



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: October 12, 2015
Jurisdiction: City of Canby
Local file no.: CPA & ZC 15-01, LLA
DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/09/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 001-15 {23867}

Received: 10/9/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Canby

Local file no.: **CPA & ZC 15-01, LLA 15-04**

Date of adoption: 10.07.15

Date sent: 10/9/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): June, 2015

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Bryan Brown, Planning Director

Phone: 503-266-0702

E-mail: brownb@ci.canby.or.us

Street address: 111 NW 2nd Ave

City: Canby

Zip: 97013-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from HI to HDR 7.6 acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 235 S Sequoia Parkway; Tax Lots: 31E34C 4900 & 2101

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from M-2	to R-2	Acres: 7.6
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 235 S Sequoia Parkway; Tax Map/Lots: 31E34C 4900 & 2101

List affected state or federal agencies, local governments and special districts: City of Canby

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Allows proposed development of approximately 160 market rate workforce apartment units by Aaron Jones with UrbanIDM

ORDINANCE NO. 1423

AN ORDINANCE AMENDING CANBY'S COMPREHENSIVE PLAN LAND USE MAP AND ZONING MAP FROM HEAVY INDUSTRIAL (HI & M-2) TO HIGH DENSITY RESIDENTIAL (HDR & R-2) RESPECTIVELY FOR AN APPROXIMATE 7.6 ACRE PORTION OF TAX LOTS 2101 AND 4900 OF TAX MAP 31E34C AS ADJUSTED BY LLA 15-04 AT 235 S SEQUOIA PARKWAY.

WHEREAS, an application was filed with the City by Urban IDM, the owner of said Tax Lots to amend the Comprehensive Plan Land Use Map and Zoning Map from Heavy Industrial (HI & M-2) to High Density Residential (HDR & R-2) respectively; and

WHEREAS, a concurrent Lot Line Adjustment application to adjust the two said Tax Lots in a manner to rezone approximately 7.6 acres for High Density Residential with the remaining adjusted Tax Lot of approximately 5 acres retaining the existing Heavy Industrial designation and zoning; and

WHEREAS, a public hearing was conducted by the Canby Planning Commission on August 24, 2015 and the Canby City Council on September 16, 2015 on said amendments, during which the citizens of Canby were given the opportunity to come forward to present testimony on these proposed changes after public notice was posted and printed in the Canby *Herald*, as required by law; and

WHEREAS, the Canby City Council considered the matter and the recommendation and hearing proceedings of the Planning Commission in relation to the applicable approval standards and criteria of CMC Section 16.88.180(D), 16.88.190, and 16.54.040 of the Land Development and Planning Ordinance concerning whether the Comprehensive Plan Quasi-judicial Plan Amendments, Transportation System Plan and Transportation Planning Rule, and Zoning Map Amendments were met; and

WHEREAS, the City Council, after concluding its review and discussion of the record on this matter and by motion duly made and seconded, voted to approve the Comprehensive Plan Land Use Map Amendment and Zone Change Map Amendment subject to specific zone conditions; now therefore,

THE CANBY CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. The comprehensive plan land use map designation and official zoning map district for the adjusted Tax Lots from the concurrently approved application for LLA 15-04 for Tax Lots 2101 and 4900 of Tax Map 31E34C are changed from Heavy Industrial (HI & M-2) to High Density Residential (HDR & R-2) respectively for approximately 7.6 acres as determined by the final Lot Line Adjustment survey or plat.

Section 2. The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate change to the City's Comprehensive Plan Land Use Map and Zoning Map in accordance with the dictates of Section 1 above.

Section 3. The change in land use plan map designation and zone map district are subject to the following conditions of the map approvals:

- 1) A 25-foot wide landscape buffer shall be required as part of the subsequent approved site development plan adjacent to the commonly owned 5 acre parcel retaining M-2 zoning and the railroad spur boundary except where garage units or internal drive and parking is provided within this landscape area in which case the required minimum landscape buffer shall be 15-foot wide to allow for screening plant material. Either required landscape screening/buffer area width provided shall be required to plant appropriate evergreen plant materials that will provide visually opaque privacy screening from the ground up to approximately 20 feet in height at plant maturity.
- 2) The applicant shall provide planning staff a list of specific heightened level of building construction standards to be utilized in conjunction with their building plan submittal that addresses noise attenuation, and will hire a licensed engineer to measure the level of vibration generated by the rail line as part of the process of determining whether any construction mitigation measures are warranted to mitigate adverse vibration impacts.
- 3) The applicant shall record a deed restriction to limit the allowed uses on the M-2 zone 5 acre commonly owned industrial tract to restrict uses to those indicated to be “outright permitted” as indicated in the current or future M-1 Light Industrial Zone within the Canby Planning and Zoning Ordinance without option for uses otherwise listed in the same ordinance in both the M-1 and M-2 zone as allowed by Conditional Use.
- 4) The applicant shall record a deed restriction to prohibit any future Comprehensive Plan Map Amendment or Zoning Map Amendment to allow any residential or commercial zone district on the remaining adjacent commonly owned parcel retaining the M-2 zone unless property on both adjacent sides along the Sequoia Parkway frontage are also to be rezoned or have already been rezoned to the same proposed zone district.
- 5) Driveway access to Sequoia Parkway for the applicant’s two legally existing parcels shall be limited to no more than two between and amongst the two properties unless the applicant can adequately demonstrate full compliance with the 200-foot spacing standard which applies between all new driveways and existing driveways as determined at the time of development application approval.
- 6) The applicant shall contribute 4% of the final estimate for the installation of a traffic signal and associated improvements recommended by ODOT and contained in the supplemental Traffic Memorandum prepared by DKS Associates. This would amount to a rough proportional share contribution to the City for future funding of the signalization project as identified by

condition of approval to be added to the City's TSP and SDC capital improvement list by approval of this rezone.

7) City agreement with the rezone to pursue amendment of the Canby Transportation System Plan to include a traffic signal at S Sequoia Parkway/S Hazel Dell Way intersection in the financially constrained project list, and to amend the System Development Charge (SDC) project list to include a traffic signal at the same intersection by removing a less critical similar cost project due to this projects more immediate higher importance.

8) The applicant shall record a deed restriction in favor of all industrial zoned lots in the Canby Pioneer Industrial Park acknowledging the industrial uses on the industrial zoned properties are pre-existing and do not constitute a nuisance and the apartment owners and residents waive any future claims for nuisance arising out of the current or future industrial uses of those properties.

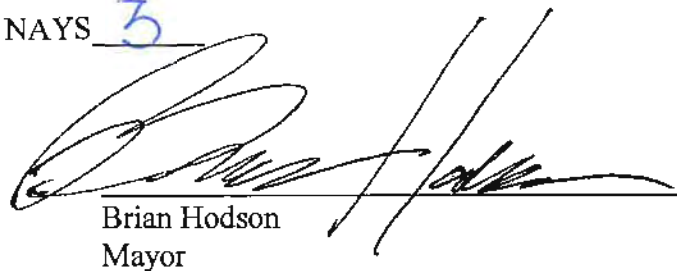
SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, September 16, 2015, ordered posted in three (3) public and conspicuous places in the City for a period of five (5) days, as authorized by the Canby City Charter; and to come up for final reading and action by the City Council at a regular meeting thereof on October 7, 2015, commencing after the hour of 7:30 p.m. in the Council Meeting Chambers located at 155 NW 2nd Avenue in Canby, Oregon.


Kimberly Scheafer, MMC
City Recorder

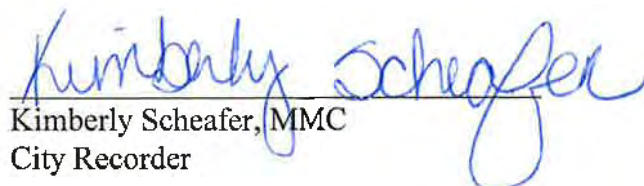
PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on October 7, 2015, by the following vote:

YEAS 4

NAYS 3


Brian Hodson
Mayor

ATTEST:


Kimberly Scheafer, MMC
City Recorder

AFFIDAVIT OF POSTING

STATE OF OREGON)
)
County of Clackamas) ss:
)
CITY OF CANBY)

I, Kimberly Scheafer, being first duly sworn, depose and say that I am the City Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon.

That on the 16th of September 2015 the Council for said City of Canby held a Regular City Council Meeting, at which meeting Ordinance No. 1423 was read for the first time and passed by the vote of said Council and was then and there ordered posted in at least three (3) public and conspicuous places in said City for a period of five (5) days prior to the second reading and final vote on said Ordinance, as provided in Section 2 of Chapter 8 of the Charter of the City of Canby, and

Thereafter, on the 18th day of September 2015, I personally posted said Ordinance in the following three (3) conspicuous places, all within the said City of Canby, to wit:

- 1. Canby City Hall Bulletin Board - outside
- 2. Canby Public Library Bulletin Board
- 3. Canby Post Office

That since said posting on the date aforesaid, the said Ordinance will remain posted in the said three (3) public and conspicuous places continuously for the period of five (5) days and until the very 7th day of October 2015.

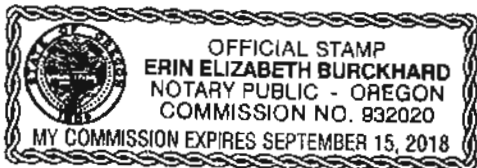
Kimberly Scheafer

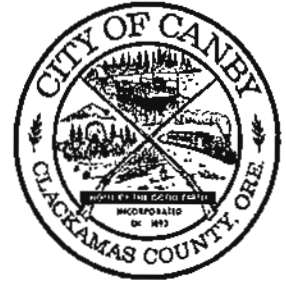
Kimberly Scheafer, MMC
City Recorder

Subscribed and sworn to before me this 18th day of September 2015.

Erin Elizabeth Burckhard

Notary Public For Oregon
My Commission Expires: 9/15/2018





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

**A REQUEST TO APPROVE A) FINDINGS, CONCLUSIONS & ORDER
COMPREHENSIVE PLAN LAND USE MAP) CPA 15-01/ZC 15-01/LLA 15-04
AND ZONE CHANGE MAP AMENDMENTS)
FROM HEAVY INDUSTRIAL (HI & M-2) TO)
HIGH DENSITY RESIDENTIAL (HDR & R-2))
RESPECTIVELY FOR AN APPROXIMATE)
7.6 ACRE PROTION OF TAX LOTS 2101 AND)
4900 OF TAX MAP 31E34C AS ADJUSTED BY)
LLA 15-04 AT S SEQUOIA PARKWAY.)**

NATURE OF APPLICATION

Urban IDM seeks to amend the Comprehensive Plan Land Use Map from Heavy Industrial (HI) to High Density Residential (HDR) designation and corresponding Zone Change Map amendment from Heavy Industrial (M-2) to High Density Residential (R-2) for approximately 7.6 acres, and necessary Lot Line Adjustment to reconfigure the size of the two existing commonly owned parcels so the boundary will match the area of the zone change leaving a reconfigured parcel of approximately 5 acres with the existing industrial zoning at 235 S Sequoia Parkway.

HEARINGS

The Planning Commission held a public hearing and considered this application at its meeting on August 24, 2015. The Planning Commission forwarded their recommendation to City Council. The City Council held a second public hearing to consider the application and the Planning Commission’s recommendation at its September 16, 2015 meeting. The planning director presented the staff report and the Mayor opened the public hearing receiving testimony from the applicant and then the public. After closing the public hearing and deliberation, the Council voted to approve the Comprehensive Plan Amendment, Zone Change, and Lot Line Adjustment applications on a 4 to 3 vote by approving the associated Ordinance No. 1423 as amended.

CRITERIA AND STANDARDS

The Canby Comprehensive Plan and Section 16.88, 16.54.040, and 16.58.030 of the Canby Municipal Code states the applicable review criteria when reviewing a quasi-judicial comprehensive plan land use map amendment, zone change map amendment, and lot line adjustment for which the Council shall give consideration, including the following:

The Comprehensive Plan (Updated January, 2007 and Statewide Planning Goals:

- 1. Goal 2 – Land Use Planning
- 2. Goal 9 – Economic Development
- 3. Goal 12 – Transportation

For a Comprehensive Plan Land Use Map Amendment:
(Section 16.88.180(D)

In judging whether a quasi-judicial plan amendment shall be approved, the Planning Commission and

City Council shall consider:

1. The remainder of the Comprehensive Plan of the city, as well as the plans and policies of the county, state, or any local school or service districts which may be affected by the amendments;
2. Whether all required public facilities and services exist, or will be provided concurrent with the anticipated development of the area.

(Section 16.88.180)

E.. For proposed comprehensive plan amendments, which must consider the long-term adequacy of the transportation system for TPR 660-10-060 compliance, ODOT must be consulted to determine whether a highway project is “reasonably likely to be funded” based on funding projections at that time.

Section 16.88.190

- A. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with the Transportation Planning Rule (OAR 660- it:
1. Changes the functional classification of an existing or planned transportation facility;
 2. Changes standards implementing a functional classification system’
 3. As measured at the end of the planning period identified in the adopted plan:
 - a. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or,
 - b. Would reduce the performance of the facility below the minimum acceptable performance standard identified in the Transportation System Plan.
 - c. Would worsen the performance of a facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the Transportation System Plan.
- B. Amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and performance standards (i.e., level of service, volume to capacity ratio, etc.) of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:
1. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 2. Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of Section – 0060 of the TPR. Such amendments shall include a funding plan or other mechanism so that the facility, improvement or service will be provided by the end of the planning period.
 3. Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.
 4. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
 5. Providing other measures as a condition of development, including transportation system management measures, demand management or minor transportation improvements.

For A Map Amendment (Zone Change):

(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 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.

(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 zoned change.
- 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 or 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.

For A Lot Line Adjustment:

(Section 16.58.030)

- A. Each of the remaining parcels and any structures located thereon shall be in full compliance with all regulations of this title, including the setback requirements of Division III.
- B. No new lots or parcels will be created as a result of the lot line adjustment without receiving approval as a partition or subdivision.
- C. If the City Planner or City Engineer deems it necessary to assure the accuracy of recorded information, a survey may be required of the applicant. Such a survey will be at the applicant's cost.
- D. Lot line adjustments shall not be permitted where the result will be the creation of additional building sites in known hazardous locations or where the appropriate development or extension of public facilities will be impaired as a result.

FINDINGS AND REASONS

The staff report was presented by staff including review of applicable approval criteria, the major issues involved, staff's recommended conditions of approval of the zone change to ensure conformance with approval criteria, and the primary reasons leading to the recommendation of the Planning Commission.

After holding their own public hearing where oral testimony was received from the applicant and others in attendance; the City Council closed their public hearing and moved into deliberation where they utilized the findings of the overall written record materials along with the overall presentation record from the public hearings to make the following findings beyond those contained in the applicant's submittal and staff report to arrive at their decision and support their decision and recommended conditions of approval:

- Approval should include a supplemental rezone condition of approval as suggested by a nearby industrial property owner and developer as follows: “The applicant shall record a deed restriction in favor of all the industrial zoned lots in the Canby Pioneer Industrial Park acknowledging the industrial uses in the industrial zoned properties are pre-existing and do not constitute a nuisance and the apartment owners and residents waive any future claims for nuisance arising out of the current or future industrial uses of those properties”.

CONCLUSION

In summary, the City Council concludes by vote that, based on the findings contained in the applicant’s submittal and the staff report dated August 11, 2015, together with the remaining written record and testimony received at both public hearings that:

1. The application processing is in conformance with applicable provisions set forth in CMC 16.89.
2. Statewide Planning Goals 2, 9, and 12 in particular have been satisfactorily addressed.
3. The Comprehensive Plan Land Use Plan Map Amendment meets the approval criteria set forth in CMC 16.88 making the requested change in the Land Use Plan Map designation from Heavy Industrial (HI) to High Density Residential (HDR) is appropriate.
4. The Map Amendment rezone from the Heavy Industrial (M-2) to the High Density Residential (R-2) zoning district as requested is suitable at this point in time for this location.
5. That the conditions of approval recommended by staff along with an additional condition suggested by a nearby industrial property owner are necessary.
6. All conditions of the Lot Line Adjustment will be met and is necessary to set the exact rezoning boundary.
7. There are sufficient public and private utility and service capacity to serve the site at the anticipated development intensity.
8. The proposed land use plan map change and zoning change can be made to conform to the adopted Transportation System Plan and Transportation Planning Rule with follow through by the City on Amending the Transportation System Plan in a manner to satisfactorily address the TPR mitigation measure as approved by condition.

ORDER:

The City Council, of the City of Canby hereby **APPROVES**, Comprehensive Plan Land Use Map Amendment, Zone Change Map Amendment and Lot Line Adjustment applications **CPA 15-01/ZC 15-01/ZC 15-04** with the following zone change conditions:

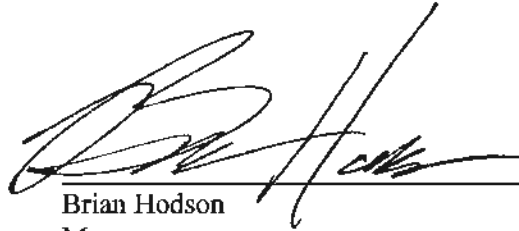
1. A 25-foot wide landscape buffer shall be required as part of the subsequent approved site development plan adjacent to the commonly owned 5 acre parcel retaining M-2 zoning and the railroad spur boundary except where garage units or internal drive and parking is provided within this landscape area in which case the required minimum landscape buffer shall be 15-foot wide to allow for screening plant material. Either required landscape screening/buffer area width provided shall be required to

plant appropriate evergreen plant materials that will provide visually opaque privacy screening from the ground up to approximately 20 feet in height at plant maturity.

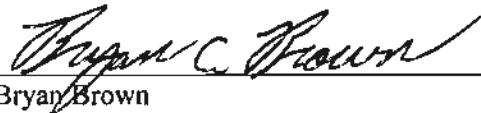
2. The applicant shall provide planning staff a list of specific heightened level of building construction standards to be utilized in conjunction with their building plan submittal that addresses noise attenuation, and will hire a licensed engineer to measure the level of vibration generated by the rail line as part of the process of determining whether any construction mitigation measures are warranted to mitigation adverse vibration impacts.
3. The applicant shall record a deed restriction to limit the allowed uses on the M-2 zone 5 acre commonly owned industrial tract to restrict uses to those indicated to be "outright permitted" as indicated in the current or future M-1 Light Industrial Zone within the Canby Planning and Zoning Ordinance without option for uses otherwise listed in the same ordinance in both the M-1 and M-2 zone as allowed by Conditional Use.
4. The applicant shall record a deed restriction to prohibit any future Comprehensive Plan Map Amendment or Zoning Map Amendment to allow any residential or commercial zone district on the remaining adjacent commonly owned parcel retaining the M-2 zone unless property on both adjacent sides along the Sequoia Parkway frontage are also to be rezoned or have already been rezoned to the same proposed zone district.
5. Driveway access to Sequoia Parkway for the applicant's two legally existing parcels shall be limited to no more than two between and amongst the two properties unless the applicant can adequately demonstrate full compliance with the 200-foot spacing standard which applies between all new driveways and existing driveways as determined at the time of development application approval.
6. The applicant shall contribute 4% of the final estimate for the installation of a traffic signal and associated improvements recommended by ODOT as indicated in the supplemental traffic memorandum prepared by DKS dated August 7, 2015. This would amount to a rough proportional share contribution to the City specifically for future funding of the signalization project as identified by condition of approval to be added to the City's TSP and SDC capital improvement list by approval of this rezone.
7. City agreement with approval of the rezone to pursue amendment of the Canby Transportation System Plan to include a traffic signal at S Sequoia Parkway/S Hazel Dell Way intersection in the financially constrained project list, and to amend the System Development Charge (SDC) project list to include a traffic signal at the same intersection by removing a less critical similar cost project due to this projects more immediate higher importance.
8. The applicant shall record a deed restriction in favor of all the industrial zoned lots in the Canby Pioneer Industrial Park acknowledging the industrial uses in the industrial zoned properties are pre-existing and do not constitute a nuisance and the apartment owners and residents waive any future claims for nuisance arising out of the current or future industrial uses of those properties.

I CERTIFY THAT THIS ORDER approving CPA 15-01/ZC 15-01/LLA 15-04 was presented to and **APPROVED** by the City Council of the City of Canby.

DATED this 7th day of October, 2015



Brian Hodson
Mayor



Bryan Brown
Planning Director

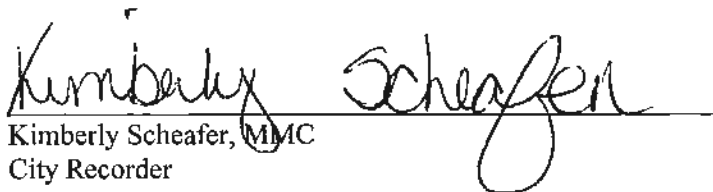
ORAL DECISION - September 16, 2015

AYES: Parker, Heidt, Coleman, & Hodson
NOES: Rocha, Hensley, & Dale
ABSTAIN: None
ABSENT: None

WRITTEN FINDINGS - October 7, 2015

AYES: Rocha, Parker, Hensley, Dale, Heidt & Coleman
NOES: None
ABSTAIN: None
ABSENT: None

ATTEST:



Kimberly Scheafer, MMC
City Recorder

PROPOSED
COMPREHENSIVE PLAN MAP
CHANGE FROM
HI—HEAVY
INDUSTRIAL DESIGNATION
TO
HDR—HIGH
DENSITY RESIDENTIAL
DESIGNATION

&
PROPOSED
ZONING MAP
CHANGE FROM
M-2—HEAVY
INDUSTRIAL
TO
R-2 HIGH
DENSITY
RESIDENTIAL

SANDBY 12M

7.6 ACRES

PROPOSED
LOT LINE ADJUSTMENT
BOUNDARY

THE COMP PLAN DESIGNATION
AND ZONING OF THIS PARCEL
REMAINS H-I AND M-2,
RESPECTIVELY.

PROPOSED COMPREHENSIVE PLAN MAP
AND
PROPOSED ZONING MAP CHANGE
TAX LOTS: 31E34C04900 & 31E34C02101
235 S SEQUOIA PARKWAY, PORTIONS OF SW 1/4,
SECTION 34, T3S, R1E, W.M., CLACKAMAS COUNTY

