staff report is presented. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
7. The Commission then issues findings of fact which support approval, modification or denial of the application and passes such recommendation on the City Council for final action within forty (40) calendar days after the close of the hearing.

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### **STANDARDS AND APPROVAL CRITERIA FOR A ZONE CHANGE**

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

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

Upon receipt of the record of the Planning Commission proceedings, and the recommendation of the Commission, the City Council shall conduct a review of that record and shall vote to approve, deny, or approve subject to modification, the recommendation of the Planning Commission. The City Council shall hear the arguments based upon the record. Additional or supplemental information not included within the original record shall not be considered. The arguments on the record shall not be conducted as a public hearing.

#### **16.54.060 IMPROVEMENT CONDITIONS**

- A. In acting on an application for a zone change, the Planning Commission may recommend and the City Council may impose conditions to be met by the proponents of the change before the proposed change takes effect. Such conditions shall be limited to improvements or physical changes to the property which are directly related to the health, safety or general welfare of those in the area. Further, such conditions shall be limited to improvements which clearly relate to and benefit the area of the proposed zone change. Allowable conditions of approval may include, but are not necessarily limited to:
  1. Street and sidewalk construction or improvements.
  2. Extension of water, sewer, or other forms of utility lines;
  3. Installation of fire hydrants.
- B. The City will not use the imposition of improvement conditions as a means of preventing planned development, and will consider the potential impact of the costs of required improvements on needed housing. The Planning Commission and City Council will assure that the required improvements will not reduce housing densities below those anticipated in the Comprehensive Plan.

**Application for Zoning Map Amendment**

**SUBMITTED  
BY  
APPLICANT**

Applicant/Owner	S.T.J., LLC 214 SW 2 <sup>nd</sup> Avenue Canby, OR 97013
Representative	Sisul Engineering 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Pat Sisul
Location	South of NE Territorial Road and west of the Molalla Forest Road
Legal Description	Tax Lots 1500 and 1501 (Parcels 1, 2 and 3 of PP 1992-182), T3S R1E Section 27CB, WM
Comprehensive Plan	High Density Residential
Present Zone	R-1 (Low Density Residential Zone)
Proposed Zone	R-2 (High Density Residential Zone)
Site Size	0.89 Acres (38,768.4 square feet)
Proposal	Amend the Zoning Map and apply the "R-2" zoning designation for Tax Lots 1500 and 1501 (Parcels 1, 2 and 3 of PP 1992-182), consistent with the Comprehensive Plan.

## **SITE DESCRIPTION**

The site is located south of NE Territorial Road and west of the Molalla Forest Road. The site has approximately 21.5 feet of frontage on NE Territorial Road.

Tax Lots 1500 and 1501 are zoned R-1. Adjacent properties share the "High Density" plan designation and zoning designation for properties within the city limits. Properties to the south, east, and west are designated "Low Density" and zoned R-1, except for properties not yet annexed.

The site is occupied by a residence (Parcel 1 of the Partition Plat), which will remain on the site. A few trees are located in the vicinity of the residence and along the south site boundary. The site is nearly flat, with no noticeable physical features or identified constraints.

Adjacent uses include single family subdivisions (west and east, across the Molalla Forest Road); apartments (south); large lots not yet subdivided or annexed (east across the Molalla Forest Road); and the golf course with associated residential development (north).

Public sanitary sewer and domestic water will be available primarily from NE Territorial Road. Storm water will be collected and directed to on-site infiltration facilities.

## **PROPOSAL**

The application requests a change in zoning designation to R-2, consistent with the "High Density Residential" Comprehensive Plan designation.

## APPLICABLE CRITERIA AND STANDARDS

### Identification of Applicable Criteria and Standards

The following sections of the City of Canby Comprehensive Plan and Land Development and Planning Ordinance apply to this application:

1. Comprehensive Plan
  - Urban Growth Element
  - Land Use Element
  - Housing Element
2. Land Development and Planning Ordinance:
  - 16.20 R-2 High Density Residential Zone
  - 16.54 Amendments to Zoning Map

### Discussion of Criteria and Standards

#### COMPREHENSIVE PLAN GOALS AND POLICIES

##### 1. Urban Growth Element

*Goal 1) To preserve and maintain designated agricultural and forest lands by protecting them from urbanization.*

*Goal 2) To provide adequate urbanizable area for the growth of the city, within the framework of an efficient system for the transition from rural to urban land use.*

*Policy No. 3: Canby shall discourage the urban development of properties until they have been annexed to the city as provided with all necessary urban services.*

Response: The subject site is within the City's Urban Growth Boundary and is part of the land intended to accommodate the City's projected population. The proposal supports the Urbanization Element of the Comprehensive Plan. The site is designated for "High Density Residential" on the Comprehensive Plan Map.

Wise use of land within an urban growth boundary reduces the need for expanding the boundary, and impacting farmland. Higher densities, where appropriate, further this goal. This area is designated for high density development, reflecting its accessibility as well as distance from services in the community.

The site is adjacent to a major street, which will provide direct and convenient access to destinations within Canby and throughout the region.

The proposal supports the City's Urban Growth Goals and Policies.

## 2. Land Use Element

*Goal: To guide the development and uses of land so that they are orderly, efficient, aesthetically pleasing, and suitably related to one another.*

*Policy No. 1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses while grouping compatible uses.*

*Policy No. 2: Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.*

*Policy No. 3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.*

*Policy No. 4: Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.*

*Policy No. 6: Canby shall recognize the unique character of certain areas and will utilize the following special requirements in conjunction with the requirements of the Land Development and Planning Ordinance, in guiding the use and development of these unique areas.*

Response: The City's Comprehensive Plan designation for the site and vicinity calls for high density residential development. The proposal will provide housing opportunities similar to other properties in the vicinity, including "Pine Station," just to the west at Pine Street, and so will remain compatible within the context of the existing residential areas. Properties that are currently not developed will likely also, eventually, be developed or subdivided to create similar neighborhoods as allowed (and required) by applicable codes.

Public facilities are available to the site. Sanitary sewer is provided by the City and is available from lines in Territorial Road, with sufficient capacity for this development. Public water is provided by Canby Utility and is also available from Territorial Road. On site storm water will be directed to infiltration facilities. Storm drainage facilities will be constructed as necessary to comply with City and Department of Environmental Quality standards.

Public schools are required by law to provide for students within the district. Schools in the City generally have adequate capacity. The School District has advised that existing schools are satisfactory with the opening of Baker Prairie Middle School in the fall of 2006, which allowed re-distribution of the student population.



The following schools would serve the site: Knight Elementary, Baker Prairie Middle School, and Canby High School. Knight has a capacity of 575 students, and a current enrollment of 506. The middle school has a capacity of 1,070 and a current enrollment of 1,028. The high school has a capacity of 1,660 and a current enrollment of 1,695. Enrollment figures are taken from the "Oregon Department of Education, October 1, 2006 Enrollment Summary."

Other public facilities and services, such as police, fire, telephone, electricity, etc., are generally available to the site.

There are no natural hazards on or in the vicinity of the site.

The site is not designated as an "Area of Special Concern" in Policy No. 6.

Based on this review of relevant policies, the proposal has been shown to support the Land Use Element of the Comprehensive Plan.

### 3. Housing Element

*Goal: To provide for the housing needs of the citizens of Canby.*

*Policy No. 2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.*

*Policy No. 3: Canby shall coordinate the location of higher density housing with the ability of the city to provide utilities, public facilities, and a functional transportation network.*

Response: The site has been designated as appropriate for development at the range of densities allowed in the R-2 Zone and the proposal is consistent with the designations.

The site is well located for high density development, with access to major streets to facilitate access to other parts of the community and the region.

Based on this review of relevant policies, the proposal has been shown to support the Housing Element of the Comprehensive Plan.

### **LAND USE AND DEVELOPMENT ORDINANCE**

Requirements of the "Land Development and Planning Ordinance" can be satisfied when an application for development of the site is prepared and submitted for review. An attached single family development, similar to "Pine Station" located to the west at Territorial and Pine Street, is contemplated at the present time.

*Chapter 16.20 R-2 High Density Residential Zone*

The minimum density required for new development is 14 dwellings per acre. Actual development density would be based on the “net” area. The total site area of 2.45 Acres under the same ownership includes Tax Lot 1300, so that no less than 34 dwellings would be required if developed together.

*Chapter 16.54 Amendments to Zoning Map*

A property owner or authorized agent may request an amendment to the zoning map, as is the case here (16.54.010).

Standards and criteria for considering a proposed zoning map amendment are listed in Section 16.54.040:

*In judging whether or not the zoning map should be amended or changed, the Planning Commission and city council shall consider:*

*A. The Comprehensive Plan of the city, giving special attention to Policy 6 of the land use element and implementation measures therefor, and the plans and policies of the county, state and local districts in order to preserve functions and local aspects of land conservation and development;*

*B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.*

Criterion A: The Comprehensive Plan designation for the site is “High Density Residential.” The zoning expected for that designation is R-2. The present designation is R-1 for Tax Lots 1500 and 1501 (Parcels 1, 2 and 3 of Partition Plat 1992-182). This inconsistency must be resolved by the City in favor of the Comprehensive Plan designation, so this site can be developed in a manner consistent with the plan and uses on adjacent properties.

Comprehensive Plan policies were discussed in a previous section of this narrative, noting that development of the site with at the “R-2” density is consistent with both the plan map and policies. Policy 6 does not apply to this site, which has no identified physical constraints.

This criterion will be satisfied if the zoning designation is changed as requested.

Criterion B: As discussed in the site description and previous responses, public facilities are available, with capacity, and can be extended to serve new homes on the site as proposed with the land division.

This criterion is satisfied.

In addition to standards and criteria of Section 16.54.040, the City must consider whether conditions of approval are justified as provided in Section 16.54.060:

*A. In acting on an application for a zone change, the Planning Commission may recommend and the city council may impose conditions to be met by the proponents of the change before the proposed change takes effect. Such conditions shall be limited to improvements or physical changes to the property which are directly related to the health, safety or general welfare of those in the area. Further, such conditions shall be limited to improvements which clearly relate to and benefit the area of the proposed zone change. Allowable conditions of approval may include, but are not necessarily limited to:*

- 1. Street and sidewalk construction or improvements;*
- 2. Extension of water, sewer, or other forms of utility lines;*
- 3. Installation of fire hydrants.*

*B. The city will not use the imposition of improvement conditions as a means of preventing planned development, and will consider the potential impact of the costs of required improvements on needed housing. The Planning Commissions and city council will assure that the required improvements will not reduce housing densities below those anticipated in the Comprehensive Plan.*

At this time, development of the site is not proposed and therefore no impacts to public facilities or adjacent properties will occur. Appropriate requirements for necessary facilities and services for the health, safety and general welfare of future residents can be provided when an application for development is considered, along with any reasonable conditions imposed by the City to further those ends, consistent with requirements and specifications.

## CONCLUSION

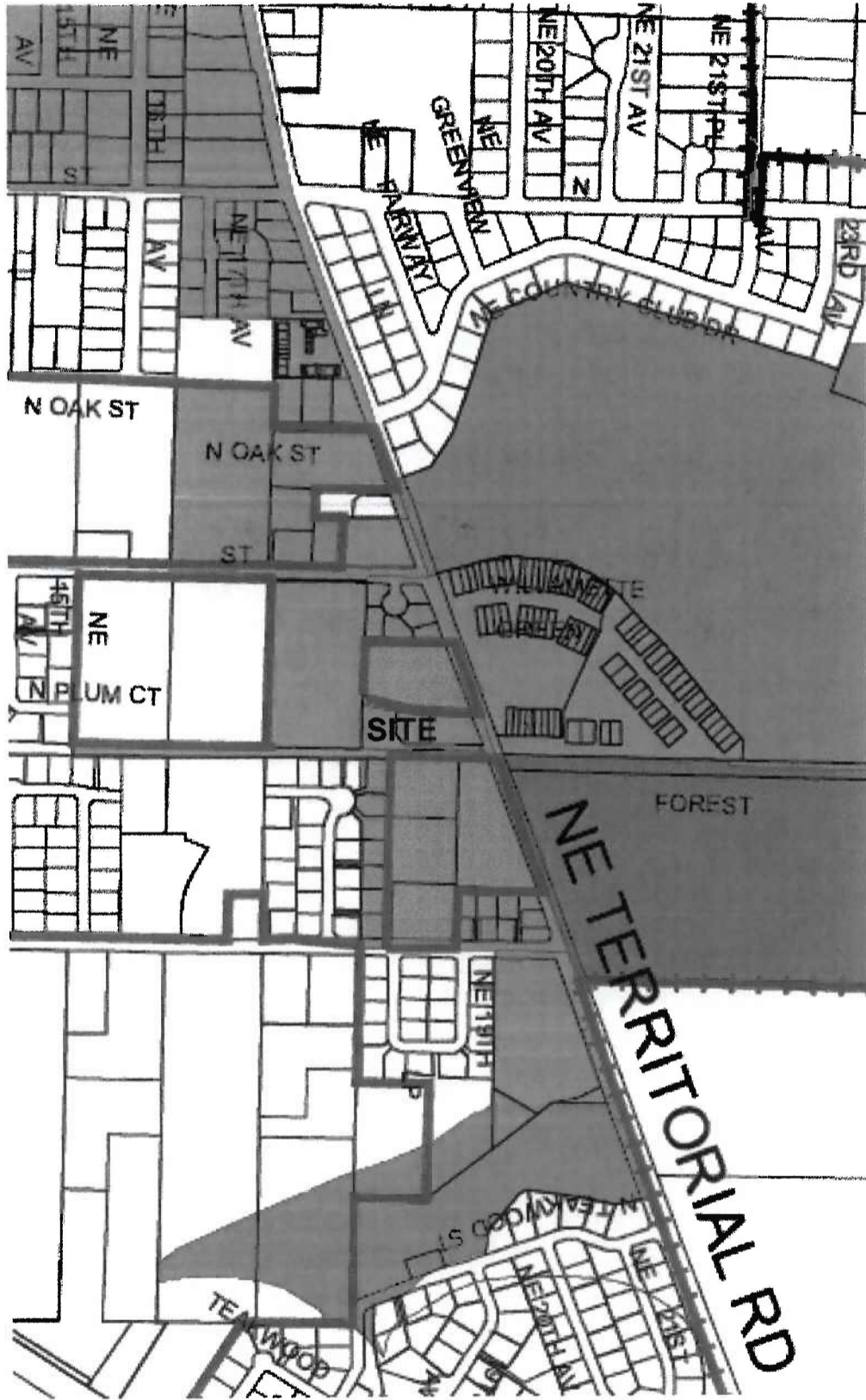
The discussion of criteria and standards pertaining to a request for zoning map amendment shows that these requirements are satisfied by the request. Therefore, the proposed change in zoning designation should be approved.



**SUBMITTED  
BY  
APPLICANT**







Appl<sup>d</sup> - ZC 07-02

**S.T.J., LLC**  
214 SW 2<sup>nd</sup> Avenue  
Canby, Oregon 97013  
503-266-5488  
503-266-4570 FAX

February 1, 2007

RE: Neighborhood Meeting  
Zone Change - Tax Map 31E27CB - Tax Lot #1500, 1501  
Proposed Development -- Tax Map 31E27CB - Tax Lot #1300, 1500, 1501

To Whom It May Concern:

A neighborhood meeting was held at Willamette Green Clubhouse on Wednesday, January 31st at 7:00pm during the regularly scheduled Northeast Neighborhood Association Meeting. We had the opportunity to present our proposed Zone Change application and our future development application on the above mentioned properties. All property owners living within 500 feet of the subject property and all members of the Northeast Neighborhood Association were notified at least fourteen (14) days in advance. The following citizens were in attendance:

- Thomas AW Scott – Applicant
- Fred & Bettie Postlewait – 1629 N Redwood St. – Canby
- Dan Leischer – 1341 N Maple St. – Canby
- Leonard & Donna Walker - Canby
- Patsy Miller – Canby
- Steve Harting – Canby
- Lloyd & JoAnn Walch – Canby
- Kathy Shinn - Canby

The following is a list of comments and questions raised during the meeting:

- What style of homes will be built in the subdivision?
- Are you proposing an apartment building?
- We are glad to see that apartments are not proposed!
- What is the zoning of this property and surrounding properties?
- What is the timeline of the development?
- How many lots?
- What size are the lots?
- Are the developers building the homes?

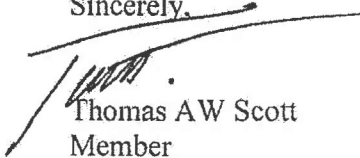


- How large are the proposed homes?
- What will be the average sales price of the homes?
- What is the name of the subdivision?
- Will there be a Homeowner's Association?
- Will there be open space provided?
- How many trees will be removed – if any?
- Why are you requesting a zone change?
- Will this cause overcrowding of schools?
- What about the need for a North Side Fire Station?

All in attendance seemed to be satisfied with our response to the above questions. No serious issues were raised during the meeting.

Thank you for your time.

Sincerely,



Thomas A W Scott  
Member

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 2667001

FAX 266-1574

DATE: January 26, 2007

- TO:
- |   |  |
|---|--|
| <input type="checkbox"/> FIRE                     | <input type="checkbox"/> CANBY POST OFFICE               |
| <input type="checkbox"/> POLICE                   | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR       |
| <input type="checkbox"/> PUBLIC WORKS             | <input type="checkbox"/> CLACKAMAS COUNTY 911            |
| <input type="checkbox"/> CANBY ELECTRIC           | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER              | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE        |
| <input type="checkbox"/> Darwin Tramel - WTPP     | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> Jeff Crowther - WTPP     | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input checked="" type="checkbox"/> CITY ENGINEER | <input type="checkbox"/> OREGON DEPT. TRANSPORTATION     |
| <input type="checkbox"/> CTA                      | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> NW NATURAL               | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> WILLAMETTE BROADBAND     | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CANBY DISPOSAL           | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> CITY ATTORNEY            | <input type="checkbox"/> CITY TRANSPORTATION ENGINEER    |
| <input type="checkbox"/> BIKE AND PEDESTRIAN COMM | <input type="checkbox"/> BUILDING OFFICIAL _____         |
| <input type="checkbox"/> PGE                      | <input type="checkbox"/> OTHER _____                     |

JAN 29 2007  
SURREAN-MOLEO

RECEIVED  
JAN 29 2007  
CITY OF CANBY

The City has received **ZC 07-02 (1295 NE Territorial Rd)**, an application from S.T.J., LLC requesting a zone change on Tax Lots 1500 and 1501 of Map 3 1E 27CB from R-1 (Low Density Residential) to R-2 (High Density Residential). The property is located at 1295 NE Territorial Road.

Please review the enclosed application and return comments to **Kevin Cook** by **Wednesday, February 7, 2007**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

**Comments or Proposed Conditions:**

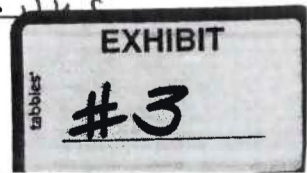
\_\_\_\_\_  
 \_\_\_\_\_  
 SEE ATTACHED MEMORANDUM  
 \_\_\_\_\_  
 \_\_\_\_\_

Please check one box and sign below:

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

Signature: *[Handwritten Signature]* Date: January 29, 2007

Title: Project Engineer Agency: Curran-McLeod, Inc.



CURRAN-McLEOD, INC.  
CONSULTING ENGINEERS  
6655 S.W. HAMPTON STREET, SUITE 210  
PORTLAND, OREGON 97223


January 29, 2007

**RECEIVED**

**JAN 29 2007**

**CITY OF CANBY**

**MEMORANDUM**

**TO:** Mr. Kevin Cook   
**FROM:** Hassan Ibrahim, PE  
**RE:** **CITY OF CANBY**  
**1295 NE TERRITORIAL RD**  
**ZC 07-02**

We have reviewed the submitted application to the above mentioned project and have no concerns with the proposed zone change.

C:\HAI\Projects\Canby\1009 Gen Eng\1295 NE Territorial Rd.wpd

PHONE: (503) 684-3478

E-MAIL: cmi@curran-mcleod.com

FAX: (503) 624-8247

### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 2667001

FAX 266-1574

DATE: January 26, 2007

- |   |   |
|---|---|
| <p>TO:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> FIRE</li> <li><input type="checkbox"/> POLICE</li> <li><input type="checkbox"/> PUBLIC WORKS</li> <li><input type="checkbox"/> CANBY ELECTRIC</li> <li><input type="checkbox"/> CANBY WATER</li> <li><input type="checkbox"/> Darvin Tramel - WTP</li> <li><input type="checkbox"/> Jeff Crowther - WTP</li> <li><input type="checkbox"/> CITY ENGINEER</li> <li><input type="checkbox"/> CTA</li> <li><input type="checkbox"/> NW NATURAL</li> <li><input type="checkbox"/> WILLAMETTE BROADBAND</li> <li><input type="checkbox"/> CANBY DISPOSAL</li> <li><input type="checkbox"/> CITY ATTORNEY</li> <li><input type="checkbox"/> BIKE AND PEDESTRIAN COMM</li> <li><input type="checkbox"/> PGE</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> CANBY POST OFFICE</li> <li><input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR</li> <li><input type="checkbox"/> CLACKAMAS COUNTY 911</li> <li><input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION</li> <li><input type="checkbox"/> TRAFFIC SAFETY COMMITTEE</li> <li><input type="checkbox"/> CLACKAMAS COUNTY</li> <li><input type="checkbox"/> CANBY SCHOOL DISTRICT</li> <li><input type="checkbox"/> OREGON DEPT. TRANSPORTATION</li> <li><input type="checkbox"/> ODOT/REGION 1/DIST 2B</li> <li><input type="checkbox"/> STATE OF OREGON/REVENUE</li> <li><input type="checkbox"/> CANBY BUSINESS REVITALIZATION</li> <li><input type="checkbox"/> PARKS AND RECREATION</li> <li><input type="checkbox"/> CITY TRANSPORTATION ENGINEER</li> <li><input type="checkbox"/> BUILDING OFFICIAL _____</li> <li><input type="checkbox"/> OTHER _____</li> </ul> |
|---|---|

RECEIVED  
JAN 30 2007  
CITY OF CANBY

The City has received ZC 07-02 (1295 NE Territorial Rd), an application from S.T.J., LLC requesting a zone change on Tax Lots 1500 and 1501 of Map 3 1E 27CB from R-1 (Low Density Residential) to R-2 (High Density Residential). The property is located at 1295 NE Territorial Road.

Please review the enclosed application and return comments to Kevin Cook by Wednesday, February 7, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

**Comments or Proposed Conditions:**

*The zone change does not affect Canby Utility. However, this parcel currently is served by PGE. Upon development conversion to Canby Utility Electric will be required @ developers expense*

Please check one box and sign below:

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

Signature: *John Ardwell* Date: 1-30-07

Title: Line Foreman Agency: Canby Utility Elect.

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 2667001

FAX 266-1574

DATE: January 26, 2007

- TO:
- |   |  |
|---|--|
| <input type="checkbox"/> FIRE                     | <input type="checkbox"/> CANBY POST OFFICE                       |
| <input type="checkbox"/> POLICE                   | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR               |
| <input type="checkbox"/> PUBLIC WORKS             | <input type="checkbox"/> CLACKAMAS COUNTY 911                    |
| <input type="checkbox"/> CANBY ELECTRIC           | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION         |
| <input type="checkbox"/> CANBY WATER              | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE                |
| <input type="checkbox"/> Darvin Tramel - WTP      | <input type="checkbox"/> CLACKAMAS COUNTY                        |
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| <input type="checkbox"/> CITY ENGINEER            | <input type="checkbox"/> OREGON DEPT. TRANSPORTATION             |
| <input type="checkbox"/> CTA                      | <input type="checkbox"/> ODOT/REGION 1/DIST 2B                   |
| <input type="checkbox"/> NW NATURAL               | <input type="checkbox"/> STATE OF OREGON/REVENUE                 |
| <input type="checkbox"/> WILLAMETTE BROADBAND     | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION           |
| <input type="checkbox"/> CANBY DISPOSAL           | <input type="checkbox"/> PARKS AND RECREATION                    |
| <input type="checkbox"/> CITY ATTORNEY            | <input checked="" type="checkbox"/> CITY TRANSPORTATION ENGINEER |
| <input type="checkbox"/> BIKE AND PEDESTRIAN COMM | <input type="checkbox"/> BUILDING OFFICIAL _____                 |
| <input type="checkbox"/> PGE                      | <input type="checkbox"/> OTHER _____                             |

RECEIVED  
JAN 31 2007  
CITY OF CANBY

The City has received ZC 07-02 (1295 NE Territorial Rd), an application from S.T.J., LLC requesting a zone change on Tax Lots 1500 and 1501 of Map 3 1E 27CB from R-1 (Low Density Residential) to R-2 (High Density Residential). The property is located at 1295 NE Territorial Road.

Please review the enclosed application and return comments to Kevin Cook by Wednesday, February 7, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

**Comments or Proposed Conditions:**

THE PROPOSED ZONE CHANGE WILL BRING THE SITE'S ZONING INTO COMPLIANCE WITH THE CITY'S COMPREHENSIVE PLAN DESIGNATION. THE IMPACT OF THE ZONE CHANGE HAS BEEN INCLUDED IN THE CITY'S TSP CONCLUSIONS AND RECOMMENDATIONS, WHICH IS BASED ON THE COMP PLAN DESIGNATIONS. THEREFORE, THE ZONE CHANGE WILL NOT REQUIRE ANY MITIGATION, BEYOND WHAT HAS BEEN SPECIFIED IN THE TSP.

**Please check one box and sign below:**

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

Signature:  Date: 1/31/07

Title: ENGINEERING ANALYST Agency: LANCASTER ENGINEERING