



**AGENDA
CANBY CITY COUNCIL
JOINT WORK SESSION OF THE CITY COUNCIL
& PLANNING COMMISSION -6:00 PM
REGULAR MEETING – 7:30 PM
EXECUTIVE SESSION – 8:30 PM**

November 17, 2021

Virtual Meeting/ Council Chambers - 222 NE 2nd Avenue, 1st Floor

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Mayor Brian Hodson

Councilor Christopher Bangs
Councilor David Bajorin
Council President Traci Hensley

Councilor Sarah Spoon
Councilor Greg Parker
Councilor Shawn Varwig

**JOINT WORK SESSION –
CITY COUNCIL & PLANNING COMMISSION – 6:00 PM**

- 1. CALL TO ORDER**
- 2. DISCUSSION REGARDING FRAMEWORK UPDATE FOR ZONING CODE CHANGES.**
- 3. DISCUSSION REGARDING TRANSPORTATION SYSTEM PLAN AND TRAFFIC WITH DKS CONSULTANTS.**
- 4. ADJOURN**

Pg.4

REGULAR MEETING – 7:30 PM

- 1. CALL TO ORDER**
- 2. PRESENTATION REGARDING PICKLEBALL COURT DONATIONS**
- 3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** This is an opportunity for audience members to address the City Council on items not on the agenda. Each person will be given 3 minutes to speak. Staff and the City Council will make every effort to respond to questions raised during citizens input before the

meeting ends or as quickly as possible thereafter. ***If you would like to speak please email or call the City Recorder by 7:30 pm on November 17, 2021 with your name, the topic you'd like to speak on and contact information: bissetm@canbyoregon.gov or call 503-266-0733. Once your information is received, you will be sent instructions to speak.

4. **CONSENT AGENDA:** This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.

- a. Approval of the Minutes of the October 6, 2021 Special & Regular City Council Meetings. Pg. 7
- b. Request for an OLCC Off-Premises License from Conasuper Meat Market located at 733 1st Street in Canby. Pg. 15

5. **PUBLIC HEARING**

- a. To consider a request to annex approximately 42.5 acres of land into the city limits of Canby. As part of the annexation request, the applicant is concurrently requesting the approval of a Development Concept Plan (DCP) and a zone change to establish zoning for the proposed annexation land that is consistent with the Canby Comprehensive Plan. The proposal is reviewed as a Type IV land use decision with a recommendation by the Planning Commission and a public hearing to evaluate the approval criteria and the Planning Commission's recommendation. Pg. 19

6. **ORDINANCES & RESOLUTION**

- a. Consider **Ordinance No. 1566:** An Ordinance proclaiming annexation into the City Of Canby, Oregon 42.5 acres of real property described as a tract of land located in the Southwest one quarter of Section 3, the Northeast one quarter of Section 4, and the Southeast one quarter of Section 4, Township 4 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon also identified as Clackamas County Assessor's Map And Tax Lots 41E03 02300, 41E04D 01200, And 41E04D 01300. This Ordinance also concurrently amends the existing County zoning from Exclusive Farm Use (EFU) to City Low Density Residential (R-1) and Medium Density Residential (R-1.5) for the entire area; and setting the boundaries of the property to be included within the Canby City limits. (*First Reading*) Pg. 490
- b. Consider **Ordinance No. 1564:** An Ordinance Authorizing The City Administrator To Execute A Contract With Landscape Structures Inc, To Purchase A Picnic Shelter For Locust Street Park. (*Second Reading*) Pg. 494
- c. Consider **Ordinance No. 1565:** An Ordinance authorizing the City Administrator to enter into agreements for the purchase of right of way from Par 3 Investments, LLC, Proudest Monkey Development, LLC, and James and Karen Lyons for the future Walnut Street Expansion. (*Second Reading*) Pg. 502
- d. Consider **Resolution No. 1360:** A Resolution adopting a temporary program for use of private parking lots and private outdoor areas. Pg. 529

7. **MAYOR'S BUSINESS**

8. COUNCILOR COMMENTS & LIAISON REPORTS

9. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

- a. Bi-Monthly Reports

Pg. 535

10. CITIZEN INPUT

11. ACTION REVIEW

12. ADJOURN

Executive Session – 8:30 PM

(Will begin after the City Council Meeting ends but not before 8:30 PM)

EXECUTIVE SESSIONS ARE CLOSED TO THE PUBLIC. Representatives of the news media and designated staff may attend Executive Sessions. Representatives of the news media are specifically directed not to report on any of the deliberations during the Executive Session, except to state the general subject of the session as previously announced. No Executive Session may be held for the purpose of taking final action or making any final decision.

1. CALL TO ORDER

- 2. **EXECUTIVE SESSION:** ORS 192.660(2)(i) Performance Evaluation of Public Officer

3. ADJOURN

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Melissa Bisset at 503.266.0733. A copy of this Agenda can be found on the City's web page at www.canbyoregon.gov. **City Council and Planning Commission Meetings are typically broadcast live and can be viewed on CTV Channel 5.** For a schedule of the playback times, please call 503.263.6287.

****We are requesting that rather than attending in person you view the meeting on CTV Channel 5 or on YouTube:**

<https://www.youtube.com/channel/UCn8dRr3QzZYXoPUEF4OTP-A>

If you do not have access virtually, there are a small number of chairs provided inside.



City of Canby

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City Council Staff Report

DATE: November 17, 2021

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Don Hardy, Planning Director

ITEM: Zoning Framework Update and TSP/Traffic Update Work Session

Summary

The City of Canby Title 16 Planning and Zoning Code needs updating. Some updates have occurred over time but a holistic update has not occurred. Both near term and long term updates are needed and planned. Long term updates will require information from other studies being completed over the next year including the Housing Needs Analysis (HNA), Housing Production Strategy (HPS) and Economic Opportunity Analysis (EOA) which will identify needed housing and housing types along with needed commercial and industrial land. The need for urban boundary expansions will also be evaluated. The transportation systems plan from 2010 also needs to be updated. This work session is for information and discussion purposes and the council does not need to take any actions.

Background

Holistic code updates should occur on about 10 year cycles along with comprehensive plan and transportation system plan updates. The last overall comprehensive plan update was in 1984. Although some code items have been updated over the years, the entire code has not been fully updated. The city will be in a good place to complete an entire code update as the HNA, HPS and EOA processes will be occurring. These update will also lead to the anticipated comprehensive plan and transportation system plan updates starting in the fall 2022. The HNA, HPS and EOA process will start in December 2021 and will finish by late fall 2022.

Discussion

Policy considerations will be part of the HNA, HPS and EOA processes that will provide the baseline information for considering long term code updates. Considerations from these processes will include the type and amount of residential lands needed and if additional residential zones should be created to address these needs ranging from single family residential to middle housing, with the same evaluation being completed for commercial and industrial zones including location areas. These are important steps leading to the start of the comprehensive plan and transportation system plan updates anticipated to start in the fall of 2022.

The presentation provided to the city council will cover some possible near term and long term code updates. Also DKS will be covering the transportation system plan, how transportation planning work, what elements are considered, how traffic forecasts are completed for intersection operations and the use of system development charges (SDC) and other mitigation measures to address traffic issues.

A list of possible near term code updates include:

Possible Near Term Code Updates

1. Food Cart Ordinance.
2. Planning commission process to change the presenting order from staff going first and presenting the staff report to the applicant presenting first so that the applicant is carrying more of the burden of justifying the project based on the code consistency
3. Update code text for remand process from city council to planning commission.
4. Fences with focus on height restrictions
5. Create change of business use code section to complement the business license process.
6. Revise subdivision plat extension timelines to match state law.
7. Make Boundary Line Adjustments a Type 1 process instead of a Type 2 process with notice.
8. Others?

Possible Long Term Code Updates

1. Parking standards for commercial and industrial projects (will be addressed with TSP update).
2. Residential zones: should there be more than three residential zones, including consideration of urban expansion area (HNA and HPS process will provide guidance)?
3. Residential setbacks, (HNA and HPS process will provide guidance).
4. Residential minimum lot sizes per zone and average lot size provisions (HNA and HPS process will provide guidance).
5. Density transfer provisions (HNA and HPS process will provide guidance).
6. Clarification for parkland dedication acceptance (parks master plan process will provide guidance to then be incorporated into the planning and zoning code).
7. Area of Special Concern, providing greater clarity of intent in zoning (comprehensive plan update process will provide guidance).
8. Add Public Facilities zone.
9. Others?

Timelines

Near term and long term updates will both have planning commission and city council work sessions, possibly together. Depending on the topic, an average of 2 to 3 work sessions is assumed.

A draft ordinance would then be provided to the planning commission and city council in separate hearings. The planning commission will make a recommendation for edits/changes to the city council.

The city council will make final edits and adopt the updates.

The overall approximate process which may vary depending on topic will be 6 to 9 months for near term updates and 9 to 12 months for long term updates. Some long term updates will require that the HNA, HPS and EOA be completed first.

Attachments

None

Fiscal Impact

Near term updates will be completed by planning staff. Long term updates (planning and zoning code, comprehensive plan and TSP will require consultant assistance).

Options

City council will have the opportunity to review and approve both near term and long term updates.

Recommendation

No specific recommendations, staff intends to proceed ahead with near term updates and we are open to additional items that council would like to add.

Proposed Motion

None proposed.

**CANBY CITY COUNCIL
SPECIAL CALLED MEETING
October 6, 2021**

PRESIDING: Mayor Brian Hodson

COUNCIL PRESENT: Christopher Bangs, Traci Hensley, Sarah Spoon, Greg Parker, and Shawn Varwig.

OTHERS PRESENT: Brad Clark, Bri Condon, Bryan Peterson, Cindy Lang, Daniel Owczarzak, David Bajorin, James Hieb, Jason Padden, Mac Garrison, Mark Johnson.

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/Assistant City Administrator; Melissa Bisset, HR Director/City Recorder.

CALL TO ORDER: Mayor Hodson called the Special Called Meeting to order at 5:37 p.m.

The City Council discussed the questions that they wanted to ask the candidates and the process. There was consensus to only ask three questions per candidate, questions 1, 2, and 6. The City Charter required candidates to have lived in the City for 12 months. He asked if the Council wanted to interview a candidate who did not meet that requirement. There was consensus to not interview that candidate.

Scott Archer, City Administrator, said another candidate had dropped out so the Council would be interviewing ten candidates.

INTERVIEWS FOR CITY COUNCIL VACANCY:

Brad Clark was an Oregon native and grew up in Florence. He got a degree in education in California and became a pastor. He moved to Canby in 2007 and raised two children here. He worked at the library for the City of Wilsonville. He believed in thinking globally but acting locally. He thought change almost always happened in small increments and change was hard. Navigating change and the future together was why he wanted to serve on the Council. He wanted to create a better future for the next generations. The most pressing issue he saw for Canby was division. Another important issue was livability and long term planning was at the forefront of his mind as well as keeping an eye on the budget and how it related to the services the City provided.

Bri Condon had been in social service work for 18 years and currently served as the Executive Director of the west coast's largest domestic violence intervention shelter organization. She was also a business consultant helping businesses run more efficiently. She was a fixer and a closer. She liked working on a team and inspiring people through conflict. She thought she could bring the skill of perception to the Council. She had talked to many people about living in the City and where things were missing. She thought she could leverage her skill set to assess the needs and feedback from citizens so they could move forward in the right way for the whole community. She wanted to better understand what the Council was working on right now. Her biggest concern as a resident of Canby was infrastructure which was not building at the same rate as development. She thought there should be a strategic planning process for improving City water.

She also wanted to make sure law enforcement and fire services were adequate. She was interested in helping to plan for green space as well.

Bryan Peterson had lived in Canby since 2014. He had two children that grew up in Canby and he had roots in the community. He had worked for the Oregon Corrections Department for the last 14 years. He had been involved in boy scouts. He was a political novice, but wanted to step up and help how he could. He would like to get to know the community better and wanted to be involved in making decisions that affected the community. Canby was expanding and having bigger town issues and he wanted to help resolve those issues. He had an open mind and dealt with difficult decisions on a daily basis at work. He was good at negotiating and listening to issues and finding the best outcome that was available. They needed to have short and long term goals that were in the best interest of citizens and businesses. They also needed to bridge the gap between some community issues and support fire, law, and health care workers as well as encouraging new businesses to come to Canby.

Cindy Lang was semi-retired and had moved to Canby four years ago. She wanted to be a good role model for her grandchildren. She had an entrepreneurial background owning several small businesses and also worked for corporate Nordstrom. She was good at listening to people and dealing with the public. She had also worked for non-profits and loved community theater. She thought she could be a good spokesperson and proactive to help make Canby the vibrant, wonderful, diverse, family-friendly community that it was. She could listen to people's concerns in an unbiased way and let them know they were heard. She wanted to keep the City safe and prosperous. She was a connector of people. A pressing problem in the City was the rapid growth. She wanted to be able to preserve the history and beauty of the City as well as the safety and well-being of children both now and in the future. They needed to grow in a responsible manner with thoughtful and positive communication within all aspects of the community. She thought they needed to keep the focus on policy issues, not personal agendas.

Daniel Owczarzak was a native Oregonian and grew up in Lincoln City. He got a degree in math and business. He had worked in research at OHSU and worked as a contractor for Oregon Health Authority. He had also worked at Nike and currently worked for Microsoft. He had two children and spent a lot of time in the City's parks and rode bikes around town. He had purchased his wife's grandparent's house and it was his forever home. His parents were active in City government while he was growing up. He had lived in Portland previously and saw exponential growth there and its impact. He was interested in serving on the Council because division was a big issue facing the City. He enjoyed the community events and spaces and he wanted to be part of the community that his children would be raised in. He wanted to help maintain the identity of Canby and bring people together while addressing the problems of a growing community and to do it in an equitable way. Parks were also important to help maintain a community that was together. He asked if they were going to continue to meet on Zoom and how a new person could join the group and become a voice in the group.

Mayor Hodson said they would be on Zoom until there was a different direction from the governor's office. They could connect one on one and have conversations to get to know each other.

David Bajorin grew up in New York. He got a degree in political science and joined the coast guard. He was still serving in the reserves. He had lived in Canby for three years and had two

children. He currently worked in HVAC. He had always liked providing service to others and would like to improve the world around him. He would get to work and make things happen that the City needed. The legacy they left behind for future generations was important. Some of the challenges were Covid and how it had brought out some of the worst in all of us. He thought they were better than that. They had a beautiful downtown untouched by chain stores and restaurants, which was how they maintained the small town feel. They needed to work towards greater cohesion and stronger sense of community. They needed to have unity of purpose as a City Council. He would like to see more youth involvement in City government.

James Hieb cared about people. He was a director of two childcare facilities and was a veteran. He had four children. He wanted to serve in a community where everyone felt welcome and at home. He wanted to keep the small town feel as the City grew and serve in a non-partisan capacity. He wanted to make the City better and to serve others. He thought current issues in Canby were completing the Walnut Street extension, paving 99E, building the new water treatment facility, putting in missing sidewalks, improving parks, and promoting unity.

Jason Padden was a traveling salesman and worked from home. He was very passionate about giving back to the community. He had served on several clubs and organizations in the communities where he lived, even at a young age. In 2005, he moved to Canby. He had become very involved in the local and state level and served on several different groups and organizations. In Canby, he had served on the Urban Renewal Advisory Committee, Street Maintenance Fee Task Force, City Council, Budget Committee, and Planning Commission. He was very familiar with what was involved in being a City Councilor and what they were and were not able to do. He was familiar with the form of government and how the Council and Mayor fit in that government. He was also familiar with the plans and projects that were in the works. He was uniquely positioned for this role. He wanted to serve on the Council and be a part of the planning for the future. He thought one of the biggest challenges in the City was planning including the Park and Recreation Master Plan, Transportation System Plan, and Housing Needs Study. They also needed to make updates to the City Code. He would also like to create five year strategic plans for missing sidewalks, upgrading streets, and parks, especially a dog park. He also thought they needed to improve water quality.

Mac Garrison had moved to Canby in 2020 and worked with Life Flight Network. He worked in management and had a degree in business and political science. He had also served in the military. His strengths were strategic planning, operations, and logistic management. He could look at the big picture and come up with processes, improvements, and efficiencies. He was an empty-nester and had grandchildren. He wanted to serve on the Council to have an impact on the organization and processes. He wanted to serve the community and help businesses survive and thrive. The Council had to make sure they were fiscally responsible, make sure there were police and fire to keep the community safe, fix the potholes, look at traffic flow, roads, and infrastructure to support it, maintain the small town feel, and manage growth.

Mark Johnson was a native Oregonian who had lived in many small towns in greater Clackamas County. He left for a period of time for business, and chose to come back and live in Canby. He had two kids and grandchildren. He worked in wholesale grocery and leading teams. The majority of his time was spent in merchandizing and helping independent stores sell more groceries. He would like to be a Councilor to have a voice and make sure other voices were heard. He was eager to contribute his skill set and opinions on how he thought he could help the

City. The key for Canby was managed growth and having the necessary infrastructure for that growth. Traffic control and road conditions were a primary concern in the community. Other priorities were affordable community participation, tolerance of large businesses, thriving success of small businesses, making downtown a place where people wanted to spend time, and returning the level of community events Canby had pre-Covid.

The Council took a recess from 7:38 p.m. to 7:48 p.m.

****Council President Hensley moved to appoint James Heib to fill the Council vacancy. Motion was seconded by Councilor Varwig.**

Council President Hensley said in the last election, Mr. Heib would have been the fourth in line. She thought this appointment would heed the voice of the community. She agreed the code needed to be changed and thought they needed Mr. Padden on the Planning Commission to make that happen.

Councilor Varwig wanted someone to fill the role that wanted to do the business of the City as a non-partisan position. Mr. Heib talked about that as well as important issues in the City and how he wanted to promote unity.

Councilor Bangs agreed with Mr. Heib's list of projects that needed to be done, however he would not be voting yes. They could only choose one candidate and Mr. Heib was not his top candidate.

Councilor Spoon would also not be voting yes as he did not make her top three. She appreciated what Mr. Heib said and thought he was doing a great job on the Planning Commission.

Motion failed 2-3 with Councilors Spoon, Bangs, and Parker opposed.

****Councilor Varwig moved to appoint Brad Clark to fill the Council vacancy. Motion was seconded by Council President Hensley.**

Councilor Varwig said Mr. Clark talked about division and bringing people together. He liked his thought about thinking globally and acting locally.

Councilor Bangs also liked that he had City working experience and thought he would make an excellent City Councilor. However, he would not be voting yes as Mr. Clark was not in his top three.

Councilor Spoon also thought Mr. Clark would be a good Councilor and had a heart for service, but there were a lot of fantastic candidates and he was not in her top three.

Motion failed 2-3 with Councilors Spoon, Bangs and Parker opposed.

Councilor Spoon moved to appoint David Bajorin to fill the Council vacancy. Motion was seconded by Councilor Parker.

Councilor Spoon thought Mr. Padden should remain on the Planning Commission. Mr. Bajorin talked about unity of purpose and the role of Council as leaving a legacy for future generations. He also talked about the importance of downtown and had a lot of organizational experience. She appreciated his view on the role of Council. He was her top candidate.

Councilor Bangs said Mr. Bajorin was also one of his top candidates. He thought Mr. Padden was very qualified but thought he should remain on the Planning Commission and Budget Committee. He liked how Ms. Condon spoke about green spaces and water quality and Mr. Owczarzak identified important issues. He liked the business knowledge of Mr. Johnson. Mr. Bajorin was the only candidate who came to the last Council meeting to stand up for a child.

Councilor Varwig was also in support of Mr. Bajorin. He encouraged the Council to forget the past bumps in the road and move forward in unity and respect for one another for the good of the community.

Council President Hensley said she thought Mr. Heib should be appointed because he was the constituents' choice in the last election.

Motion passed 4-1 with Council President Hensley opposed.

Mayor Hodson adjourned the meeting at 7:37 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING
October 6, 2021**

PRESIDING: Mayor Brian Hodson

COUNCIL PRESENT: Christopher Bangs, Traci Hensley, Sarah Spoon, Jordan Tibbals, Greg Parker, and Shawn Varwig.

OTHERS PRESENT: Jason Padden, Representative Christine Drazen, Fire Chief Jim Davis, Division Chief Matt Dale, and Division Chief Matt English.

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/Assistant City Administrator; Melissa Bisset, City Recorder/HR Manager.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:45 p.m.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Bob Cambra, Canby resident, spoke at a previous meeting on an appeal of the development on Thirteenth Street. During that discussion he pointed out some facts that were important for the City. One of those was that the road had parking on both sides which made the street very narrow and made it difficult for emergency vehicles to get through. He had contacted Canby Fire who said the width of their largest truck was 16 feet. He wanted that to be clear when the Council made their decision.

CONSENT AGENDA: **Council President Hensley moved to appoint Rhonda Shechtman to the Heritage and Landmark Commission for a term expiring on June 30, 2022. Motion was seconded by Councilor Varwig and passed 5-0.

ORDINANCES & RESOLUTION: Ordinance 1560 – Mr. Archer said this was a request to approve the purchase of a front end loader for Public Works in the amount of \$135,017.49. This purchase was in the budget. Three quotes were received and this was the lowest.

Councilor Parker thought this spending authority was an administrative task, not a legislative task. He thought it should be brought up as an agenda item with the Budget Committee.

****Councilor Varwig moved to approve Ordinance 1560, AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ENTER INTO A PURCHASE AGREEMENT WITH COLUMBIA WESTERN MACHINERY TO BUY A NEW FRONT-END LOADER to come up for second reading on October 20, 2021. Motion was seconded by Council President Hensley and passed 5-0 on first reading.**

Ordinance 1561 – Mr. Lindsay, City Attorney, said the changes included allowing the high school member of the Library Board to be a voting member and for the Library Director to be removed as board secretary.

Councilor Bangs thought high school students should be voting members. This might potentially cause a tie vote, but it was an advisory committee who gave recommendations to the Council.

Councilor Spoon suggested creating a Youth Advisory Council or getting youth members on all of the City's committees.

****Councilor Bangs moved to approve Ordinance 1561, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 220 TO INCLUDE THE LIBRARY ADVISORY BOARD HIGH SCHOOL MEMBER AS A VOTING MEMBER WITH ADDITIONAL CHANGES TO THE LIBRARY BOARD SECRETARY to come up for second reading on October 20, 2021. Motion was seconded by Councilor Spoon and passed 5-0 on first reading.**

Resolution 1359 – Mr. Archer said this was a topic of a recent Work Session. At that meeting, there was consensus to bring this back to a regular meeting for action. There would be a transfer of \$310,000 from Canby Utility to the City for the project. The source of funding for the project was the Street Fund reserves and it would not impact any other street project. This project would not occur for a couple more years and more money would most likely be in the fund, however there were enough funds in the account for the project currently. He showed pictures of what the drop lines would be like if a property owner did not want to underground the lines. Before they could work with the property owners, this IGA had to be approved.

Mr. Lindsay said they would be able to get out of the IGA in the future if something happened. He confirmed they had to be in contract with Canby Utility in order to talk to the property owners.

There was discussion regarding the estimate of the project which was in future dollars, factoring in the costs of restoring people's properties if work had to be done, and what would happen if a property owner changed their mind in the future and wanted to underground.

Council President Hensley thought there was still too much uncertainty and she would be voting no.

****Councilor Bangs moved to approve Resolution 1359, A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CANBY AND CANBY UTILITY FOR THE UNDERGROUNDING OF UTILITIES FOR THE FUTURE IVY STREET IMPROVEMENT PROJECT. Motion was seconded by Councilor Parker and passed 4-1 with Council President Hensley opposed.**

NEW BUSINESS: Letter of Support for the Economic Opportunity Analysis – Mr. Archer said this letter would support a grant application for \$50,000 from DLCD to do an Economic Opportunity Analysis.

****Councilor Bangs moved to approve the letter of support for the Economic Opportunity Analysis grant funding. Motion was seconded by Councilor Spoon and passed 5-0.**

MAYOR'S BUSINESS: None

COUNCILOR COMMENTS & LIAISON REPORTS:

Councilor Spoon said Canby Area Transit's local circulator was now in action. The high school's homecoming senior parade would be tomorrow at 4 p.m. She asked if they could discuss a letter of support for the Willamette Falls and Landings Heritage Area at a future meeting. Mayor Hodson said it could go on the next agenda.

Councilor Bangs said the Library Board met and discussed a policy for non-circulation materials in the library and prepared for the annual Work Session with the Council. It was homecoming week at the high school and the homecoming game was this Thursday and dance was this Friday. Public Works partnered with the National Honor Society students to repaint the crosswalk. He showed pictures of the crosswalk.

Councilor Varwig said there was an opening on the Planning Commission and the CTV-5 Board.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None

CITIZEN INPUT: None

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Approved Ordinance 1560 and 1561 to come up for second reading on October 20, 2021.
3. Approved Resolution 1359.
4. Approved the letter of support for the EOA grant.

Mayor Hodson adjourned the meeting at 9:07 p.m.

Melissa Bisset
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood

DRAFT

Memo

To: Mayor Brian Hodson & Members of City Council
From: Jorge Tro, Chief of Police
CC: Melissa Bisset, General Administration
Date: November 12, 2021
Re: La Conasuper Meat Market Liquor License Application / Off-Premises, 733 SE 1st, Ave, Canby, Oregon

I have reviewed the attached off-premises liquor license application for La Conasuper Meat Market located at 733 SE 1st Avenue, Canby, Oregon, 97013.

On November 12, 2021, I met with spoke with the contact for the application, Hector Pastor Martinez, and we discussed the expectations and responsibilities involving the sale of alcoholic beverages.

Mr. Martinez explained that the company has experience in selling alcoholic beverages. He has 2 other stores in the Portland Metro area that currently sell alcoholic beverages. They are well aware that any employee selling alcoholic beverages must know the laws regulating the sale of alcoholic beverages and the consequences for failure to comply with the rules as set forth by Oregon State Law.

It is my recommendation the Canby City Council approve this application to the Oregon Liquor Control Commission (OLCC).



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

PRINT FORM

RESET FORM

ppd
11/3/21
\$100.00
46

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received and/or date stamp:
Brewery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	Name of City or County:
<input type="checkbox"/> Brewery-Public House (BPH) 1 st location	Recommends this license be:
BPH Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Distillery	By: _____
<input checked="" type="checkbox"/> Full On-Premises, Commercial <i>J/M</i>	Date: _____
<input type="checkbox"/> Full On-Premises, Caterer	
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 st location	
GSP Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Limited On-Premises	
<input checked="" type="checkbox"/> Off-Premises <i>J/M</i>	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	
Winery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
(4 th) <input type="checkbox"/> (5 th) <input type="checkbox"/>	

OLCC USE ONLY
Date application received: 10/11/21
Date application accepted: 10/11/21

License Action(s): N/O

2. Identify the applicant(s) applying for the license(s). **ENTITY (example: corporation or LLC) or INDIVIDUAL(S)**¹
applying for the license(s):
Pastor's Investment Inc

App #1: NAME OF ENTITY OR INDIVIDUAL APPLICANT

Hector Pastor

App #2: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #3: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #4: NAME OF ENTITY OR INDIVIDUAL APPLICANT

3. Trade Name of the Business (Name Customers Will See) La Conasuper Meal Market		
4. Business Address (Number and Street Address of the Location that will have the liquor license) 733 1st St SE 10-28-21 RE		
City Canby	County Polk <i>Clackamas</i>	Zip Code 97013

¹ **Read the instructions on page 1 carefully.** If an entity is applying for the license, list the name of the entity as an applicant. If an individual is applying as a sole proprietor (no entity), list the individual as an applicant.



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) La Conasuper Meat Market			
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO should be "No" 10-28-21 RE			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your license certificate, renewal application and other mailings as described in <u>OAR 845-004-0065(1)</u> . [REDACTED]			
9. Phone Number of the Business Location 503-730-6980		10. Email Contact for this Application and for the Business [REDACTED]	
11. Contact Person for this Application Hector Pastor		Phone Number 503-730-6980	
Contact Person's Mailing Address (if different) [REDACTED]	City [REDACTED]	State [REDACTED]	Zip Code [REDACTED]

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

ATTESTATION: **READ CAREFULLY AND MAKE SURE YOU UNDERSTAND BEFORE SIGNING THIS FORM**

I understand that marijuana is prohibited on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application are true and complete.

I affirm that I have read OAR 845-005-0311 and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311(6)) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an unwaivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

Applicant(s) Signature

- Each individual (sole proprietor) listed as an applicant must sign the application below.
- If an applicant is an entity, such as a corporation or LLC, at least one **INDIVIDUAL who is authorized to sign for the entity** must sign the application.
- An individual with the authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign the application. If an individual other than an applicant signs the application, please provide written proof of signature authority. Attorneys signing on behalf of applicants may list the state of bar licensure and bar number in lieu of written proof of authority from an applicant. **Applicants are still responsible for all information on this form.**

Hector Pastor

08/31/2021

App. #1: (PRINT NAME)

App #1: Signature Date

Atty. Bar Information (if applicable)

App. #2: (PRINT NAME)

App #2: Signature Date

Atty. Bar Information (if applicable)

App. #3: (PRINT NAME)

App #3: Signature Date

Atty. Bar Information (if applicable)

App. #4: (PRINT NAME)

App #4: Signature Date

Atty. Bar Information (if applicable)



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Pastor's Investment Inc 10-28-21 RE

Applicant Name: Hector Pastor Martinez

Phone: 503-730-6980

Trade Name (dba): La Conasuper Meat Market

Business Location Address: 733 SE 1st St

City: Canby

ZIP Code: 97013

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	8:00	to	9:00
Monday	8:00	to	9:00
Tuesday	8:00	to	9:00
Wednesday	8:00	to	9:00
Thursday	*:00	to	9:00
Friday	8:00	to	9:00
Saturday	8:00	to	9:00

Outdoor Area Hours:

Sunday		to	
Monday		to	
Tuesday		to	
Wednesday		to	
Thursday		to	
Friday		to	
Saturday		to	

The outdoor area is used for:

☐ Food service Hours: _____ to _____

☐ Alcohol service Hours: _____ to _____

☐ Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☐ Yes ☐ No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- | | |
|--|---|
| <input type="checkbox"/> Live Music | <input type="checkbox"/> Karaoke |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games |
| <input type="checkbox"/> DJ Music | <input type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input type="checkbox"/> Pool Tables |
| | <input type="checkbox"/> Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday		to	
Monday		to	
Tuesday		to	
Wednesday		to	
Thursday		to	
Friday		to	
Saturday		to	

SEATING COUNT

Restaurant: _____ Outdoor: _____

Lounge: _____ Other (explain): _____

Banquet: _____ Total Seating: _____

OLCC USE ONLY

Investigator Verified Seating: _____(Y) _____(N)

Investigator Initials: _____

Date: _____

I understand if my answers are _____ complete, the OLCC may deny my license application.

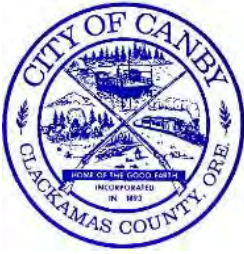
Applicant Signature: _____

Date: 10/01/2021

1-800-452-OLCC (6522)

City Council Packet, Page 18 of 571
www.oregon.gov/olcc

(rev. 12/07)



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: November 17, 2021
TO: Honorable Mayor Hodson and City Council
THRU: Scott Archer, City Administrator
FROM: Erik Forsell, AICP – Associate Planner
RE: Annexation and Zone Change; City File ANN 21-01 and ZC 21-02

Summary

The Planning Commission held a regularly scheduled and duly noticed public hearing on October 11, 2021 to consider an annexation and zone change for a tract of land described in the legal description and survey included as Attachment C to this staff report.

The subject property is generally located in the southern portion of the City, bordering the Mollala River and the Urban Growth Boundary to the south and S Ivy Street to the west. The proposed annexation area is a ±42.5 acre tract consisting of three tax lots.

At the public hearing on October 11, 2021, the Planning Commission moved to recommend the City Council approve the annexation and zone change application (City File ANN 21-01 / ZC 21-02) by a unanimous 5/0 vote with one member absent and one position vacant.

If City Council approves this application, approximately ±42.5 acres of land would be annexed into the city limits of Canby and concurrently rezoned as R-1 Low Density Residential and R-1.5 Medium Density Residential which is consistent with the underlying Comprehensive Plan map designations.

Discussion

In most cases, the City of Canby's annexation ordinances requires either a Development Concept Plan (DCP) or a Development Agreement (DA) for properties that are subject to an annexation request. This proposal includes a Development Concept Plan (DCP) as part of the request. The plan provides general guidance about the layout, availability of infrastructure and general conceptual framework for future development. The Planning Commission reviewed the DCP as part of the public hearing on October 11, 2021 and indicated their support for the concept plan.

The Planning Commission deliberated and accepted evidence in the staff report – generally supporting the applicant's proposal. As part of the evidence submitted by the applicant, the annexation indicates that the future development could reduce the gap between needed housing supply and current production of vacant or redevelopable residential lots.

All necessary public services are readily available for extension by the developer to serve the annexation area. No identified deficiencies were discovered as part of the review process for public infrastructure, including: sewer, stormwater, potable water or transportation infrastructure.

A continuation of the *Emerald Necklace* is proposed for dedication later which is consistent with parks planning documents. Additionally, a smaller neighborhood park which is planned in part to satisfy the park requirements of Canby Municipal Code Chapter 16.120 is included in the conceptual planning documents supplied by the applicant. These park dedications are not fully detailed and are expected to be further evaluated through a subdivision process. Given recent discussion of park dedications, staff expect to fully vet these dedications to ensure a consistent and reasonable and rational approach to the dedication process.

Pursuant to Oregon Revised Statute (ORS) and Transportation Planning Rules (TPR), a Traffic Impact Analysis is required when a city rezones land. The purpose of the rule is to demonstrate that the rezoning process will remain consistent with the acknowledged Transportation System Plan (TSP). That study found that the rezoning process would not be inconsistent with the TSP. The TPR analysis is included as Attachment D to this staff report.

Code Review Criteria

The City Council's responsibility is to review the annexation and zone change application against the criteria described below and to weigh the criteria and the Planning Commission's recommendation when making a motion to approve or deny the annexation and zone change request.

Canby Municipal Code Chapter 16.84 Annexations

16.84.040 – Standards and Criteria

A. The following criteria shall apply to all annexation requests.

1. The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):

b. A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:

1. Water
2. Sewer
3. Stormwater
4. Access
5. Internal Circulation
6. Street Standards
7. Fire Department requirements
8. Parks and open space

2. Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning - low density residential, light industrial, etc.) Currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient;
3. Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89,020 of the City of Canby Land Development and Planning Ordinance;
4. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;
5. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;
6. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;
7. Statement outlining method and source of financing required to provide additional facilities, if any;
8. Statement indicating the type and nature of any comprehensive Plan text or map amendments or Zoning text or map amendments that may be required to complete the proposed development. Proposed zoning must be consistent with zoning identified in any applicable adopted Development Concept Plan. (Ord. 1292, 2008; Ord. 1422, 2015)
9. Compliance with other applicable city ordinances or policies;
10. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (Ord. 740 section 10.6.40, 1984; Ord. 981 section 37, 1997; Ord. 1294, 2008)

Canby Municipal Code Chapter 16. 54 – Amendments to Zoning Map

16.54.040 – Standards and Criteria

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

- 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. (Ord. 749 section 1(B), 1984; Ord. 740 section 10.3.85(D), 1984; Ord. 1514, 2019)

Recommendation

Planning staff defer to the Planning Commission's recommendation in this Type IV matter. Staff recommended approval to the Planning Commission subject to conditions at the public hearing on October 11, 2021 and maintain the same position at this stage in the process. The Planning Commission found that the annexation and zone change review criteria had been met and therefore recommended that the City Council:

1. Approve annexation (ANN 21-01) and zone change (ZC 21-02) via Ordinance 1566;
2. Upon annexation, the zoning of the subject properties shall be designated R-1 Low Density Residential and R-1.5 Medium Density Residential, consistent with the Canby Comprehensive Plan Map (LDR) Low Density Residential (MDR) Medium Density Residential designation; and
3. Move to attach the following conditions:
 - a. Annexation (ANN 21-01) and zone change (ZC 21-02) must be free of appeals and final land use decisions as defined by ORS 197.015 prior to gaining subdivision approval. Any action on behalf of the applicant that invalidates or disqualifies (ANN 21-01) and (ZC 21-02) would require another Type IV review before subdivision through the City of Canby is an option.
 - b. Annexation approval shall conform to all other applicable City of Canby ordinances, municipal code, state law and administrative rule.

Attachments

Planning Commission Staff Report

- A. Land Use Application materials – Annexation/Zone Change, Type IV
- B. Land Use Application materials – Development Concept Plan
 1. Development Concept Plan
 2. Conceptual Water Infrastructure Plan
 3. Conceptual Sewer Infrastructure Plan
 4. Conceptual Stormwater Infrastructure Plan
 5. Wetland Report
- C. Survey and Legal Description of Property to be Annexed
- D. Transportation Planning Rule (TPR) Memorandum
- E. Pre-Application Conference Minutes
- F. Neighborhood Meeting Notes
- G. Public Comments
- H. Agency Comments

Fiscal Impact

The fiscal impact of the annexation and zone change itself are minimal. Additional lots will generate future taxable revenue to the City.

Options

1. Move to accept the Planning Commission's recommendation and approve the annexation and zone change via the first reading of Ordinance 1566.
2. Move to accept the Planning Commission's recommendation and approve the annexation and zone change via the first reading of Ordinance 1566 and modify the conditions of approval.
3. Move to reject the Planning Commission's recommendation and deny the annexation and zone change.



City of Canby

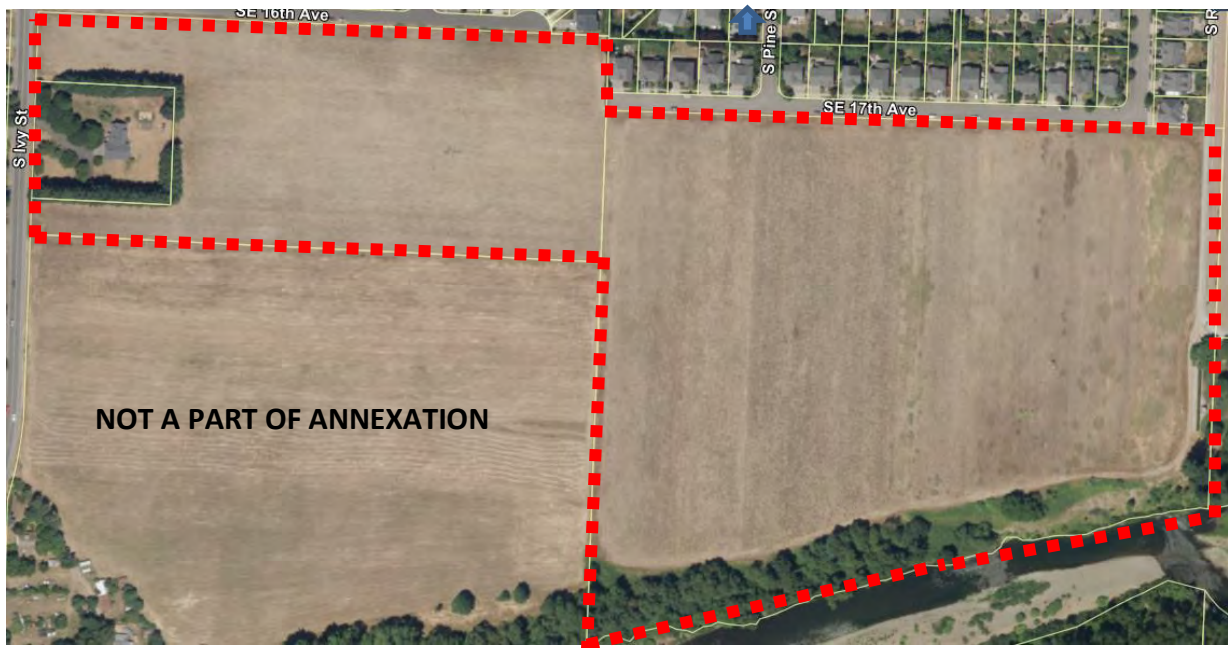
File #: ANN 21-01 / ZC 21-02

HEARING DATE: October 11, 2021
STAFF REPORT DATE: October 1, 2021
TO: Planning Commission
STAFF: Erik Forsell, AICP, Associate Planner

Applicant Request

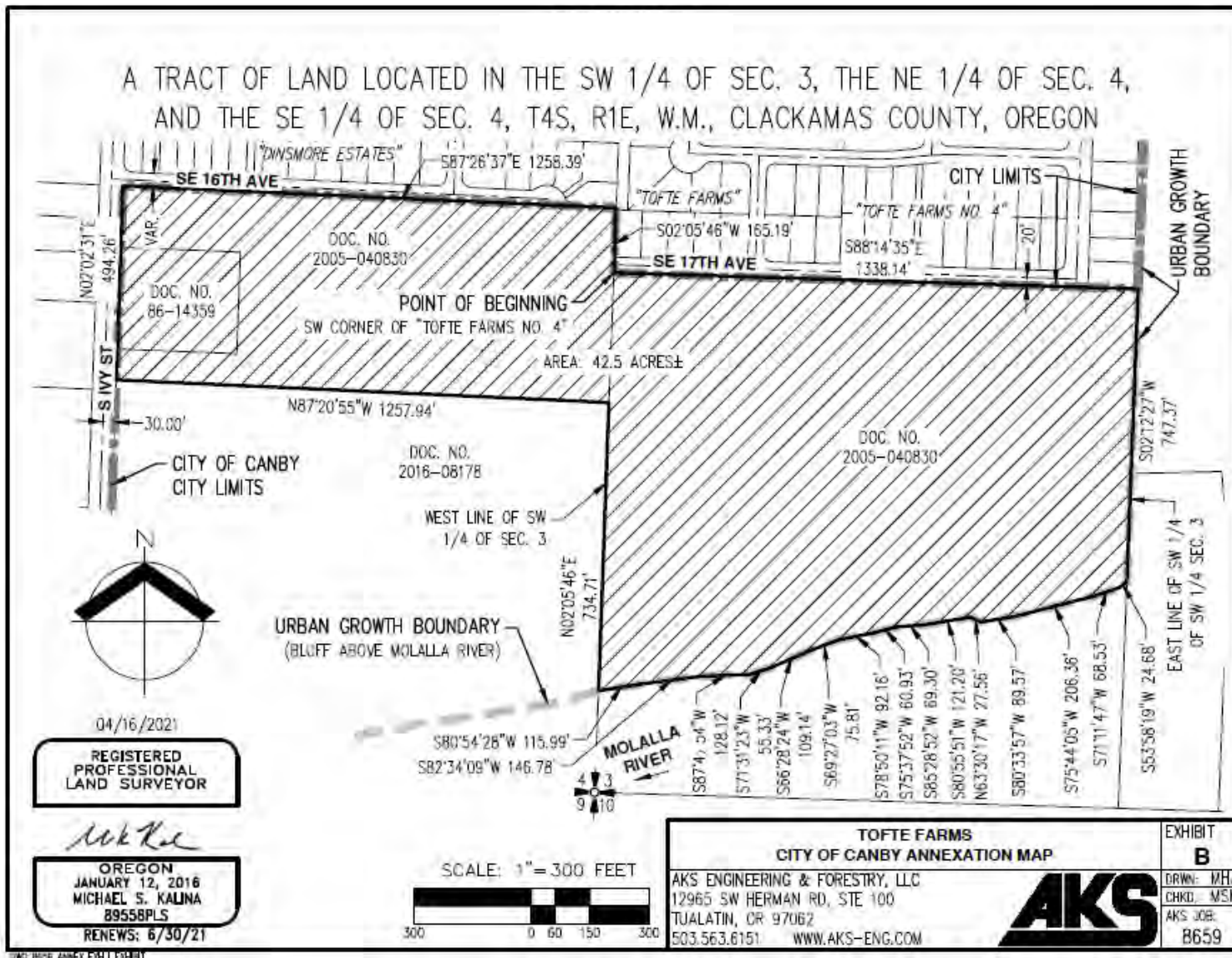
The applicant request is to annex approximately 42.5 acres of land into the city limits of Canby. As part of the annexation request, the applicant is concurrently requesting the approval of a Development Concept Plan (DCP) and a zone change to establish zoning for the proposed annexation land that is consistent with the Canby Comprehensive Plan. **Figure 1** below is the approximate location of the proposed annexation area. A more precise legal description of the proposed annexation area is on **Figure 2** on the following page.

Figure 1 – Proposed Annexation Area



Note: Image and area not to scale

Figure 2 – Applicant Provided Map of Surveyed Annexation Area



Staff Recommendation

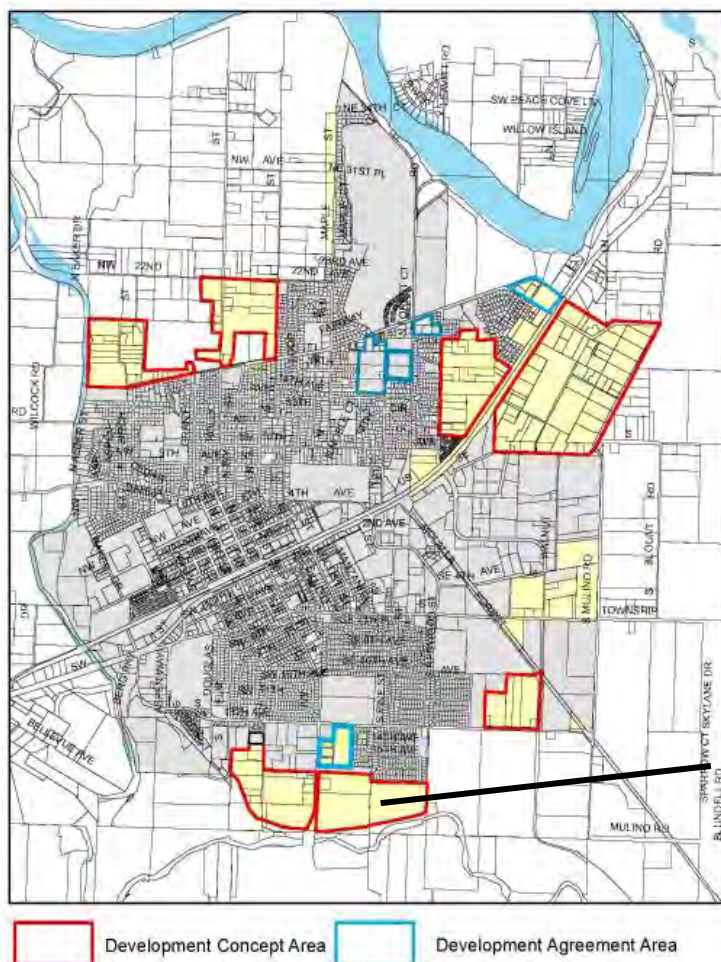
Based on the application submitted and the facts, findings, and conclusions of this report, staff recommend that the Planning Commission forward on a recommendation of **Approval** to the City Council pursuant to the Conditions of Approval presented in **Section VI** at the end of this report.

Project Overview

This development proposal is essentially three separate applications combined into one proposal: requests for annexation, development concept plan and a zone change.

The City of Canby's annexation ordinance requires either a Development Concept Plan (DCP) or a Development Agreement (DA) for most properties that are part of an annexation request. This particular property is designated on the City of Canby Annexation Development Map 16.84.040(A) as located within the Development Concept Plan area and is does not have an established and adopted DCP. The DCP addresses applicable criteria listed in Section 16.84.040 CMC as well as dedications, street construction, and utility design issues which the City desires to be guaranteed or reflected in any upcoming subdivision application. See **Figure 3** below for the DCP / DA map areas.

Figure 3 – City of Canby DCP / DA Areas



The annexation area is located within the City of Canby's Urban Growth Boundary. The City of Canby Comprehensive Plan has envisioned the ultimate urbanization of this area and its intended land use, and the Comprehensive Plan Map for these particular lots indicates a mixture of both medium and low density residential use designations.

In summary, the applicant is proposing a multi-layered process to execute the inclusion of the subject properties into the City of Canby corporate limits. The process starts with an annexation and development concept plan with a concurrent zone change from County Exclusive Farm Use (EFU) zone to City of Canby R-1 and R-1.5.

Subject Properties are within DCP Area for annexations

Property/Owner Information

Address	371 SE 13 th Avenue and 1712 S Ivy Street; other property have no situs (address)
Tax Lot(s)	41E04D01200 / 41E04D01300 / 41E0302300
Property Size	Approximately ~ 42.5 acres in combination
Comprehensive Plan	LDR Low Density Residential and MDR Medium Density Residential
Zoning	EFU (Clackamas County)
Owner	TL 1300 – Charles & Janet Braun / TLS 1200 and 2300 – Tofte Farms, LLC
Applicant	Pahlisch Homes
Agent	AKS Engineering & Forestry, LLC
Application Type	Annexation- Type IV / Zone Change – Type IV
City File Number(s)	ANN 21-01 and ZC 21-02

Exhibits of Record

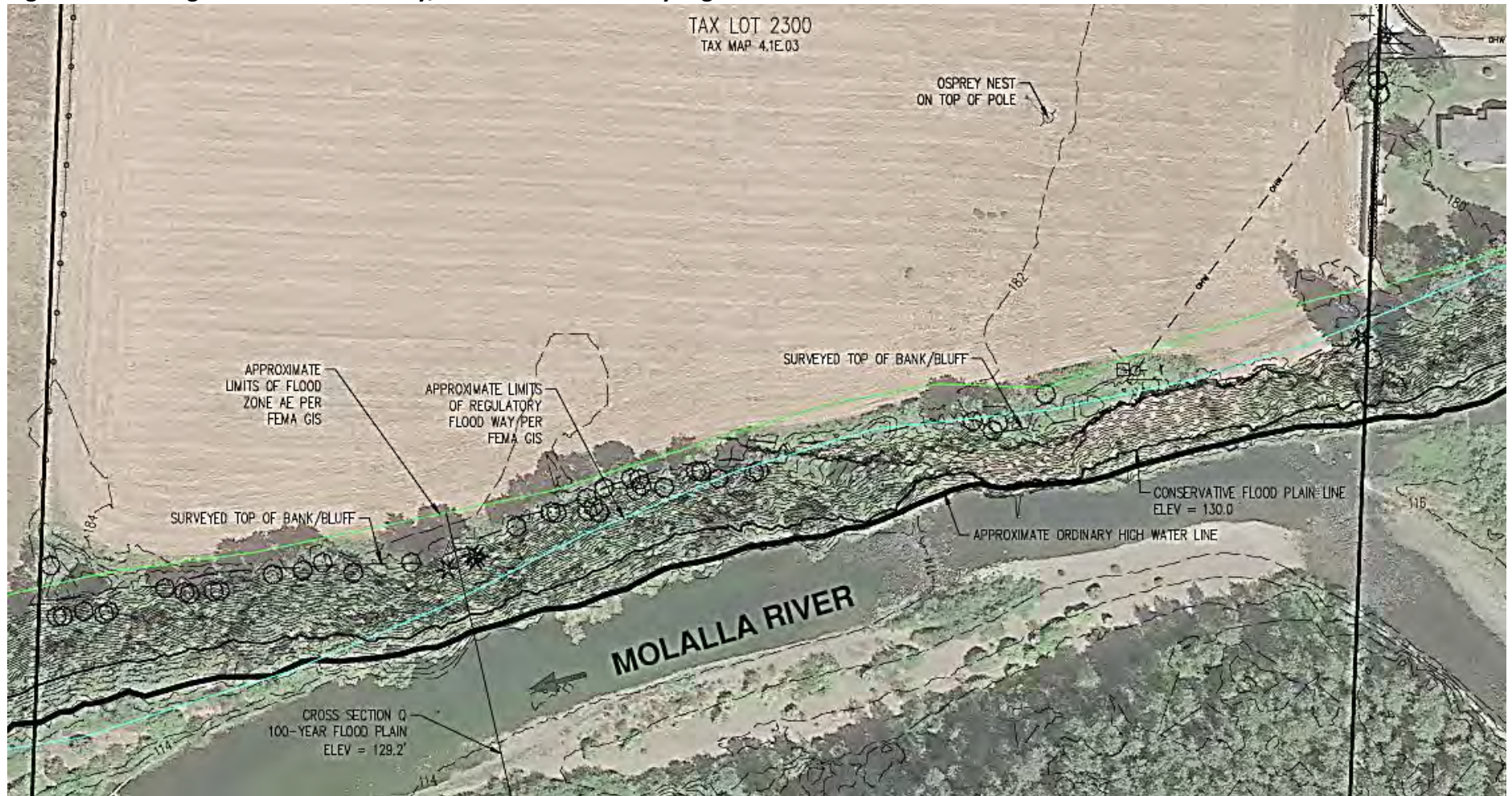
- A.** Land Use Application materials – Annexation/Zone Change, Type IV
- B.** Land Use Application materials – Development Concept Plan
 - 1. Development Concept Plan
 - 2. Conceptual Water Infrastructure Plan
 - 3. Conceptual Sewer Infrastructure Plan
 - 4. Conceptual Stormwater Infrastructure Plan
 - 5. Wetland Report
- C.** Survey and Legal Description of Property to be Annexed
- D.** Transportation Planning Rule (TPR) Memorandum
- E.** Pre-Application Conference Minutes
- F.** Neighborhood Meeting Notes
- G.** Public Comments
- H.** Agency Comments

I. Existing Conditions:

The subject property is generally located in the southern portion of the City, bordering the Mollala River and the Urban Growth Boundary to the south and S Ivy Street to the west. The proposed annexation area is a ±42.5 acre portion of three tax lots previously identified above. The annexation area is relatively flat with the exception of the interface with the Mollalla River where a distinct bluff descends sharply into a riparian upland area and river body itself. The subject properties appear to have been in agricultural production for some time with the exception of TL 1300 which is developed with a single family dwelling and associated improvements.

The southern boundary of the Mollala contains areas of mapped flood hazard, possible wetlands, some steep slopes and riparian area. See **Figure 4 and 5** on the following pages for imagery of these areas.

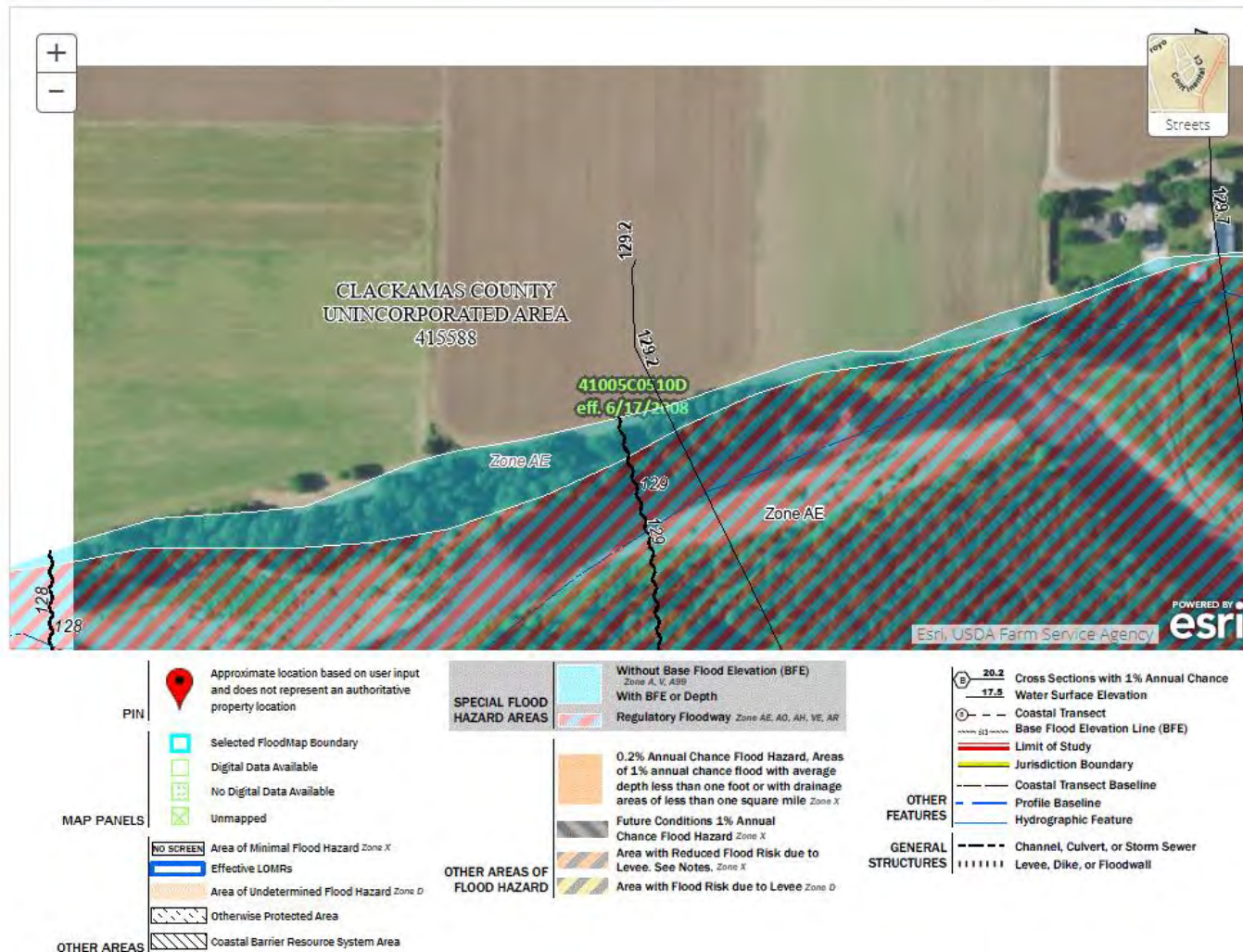
Figure 4 – Existing Conditions Floodway/AE Zone and Ordinary High Water



1

1 Applicant supplied information

Figure 5 – Flood Insurance Rate Map (FIRM) Panel 41005C0510D (Effective 6/17/2008)



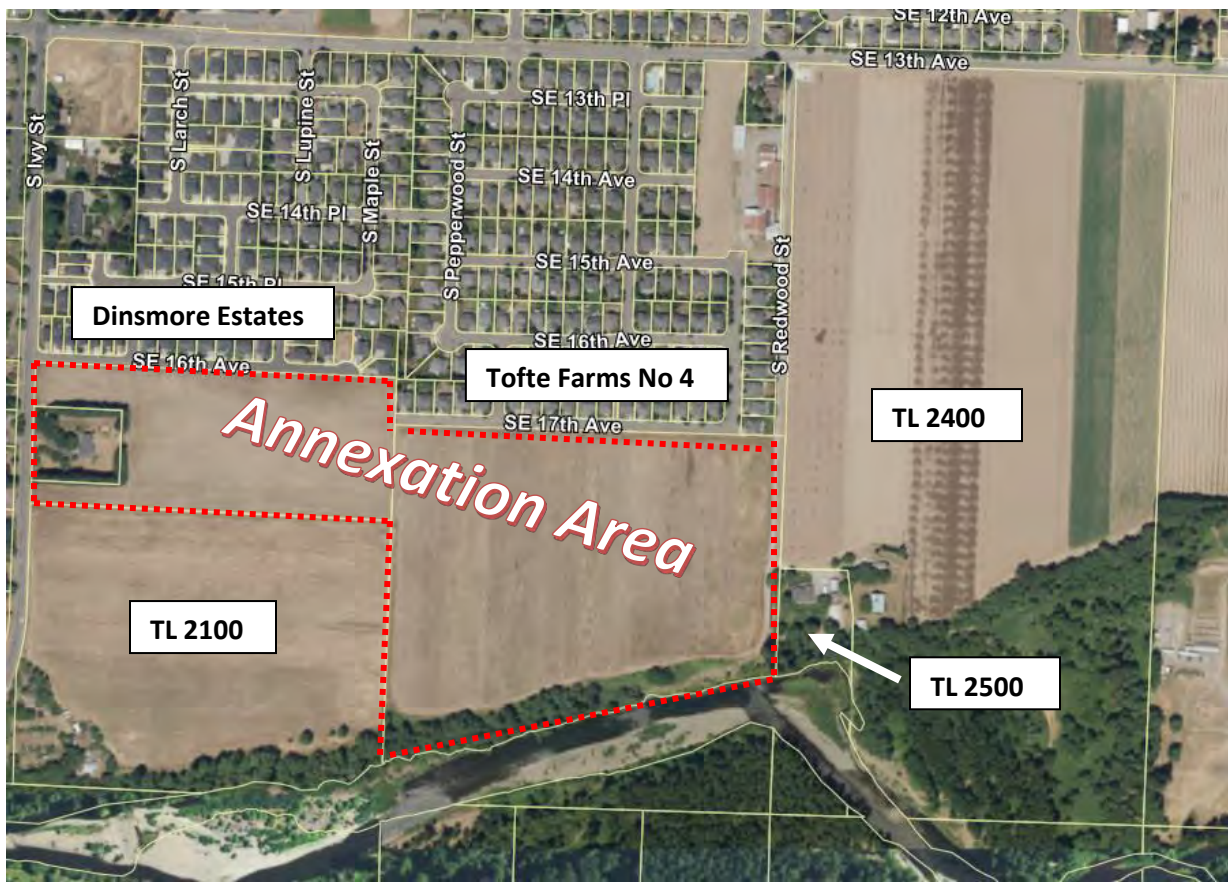
2

2 Approximate GIS Mapping of Mapped Flood Hazard Areas

Figure 6 – Surrounding Land Uses:

<i>Direction</i>	<i>Zoning</i>	<i>Land Uses</i>
North	R-1 and R-1.5	Tofte Farms No 4 / Dinsmore Estates – Single Family Subdivision of mixed density
West	N/A	S Ivy Street
South	EFU and N/A	TL 2100 is unincorporated with low intensity single family home and associated accessory structures and uses. A portion of the site fronts the bluff which descends into the Mollala River.
East	EFU / RRFF-5	TLs 2400 and 2500 are unincorporated with low intensity single family home and associated accessory structures and uses.

Figure 6.1 – Surrounding Land Uses:



Utilities/Sewer/Disposal/Fire/Police:

- Water and electric service will be provided by Canby Utility.
- Wastewater, storm drainage, and streets are managed by the City of Canby Public Works.
- Disposal services are provided by Canby Disposal.
- Fire services are provided by Canby Fire District.
- Police services are provided by Canby Police Department.

Staff have provided conditions of approval at the end of this staff report (Section VII), written to ensure the necessary public infrastructure is constructed and installed in accordance with all applicable city, county, state, and federal requirements.

II. Approval Criteria:

In addition to components of the City of Canby Comprehensive Plan, applicable criteria used in evaluating (ANN 21-01/ZC 21-02) are listed in the following sections of the City of Canby's Land Development and Planning Ordinance:

- CMC 16.08 General Provisions
- CMC 16.16 R-1 Low Density Residential Zone
- CMC 16.18 R-1.5 Medium Density Residential Zone
- CMC 16.54 Amendments to Zoning Map
- CMC 16.84 Annexations
 - ORS 222.225 Annexations
- CMC 16.88 General Standards and Procedures
- CMC 16.89 Application and Review Procedures

III. Summary of Findings:

Canby Municipal Code (CMC) Section 16.08 – General Provisions

16.08.040 Zoning of annexed areas. Zoning of newly annexed areas shall be considered by the Planning Commission in its review and by the Council in conducting its public hearing for the annexation. (Ord. 740 section 10.3.05(D), 1984)(Ord. 1294, 2008)

Finding 1: The zoning shall be analyzed during the Planning Commission hearing and a final decision is ultimately made by the City Council. The applicant is proposing zoning consistent with the underlying Comprehensive Plan designation. Further discussion of the zoning is found later in this report.

16.08.070 Illegally created lots. In no case shall a lot which has been created in violation of state statute or city ordinance be considered as a lot of record for development purposes, until such violation has been legally remedied. (Ord. 740 section 10.3.05(G), 1984).

Finding 2: The applicant has supplied some deed history but does not make a claim as to whether the existing lots in their current configuration are legal lots. Staff have no indication to find these lots were illegally created. During a future subdivision process, the applicant will be required to demonstrate sufficiently to staff that the subject properties are legal lots of record.

16.08.150 Traffic Impact Study (TIS).

A. Purpose. The purpose of this section of the code is to implement Section 660-012- 0045(2)(b) of the State Transportation Planning Rule, which requires the city to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards to determine when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities: what information must be included in a Traffic Impact Study; and who is

qualified to prepare the Study.

Finding 3: The applicant is required to meet the State Transportation Planning Rule (TPR) requirements for proposed changes in land use zoning. The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant impact on the surrounding transportation system beyond currently allowed uses. The TPR allows a change in land use zoning in the event that a zone change would make the designation consistent with both the Comprehensive Plan and the Transportation System Plan. The allowance (found in Section 9) was added to the TPR in December 2011 and fits the circumstances of the project parcels.

The applicant contracted with DKS, a traffic engineering and planning firm, who reviewed the changes and found that the proposed zoning is consistent with the Canby's Comprehensive Plan and adopted Transportation System Plan. (Refer to **Exhibit D** for a copy of the DKS TPR Memorandum).

Staff finds the TPR memorandum satisfied the intent and purposes of analyzing a zone change and proposed annexation. Further analysis will be necessary for future development including any land divisions proposed by the applicant or others.

Canby Municipal Code (CMC) Section 16.16 R-1 – Low Density Residential Zone

Finding 4: The applicant is proposing to annex land and concurrently rezone the property consistent with the Comprehensive Plan designation. To the extent applicable, the new zoning has a variety of standards that apply to development and land divisions that will be proposed subsequent to this request for annexation. The amount of R-1 zoned land should this proposal be approximately ~ 39.5 acres refer to Figure 7 on the following page for an accounting of the acreage proposed for R-1 – Low Density Residential.

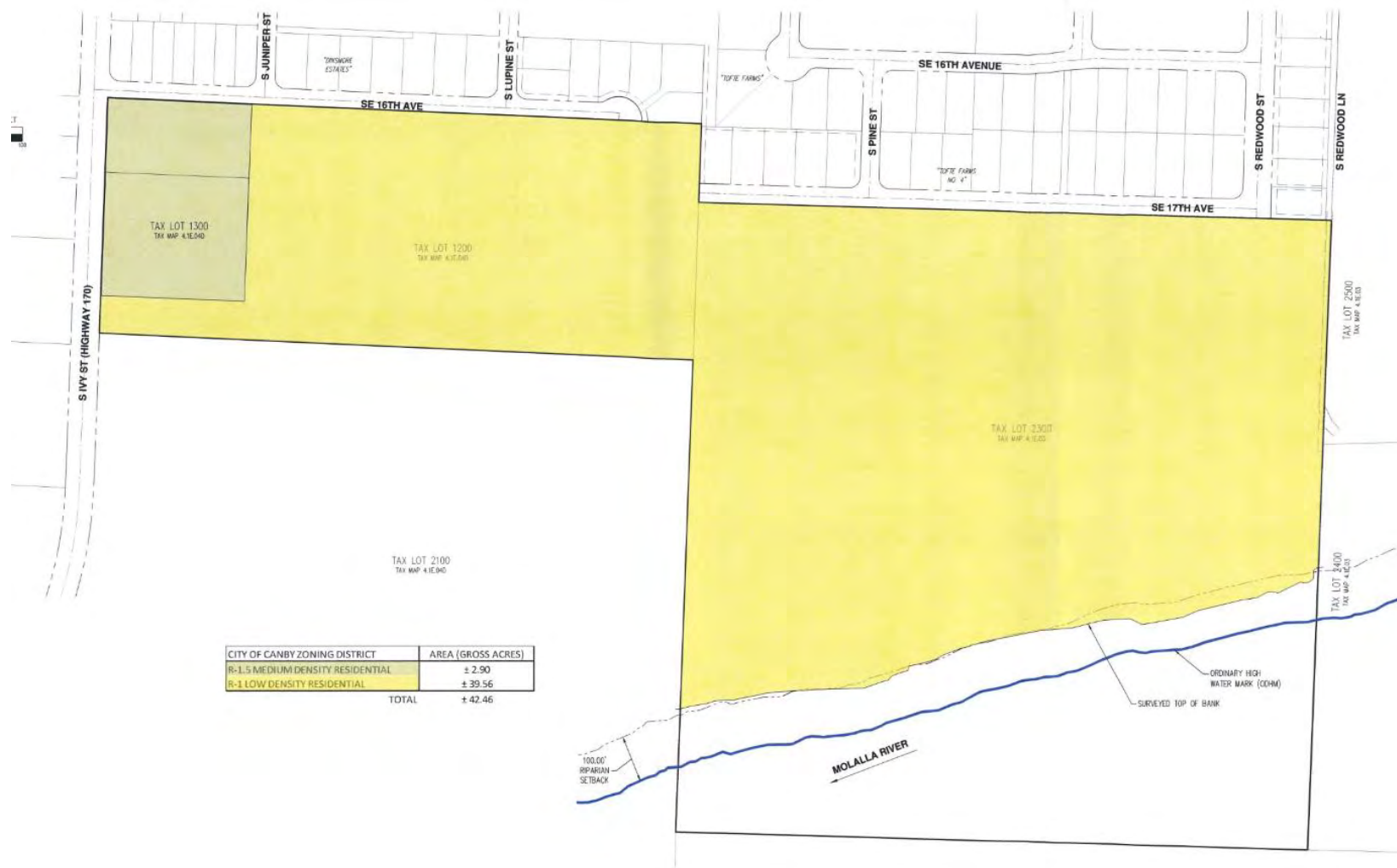
If this annexation zone change is approved, the properties will be subject to the standards found in CMC 16.16

Canby Municipal Code (CMC) Section 16.18 R-1.5 – Medium Density Residential Zone

Finding 5: The applicant is proposing to annex land and concurrently rezone the property consistent with the Comprehensive Plan designation. To the extent applicable, the new zoning has a variety of standards that apply to development and land divisions that will be proposed subsequent to this request for annexation. The amount of R-1.5 zoned land should this proposal be approximately ~ 2.9 acres refer to Figure 7 on the following page for an accounting of the acreage proposed for R-1.5 – Low Density Residential.

If this annexation zone change is approved, the properties will be subject to the standards found in CMC 16.18.

Figure 7 – Proposed Zoning District Overlays



3 Applicant's Provided Diagram; Not to Scale

16.08.150 Traffic Impact Study (TIS)

A. Determination based on information provided by the applicant about the proposed development, the city will determine when a TIS is required and will consider the following when making that determination.

- 1. Changes in land use designation, zoning designation, or development standard.**
- 2. Changes in use or intensity of use.**
- 3. Projected increase in trip generation.**
- 4. Potential impacts to residential areas and local streets.**
- 5. Potential impacts to priority pedestrian and bicycle routes, including, but not limited to school routes and multimodal street improvements identified in the TSP.**
- 6. Potential impacts to intersection level of service (LOS).**

CMC 16.54 — Amendments to the Zoning Map

16.54.010 Authorization to initiate amendments.

An amendment to the zoning map may be initiated by the City Council, by the Planning Commission, or by application of the property owner or his authorized agent. The Planning Commission shall, within forty days after closing the hearing, recommend to the City Council, approval, disapproval or modification of the proposed amendment. (Ord. 740 section 10.3.45 (A), 1984)

16.54.020 Application and fee.

Application procedures shall be as described in Chapter 16.89. (Ord. 740 section 10.3.85(B), 1984; Ord. 981 section 7, 1997; Ord. 1019 section 13, 1999; Ord. 1080, 2001)

16.54.030 Public hearing on amendment.

Before taking final action on a proposed amendment, the Planning Commission shall hold a public hearing on the amendment following the requirements for advertising and conduct of hearing prescribed in Division VIII. (Ord. 740 section 10.3.85(C), 1984)

Finding 6: The applicant provided an application and paid the appropriate fees. A public hearing will be held on October 11, 2021 and will meet all the requirements for advertising and conduct. Staff finds these criteria are met.

16.54.040 Standards and criteria.

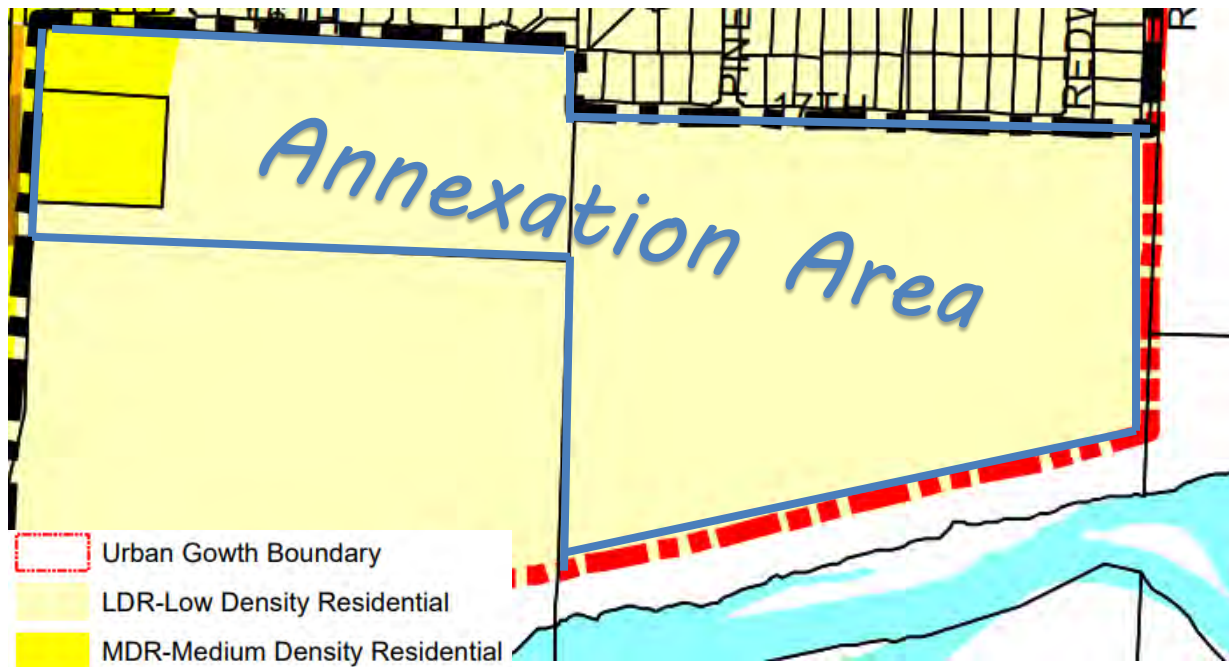
In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider the following criteria:

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;

Finding 7: The applicant is requesting a zone change from Clackamas County Exclusive Farm Use (EFU) to City of Canby R-1 and R-1.5. The proposed zoning map amendment is consistent with the underlying Comprehensive Plan map designations; see Figures 7 and 8 for images of the Comprehensive Plan map designations and proposed Zoning Map designations above for an image of the

Comprehensive Plan map. No changes are requested to the zoning map that are inconsistent with the underlying Comprehensive Plan designation; therefore, staff finds that a further analysis of impacts to county, state or other districts is not necessitated by the zone change.

Figure 8 – Subject Properties Comprehensive Plan Map Designation



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. (Ord. 749 section 1(B), 1984; Ord.740 section 10.3.85(D), 1984; Ord. 1514, 2019)

Finding 8: Detailed discussion was made to these criteria above in the Development Concept Plan and Annexation sections of this staff report. Staff finds that the proposed zone change area will have or will be adequately provide for required public facilities and services. Further analysis will be conducted on the details of these provisions at a later date through a land division process.

16.54.60 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 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. (Ord. 749 section 1(C), 1984: Ord. 740 section 10.3.85 (F). 1984)

Finding 9: The Planning Commission should it choose to impose special conditions or restrictions on this zone change request may do so; however as stated above the imposition of such conditions should not have a material detriment on the costs or requirements for needed housing or reduce planned housing densities as envisioned in the Comprehensive Plan.

Canby Municipal Code (CMC) Section 16.84 Annexations

Consistent with Section 16.84 of the Canby Land Development and Planning Ordinance (the Ordinance), Chapter 16 of the Municipal Code, the proposed application qualifies as an Annexation, and is part of the City of Canby Annexation Development Map per Figure 16.84.040.

Section 16.84 of the Ordinance identifies the purpose and scope of annexations and sets forth regulations for annexing land into the City. Section 16.84 and specifically ORS 222.225 govern the application process for annexation and sets forth the standards and approval criteria for which the applicant must respond to in their narrative within their submitted application materials. Staff incorporates the applicant's written response as findings in support of the criteria. Additional facts and findings are provided herein.

CMC 16.84.020 – State Regulations.

The regulations and requirements of Oregon Revised Statutes Chapter 222 are adopted by reference and made a part of this division. (Ord. 740 section 10.6.20, 1984)

Finding 10: The State of Oregon passed Senate Bill 1573, effective March 15, 2017. The bill eliminated specific requirements for elections when processing annexations if specific criteria are met, specifically the annexation must demonstrate that:

1. It was submitted on behalf of all owners of land in the annexation territory;
2. The annexation territory must be included within the urban growth boundary of the city or Metro and is, or will be, subject to acknowledged comprehensive plan of city;
3. At least one parcel in the annexation territory must be contiguous to city limits; and
4. The proposal must conform to all other requirements of the city's ordinances.

Staff finds that the proposal meets the above criteria. The application contains a signed petition of owners of record in the application, is within the urban growth boundary, is subject to the comprehensive plan and has contiguous city limits with property to the north. As a condition of approval, the proposal shall meet all other requirements as stated in the city's development code and ordinances. Therefore, this annexation proposal may forego the elections proceedings stated in CMC 16.84.030.

CMC 16.84.030 – Filing Procedure.

Whenever an application for annexation is filed, it shall be reviewed in accordance with the following procedures:

A. Application Filing Deadlines. Application deadlines are established to permit public hearings by both the Planning Commission and the City Council in time to meet state and county requirements for submitting ballot information for these election dates. Application deadlines are as follows:

1. Regular annexation dates are in May and November. Annexations must be filed with the City before 5:00 p.m. on the last working day in August for a ballot election in May and the last working day in February for a ballot election in November. Incomplete applications may result in missing these planned election dates, at the City's discretion.
2. Annexations can be scheduled for a special election provided that all costs associated with the special election are covered by the applicant. Special elections will be scheduled by the City Council following the required City Council hearing on the application.

Finding 11: The above criteria are not applicable to this proposal. This annexation is not processed through an election proceeding.

B. Application Submittal. Application procedures shall be as described in Chapter 16.89, on forms provided by the Planning Department. (Ord. 899 section 6, 1993; Ord. 740 section 10.6.30, 1984; Ord. 981 section 36, 1997; Ord. 1019 section 18-20, 1999; Ord. 1080, 2001; Ord 1237, 2007; Ord. 1294, 2008)

Finding 12: Staff finds this criterion has been met; the application procedures and forms were completed as prescribed.

CMC 16.84.040 – Standards and criteria.

A. The following criteria shall apply to all annexation requests.

1. The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):

a. A Development Agreement (DA) binding for all properties located within the boundaries of a designated DA area as shown on the City of Canby Annexation Development Map. The terms of the Development Agreement may include, but are not limited to:

1. Timing of the submittal of an application for zoning
2. Dedication of land for future public facilities including park and open space land
3. Construction of public improvements
4. Waiver of compensation claims

5. Waiver of nexus or rough proportionality objections to future exactions

6. Other commitments deemed valuable to the City of Canby

For newly annexed properties that are within the boundaries of a DA area as designated on the City of Canby Annexation Development Map: A Development Agreement shall be recorded as a covenant running with the land, binding on the landowner's successors in interest prior to the City Council granting a change in zoning classification.

Finding 13: The proposed annexation area is not within an area designated as a Development Agreement (DA) area; this section is not applicable to the development.

b. A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:

Finding 14: The proposed annexation area is within the designated boundaries that mandate a Development Concept Plan (DCP) according to the Canby Annexation Development Map. Staff incorporates the applicant's materials herein by reference as part of the response to this request for adoption of the DCP. Staff address salient points where appropriate; the burden is on the applicant to demonstrate that this conceptual plan is sufficient for the Planning Commission and City Council to adopt. The following findings discuss the DCP generally and how it addresses the requirements stated in Items 1 through 8 below.

1. Water

Finding 15: Canby Utility is the sole provider of potable water in the City of Canby. Initial discussions with the utility have not indicated any potential concern for the availability and provision of potable water to the proposed annexation areas. The applicant has supplied a conceptual water infrastructure plan (**Exhibit B.2**) which demonstrates the general layout of proposed water infrastructure. The applicant has indicated that easements and other mechanisms could be utilized to facilitate the logical placement and construction of potable water conveying infrastructure. Staff finds that the applicant has sufficiently provided a conceptual framework for the provision of potable water to the proposed annexation area.

2. Sewer

Finding 16: The applicant states that the proposed annexation area will be able to accommodate sewer service through a gravity system flowing northward towards SE 16th and SE 17th Avenues. Staff note that the proposed gravity system would require significant fill to facilitate gravity flow. The conceptual plans demonstrate feet of fill to provide gravity feed towards the north. The applicant also indicated that there is the possibility to place sewer lines to convey sewage to the west to the Ivy Street pump station; however, because TL 2100 is not part of this development proposal, that option is limited. (Refer to **Exhibit B.3**) for a copy of the conceptual sewer diagrams.

Staff also have some concern that the placement of fill to facilitate gravity feed to the north would negatively impact TL 2100 and the ability to achieve that same gravity flow (now with increased backfill) in down slope areas. However, staff finds that the conceptual plan as proposed, demonstrates that the proposed annexation area can accommodate sewer infrastructure at the time of development. The

City's consulting engineer reviewed the project and while not ideal – the proposed conceptual arrangement of the public sewer system would suffice for this project. Refer to **Exhibit G** for comments related to the sewer from the City's consulting engineer.

3. Stormwater

Finding 17: The City of Canby provides some public stormwater infrastructure while much of the stormwater is managed on site across the City. The applicant is proposing to place private drywells consistent with City of Canby and Oregon Department of Environmental Quality (DEQ) standards. Excess water that traverses into the public right-of-way will be further collected by detention and infiltration dry wells. (Refer to **Exhibit B.4** for a copy of the conceptual stormwater plan). Staff finds that the proposed conceptual framework for stormwater can meet the needs of future development.

4. Access

Finding 18: The subject properties are proposed to take access via several public streets, including: S. Ivy St, SE 16th Ave and SE 17th Ave. The proposed conceptual layout appears to provide for adequate vehicle and pedestrian access as well as provide for emergency services to access the proposed annexation area from multiple ingress points. The logical continuation of existing public streets is an appropriate means to provide a variety of access points to the subject site. The 34-wide local streets will safely accommodate parking on both sides of the street and emergency vehicles according to correspondence between the applicant and the Canby Fire District. (Refer to **Exhibit B.1** for the conceptual access diagram).

5. Internal Circulation

Finding 19: The applicant's conceptual plan appears to demonstrate adequate internal circulation; additionally, the applicant has provide some conceptual 'shadow plat' diagrams that demonstrate how the subject properties would provide interconnection with TL 2100 (not part of this proposal). Future local streets internal to the development are proposed to contain a 44-foot ROW width with a typical cross section including a 5-foot planter strip, 7-foot parking area and 10-foot drive aisles. This local street section is consistent with City of Canby standards and will adequately provide internal site circulation.

6. Street Standards

Finding 20: As mentioned above in Findings 18 and 19; the proposed conceptual plans adequately address the access and internal circulation as it relates to consideration for a proposed annexation into the city boundaries. As part of any future development (subdivision of annexed land) the developer will be required to construct public and private roads to City standards. These standards will be reviewed and verified by a combination of Planning, Public Works staff with consult from the City's contracted engineering team.

7. Fire Department Requirements

Finding 21: The applicant has indicated that the proposed layout will adequately accommodate fire and other emergency operations. The proposed local streets are adequate for fire apparatus access and fire hydrants will be placed no longer than 300 feet apart. Further discussion and fine detail analysis of

fire suppression requirements are typically part of the subdivision and pre-construction processes. To the extent appropriate at this conceptual level, staff finds that the applicant has demonstrated consistency with Canby Fire District requirements.

8. Parks and Open Space

Finding 22: The applicant has demonstrated on a conceptual level the inclusion of a segment of the Emerald Necklace Trail which is an important long range planning effort the City will require as a dedication component of any future development. The applicant has supplied some approximate analysis on potential park land dedication as a requirement of the subdivision process.

The applicant has supplied calculations based on assumptions of a future subdivision, Refer to Figure 7 on the following page.

Figure 7 – Applicant’s Calculations of Anticipated Park Land Dedication

The future Tofte annexation site anticipates providing approximately ±160 units intended for single-family detached homes. Therefore, as calculated below, a minimum of ±4.3 acres (±9 percent of gross area) of open space, including a neighborhood park is anticipated to be required for dedication, as well as, owned and maintained by the future Tofte Homeowner's Association (HOA). A conceptual open space plan is shown on the DCP (Exhibit B).

TL 1200, 1300, and 2300 – Calculation of Anticipated Park Land Dedication
(160 lots) x (2.7 persons/unit) x (0.01) = ±4.3-acre minimum dedication

Finding 23: Pursuant to Canby Municipal Code 16.120, the applicant has demonstrated that the required park land dedication is approximately ~ 4.3 acres of land. Additionally, CMC 16.120 provides significant guidance and requirements as they relate to the acceptance of parkland and open space. Much of this analysis and the dedication of parkland is typically conducted at the land division phase. However, staff finds that the applicant has the ability to dedicate and/or pay cash in lieu fees in order to satisfy the parkland dedication requirements stated in the code.

2. Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning - low density residential, light industrial, etc.) Currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient.

Finding 24: The applicant has provided an analysis with data based assumptions detailing:

- Inventory of low and medium density residential land.
- Approximately rate of development or consumption of vacant or underutilized land.
- The proposed annexation’s impact on the inventory and consumption of land within the three year forecast range as stated above.

Staff incorporate that analysis and the applicant’s findings by herein by reference (Refer to Exhibit B).

Finding 25: The City of Canby conducted a Housing Needs Analysis (HNA) which was presented to

City Council in 2019. While not formally adopted at that time, it was acknowledged by the Council and provided an exploration of the City's housing inventory and needs over a 20-year planning period to 2039. The HNA was completed largely to recognize requirements dictated by Statewide Planning Goal 10: Housing. The HNA was also compiled to anticipate/adapt to future changes at the state level which would require municipalities to adjust their methods and policies to adequately account for the buildable lands inventory (BLI) among other requirements. The applicant has used much of the information found in that analysis with additional supporting documentation to demonstrate the amount of buildable land in the city, the city's needed supply and the impact this project has on those factors.

Staff note that the current inventory and the anticipated demand for housing is based on a number of factors which are typically outside of the city or the applicant's purview; among these are: market factors and conditions, general local, regional, national and global economy. These variable can affect the housing demand and impact changes in the inventory over time. Regardless of external factors the applicant presents a reasonable analysis that the Tofte South annexation would reasonably contribute a housing shortfall in the City of Canby.

Figure 8 – Applicant's Calculations for 3-Year Inventory for SFD Detached Units

City of Canby Available/Potential Lots for Single-Family Detached Dwellings	
Unimproved Lots Under 6 Acres	±191 lots
Unimproved Lots Over 6 Acres	±6 lots
Redevelopment Potential of Properties Greater than 6 Acres	±269 lots
Existing Capacity	±460 lots
Tofte Annexation	±80 lots (Phase 1)
Future Capacity	±540 lots
Units Necessary for 3-year Planning Period	±576
Note: The Tofte Annexation could provide ±160 units over multiple phases. As such, only ±80 units are shown above to demonstrate a practical number, as Pahlisch Homes does not plan to accommodate all ±160 homes in one phase/year.	

4

Finding 26: Staff finds that the applicant has sufficiently demonstrated with conservative estimates that the City Canby will have a deficit in SFD detached units and that this project will add to the supply over the 3-year and 20-year planning timeframes.

3. Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89.020 of the City of Canby Land Development and Planning Ordinance.

Finding 27: The applicant has supplied a general statement regarding the potential impacts to physical, aesthetic and social attributes. The applicant states and staff concur that the surrounding areas

4 Applicant's calculations; partially derived from 2019 HNA compiled by City Planning Staff

is comprised of predominantly single family homes of a fairly homogenous composition. The applicant is seeking to annex land for future development in which a similar character of neighborhood would be planned and constructed. Aesthetics are entirely subjective; however, staff cannot find any significant flaws in the proposed concept plan at this point in the process that would raise concerns related to aesthetics and/or social effects.

Finding 28: Physical impacts are not discussed in detail by the applicant; however, the applicant does demonstrate that the proposed annexation will allow for logical continuation of public streets and neighborhood composition. Of note to staff, is the area near the Mollala River which includes a riparian buffer area, some mapped floodplain/floodway according to FIRM data and some potential geologic instability as indicated in public comments and field observations. At this time, these areas are identified as potential dedication and/or easement areas in which the only significant development is a linear trail – likely outside of any conflict with these features. The applicant has supplied a wetland report conducted by their staff as well as a preliminary geotechnical analysis which can be described as a statement of physical components of the property. Staff find that the applicant has made a good faith effort to accurately describe the physical conditions on the site and present some of the challenges or constraints potentially found with the areas in close proximity to the Mollala River. Refer to **Exhibit B.5** for a copy of a wetland report conducted by the applicant team.

Finding 29: The applicant conducted a neighborhood meeting on May 25, 2021 at 6pm consistent with the code requirement stated in CMC 16.89.020.

4. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;

Finding 30: Staff note that much of this information is discussed in Findings 15 through 20 above and in the applicant's submitted narrative and accompanying exhibits found in their submittals. The applicant as required requested that the City's traffic engineering consultant provide a TPR memorandum which satisfies state law and rule regarding the annexation and zone change.

Finding 31: The applicant indicates in the submitted narrative that all required services are available to adequately provide for the future development of the subject property. Existing sewer, water, power and other utility infrastructure will be extended as appropriate to accommodate the annexation area. This infrastructure is currently capable of providing service to the future development of the proposed annexation area.

Finding 32: The subject parcel is in a Development Concept Plan (DCP) Area of the Canby Annexation Development Map. The applicant is aware of the obligation to provide dedications for future public facilities and the construction of streets and water and sewer lines as well as other related development. The DCP demonstrates how utility infrastructure will be made available, and unmanageable capacity issues were not identified by City departments and agencies during this review process. Staff finds these criteria can be further addressed and met at the time of development.

5. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;

Finding 33: Any evaluation of impacts and demand to public facilities will be conducted at a later date during a development proposal. This process is an annexation and zone change and is not

characterized as development.

6. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;

Finding 34: The applicant is considering phasing of the project; however, much of this review will occur during a proposal for a subdivision. No other facilities have been identified as needed to accommodate demand as a result of the proposed annexation and zone change.

7. Statement outlining method and source of financing required to provide additional facilities, if any;

Finding 35: The applicant will pay the necessary costs of their own development. No identified facilities are necessitated as part of the annexation proposal. Any facilities and infrastructure improvements necessitated will be addressed upon future development proposals.

8. Statement indicating the type and nature of any Comprehensive Plan text or map amendments or Zoning text or map amendments that may be required to complete the proposed development. Proposed zoning must be consistent with zoning identified in any applicable adopted Development Concept Plan. (Ord. 1292, 2008; Ord. 1422, 2015)

Finding 36: Should this proposal gain approval, a zone change from Clackamas County Exclusive Farm Use (EFU) to a mixture of City of Canby Low and Medium Density Residential (R-1 and R-1.5) is requested concurrently as part of this process. The applicant intends to follow the Low and Medium Density residential zoning designation of the Comprehensive Plan. The proposed change is a zoning map amendment to change the zone from Clackamas County zoning to the designated Comprehensive Plan envisioned zoning (a mixture of R-1 and R-1.5). The Zone Map Change Application that accompanies this annexation request will satisfy the Development Concept Plan designations. Staff finds that the criterion in 16.84.040(A)(8) can be met.

9. Compliance with other applicable city ordinances or policies;

Finding 37: According to the applicant's submittal and City of Canby ordinances and policies, staff finds that this proposal is in compliance with applicable regulations as conditioned. Additional analysis and conditions will be conducted as appropriate in future development proposals.

10. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (Ord. 740 section 10.6.40, 1984; Ord. 981 section 37, 1997; Ord. 1294, 2008)

Finding 38: As stated above in Finding 1, the State of Oregon passed Senate Bill 1573, effective March 15, 2017. The bill eliminated specific requirements for election requirements when processing annexations if specific criteria are met, specifically the annexation must demonstrate that:

1. Shall be submitted by all owners of land in the annexation territory;
2. The annexation territory must be included within the urban growth boundary of the city or Metro and is, or will be, subject to acknowledged comprehensive plan of city;
3. At least one parcel in the annexation territory must be contiguous to city limits; and
4. The proposal must conform to all other requirements of the city's ordinances.

Finding 39: Staff finds that the proposal meets the above criteria. The application contains a signed

petition of owners of record in the application, is within the urban growth boundary, is subject to the Comprehensive Plan and has contiguous city limits with property to the north. As a condition of approval, the proposal shall meet all other requirements as stated in the city's development code and ordinances. Therefore, this annexation proposal may forego the elections proceedings stated in CMC 16.84.030. Staff finds that the applicant has met the applicable standards of ORS Chapter 222.

CMC 16.89.060 – Application and Review Procedures

16.89.060 Type IV Decision

For certain applications, the City Council makes a final decision after a recommendation by the Planning Commission. These application types are referred to as Type IV decisions.

- A. Pre-application conference. A pre-application conference may be required by the Planning Director for Type IV applications.**

Finding 40: A preapplication conference was held on April 19, 2021.

- B. Neighborhood meetings. The applicant may be required to present their development proposal at a neighborhood meeting (see Section 16.89.070). Table 16.89.020 sets the minimum guidelines for neighborhood review but the Planning Director may require other applications to go through neighborhood review as well.**

Finding 41: A neighborhood meeting consistent with the above standards was held by the applicant on May 25, 2021.

- C. Application requirements. Type IV applications shall be made on forms provided by the Planning Director. The application shall be accompanied by all required information and fees.**
- D. Public notice and hearings. The public notice and hearings process for the Planning Commission's review of Type IV applications shall follow that for Type III applications, as provided in subsections 16.89.050.D and 16.89.050.E.**

Finding 42: The standards for application requirements and public noticing are met.

- E. Decision process.**
 - 1. Approval or denial of a Type IV decision shall be based on the standards and criteria located in the code.**
 - 2. The hearings body shall issue a final written order containing findings and conclusions recommending that the City Council approve, approve with conditions, or deny the application.**

3. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts.

4. In cases involving attorneys, the prevailing attorney shall prepare the findings, conclusions, and final order. Staff shall review and, if necessary, revise, these materials prior to submittal to the hearings body.

F. City Council proceedings:

1. 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, approve with conditions, or deny the recommendation of the Planning Commission.

2. The City Council may question those individuals who are a party to the public hearing conducted by the Planning Commission were if the Commission's record appears to be lacking sufficient information to allow for a decision by the Council. The Council shall hear arguments based solely on the record of the Commission.

3. The City Council may choose to conduct public hearings on Comprehensive Plan amendments, amendments to the text of this title, zone map amendments, and annexations. If the Council elects to conduct such hearings, it may do so in joint session with the Planning Commission or after receiving the written record of the Commission. (Ord. 1080, 2001)

Finding 43: Annexations are processed as a Type IV "quasi-judicial" process which is considered through a public hearing at the Planning Commission that forwards a recommendation to the City Council. The City Council also holds a public hearing and issues a final decision. The notice requirements are the same as for Type III applications.

In this particular case, the annexation request will not be scheduled for a public vote. On March 15, 2016, the Governor signed Senate Bill SB 1573 that mandates some properties, meeting certain criteria, to file for annexation without going through a public vote process that might otherwise currently be in effect through local City Charter provisions and adopted code. This application meets the criteria stated in SB1573, and a public vote will not be held for this annexation application.

Notice of this application and the Planning Commission and Council Hearing dates was made to surrounding property owners on September 20, 2021 at least 20-days prior to the hearing. Prior notification and neighborhood meetings were completed during the application process. The site was posted with a Public Hearing Notice sign on September 28, 2021. Notice meeting ordinance requirements of the public hearings was published in the Canby Herald on October 6, 2021. The pre-application conference was held on April 19, 2021. These findings indicate that all processing requirements have been satisfied with this application to date.

IV. Public Testimony Received

Notice of this application and opportunity to provide comment was mailed to owners of lots within 500 feet of the subject properties and to all applicable public agencies and City departments on July 1, 2020. Complete comments are documented in the file. As of the date of this Staff Report, the following comments were received by City of Canby from the following persons/agencies:

Public Comments (Refer to Exhibit G for copies of exact comments):

- Fair Housing Council
- Patricia Swanson
- Brian Hutchins
- Dorothy Kniser
- Randy and Wendy Watson

Agency Comments (Refer to Exhibit H for copies of agency comments):

- City Engineer

V. Summary of Public Comments

Below is a summary of comments received by staff at the date of this staff report's submittal. A brief response by staff is included after each comment.

- Fair Housing Council: These comments are related to the desire to see the City's findings related to Statewide Planning Goal 10: Housing.

Staff Response: This application is not for a Comprehensive Plan amendment and does not propose any changes related to the acknowledged Comprehensive Plan. Goal 10 findings are not necessary at this stage. The proposal for annexation/zone change is to bring land into the city to develop consistent with what the DLCD acknowledged Comprehensive Plan envisioned for this area. This project does not involve a *downzone or upzone* or modifications to the underlying Comprehensive Plan map designations.

- Patricia Swanson: Concerns about traffic flow and access. Mentions concerns about multifamily development.

Staff Response: Traffic will be thoroughly analyzed as part of a future subdivision proposal. At the conceptual phase for annexation, the proposed access is appropriate. A Transportation Planning Rule (TPR) memorandum was prepared by DKS, a traffic engineering and planning firm who found that the proposed annexation is consistent with the TPR and Oregon Administrative Rule requirements for zone changes.

- Brian Hutchins: Wants SE 16th Ave to be widened. Expressed interest in widening and extending other streets.

Staff Response: A future subdivision would require development of the remainder of SE 16th Avenue as a condition of approval. This would address the widening of this street.

- Dorothy Kniser: Wants SE 16th Avenue to not be used for construction traffic at any time. Expressed concerns about impacts to approach onto S Ivy and how that will effect fire and other emergency services. Wants the City of Canby to consider installing speed bumps on SE

16th Ave as part of this proposal.

Staff Response: A future subdivision would require development of the remainder of SE 16th Avenue as a condition of approval. This would address the widening of this street.

- Randy and Wendy Watson: These comments are related to access on SE 16th Ave, construction impacts to access. Concerns about dust fugitives as part of development. Request for roundabout to be constructed prior to development. Concerns about the requirements for street trees.

Staff Response: This is a proposal for annexation and zone change. No physical changes to the subject properties are proposed at this time. The conceptual street network as proposed is a logical continuation of development. Impacts from construction are required to be mitigated through subdivision and construction plan approval process.

The City cannot require the roundabout to be constructed by the applicant; there is not a sufficient nexus and rough proportionality finding.

VI. Conclusion Regarding Consistency with the Standards of the Canby Municipal Code

Staff concludes, as detailed in the submittal from the applicant and as indicated here in this staff report, including all attachments hereto, that:

1. The applications and proposed use is in conformance with applicable sections of the City's Comprehensive Plan and Land Development and Planning Ordinance when the determinations contained in this staff report are applied.
2. The proposed annexation can meet the approval criteria set forth in CMC 16.84.040.A.
3. The zoning of the property, if annexed, shall be R-1 and R-1.5 as indicated in the application and pursuant to the approval criteria set forth for map amendments in CMC 16.54.040.
4. The proposed annexation's requested zoning district of R-1 and R-1.5 is in conformance with the Comprehensive Plan Land Use Plan Map.
5. The application complies with all applicable Oregon Revised Statutes.
6. There are sufficient public and private agency utility and service capacity to serve the site at the anticipated development intensity.
7. In accordance with the UGMA with Clackamas County, this proposed annexation application includes a description of the adjacent S Ivy Street right-of-way with the properties proposed for annexation.

VII. Recommendation to Planning Commission: ANN 20-01/ZC 20-02

Based on the application submitted and the facts, findings and conclusions of this report, but without benefit of a public hearing, staff recommends that the Planning Commission recommend to the City

Council that:

1. The Planning Commission move to recommend ANN 20-01/ZC 20-02 for approval to the City Council;
2. The Planning Commission move to recommend a change in the zoning of the subject property from Clackamas County EFU to City of Canby R-1 and R-1.5 as indicated by the Canby Comprehensive Plan map.

The planning Commission move to attach the following conditions to this recommendation of approval:

1. Annexation (ANN 20-01) and Zone Change (ZC 20-02) must be free of appeals and final land use decisions as defined by ORS 197.015 prior to any subdivision gaining approval.
2. Annexation approval shall conform to all other applicable City of Canby ordinances, municipal code, state law and administrative rule.

Tofte Annexation and Zone Change

Date: *UPDATED* July 2021

Submitted to: City of Canby
Planning Department
222 NE 2nd Avenue
Canby, OR 97013

Applicant: Pahlisch Homes
15333 Sequoia Parkway Ste: 190
Portland, OR 97224

AKS Job Number: 8659



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Table of Contents

I.	Executive Summary.....	2
II.	Site Description/Setting	2
III.	Applicable Review Criteria	3
	OREGON REVISED STATUTES	3
	Senate Bill 1573:.....	3
	CITY OF CANBY MUNICIPAL CODE	4
	Title 16 – Planning and Zoning	4
	Division VI. Annexations.....	4
	Chapter 16.84 REGULATIONS	4
	Division III. Zoning	15
	Chapter 16.54 AMENDMENTS TO ZONING MAP	15
IV.	Conclusion	17

Tables

Table 1: Deficit of Single-Family Detached Dwelling Units.....	8
Table 2: Redevelopment Potential of Properties Greater than 6 Acres.....	9
Table 3: Existing Capacity for Single-Family Detached Dwellings.....	10

Exhibits

Exhibit A: City of Canby Application Form & Checklist	
Exhibit B: Annexation Petitions (Written Consent Forms)	
Exhibit C: Property Ownership	
Exhibit D: Legal Description & Map of Affected Territory	
Exhibit E: Clackamas County Assessor's Maps	
Exhibit F: Tofte Property—Comprehensive Plan Map Overlay	
Exhibit G: Transportation Memorandum [DKS & Associates]	
Exhibit H: City of Canby Property Analysis	
Exhibit I: Mailing Labels	
Exhibit J: Neighborhood Meeting Documentation	
Exhibit K: Pre-Application Meeting Documentation	
Exhibit L (UPDATED): Wetland Determination Report	
Exhibit M (UPDATED): Preliminary Geotechnical Engineering Report	

Land Use Application for Annexation and Zone Change

Submitted to: City of Canby
Planning Department
222 NE 2nd Avenue
Canby, OR 97013

Applicant: Pahlisch Homes
15333 Sequoia Parkway Ste: 190
Portland, OR 97224

**Property Owner
(Tax Lots 1200 and 2300):** Tofte Farms, LLC
PO Box 97
Aurora, OR 97002

**Property Owner
(Tax Lot 1300):** Charles R. Braun & Janet K. Braun
1712 S Ivy Street
Canby, OR 97013

Applicant's Consultant: AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Contact(s): Mimi Doukas, AICP, RLA
Email: mimid@aks-eng.com
Phone: (503) 563-6151

Site Location: 371 SE 13th Avenue / 1712 S Ivy Street

Clackamas County Assessor's Map: 4 1 E 04D, Tax Lots 1200 and 1300;
4 1 E 03, Tax Lot 2300

Site Size: **Total site area: ±42.5 acres**

- ±12.48 acres (Tax Lot 1200);
- ±1.83 acres (Tax Lot 1300);
- ±28.15 acres (Tax Lot 2300);

Note: Tax Lot 2300 (north of the Molalla River and inside the Canby Urban Growth Boundary (UGB)) and Tax Lot 2390 (south of the Molalla River and outside the UGB) comprise one legal lot of record and are shown separately for taxation assessment. Therefore, only Tax Lot 2300 can be annexed because it is within the UGB. Tax Lot 2390 is not part of this application.

Land Use District: **Existing:** Clackamas County EFU (Exclusive Farm Use)
Future: R-1 (Low Density Residential) and R-1.5 (Medium Density Residential)



I. Executive Summary

Tofte Farms, LLC is submitting this application to annex ±42.5 gross acres of land into the City of Canby. The subject site is located immediately south of City Limits and within the Canby Urban Growth Boundary (UGB), comprised of Tax Lots 1200 and 1300 of Clackamas County Assessor's Map 41E04D and Tax Lot 2300 of Clackamas County Assessor's Map 41E03. The Tofte subject site is planned to incorporate lots intended for future single-family detached, fee simple homes. Annexation requires the timely extension of stormwater, sanitary sewer, water infrastructure, and other amenities to provide the future homes with adequate urban services. This project involves review of an Annexation and a Zone Change application on the subject site. Therefore, a DCP has also been submitted under a separate cover/package for this region. The DCP provides a framework for the subject site, including a conceptual network for transportation, infrastructure, open space, and parks.

Annexation

The annexation will transfer the subject site from Clackamas County into the Canby corporate limits and the City's jurisdictional authority.

Zone Change

This application seeks to apply the anticipated zoning districts—Low Density Residential (R1) and Medium Density Residential (R1.5)—in a manner consistent with the Canby Comprehensive Plan's long-range goals.

The DCP application presents the existing conditions and general framework for the annexation and zone change of the Tofte land into the City of Canby. This submittal package contains the City application forms, written materials, and preliminary plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence supports the City's approval of the application(s). Subsequent to this land use process, a future subdivision application will facilitate the specific site layout intended for future single-family detached homes, complete with an efficient transportation network, infrastructure improvements, and enjoyable open space amenities.

The City of Canby Development Code requires this application be considered through a Type IV quasi-judicial procedure. This written statement includes findings of fact demonstrating the application complies with all applicable approval criteria. These findings are supported by substantial evidence in the application, including a transportation analysis and other written documentation. Considered together, this information provides the necessary basis for the City of Canby to approve the application.

II. Site Description/Setting

The subject site is located south of the City of Canby limits and consists of three parcels comprising ±42.5 acres in size (Tax Lots 1200 and 1300 of Clackamas County Assessor's Map 4 1 E 04D and Tax Lot 2300 of Map 4 1 E 03). The properties are contiguous and located at 371 SE 13th Avenue near the intersection of S Ivy Street and 16th Avenue. The properties are bound by the UGB/Molalla River to the south, Redwood Lane to the east, SE 17th and 16th Avenue(s) to the north, and S Ivy Street to the west. The property gently slopes to the north (but is generally flat) and contains steeper slopes at the bluff of the Molalla River.

Currently, the subject site is zoned Clackamas County Exclusive Farm Use (EFU) and are within the Canby UGB. The UGB is located adjacent to the southern property line, along on the north side of the Molalla River. Properties directly north and south of the river are designated Clackamas County EFU land. Upon annexation, this application plans to implement the designated zoning identified in the Comprehensive

Plan. As such, portions of the property will be designated LDR (Low Density Residential) and MDR (Medium Density Residential) Comprehensive Plan districts and zoned R-1 (Low Density Residential) and R-1.5 (Medium Density Residential) in accordance with the City's long range planning effort. Properties on the west side of S Ivy Street and surrounding are characterized by residential development the subject site are within the City of Canby limits. Generally, properties north of the site are zoned R-1 and properties to the northwest are zoned R-1.5. There is an existing senior living community, zoned RC (Residential Commercial) to the east of the subject site. Further west, properties are zoned HDR (High Density Residential).

III. Applicable Review Criteria

OREGON REVISED STATUTES

Senate Bill 1573:

In response to Senate Bill 1573, which went into effect March 15, 2016, and, "applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city," the following criteria found in Sections 2 and 3 of Senate Bill 1573 have been addressed.

Section 2. (2)

Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:

- (a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015

Response: This annexation involves three tax lots located within the Canby Urban Growth Boundary. The owners of the properties have signed the required petition(s) (e.g. 100 percent of the land owners have signed annexation petitions). The Annexation Petition and Written Consent forms are included as Exhibit B.

- (b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city.

Response: The City of Canby Comprehensive Plan, which includes a Comprehensive Plan Map, was adopted by the City Council in October 2019. Upon approval of this annexation application, the subject site (as shown on the City of Canby Comprehensive Plan Map) will be zoned a combination of Low Density Residential (LDR) and Medium Density Residential (MDR). As shown in Exhibit F, the Tofte Property – Comprehensive Plan Map Overlay, the property will receive the long range planning designations desired by the City.

- (c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water.

Response: As shown on the legal description and map, the subject site included in this application is contiguous to the City limits.

- (d) The proposal conforms to all other requirements of the city's ordinances.

Response: Required information, forms, and documents are included in this annexation application in Exhibit A, as applicable.

Section 2. (3)

The territory to be annexed under this section includes any additional territory described in ORS 222.111 (1) that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory described in subsection (2) of this section at a density equal to the average residential density within the annexing city.

Response: The territory to be annexed includes all territories that must be annexed in order to locate infrastructure and right-of-way access for services necessary for development of the territory at a density equal to the average residential density within the annexing City. Access is available from S Ivy Street, SE 16th Avenue, SE 17th Avenue, and S Redwood Street. Sewer and water are available via existing sanitary sewer lines located north of the property.

Section 2. (4)

When the legislative body of the city determines that the criteria described in subsection (2) of this section apply to territory proposed for annexation, the legislative body may declare that the territory described in subsections (2) and (3) of this section is annexed to the city by an ordinance that contains a description of the territory annexed.

Response: The criteria of subsection 2 of this section are met through information provided in individual responses to each of the criterion. Therefore, a legal description and map of the property planned for annexation, prepared by a Professional Land Surveyor, are included in the application materials (Exhibit D).

Section 3

This 2016 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect on its passage.

Response: Senate Bill 1573 was signed by the Governor and became effective on March 15, 2016.

CITY OF CANBY MUNICIPAL CODE

Title 16 – Planning and Zoning

Division VI. Annexations

Chapter 16.84 Regulations

16.84.005 Background

The process of annexation of land to the city allows for the orderly expansion of the city and adequate provision for public facilities and services. The city charter requires that, unless mandated by state law, annexation, delayed annexations, and extension of city services, may only be approved by a majority vote among the electorate.

Response: As mandated, Oregon Revised Statute (ORS) 222.170 acknowledges the legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half (i.e. 51 percent) of the property owners in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day. Therefore, the annexation consent petition and written statement of consent (signed by all property owners) are within Exhibit B. Therefore, a majority vote among the electorate is not required and the criterion is met.

16.84.010 Purpose

It is the purpose and general intent of this division to delineate the appropriate procedures to be followed to annex territory to the city. It is recognized that alterations to the corporate limits are major land use actions affecting all aspects of city government including taxation, the provision of public services, land use patterns, vehicular circulation, etc. Decisions on proposed annexations are, therefore, of critical importance to the city. The procedures and standards established in this chapter are required for review of proposed annexations in order to:

- A. Provide adequate public information and sufficient time for public review before an annexation election;
- B. Maximize citizen involvement in the annexation review process;
- C. Establish a system for measuring the physical, environmental, and related social effects of proposed annexations; and
- D. Ensure adequate time for staff review.

Response: The information above is understood. To maximize public participation, the applicant held a neighborhood meeting on May 25, 2021, to welcome and encourage citizen involvement in the annexation and DCP review process. Documentation of the neighborhood meeting is included as Exhibit J.

16.84.020 State Regulations

The regulations and requirements of Oregon Revised Statutes Chapter 222 are adopted by reference and made a part of this division.

16.84.030 Filing Procedure

Whenever an application for annexation is filed, it shall be reviewed in accordance with the following procedures:

- A. Application Filing Deadlines. Application deadlines are established to permit public hearings by both the Planning Commission and the City Council in time to meet state and county requirements for submitting ballot information for these election dates. Application deadlines are as follows:
 - 1. Regular annexation dates are in May and November. Annexations must be filed with the City before 5:00 p.m. on the last working day in August for a ballot election in May and the last working day in February for a ballot election in November. Incomplete applications may result in missing these planned election dates, at the City's discretion.
 - 2. Annexations can be scheduled for a special election provided that all costs associated with the special election are covered by the applicant. Special elections will be scheduled by the City Council following the required City Council hearing on the application.

Response: As described above and according to ORS 222.170, the subject application for annexation includes a petition and written statement of consent signed by all property owners (Exhibit B). Therefore, a majority vote among the electorate is not required and the criterion is met.

- B. Application Submittal. Application procedures shall be as described in Chapter 16.89, on forms provided by the Planning Department.

Response: The required forms are signed and included as Exhibits A and B. The submittal requirements are met.

16.84.040 Standards and Criteria

- A. The following criteria shall apply to all annexation requests.

1. The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):

City of Canby Annexation Development Map

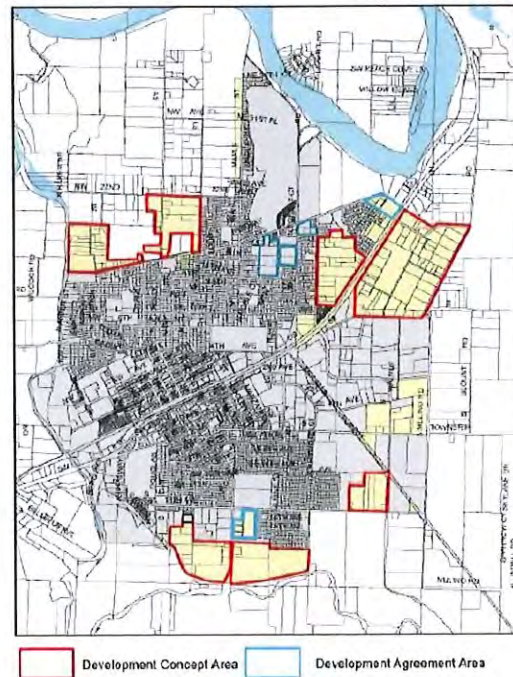


Figure 16.84.040

- ...
- b. A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:

1. Water
2. Sewer
3. Stormwater
4. Access
5. Internal Circulation

6. Street Standards

7. Fire Department requirements

8. Parks and open space

For newly annexed properties that are within the boundaries of a DCP area as designated on the City of Canby Annexation Development Map: A Development Concept Plan shall be adopted by the Canby City Council prior to granting a change in zoning classification.

Response: The subject property is designated as a Development Concept Area on the City of Canby Annexation Development Map, above. Therefore, a Development Concept Plan (DCP) has been submitted under a separate cover/package to address the City of Canby infrastructure availability on the subject site. As shown in the table below, there are four properties that comprise the DCP, though only three are slated for annexation to the City of Canby.

Pursuant to direction from the City of Canby, the DCP is being reviewed concurrently with the Annexation and Zone Change land use applications through the Type IV quasi-judicial review process. As such, the Canby City Council should adopt the DCP prior to granting a change in zoning classification, as stated above. Therefore, the criteria are met.

2. Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning - low density residential, light industrial, etc.) currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient;

Response: As shown on the City of Canby Comprehensive Plan Map, the subject site is outside City Limits and upon future annexation is slated to be designated with Low Density Residential (LDR) and Medium Density Residential (MDR) Comprehensive Plan districts. The City of Canby Housing Needs Analysis (HNA), adopted by City Council on September 18, 2019, addresses Statewide Planning Goal 10: Housing. The Canby HNA serves as the City's residential buildable land inventory under Oregon Land Conservation and Development Commission (LCDC) Statewide Planning Goal 10. As documented in the HNA, the Canby Urban Growth Boundary (UGB) contains ±353 acres of buildable (defined as vacant and partially vacant) LDR-designated land and ±70.88 acres of MDR-designated land.

When considering the supply versus demand of Canby's land area/designations, the Canby City Limits contains ±279 acres to accommodate single-family detached housing. This annexation application would add approximately ±42.5 acres intended for ±160 single-family detached homes to accommodate needed housing.

According to the Canby HNA, the City of Canby will have a demand for ±2,396 single-family detached dwelling units over the 20-year (2039) planning period. Exhibit F2 of the Canby

HNA shows the assumed allocation of the forecasted dwelling units by plan designation; ± 1517 dwelling units fall into LDR designated land and ± 781 in MDR designated land. The information is demonstrated in Table 1, below.

Table 1: Deficit of Single-Family Detached Dwelling Units

City of Canby Housing Needs Analysis		
Canby Land Use District	Canby Deficit (dwelling units)	Tofte Annexation (dwelling units)
LDR	1517 units	± 145 units (anticipated to be provided)
MDR	781 units	± 15 units (anticipated to be provided)

According to the Canby HNA, a population growth scenario of 2.3 percent for the 2019-2039 planning period was forecasted. The 2.3 percent growth forecast amounts to 10,880 new residents by year 2039. As described in Exhibit F1 of the Canby HNA, approximately 10,880 new residents equate to $\pm 3,830$ additional dwelling units. To accommodate $\pm 3,830$ additional dwelling units in the 20-year planning period, it is estimated ± 192 dwelling units (on average) would need to be constructed each year to serve the residents of the City of Canby.

This application will annex approximately ± 42.5 acres into the City of Canby, with plans to provide approximately 160 lots for single-family detached homes within the City-desired R1 (LDR) and R1.5 (MDR) designations. If the City of Canby anticipates providing ± 192 dwelling units a year, as described in the HNA, that would amount to ± 576 dwelling units over a three-year period. Therefore, it can be reasonably assumed that this project will provide needed housing at a rate considered to be sufficient for the anticipated population growth over the following three years (by 2024).

As discussed in responses to Canby Municipal Code (CMC) Section 16.84.040.2., annexations are required to provide data-based findings and assumptions about the City of Canby that demonstrate the need for additional land zoned R-1 and R-1.5. Therefore, a housing needs analysis is included (within this document and accompanying materials), identifying the amount of vacant land that is currently within City limits. As shown on the City of Canby Property Analysis (Exhibit H), there are approximately ± 196 "unimproved lots" within City limits. This includes larger homesites, lots with re-developable potential, and lots with zero improvements. The analysis found there are approximately 181 lots less than 0.5 acres, 10 lots greater than 0.5 acres, and 6 lots greater than 6 acres. Additionally, it is important to note all ± 196 "unimproved lots" are within all Canby residential zones (meaning some lots are within zones other than LDR/MDR and would not provide future single-family detached housing). However, the lots were left in the analysis to provide a conservative count.

Further, it is worth mentioning that the 6 lots greater than 6-acres (notated on Exhibit H), zoned LDR/MDR, also have potential for re-development, calculated and interpreted in the following tables and discussion. For analytical purposes, as discussed below, the larger property zoned High Density Residential (HDR) is not included for forecasting potential of single-family dwellings (i.e. because the use is not permitted within the designation).

Table 2: Redevelopment Potential of Properties Greater than 6 Acres

City of Canby Property Analysis –Properties Greater Than 6 Acres				
Tax Lot	Zoning Designation	Acreage	Potential	Subdivision Name
41E04DC01000	LDR (R-1.5)	14.43 acres	±60 lots	Ivy Ridge Estates (formerly Riverside Park)
			Note: There are 90 lots within the approved Ivy Ridge Estates Subdivision. 32 have been platted with Phase 1 and are shown on Exhibit H, within the inventory of parcels less than 0.5 acres.	
31E28DD02100	MDR (R-1.5)	6.68 acres	±46 lots	N/A
			Note: The potential number of lots is based on net developable acreage and 5,000-square-foot lots	
31E28DD03200	LDR (R-1)	4.36 acres	±41 lots	Hamilton Acres
			Note: These are approved lots within Hamilton Acres Subdivision	
31E28CA02600	LDR (R-1)	19.12 acres	±82 lots	Dodds Farm
			Note: There are ±82 approved lots within Dodds Farm Subdivision. 20 have been platted with Phase 1.	
31E28C 00600	LDR (R-1)	8.01 acres	±40 lots	N/A
			Note: The potential number of lots is based on net developable acreage and 7,000-square-foot lots.	
41E04DC00700	HDR (R-3)	6.93 acres	Note: Potential redevelopment of HDR designated properties is not applicable to this application.	N/A
Redevelopment Potential of Properties Greater than 6 Acres			±269 lots	

Through researching the Clackamas County HNA and the City of Canby HNA, the City's growth rate in the 20-year planning period requires ± 192 dwelling units (on average) to be constructed each year—amounting to ± 576 dwelling units over the three-year planning period. Those units ± 576 units could be sited on the ± 196 properties described above (i.e. shown on Exhibit H) whose owners may or may not be interested in development potential. Further, as discussed in Table 2, the 6 properties greater than 6 acres would likely not fill the City's anticipated growth rate and need for ± 576 new units over the three-year planning period. The existing capacity for single-family homes within the City of Canby is shown in Table 3, below. As shown, the City of Canby currently has, and will continue to have a shortage of single-family residential land prior to the Tofte Annexation.

Table 3: Existing Capacity for Single-Family Detached Dwellings

City of Canby Available/Potential Lots for Single-Family Detached Dwellings	
Unimproved Lots Under 6 Acres	± 191 lots
Unimproved Lots Over 6 Acres	± 6 lots
Redevelopment Potential of Properties Greater than 6 Acres	± 269 lots
Existing Capacity	± 460 lots
Tofte Annexation	± 80 lots (Phase 1)
Future Capacity	± 540 lots
Units Necessary for 3-year Planning Period	± 576
Note: The Tofte Annexation could provide ± 160 units over multiple phases. As such, only ± 80 units are shown above to demonstrate a practical number, as Pahlisch Homes does not plan to accommodate all ± 160 homes in one phase/year.	

Essentially, this analysis demonstrates there is not currently three years' worth of developable/available land within the City limits. The Tofte Development Concept Plan (submitted under separate cover/package) will annex ± 42.5 acres into the City of Canby, with plans to provide approximately ± 160 lots at full build out (± 80 lots within Phase 1) intended for single-family detached homes within the City's desired R-1 (LDR) and R-1.5 (MDR) designations. Pahlisch does not plan on building all ± 160 homes in one phase/year; homes will be built to accommodate appropriate market absorption. Additionally, it is worth mentioning this project is only one part of the housing supply puzzle/need in Canby.

Please see Exhibit H and the Tofte DCP (submitted for concurrent review under separate cover/package) for further information. The criteria above are met.

3. *Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table*

Response:

As discussed in the DCP application and the narrative responses within this written document, the subject site is directly south of the City of Canby Limits. This application seeks to annex land into Canby for future single-family detached homes. The surrounding properties are designated with like zoning (R-1 and R-1.5) and there are existing higher density subdivisions (zoned R-2) to the west of S Ivy Street. As such, this subdivision will not alter the identity of the surrounding area, characterized by residential neighborhoods, open space, parks, and multi-modal connectivity. Transportation and infrastructure elements (i.e. street stubs, partial street improvements, water lines, sanitary sewer lines, franchise utilities, etc.) are stubbed to the northern property lines and intended for extension. Without annexation of the subject site, SE 16th and 17th Avenues (i.e. streets currently improved to half and three-quarters sections) would not be built out to full standard street sections due to the required land lying outside City Limits. Therefore, annexation of this property will benefit residents to the north by providing a means to implement safer streets with efficient parking on both sides of the road (where there is not currently).

Additionally, most of the property is vacant of structures due to the historical agricultural land use on site, and is not designated "parks" or "public" or "private recreation" in the City's Comprehensive Plan. Although the subject site is currently comprised of a vacant field and one homesite, it is not used for agricultural purposes or required to remain as an empty field by the City of Canby's Municipal Code or Canby Comprehensive Plan. Further, this application seeks to apply the zoning identified in the Canby Comprehensive Plan (R-1 and R-1.5), to ultimately reach the planned progression of land use for the area. A future subdivision application will provide land to be dedicated for trails, open space, parks, and afford the community with access to scenic views of the Molalla River.

Further, this application does not involve or facilitate implementation of physical improvements. A subsequent subdivision application will be submitted in the future, containing preliminary plans that illustrate a future street network, open space, park dedication, residential lots, etc. Therefore, future improvements to mitigate aesthetic impacts to the surrounding area (i.e. such as fencing, landscaping, signage, etc.) will be addressed at that time. Therefore, the above criteria are met.

Pursuant to Section 16.89.020, the applicant conducted a neighborhood meeting on May 25, 2021 at 6pm in accordance with applicable City regulations to discuss the annexation, development concept plan (DCP), and zone change application(s). This meeting was held via a Zoom Webinar in accordance with the City's Neighborhood Meeting Guidelines. Marie Holladay, Paul Sellke, and Mimi Doukas from AKS Engineering & Forestry, LLC and Mike Morse, Ana Bozich, Dan Pahlisch, and Cory Bittner from Pahlisch Homes were present, as well as approximately 29 other interested neighbors/other attendees. The meeting began with a brief presentation which included an overview of the project and details about the planned project. The planned land use application and a general process of the land use application process was described. Please see the neighborhood meeting

documentation within Exhibit J for further details. Therefore, the neighborhood meeting submittal requirements and criteria are met.

4. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;

Response: Please see the Development Concept Plan (DCP) (submitted under a separate cover/package) for details on existing and planned conceptual infrastructure elements, including potable water, sanitary sewer, and stormwater treatment. Additionally, the DCP inventories school facilities and existing and conceptual parks, open space, and trails.

A Transportation Memorandum prepared by DKS & Associates is included as Exhibit G. The transportation documentation describes existing and anticipated conditions of the local transportation system and demonstrates compliance with the standards of the City of Canby Municipal Code and Canby Transportation System Plan (TSP). Please see Exhibit G for further details.

The criteria above are met.

5. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;

Response: This stage of the project involves land use applications and review for Annexation and Development Concept Plan (DCP). At this time, specific density and lot counts are to be determined, in compliance with the standard planned zoning districts (R1 and R1.5). A subsequent Subdivision application will be submitted in the future which will detail the anticipated increased demand on infrastructure and facilities generated by the Tofte annexation. Therefore, the criterion cannot be evaluated at this time.

6. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;

Response: This stage of the project involves land use applications and review for Annexation and Zoning Map Amendments. At this time, specific density and lot counts are to be determined, in compliance with the standard planned zoning districts (R1 and R1.5). A subsequent subdivision application will be submitted in the future which will detail the anticipated increased demand to be generated by the Tofte annexation on additional facilities necessary to serve the site. Phasing of construction and infrastructure is anticipated, though not determined at this time, and will be vetted with the future Subdivision application. Therefore, the criterion cannot be evaluated at this time.

7. Statement outlining method and source of financing required to provide additional facilities, if any;

Response: This stage of the project involves land use applications and review for Annexation and Zoning Map Amendments. Upon approval, a subsequent Subdivision application will be submitted in the future which will detail the anticipated increased demand to be generated by the Tofte annexation on additional facilities necessary to serve the site. If converted to an urban use (the site is currently designated Clackamas County EFU), essential services and facilities will be extended to serve the site and future lots will

generate System Development Charges (SDCs) which will facilitate future infrastructure needs and provide tax base funds to the City. The DCP outlines the anticipated adequacy and feasibility of future services and infrastructure needs. The criterion is met, as relevant.

8. Statement indicating the type and nature of any comprehensive Plan text or map amendments or Zoning text or map amendments that may be required to complete the proposed development. Proposed zoning must be consistent with zoning identified in any applicable adopted Development Concept Plan.

Response: The subject site is currently outside of City Limits and currently carries Clackamas County EFU zoning. As discussed in this written narrative document, this application involves a concurrent Zoning Map Amendment to apply the zoning districts foreseen in the Comprehensive Plan. As such, portions of the property will be designated LDR (Low Density Residential) and MDR (Medium Density Residential) Comprehensive Plan districts and zoned R-1 (Low Density Residential) and R-1.5 (Medium Density Residential) in line with the City's long range planning effort.

9. Compliance with other applicable city ordinances or policies;

Response: This land use application, including this narrative document and associated exhibits, demonstrates compliance with City ordinances and policies. The criterion is met.

10. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222.

Response: As stated in Section 16.84.020 (above), the regulations and requirements of ORS Chapter 222 are adopted by reference and made part of the City of Canby Municipal Code. As discussed in the narrative responses above, which incorporate Oregon Revised Statutes (ORS) Chapter 222, this annexation application contains the required submittal elements and meets the criteria for approval. Therefore, the criterion is met.

16.84.050 Consideration of applications.

- A. Upon receipt of an application, staff shall review the completeness of the application. After accepting the application as complete, staff shall schedule a public hearing to be held by the Planning Commission.
- B. The commission shall conduct a public hearing to evaluate the proposed annexation and determine the appropriate zoning designation upon annexation. Following the close of the public hearing, the commission shall forward its recommendation concerning the annexation to the City Council. The commission's recommendation shall include findings that specify how the proposal has or has not complied with the above review criteria (16.84.040). The commission shall specify such consideration as findings in support of its decision and recommendation.
- C. Upon receipt of the commission's recommendation the matter shall be set for review by the City Council following the procedures outlined in Division VIII. The City Council shall review all proposals prior to the city application deadline for submitting measures to the

voters in May or November. The City Council shall only set for an election those annexations that are consistent with the above review criteria (16.84.040). The City Council shall specify such considerations as findings in support of its decision to schedule an annexation for an election.

- D. The City Council's decision to submit an annexation to the electorate is the last discretionary decision in the process. Certifying the election after votes are counted is not a discretionary decision.
- E. The council's decision not to set an election for the annexation (a decision of denial), or the results of the election is the final action in the city's review of an annexation application.

16.84.060 Legal Advertisement of Pending Election

After City Council review and approval, the city administrator shall cause a legal advertisement describing the proposed annexation and pending election to be published in at least one newspaper of general circulation in the city. The advertisement shall be placed at least 14 days prior to the election. The size of the advertisement shall be determined by the City Administrator, but shall not be less than one-half of a full page. The advertisement shall contain: a description of the location of the property, the size of the property, its current zoning and zoning upon annexation, a general description of the land use intended, a description of any Comprehensive Plan text or Map amendment of Zoning Ordinance text or Map amendment that is required; and a description of the positive and negative effects contained in the staff report, as well as the findings upon which the City Council based its decision.

Response: The criteria above are understood and do not warrant a response from the Applicant.

16.84.070 Election Procedures.

- A. Pursuant to ORS 222.130(1), the statement of chief purpose in the ballot title for a proposal for annexation shall contain a general description of the boundaries of each territory proposed to be annexed. The description shall use streets and other generally recognized features. Notwithstanding ORS 250.035, the statement of chief purpose shall not exceed 150 words. The ballot title wording shall be prepared by the City Attorney.
- B. Pursuant to ORS 222.130(2), the notice of an annexation election shall be given as provided in ORS 254.095 and 254.205, except that in addition the notice shall contain a map indicating the boundaries of each territory proposed to be annexed.
- C. Pursuant to ORS 222.11(7), two or more proposals for annexation of territory may be voted upon simultaneously; however, each proposal shall be stated separately on the ballot and voted on separately.

Response: As mandated, ORS 222.170 acknowledges the legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half (i.e. 51 percent) of the property owners in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day. Therefore, the annexation consent petition and written statement of consent (signed by all property owners) are within Exhibit B. Therefore, the criteria above are not applicable to this application.

16.84.080 Setting of Boundaries and Proclamation of Annexation.

If the annexation is approved by the electorate, the City Council, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation (ORS 222.170(3)).

Response: The criterion above is understood and does not warrant a response from the Applicant.

16.84.090 Exceptions.

The City Council may authorize an exception to any of the requirements of this chapter. An exception shall require a statement of findings that indicates the basis for the exception. Exceptions may be granted for reasons including, but not limited to: identified health hazards, limited development potential, or administrative error. An exception to referring an annexation application that meets the approval criteria to an election cannot be granted except as provided in the Oregon Revised Statutes.

Response: This application does not involve exceptions. The criterion is not applicable.

Division III. Zoning

Chapter 16.54 AMENDMENTS TO ZONING MAP

16.54.010 Authorization to initiate amendments.

An amendment to the zoning map may be initiated by the City Council, by the Planning Commission, or by application of the property owner or his authorized agent. The Planning Commission shall, within forty days after closing the hearing, recommend to the City Council, approval, disapproval or modification of the proposed amendment. (Ord. 740 section 10.3.45 (A), 1984)

16.54.020 Application and fee.

Application procedures shall be as described in Chapter 16.89.

Response: This application package will be reviewed through a Type IV Council Decision review process pursuant to Chapter 16.89.

16.54.030 Public hearing on amendment.

Before taking final action on a proposed amendment, the Planning Commission shall hold a public hearing on the amendment following the requirements for advertising and conduct of hearing prescribed in Division VIII.

Response: The above criterion is understood; a public hearing will be facilitated by the Planning Commission to review the zoning map amendments.

16.54.040 Standards and criteria.

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

- 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.

Response: In reviewing the City of Canby's Comprehensive Plan, the application is generally in conformance with the goals and policies and meets the intent of the LDR and MDR base designations. Special attention was given to the Comprehensive Plan Policy 6 of the Land Use Element and Implementation Measures and is stated as follows:

"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.

IMPLEMENTATION MEASURES:

A) A map of "Areas of Special Concern" is included in the back of this Plan Element. That map is to be regarded as having the full force and effect of the Land Use Map in determining appropriate land uses and levels of development. Development proposals, even those that appear to conform with existing zoning, will be considered to conform with the Comprehensive Plan only if they meet the requirements imposed here.

The subject site is not identified as one of the City of Canby Areas of Special Concern on the map referenced above. Therefore, the area is not considered to pose a unique challenge, contain existing master plan infrastructure requirements, or require a future Master Plan. However, the subject site is within a Development Concept Area; therefore, this application is associated with a DCP (submitted for concurrent review under separate cover/package) and addresses the appropriate criteria within that written document. As explained in greater detail within the DCP, essential services and required public facilities can be feasibly extended and provided to serve the development area to accommodate the LDR and MDR density requirements. The criteria are met.

...

16.54.60 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 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.

Response: It is understood the Planning Commission may apply conditions of approval to facilitate successful development of the subject site.

16.54.070

Record of amendments.

The City Planner shall maintain a record of amendments to the zoning map in a form convenient for use of the public.

Response: The above criterion is understood and does not require action or response from the Applicant.

IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Canby Municipal Code. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve this annexation application.

Exhibit A: City of Canby Application Form & Checklist



City of Canby
Planning Department
222 NE 2nd Avenue
PO Box 930
Canby, OR 97013
(503) 266-7001

LAND USE APPLICATION

ANNEXATION Process Type IV

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

☐ Applicant Name: Pahlisch Homes Phone: Contact Applicant's Consultant
Address: 15333 Sequoia Parkway Ste: 190 Email: Contact Applicant's Consultant
City/State: Portland, OR Zip: 97224

☒ Representative Name: Mimi Doukas- AKS Engineering & Forestry Phone: 503-563-6151
Address: 12965 SW Herman Road Ste: 100 Email: mimid@aks-eng.com
City/State: Tualatin, OR Zip: 97062

☐ Property Owner Name: Tofte Farms, LLC Phone: Contact Applicant's Consultant
Signature: [Signature] Timothy A. Tofte
Address: PO Box 97 Email: Contact Applicant's Consultant
City/State: Aurora, OR Zip: 97002

☐ Property Owner Name: Charles R. Braun and Janet K. Braun Phone: Contact Applicant's Consultant
Signature: _____
Address: 1712 S Ivy Street Email: Contact Applicant's Consultant
City/State: Canby, OR Zip: 97013

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>371 SE 13th Avenue/ 0 S Ivy Street</u>	<u>±42.5 acres</u>	<u>41E04D01200/01300 & 41E0302300</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Vacant farm land</u>	<u>Clackamas County EFU</u>	<u>LDR - Low Density Residential</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation

Annexation of property into the City of Canby
Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

Visit our website at: www.canbyoregon.gov
Email Application to: PlanningApps@canbyoregon.gov



City of Canby
Planning Department
222 NE 2nd Avenue
PO Box 930
Canby, OR 97013
(503) 266-7001

LAND USE APPLICATION

ANNEXATION Process Type IV

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

☐ Applicant Name: Pahlisch Homes Phone: Contact Applicant's Consultant
Address: 15333 Sequoia Parkway Ste: 190 Email: Contact Applicant's Consultant
City/State: Portland, OR Zip: 97224

☒ Representative Name: Mimi Doukas- AKS Engineering & Forestry Phone: 503-563-6151
Address: 12965 SW Herman Road Ste: 100 Email: mimid@aks-eng.com
City/State: Tualatin, OR Zip: 97062

☐ Property Owner Name: Tofte Farms, LLC Phone: Contact Applicant's Consultant
Signature: _____
Address: PO Box 97 Email: Contact Applicant's Consultant
City/State: Aurora, OR Zip: 97002

☐ Property Owner Name: Charles R. Braun and Janet K. Braun Phone: Contact Applicant's Consultant
Signature: [Signature] [Signature] Email: Contact Applicant's Consultant
Address: 1712 S Ivy Street
City/State: Canby, OR Zip: 97013

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>371 SE 13th Avenue/ 0 S Ivy Street</u>	<u>±42.5 acres</u>	<u>41E04D01200/01300 & 41E0302300</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Vacant farm land</u>	<u>Clackamas County EFU</u>	<u>LDR - Low Density Residential</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation
<u>Annexation of property into the City of Canby</u>		
<u>Describe the Proposed Development or Use of Subject Property</u>		

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

Visit our website at: www.canbyoregon.gov
Email Application to: PlanningApps@canbyoregon.gov

Page 1 of 5



City of Canby
Planning Department
222 NE 2nd Avenue
P.O. Box 930
Canby, OR 97013
Ph: 503-266-7001
Fax: 503-266-1574

CHECKLIST

ANNEXATION – TYPE IV

All required application submittals detailed below must also be submitted in ELECTRONIC FORMAT on a CD, flash drive, FTP site, or via email to: PlanningApps@canbyoregon.gov

- | Applicant Check | City Check | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of this application packet. The City may request further information at any time before deeming the application complete. SEE EXHIBIT A |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Payment of appropriate fees: Cash, check or credit card. Checks should be made out to the <i>City of Canby</i> . |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT for all property owners and all residents within 500 feet of the subject property. If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to "Occupant." A list of property owners may be obtained from a title insurance company or from the County Assessor's office. SEE EXHIBIT I |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of a written statement and an electronic copy in WORD format describing the property to be annexed, including all existing improvements on the land, and detailing how the annexation and proposed zoning meet the approval criteria, and availability and adequacy of public facilities and services. <u>Ask staff for applicable Municipal Code chapters and approval criteria.</u> Applicable Code Criteria for this application includes:

_____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy in written format of the minutes of the neighborhood meeting is required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and a list of attendees. SEE EXHIBIT J |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy in written format of the minutes of the pre-application meeting SEE EXHIBIT K |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of a written statement, signed by at least 51% of the owners of land in the territory to be annexed that states, pursuant to ORS 222.170: "Consent to annex is hereby given by the undersigned, who represent more than half the owners of land in the territory, and who also own more than half of the land and real property in the contiguous territory, which represents more than half of the assessed value of all real property in the contiguous territory." SEE EXHIBIT B |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of the full quarter-section tax assessor's map with the subject property outlined. SEE EXHIBIT E |



- ☐ One (1) copy of the legal description of the property to be annexed, and a boundary survey certified by a registered engineer or surveyor containing bearings and one half of the adjacent street right-of-way, if applicable. **SEE EXHIBIT D**



- ☐ One (1) copy of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (payment must be received by the City before the traffic engineer will conduct or review a traffic impact study). Ask staff to determine if a TIS is required.

*Note: A traffic impact analysis is not required if all the property to be annexed is located within the boundaries of an approved Development Concept Plan and a traffic impact analysis was completed for the Development Concept Plan. **A TRANSPORTATION MEMORANDUM IS INCLUDED SEE EXHIBIT G***



- ☐ If the property to be annexed is located inside a "Development Concept Area" identified on the Annexation Development Map, Figure 16.84.040 of Canby Municipal Code Chapter 16.84, then submit one (1) copy of an approved Development Concept Plan.

N/A

- ☐ **SEE CONCURRENT DCP SUBMITTAL UNDER SEPARATE COVER/PACKAGE.**
☐ If the property to be annexed is located inside a "Development Agreement Area" identified on the Annexation Development Map, Figure 16.84.040 of Canby Municipal Code Chapter 16.84, then submit one (1) copy of a Development Agreement intended to be approved and recorded with the property.

ANNEXATION APPLICATION – TYPE IV: APPLICATION PROCESS

1. Prior to submitting an application, all applicants are encouraged to request a pre-application meeting with the City, or the City Planner may determine that a pre-application meeting is necessary after an application has been discussed or upon receipt of an application by the City. To schedule a pre-application meeting, an applicant must submit a completed pre-application form and 2 paper copies of the preliminary plans to the City Planner, and all submittal materials must be submitted in electronic format. The City Planner shall forward the pre-application materials to the Canby Public Works Department to schedule the pre-application meeting. The fee for a pre-application meeting for an annexation is indicated in the City of Canby Master Fee Schedule for Pre-Application Conferences for Type III and IV applications.
A pre-application meeting was held on April 19, 2021.
2. Prior to submitting an application, all applicants must hold a neighborhood meeting with surrounding property owners and any recognized neighborhood association representative, pursuant to the procedures described in Canby Municipal Code Section 16.89.070. In certain situations, the Planning Director may waive the neighborhood meeting requirement.
A neighborhood meeting was held on May 25, 2021
3. At the time an application is submitted to the City, payment of required application processing fees is required. An application will not be accepted without payment of fees. City Staff can provide you with information concerning application fees.
4. 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.
5. Staff investigates the application, writes a staff report, issues public notice, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
6. Prior to the public hearing, the City will prepare notice materials for posting on the subject property. This material will be posted by staff at least ten (10) days before the public hearing.

7. The staff report will be available to all interested parties seven (7) days prior to the hearing.
8. The Planning Commission holds a public hearing. The staff report is presented to the Commission. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant. Based on the information received during the public hearing, the Planning Commission issues a recommendation to City Council concerning what zoning designation should be applied to the property if it is annexed, and recommends that the annexation be approved, modified, or denied based on conformance with review criteria.
9. The City Council then holds a second public hearing. The Planning Commission's recommendation is presented to the Council. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant. Based on the information received during the public hearing, the Council decides what zoning designation should be applied to the property if it is annexed, and decides whether the annexation should be approved, modified, or denied.

ANNEXATION APPLICATION – TYPE IV: APPROVAL CRITERIA

Pursuant to Section 16.54.040 of the Canby Municipal Code, the Planning Commission and City Council must find that the requested zoning meets the following criteria in order to approve the zoning designation requested:

- 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; and
- 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.

(Note: if the zoning that is requested in conjunction with the annexation is not consistent with the property's comprehensive plan designation, then the applicant must also apply for a Comprehensive Plan Amendment.)

Pursuant to Section 16.84.040 of the Canby Municipal Code, the Planning Commission and City Council must find that the annexation application meets the following criteria in order to approve the Annexation request:

- A. The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):
 - a. A Development Agreement (DA) binding for all properties located within the boundaries of a designated DA area as shown on the City of Canby Annexation Development Map. The terms of the Development Agreement may include, but are not limited to:
 - i. Timing of the submittal of an application for zoning
 - ii. Dedication of land for future public facilities including park and open space land
 - iii. Construction of public improvements
 - iv. Waiver of compensation claims
 - v. Waiver of nexus or rough proportionality objections to future exactions
 - vi. Other commitments deemed valuable to the City of Canby
- For newly annexed properties that are within the boundaries of a DA area as designated on the City of Canby Annexation Development Map: A Development Agreement shall be recorded as a covenant

running with the land, binding on the landowner's successors in interest prior to the City Council granting a change in zoning classification.

- b. A Development Concept Plan (DCP) is binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:
- i. Water
 - ii. Sewer
 - iii. Stormwater
 - iv. Access
 - v. Internal Circulation
 - vi. Street Standards
 - vii. Fire Department requirements
 - viii. Parks and open space

For newly annexed properties that are within the boundaries of a DCP area as designated on the City of Canby Annexation Development Map: A Development Concept Plan shall be adopted by the Canby City Council prior to granting a change in zoning classification.

- B. Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning – low density residential, light industrial, etc.) currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient;
- C. Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89.020 of the City of Canby Land Development and Planning Ordinance.
- D. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;
- E. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;
- F. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;
- G. Statement outlining method and source of financing required to provide additional facilities, if any;
- H. Statement indicating the type and nature of any comprehensive plan text or map amendments or zoning text or map amendments that may be required to complete the proposed development.
- I. Compliance with other applicable city ordinances or policies;
- J. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222.



City of Canby
Planning Department
222 NE 2nd Avenue
P.O. Box 930
Canby, OR 97013
Ph: 503-266-7001
Fax: 503-266-1574

CHECKLIST

ZONE MAP CHANGE

(Amendments to Zoning Map Chapter 16.54)

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email to: PlanningApps@canbyoregon.gov

Applicant
Check

City
Check

- ☒ ☐ One (1) copy of this application packet. The City may request further information at any time before deeming the application complete.
- ☒ ☐ Payment of appropriate fees – cash or check only. Refer to the city's Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.
- ☒ ☐ **Please submit one (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT** for all property owners and all residents within 500 feet of the subject property. If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to "Occupant." A list of property owners may be obtained from a title insurance company or from the County Assessor's office.
- ☒ ☐ Comprehensive Plan designation of the property.
- ☒ ☐ The application shall be accompanied by a written narrative explaining the existing use of the property and the need for the change in zoning.
- ☒ ☐ Two (2) paper copies of the proposed plans, printed to scale no smaller than 1"=50' on 11 ½ x 17" paper. The plans shall include the following information:
 - ☐ Vicinity Map. Vicinity map at a scale of 1"=400' showing the relationship of the project site to the existing street or road pattern.
 - ☐ Site Plan-the following general information shall be included on the site plan:
 - ☐ Date, north arrow, and scale of drawing;
 - ☐ Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
 - ☐ Property lines (legal lot of record boundaries);
 - ☐ Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
 - ☐ Location of all jurisdictional wetlands or watercourses on or abutting the property;
 - ☐ Finished grading contour lines of site and abutting public ways;
 - ☐ Location of all existing structures, and whether or not they are to be retained with the proposed development;
 - ☐ The location of streets, sewer, water, electric, and other utility services;
 - ☐ Major topographic and landscape features.
- ☒ ☐ One (1) copy 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

Visit our website at: www.canbyoregon.gov

Email Application to: PlanningApps@canbyoregon.gov

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.

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.

Exhibit B:
Annexation Petitions (Written Consent Forms)

PETITION FOR A CONSENT ANNEXATION

(WRITTEN CONSENT FORM)

We, the undersigned property owner(s), hereby petition for, and give our consent to the annexation of the subject area to the City of Canby.

Address	Property Description	Property Owner(s) Printed Name(s)
371 SE 13 th Avenue	Clackamas County Assessor's Map 41E03; Tax Lot 2300	Tofte Farms, LLC
No Situs	Clackamas County Assessor's Map 41E04D; Tax Lot 1200	Tofte Farms, LLC



Property Owner Signature

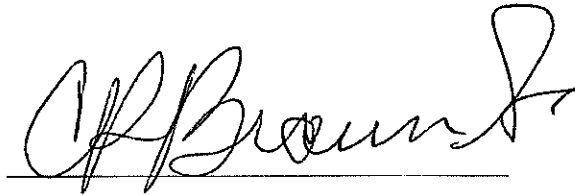
6/3/21

Date

PETITION FOR A CONSENT ANNEXATION
(WRITTEN CONSENT FORM)

We, the undersigned property owner(s), hereby petition for, and give our consent to the annexation of the subject area to the City of Canby.

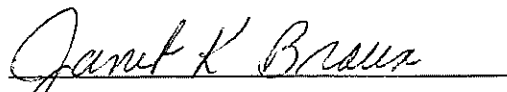
Address	Property Description	Property Owner(s) Printed Name(s)
1712 S Ivy Street	Clackamas County Assessor's Map 41E04D; Tax Lot 1300	Charles R. Braun and Janet K. Braun



Property Owner Signature

6-2-2021

Date



Property Owner Signature

6-2-2021

Date

Exhibit C: Property Ownership

After recording, return to:
Russell R. Kilkenny
Attorney at Law
5410 SW Macadam Avenue, #100
Portland, Oregon 97239-3824



\$31.00

00829845200500408300020025 05/05/2005 11:07:17 AM
D-D Cnt=1 Sin=3 ELIZABETH
\$10.00 \$11.00 \$10.00

Send tax statements to:
Tofte Farms, LLC
c/o Harvey and D'Anne Tofte
510 Main Street
Oregon City, Oregon 97045

Grantor's Name and Address:
Harvey and D'Anne Tofte
371 SE 13th Place
Canby, OR 97013

Grantee's Name and Address:
Tofte Farms, LLC
c/o Harvey and D'Anne Tofte
510 Main Street
Oregon City, Oregon 97045

The true consideration for this conveyance is Zero Dollars [\$0].

BARGAIN AND SALE DEED

HARVEY TOFTE and D'ANNE TOFTE, individually and as Co-Trustees of the HARVEY A. TOFTE and D'ANNE TOFTE FAMILY TRUST dated 12/18/92, as amended or restated (collectively) GRANTORS, convey to TOFTE FARMS, LLC, an Oregon limited liability company, GRANTEE, all of GRANTORS' interest in the following described real property located in Clackamas County, Oregon, to-wit:

See attached Exhibit "A".

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THE APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED: 01/06

2005
2004

Harvey A. Tofte
HARVEY TOFTE, individually and as Co-Trustee of the HARVEY TOFTE and D'ANNE TOFTE FAMILY TRUST dated 12/18/92, as amended or restated

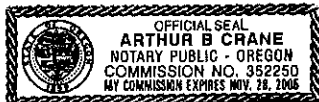
D'Anne Tofte, Trustee
D'ANNE TOFTE, individually and as Co-Trustee of the HARVEY TOFTE and D'ANNE TOFTE FAMILY TRUST dated 12/18/92, as amended or restated

STATE OF OREGON

County of Douglas

ss.

On the 6 day of January, ²⁰⁰⁵~~2004~~ ^{ABC}, personally appeared the above named Harvey Tofte and D'Anne Tofte, who being first duly sworn, acknowledged that they executed the foregoing instrument as their voluntary act and deed, both individually, and as Co-Trustees on behalf of the Harvey Tofte and D'Anne Tofte Family Trust. Before me:



Arthur B. Crane
Notary Public for Oregon
My commission expires: 11/28/05

O:\Tofte Farms, LLC\B & S Deed.doc
BARGAIN AND SALE DEED

EXHIBIT "A"

Legal Description

Tax Lot 01200

Part of the Southeast quarter of Section 4, T4S, R1E, of the W.M., in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at a point in the center of the Howard Hill and Canby Road that is the Northwest corner of the South one-half of the North one-half of the Southeast quarter of the Southeast quarter of Section 4, T4S, R1E, of the W.M., said point of beginning being also the Northwest corner of a tract of land conveyed to Oren S. Dalen by deed recorded January 8, 1946 in Deed Book 358, Page 202, Records of Clackamas County, Oregon; thence Easterly along the Northerly boundary line of the said Dalen Tract 1320.0 feet to a point on the Easterly boundary line of said Section 4; thence Northerly along the said Easterly boundary line 495 feet to a point, said point being in the Southeast corner of a tract of land conveyed to Otto Kraxberger by deed recorded December 30, 1946, in Deed Book 382, Page 527; thence Westerly along the Southerly boundary line of the Kraxberger Tract 1320.0 feet to a point in the center of the aforementioned Howard Hill and Canby Road and the Southwest corner of the said Kraxberger Tract; thence Southerly along the center of said Howard Hill and Canby Road 156 feet to a point; thence Easterly parallel with the Southerly boundary line of the said Kraxberger Tract 337 feet to a point; thence Southerly parallel with the centerline of said Howard Hill and Canby Road 259 feet to a point; thence Westerly parallel with the Southerly boundary line of the said Kraxberger Tract 337 feet to a point in the center of the Howard Hill and Canby Road; thence Southerly along the center line of said road 80 feet to the place of beginning.

Tax Lots 02300 and 02390

The Southwest quarter of the Southwest quarter of Section 3, T4S, R1E, of the Willamette Meridian, County of Clackamas, State of Oregon.

~~EXCEPT~~ rights of the public in and to that portion of the above-described property lying within the boundaries of public roads and/or highways.

EXHIBIT "A" – Page 1 of 1

2

WARRANTY DEED -- STATUTORY FORM
(INDIVIDUAL or CORPORATION)

EDA A. ENKERUD who took title as Edna A. Enkerud

Grantor, conveys and warrants to CHARLES R. BRAUN SR. AND JANET K. BRAUN, HUSBAND AND WIFE

Part of the Southeast one-quarter of Section 4, Township 4 South, Range 1 East, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

PL 14359-5
BEGINNING at a point in the centerline of the Howard Mill and Canby Road that is North 339 feet from the Northwest corner of the South one-half of the North one-half of the Southeast one-quarter of the Southeast one-quarter of Section 4, Township 4 South, Range 1 East, of the Willamette Meridian, said point of beginning being also 156 feet South of the Southwest corner of a tract of land conveyed to Otto Kraxberger, by Deed Recorded December 30, 1946, in Book 382, Page 527, Clackamas County Deed Records; thence Easterly parallel with the Southerly boundary line of the Kraxberger Tract, 337 feet to a point; thence Southerly parallel with the centerline of said Howard Mill and Canby Road, 259 feet to a point; thence Westerly parallel with the Southerly boundary line of the said Kraxberger Tract, 337 feet to a point in the centerline of said Howard Mill and Canby Road; thence Northerly along said centerline, 259 feet to the place of beginning.

EXCEPT THAT PORTION lying within public roads.

86 14359

20 14329

416 4 203

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

Encumbrances:

The true consideration for this conveyance is \$ 35,000.00 (Have comply with the requirements of ORS 93.030').

Dated this 23 day of April 1986 if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Eda A. Enkerud
Eda A. Enkerud

STATE OF OREGON, County of Clackamas
April 23 1986

Personally appeared the above named Eda A. Enkerud who acknowledged the foregoing instrument to be her voluntary act and deed.

Notary Public for Oregon
My commission expires 12-88

STATE OF OREGON, County of

Personally appeared who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of the a corporation, and that said instrument was signed on behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires:

* If the consideration consists of or includes other property or value, add the following:
* The actual consideration consists of or includes other property or value given or promised which is part of the value consideration (indicate which).

Eda A. Enkerud
Grantor's Name and Address

Mr. & Mrs. Charles R. Brown, Sr.

Grantor's Name and Address

After recording return to:
Mr. & Mrs. Charles R. Brown, Sr.

Name, Address, Zip
Until a change is requested all tax statements shall be sent to the following address.

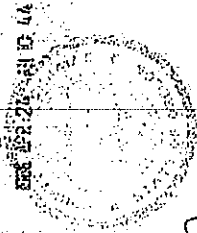
Mr. & Mrs. Charles R. Brown, Sr.

Name, Address, Zip

SAFECO Stock No. ORL-0303 (Rev 4-84)

OREGON NO. 3149KH

STATE OF OREGON
County of Clackamas
I, Joshua N. Orr, County Clerk, for the County of Clackamas, do hereby certify that the foregoing instrument was duly recorded in the records of said County at



Witness my hand and seal at Portland, Oregon
Joshua N. Orr
County Clerk
RECORDING CERTIFICATE
86 14359
COPIES (Rev. 1-82)

Exhibit D:
Legal Description & Map of Affected Territory



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #8659

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

EXHIBIT A

City of Canby Annexation

A tract of land located in the Southwest One-Quarter of Section 3, the Northeast One-Quarter of Section 4, and the Southeast One-Quarter of Section 4, Township 4 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the southwest corner of the plat of "Tofte Farms No. 4", also being on the southerly right-of-way line of SE 17th Avenue (20.00 feet from centerline) and the City of Canby city limits line; thence along said southerly right-of-way line and along said city limits line, South 88°14'35" East 1338.14 feet to the east line of the Southwest One-Quarter of the Southwest One-Quarter of said Section 3 and the Urban Growth Boundary line; thence leaving said city limits line and along said east line and the Urban Growth Boundary line, South 02°12'27" West 747.37 feet to the bluff line above the Molalla River; thence along said bluff line and continuing along said Urban Growth Boundary line, South 53°58'19" West 24.68 feet; thence continuing along said bluff line and continuing along said Urban Growth Boundary line, South 71°11'47" West 68.53 feet; thence South 75°44'05" West 206.36 feet; thence South 80°33'57" West 89.57 feet; thence North 63°30'17" West 27.56 feet; thence South 80°55'51" West 121.20 feet; thence South 85°28'52" West 69.30 feet; thence South 75°37'52" West 60.93 feet; thence South 78°50'11" West 92.16 feet; thence South 69°27'03" West 75.81 feet; thence South 66°28'24" West 109.14 feet; thence South 71°31'23" West 55.33 feet; thence South 87°47'54" West 128.12 feet; thence South 82°34'09" West 146.78 feet; thence South 80°54'28" West 115.99 feet to the west line of the Southwest One-Quarter of said Section 3; thence along said west line and leaving said Urban Growth Boundary line, North 02°05'46" East 734.71 feet to the northerly line of Document Number 2016-080178; thence along said northerly line, North 87°20'55" West 1257.94 feet to the easterly right-of-way line of S Ivy Street (30.00 feet from centerline) and the City of Canby city limits line; thence along said easterly right-of-way line and said city limits line, North 02°02'31" East 494.26 feet to the southerly right-of-way line of SE 16th Ave (variable width right-of-way); thence along said southerly right-of-way line and continuing along said city limits line, South 87°26'37" East 1258.39 feet to the west line of the plat of "Tofte Farms"; thence along said west line and the west line of the plat of "Tofte Farms No. 4" and continuing along said city limits line, South 02°05'46" West 165.19 feet to the Point of Beginning.

The above described tract contains 42.5 acres, more or less.

04/16/2021

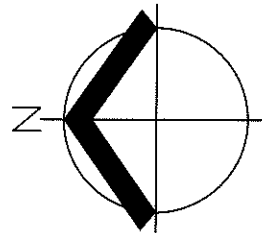
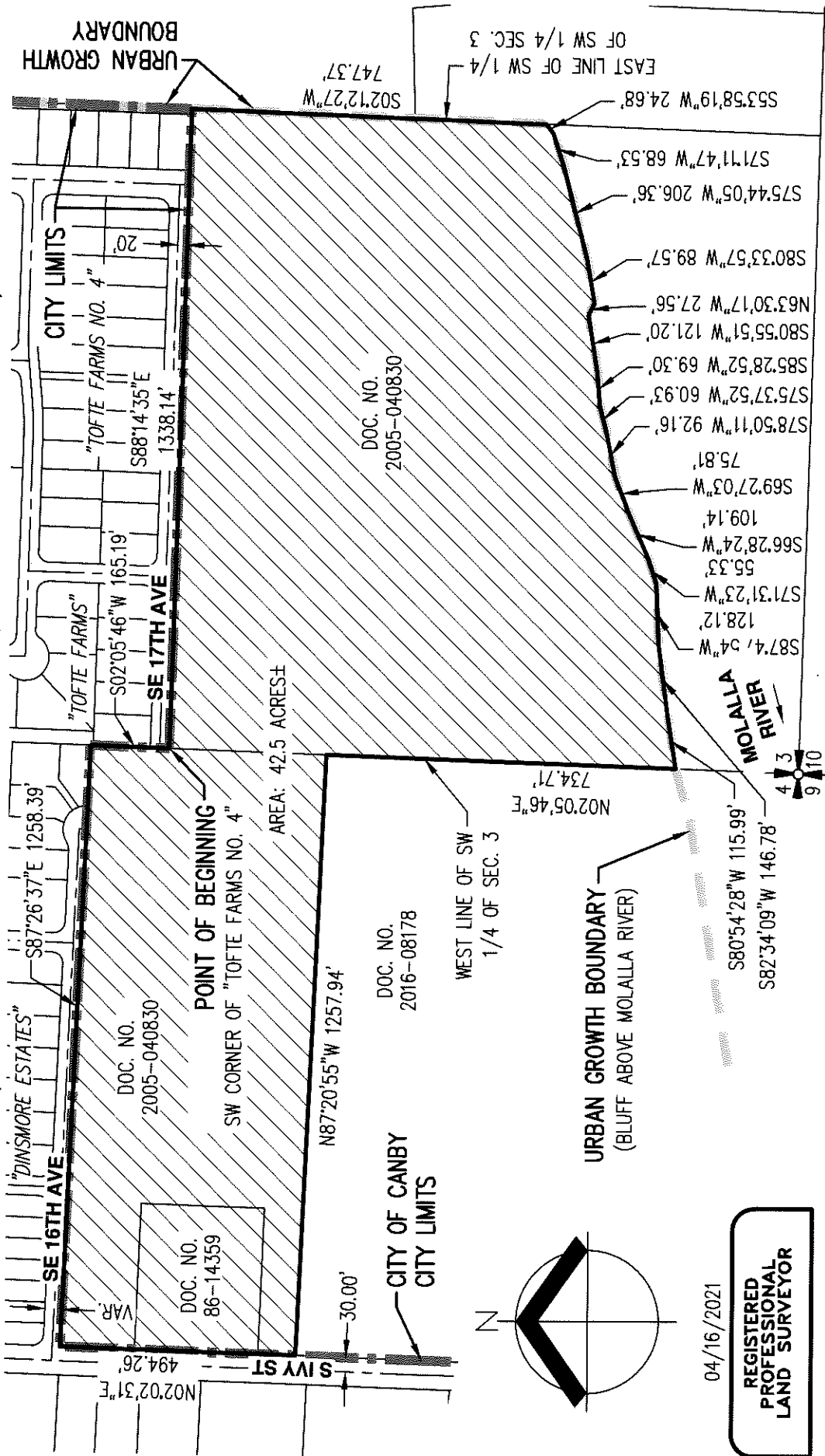
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEW: 6/30/21

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SW 1/4 OF SEC. 3, THE NE 1/4 OF SEC. 4,
AND THE SE 1/4 OF SEC. 4, T4S, R1E, W.M., CLACKAMAS COUNTY, OREGON



04/16/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael S. Kalina

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS
RENEW: 6/30/21

SCALE: 1" = 300 FEET

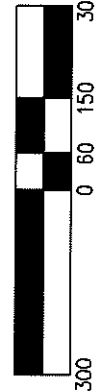



EXHIBIT B	TOFTE FARMS CITY OF CANBY ANNEXATION MAP	
	AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	
		DRAWN: MHJ CHKD: MSK AKS JOB: 8659

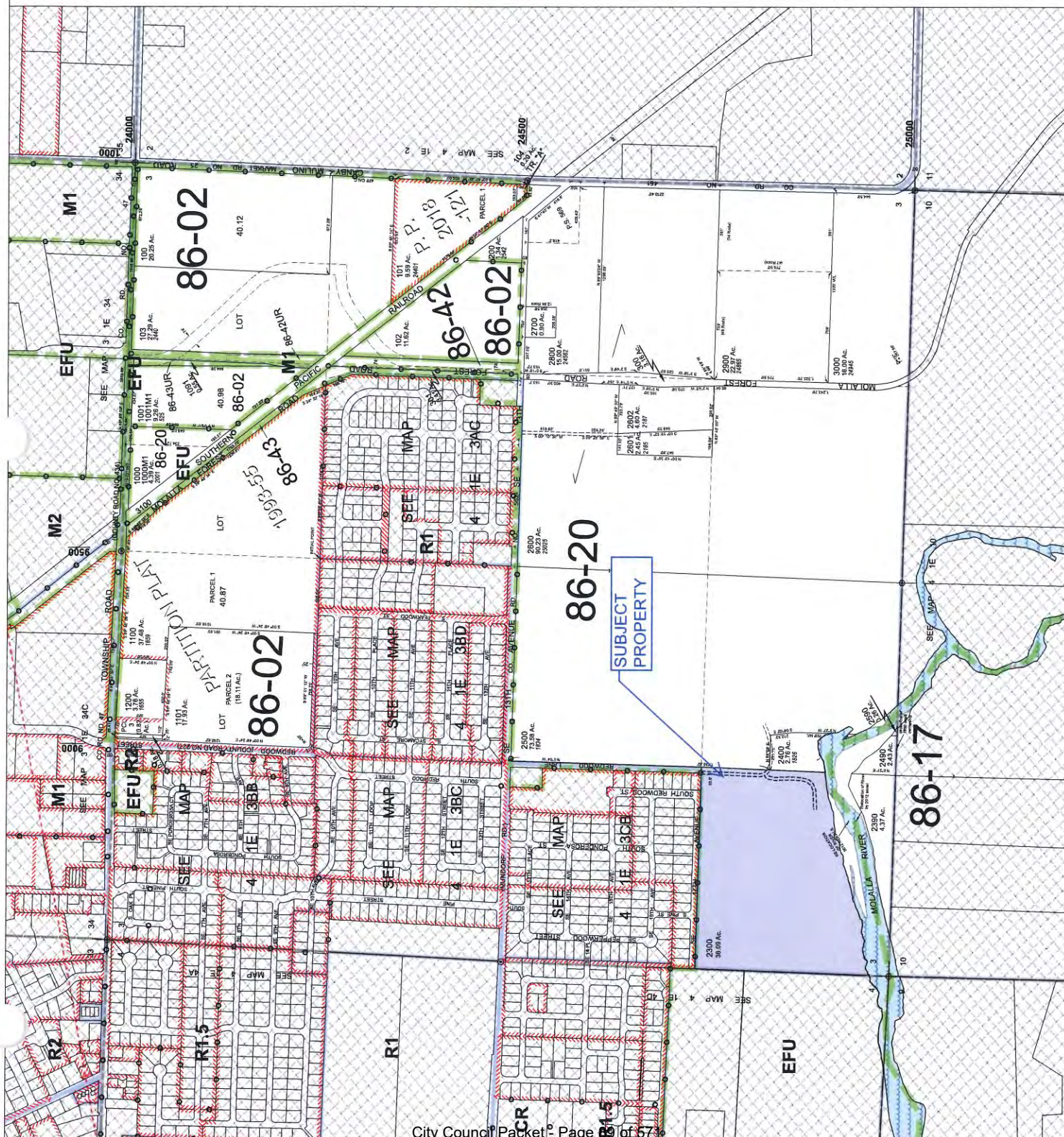
Exhibit E: Clackamas County Assessor's Maps

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1801
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1800
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2100
2200
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2002
2003
1290
193
192
900

- Parcel Boundary
Private Road ROW
Historical Boundary
Railroad Centerline
TaxCode.Lines
Map Index
Water.Lines
Land Use Zoning
Parks
Water
Corner
Section Corner
1/16th Line
Govt Lot Line
DLC Line
Meander Line
PLSS Section Line
Historic Corridor 40'
Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

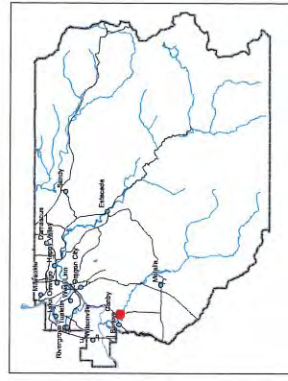


S.E. 1/4 SEC. 4 T.4S. R. 1E. W.M.
CLACKAMAS COUNTY
1" = 200'

Cancelled Taxlots

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10000

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 176th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

7/15/2020

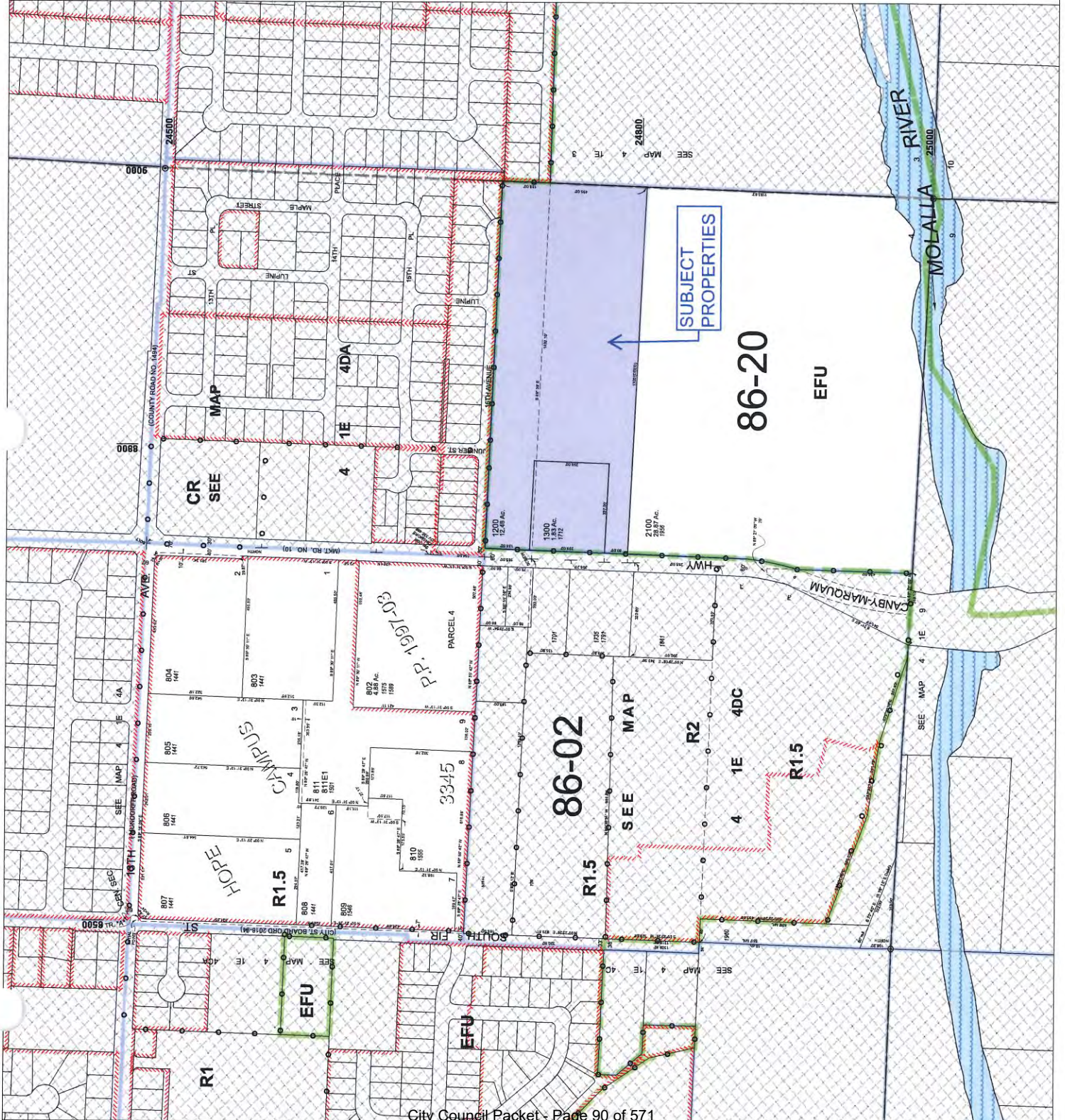
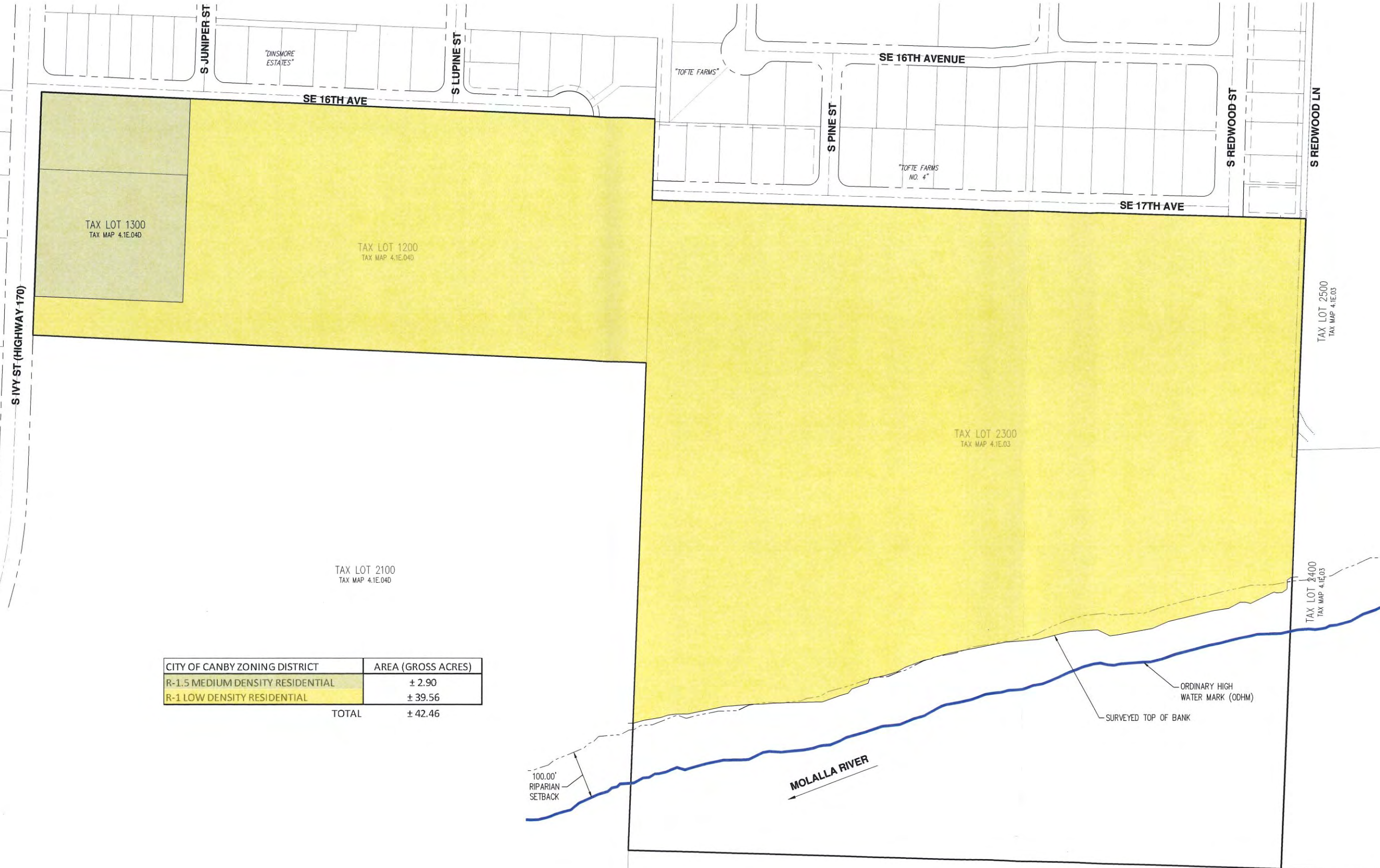
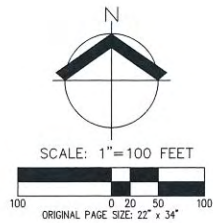


Exhibit F:
Tofte Property—Comprehensive Plan Map Overlay



CITY OF CANBY ZONING DISTRICT	AREA (GROSS ACRES)
R-1.5 MEDIUM DENSITY RESIDENTIAL	± 2.90
R-1 LOW DENSITY RESIDENTIAL	± 39.56
TOTAL	± 42.46

8659 LU ZONE.DWG

DATE: 04/28/2021 AKS JOB: 8659

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM



ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE

CITY OF CANBY COMPREHENSIVE PLAN MAP OVERLAY **TOFTE PROPERTY**

CANBY, OREGON

Exhibit G:
Transportation Memorandum [DKS & Associates]

TRANSPORTATION PLANNING RULE ANALYSIS

DATE: May 21st, 2021

TO: Bryan Brown | City of Canby

FROM: Jacob Shelton
Kevin Chewuk, PTP

SUBJECT: Canby Tofte South Annexation – Transportation Planning Rule Project #11010-114
(TPR) Analysis

This memorandum summarizes how the requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), are met for a proposed annexation on SE 16th Avenue and SE 17th Avenue, just east of S Ivy Street (Hwy 170), in Canby, Oregon. The following section describes the consistency of the annexation request (and corresponding rezone) with both the City's Comprehensive Plan and Transportation System Plan.

TRANSPORTATION PLANNING RULE FINDINGS

The proposed annexations are located inside Canby's Urban Growth Boundary (UGB) in unincorporated Clackamas County. They are located at 371 SE 13th Avenue/ 0 S Ivy Street (Adj, to 1712 S Ivy Street). It is currently designated Clackamas County EFU zoning. The City's comprehensive plan designation is LDR (Low Density Residential) and MDR (Medium Density Residential) and the proposed zoning is a combination of R 1.0 (Low Density Residential) and R 1.5 (Medium Density Residential). The proposed zoning is consistent with the City's adopted Comprehensive Plan designation.

The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant impact on the surrounding transportation system beyond currently allowed uses. The TPR allows a change in land use zoning in the event that a zone change would make the designation consistent with both the Comprehensive Plan and the Transportation System Plan. The allowance (found in Section 9) fits the circumstances of the project parcel, and specifically states:

Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

- a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

Response: The proposed annexation, and associated proposed zoning, are consistent with the City's Comprehensive Plan.

- b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP;

Response: The City of Canby has adopted the Transportation System Plan (2010) and the proposed zoning is consistent with the TSP.

- c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area

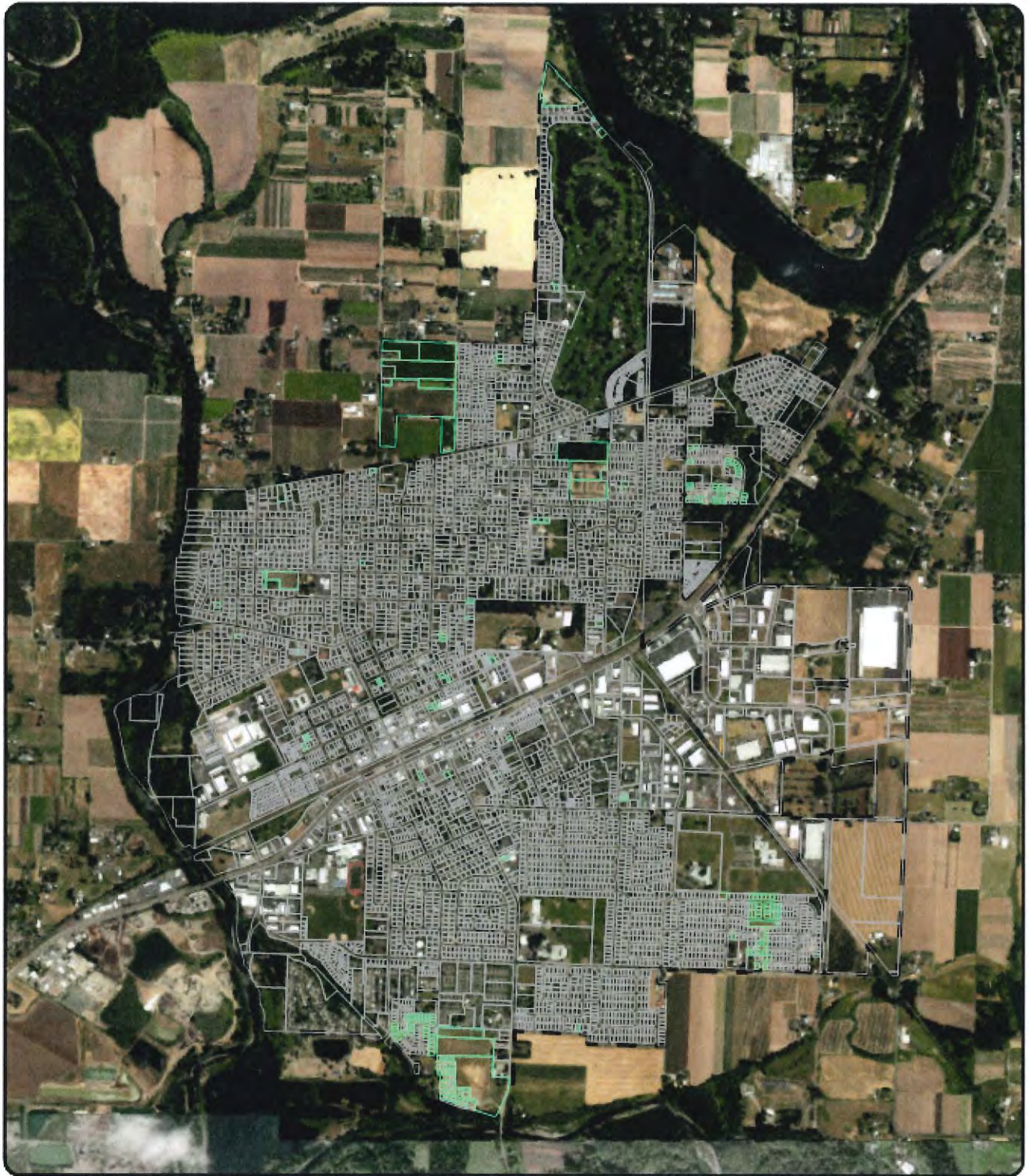
Response: This subsection applies if the area was added to the urban growth boundary (UGB). Since the parcels are already within the UGB, provisions from subsection (c) would not apply.

Based on the discussion above, all three criteria are satisfied; therefore, the proposed rezone will not have a significant effect on the transportation system. The proposed rezoning is consistent with the existing comprehensive plan map designation, as summarized in Table 1. Additionally, the transportation assessment performed as part of the City's TSP accounts for the proposed uses related to annexation of the property, therefore the proposed rezoning is consistent with the acknowledged transportation system plan.

TABLE 1: PROPOSED ANNEXATION AT 371 SE 13TH AVENUE/ 0 S IVY STREET

TAX LOTS	LOT SIZE (ACRES)	CLACKAMAS COUNTY ZONING	CITY OF CANBY ZONING	CITY OF CANBY COMPREHENSIVE PLAN LAND USE
4 1E 04D 01200	11.41 acres	EFU (Exclusive Farm Use District)	R-1.0 (Low Density Residential)	LDR (Medium Density Residential)
	1.07 acres		R-1.5 (Medium Density Residential)	MDR (Medium Density Residential)
4 1E 04D 01300	1.83 acres	EFU (Exclusive Farm Use District)	R-1.5 (Medium Density Residential)	MDR (Medium Density Residential)
4 1E 03 02300	28.15 acres	EFU (Exclusive Farm Use District)	R-1.0 (Low Density Residential)	LDR (Medium Density Residential)




Exhibit H: City of Canby Property Analysis



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Source: Taxlots, City Boundary and Aerial Photograph obtained from Metro Data Resource Center (RLIS).

Legend

-  Unimproved Residential Lots
-  Improved Residential Lots
-  City Limits

Unimproved Residential Lots:

- 181 of lots <0.5 acres
- 10 of lots >0.5 acres <6 acres
- 6 of lots >6 acres


City of Canby Property Analysis

Tofte Farms
Canby, Oregon



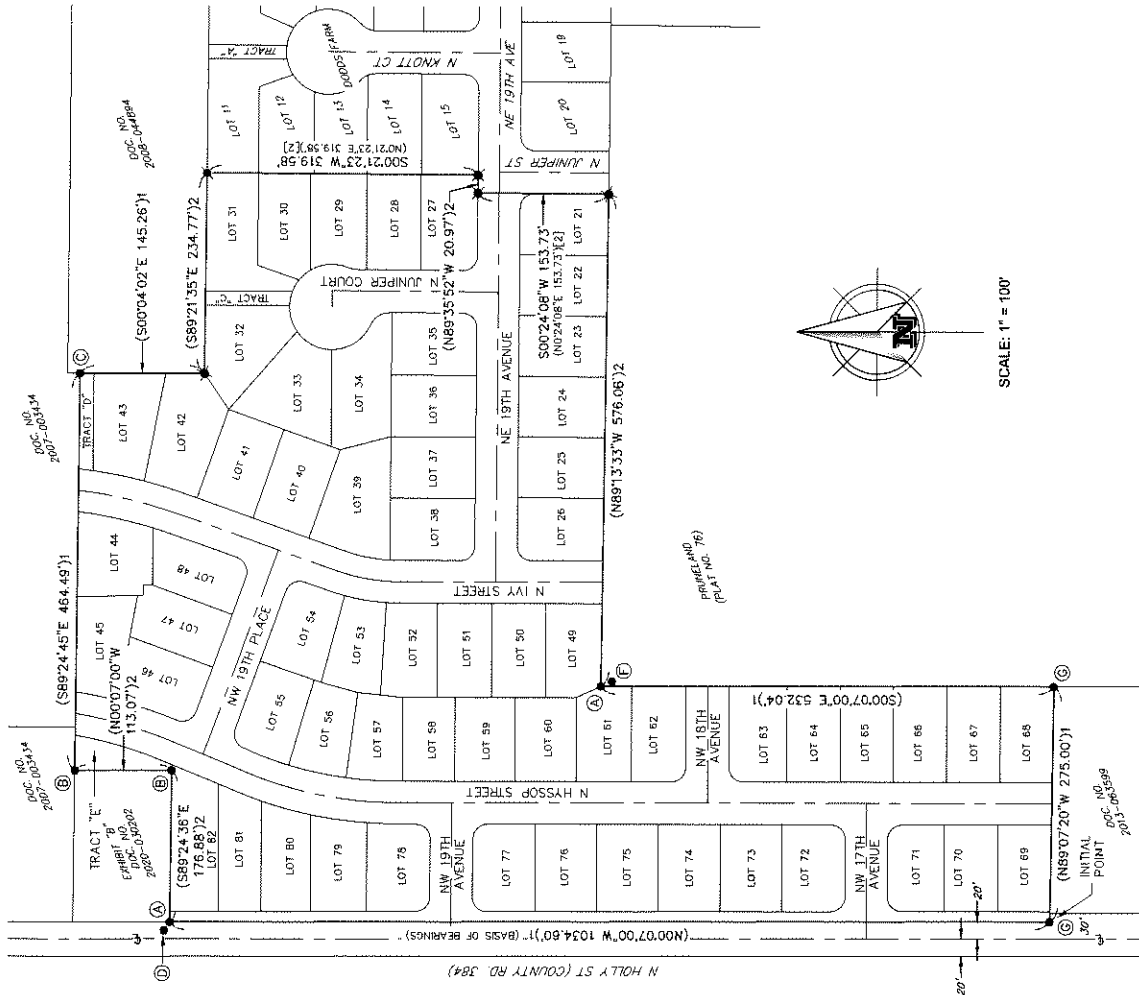
AKS Engineering & Forestry, LLC
12965 SW Herman RD, STE 100
Tualatin, OR 97062
P:503.563.6151 | aks-eng.com



0 1,250 2,500

Feet

DODDS FARM PHASE 2

A RE-PLAT OF A TRACT "B" OF DODDS FARM
LOCATED IN THE S.W. 1/4 OF SEC. 28, T.3 S., R.1 E., W.M.,
CITY OF CANBY, CLACKAMAS COUNTY, OREGON
MARCH 4, 2021



PLAT NOTES:

- 1) Tract "C" conveyed to the City of Canby, per Deed Document No. _____, for a pathway.
Subject to a public access easement over entire tract.
- 2) Tract "D" conveyed to the City of Canby, per Deed Document No. _____, for a pathway.
Subject to a public access easement over entire tract.
- 3) Lot 44 subject to a Memorandum of Lease agreement recorded January 28, 2012 in Doc No. 2012-003661, with the interest in said lease being assigned to American Towers, LLC in a Memorandum of Assignment recorded August 8, 2012 in Doc. No. 2012-050628.
- 4) Lot 44 subject to an access and communications easement to benefit Canby Telephone Association per this plat. See Detail "A" and "C", Sheet 4.
- 5) Lot 44 subject to an access and service easement to benefit Portland General Electric per this plat. See Detail "C", Sheet 4.
- 6) 12.00' wide public utility easement and a pedestrian access and sidewalk easement to benefit the public.
- 7) Power easement to benefit Canby Utility, Affects Lots 28, 29, 33, and 34.
- 8) There shall be no direct motor vehicle access to or from Lots 69 through 82 onto N Holly Street (County Road No. 384), unless authorized by the governing body that has jurisdiction of said road.

FOUND MONUMENT LIST:

- A) 5/8" iron rod with yellow plastic cap stamped "WILSON PLS 2687", set in [1]. Held.
- B) 5/8" iron rod with yellow plastic cap stamped "K. DOHERTY LS 2738", set in [6]. Held.
- C) 1/2" iron pipe, down 0.6', set in [3]. Held.
- D) 5/8" iron rod with yellow plastic cap stamped "K. DOHERTY", set in [4]. Found 0.11' Northwestly from monument "A". Shown in [2].
- E) 5/8" iron rod with aluminum cap stamped "WILSON PLS 2687" in monument box, set in [2].
- F) 3/4" iron pipe, bent, tied where vertical, set in [4]. Bears S31°39'10"E 0.53' from corner.
- G) 5/8" iron rod with yellow plastic cap stamped "WRG DESIGN, INC.", set in [5]. Held.

LEGEND:

All monuments, found or set, are within 0.20' of ground surface unless noted otherwise.

- Found monument (see found monument list)
- ✱ Found 5/8" iron rod with yellow plastic cap stamped "WILSON PLS 2687", set in [2]
- () 1 = Data of record equals measured per [1]
- () 2 = Data of record equals measured per [2]
- () 3 = Data of record equals measured per [3]
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- () 43 = Data of record equals measured per [43]
- () 44 = Data of record equals measured per [44]
- () 45 = Data of record equals measured per [45]
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- () 47 = Data of record equals measured per [47]
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- () 85 = Data of record equals measured per [85]
- () 86 = Data of record equals measured per [86]

SN = Survey Number
DOC. NO. = Document Number, Clackamas County
Dead Records

SURVEY REFERENCES:

- [1] SN 2020-086
- [2] DODDS FARM
- [3] SN 1263
- [4] SN 2983
- [5] SN 28156
- [6] SN 2004-401



BARKER
SURVEYING

3657 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8800
FAX (503) 363-2489
EMAIL: INFO@BARKERSURVEYING.COM

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Gregory L. Wilson
O R E G O N
JULY 19, 1984
CREIGHT L. WILSON
2887

EXPIRES: 6/30/2022

PLT 4 of 9	DESIGNED	1							
	DRAWN	2							
	REVIEWED	3							
	SUBMITTED	4							
		5							

DATE	BY	REVISION

RIVERSIDE PARK SUBDIVISION
 110581
 PRELIMINARY PLAT

FROM: HENSHAW PARTN, LLC
 CONTACT: MICHELE MANNING
 16001 SW HENSHAW DRIVE
 PORTLAND, OR 97219
 GITE: 726
 TAX LOT 1700 & 2000
 CITY OF DANIEL, OREGON

110581
 ENGINEERS
 110581
 ENGINEERS
 110581
 ENGINEERS

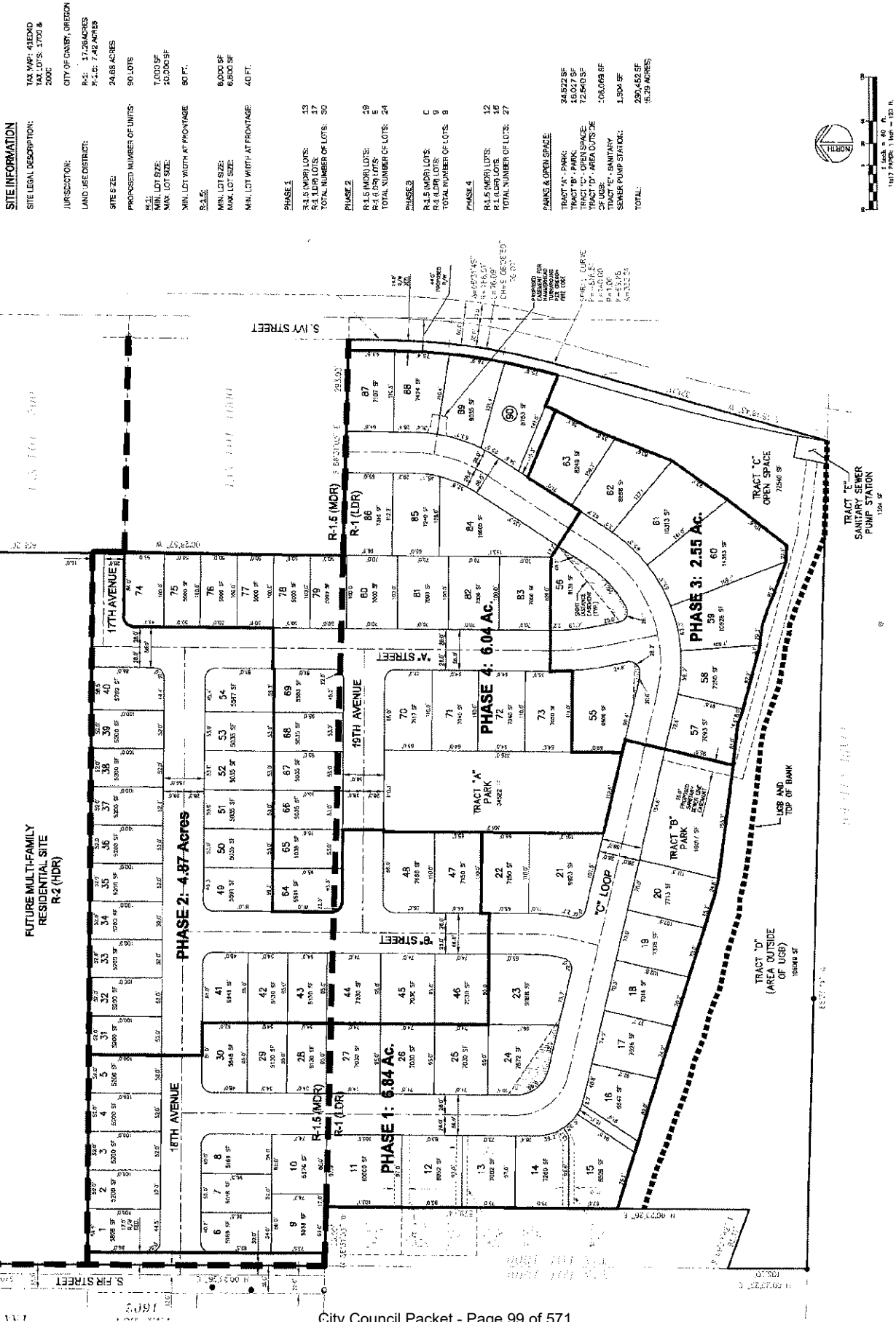
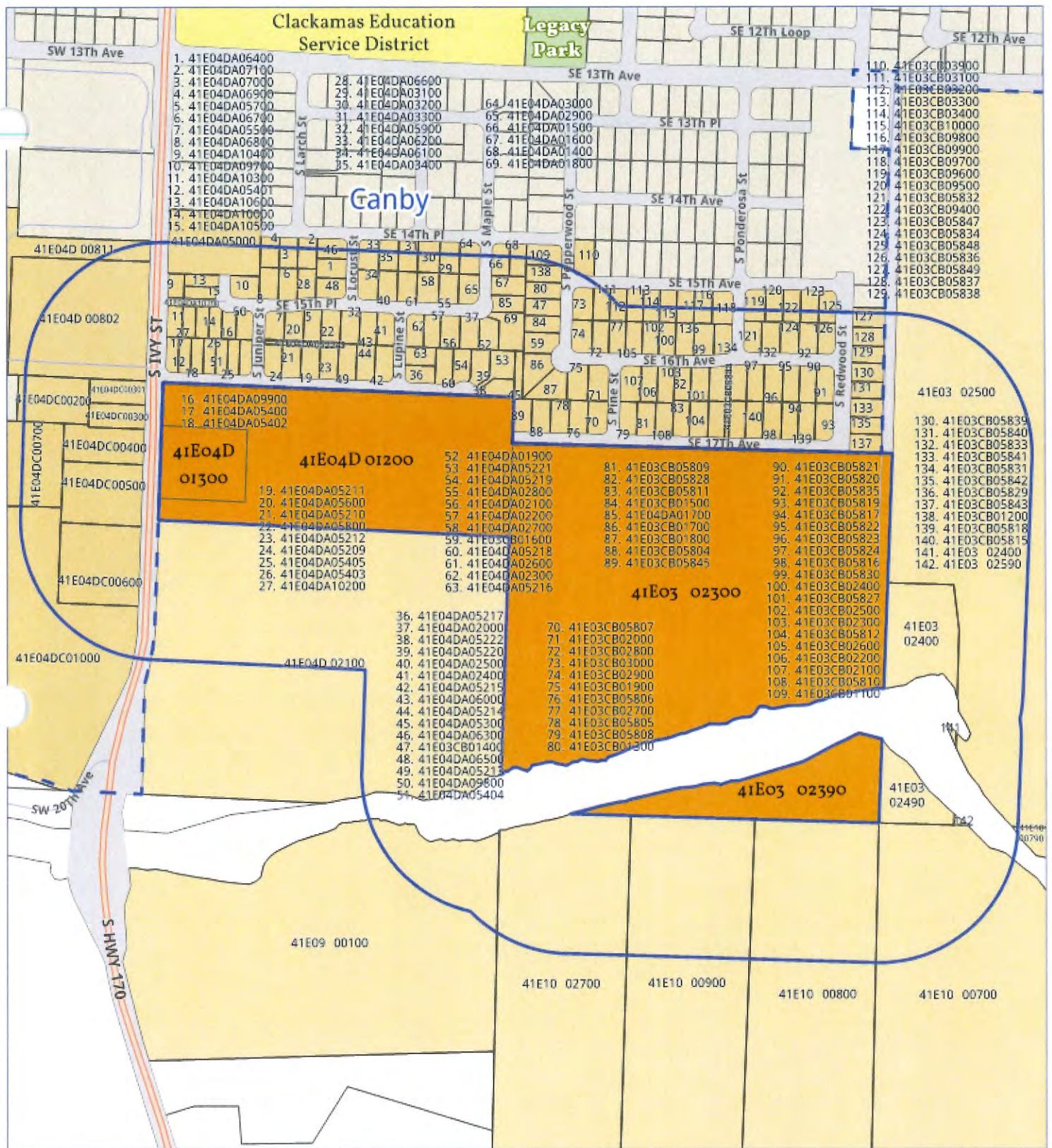


Exhibit I: Mailing Labels



0 250 500 Feet

- Subject
- Notification radius
- Notification parcels
- City limits
- Parks
- School Lands
- Incorporated area
- Taxlots

Map prepared 4/19/2021
by Fidelity National Title
503.227.5478 - csrequest@fnt.com

This map/plot is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Fidelity National Title
PORTLAND

Data Sources: Metro RLIS, CoreLogic, Esri, HERE, Garmin, INCREMENT P, NGA, USGS, U.S. Forest Service

41E03 02400
TYSON HEMRICH
SHANNON COVINGTON
PO BOX 974
CANBY OR 97013

41E03 02500
JOYCE BEALS
742 PIONEER FORK RD
SALT LAKE CITY UT 84108

41E04DA05000
MARTIN MESKERS
HELENE MESKERS
PO BOX 311
AURORA OR 97002

41E04DC00200
HOPE VILLAGE INC
1535 S IVY ST
CANBY OR 97013

41E04DC00300
HOPE VILLAGE INC
1535 S IVY ST
CANBY OR 97013

41E04DC00301
HOPE VILLAGE INC
1535 S IVY ST
CANBY OR 97013

41E04DC00400
HOPE VILLAGE INC
1535 S IVY ST
CANBY OR 97013

41E04DC00500
HOPE VILLAGE INC
1535 S IVY ST
CANBY OR 97013

41E04DC00600
BRIAN CHRISTENSEN
1841 S IVY ST
CANBY OR 97013

41E04DC00700
HOPE VILLAGE INC
1535 S IVY ST
CANBY OR 97013

41E04DC01000
RIVERSIDE PARK LLC
16869 SW 65TH AVE #317
LAKE OSWEGO OR 97035

41E04D 02100
LINDA HILSABECK
25025 SE SUNSHINE VALLEY RD
DAMASCUS OR 97089

41E09 00100
DAVID PETER
CINDY BENNETT
25130 S HWY 170
CANBY OR 97013

41E10 00700
JOYCE BEALS
742 PIONEER FORK RD
SALT LAKE CITY UT 84108

41E10 00790
JOYCE BEALS
742 PIONEER FORK RD
SALT LAKE CITY UT 84108

41E10 00800
ROY SWEETEN
CHARLOTTE SWEETEN
9193 S ALDER CREEK LN
CANBY OR 97013

41E10 00900
KAMAL SALEM
KELLY SALEM
9117 S ALDER CREEK LN
CANBY OR 97013

41E03 02590
JOYCE BEALS
742 PIONEER FORK RD
SALT LAKE CITY UT 84108

41E03 02490
TYSON HEMRICH
SHANNON COVINGTON
PO BOX 974
CANBY OR 97013

41E10 02700
GENE BRUNO
9051 S ALDER CREEK LN
CANBY OR 97013

41E03CB01100
PAUL MULLER
NANCY MULLER
1493 S PEPPERWOOD ST
CANBY OR 97013

41E03CB01200
BRANT CAREY
LYNN CAREY
1507 S PEPPERWOOD ST
CANBY OR 97013

41E03CB01300
ASHOKKUMAR PATEL
SUSHILLA PATEL
1525 S PEPPERWOOD ST
CANBY OR 97013

41E03CB01400
JAMES MOLAMPHY
ANNETTE MOLAMPHY
1543 S PEPPERWOOD ST
CANBY OR 97013

41E03CB01500
STEVEN BOLLIN
TANIA BOLLIN
PO BOX 93
CANBY OR 97013

41E03CB01600
CONRAD KRISTENSEN
LINDA KRISTENSEN
1579 S PEPPERWOOD ST
CANBY OR 97013

41E03CB01700
PATRICK DEVLIN
CONNIE DEVLIN
1597 S PEPPERWOOD ST
CANBY OR 97013

41E03CB01800
DAVE ANDERSON
JOLEEN ANDERSON
1153 SE 16TH AVE
CANBY OR 97013

41E03CB01900
CURTIS NELSON
1167 SE 16TH AVE
CANBY OR 97013

41E03CB02000
THOMAS HIGGINS
ANN MARIE
1189 SE 16TH AVE
CANBY OR 97013

41E03CB02100
RONALD ERICKSON
DONNA ERICKSON
1219 SE 16TH AVE
CANBY OR 97013

41E03CB02400
TIMOTHY RONDEAU
KIMBERLY RONDEAU
1256 SE 16TH AVE
CANBY OR 97013

41E03CB02700
TIMOTHY MCGARRY
TARA MCGARRY
1208 SE 16TH AVE
CANBY OR 97013

41E03CB03000
ALEJANDRO HERNANDEZ
1161 SE 15TH AVE
CANBY OR 97013

41E03CB03300
RONALD POMEROY
1221 SE 15TH AVE
CANBY OR 97013

41E04D 00802
HOPE VILLAGE INC
1535 S IVY ST
CANBY OR 97013

41E03CB09500
KEVIN HENDERSON
1311 SE 15TH AVE
CANBY OR 97013

41E03CB09800
JASON GRIFFIN
BRENDA GRIFFIN
1257 SE 15TH AVE
CANBY OR 97013

41E04DA01400
ERIC KYLLO
KARALEE KYLLO
395 SE 14TH PL
CANBY OR 97013

41E04DA01700
MONAHAN MICHAEL F CO-
TRUSTEE
1536 S MAPLE ST
CANBY OR 97013

41E03CB02200
BARRY WOOD
CATHY WOOD
1235 SE 16TH AVE
CANBY OR 97013

41E03CB02500
SCOTT REED
LISA REED
1238 SE 16TH AVE
CANBY OR 97013

41E03CB02800
BRUCE HOLTE
TAMI WETZELL-HOLTE
1190 SE 16TH AVE
CANBY OR 97013

41E03CB03100
SORIAH MOGHADDAMPOUR
1185 SE 15TH AVE
CANBY OR 97013

41E03CB03400
BRIAN HARMSTON
1233 SE 15TH AVE
CANBY OR 97013

41E04D 00811
HOPE VILLAGE INC
1535 S IVY ST
CANBY OR 97013

41E03CB09600
DONNA COON
1301 SE 15TH AVE
CANBY OR 97013

41E03CB09900
CARY CARPENTER
1247 SE 15TH AVE
CANBY OR 97013

41E04DA01500
LYNN SCHULTZ
387 SE 14TH PL
CANBY OR 97013

41E04DA01800
ZACHARY GUENSCH
SHANNON GUENSCH
397 SE 15TH PL
CANBY OR 97013

41E03CB02300
KIMBERLY HANLON
JACOB HANLON
1253 SE 16TH AVE
CANBY OR 97013

41E03CB02600
RANDY YOST
TERESA YOST
1224 SE 16TH AVE
CANBY OR 97013

41E03CB02900
ERIC THATCHER
1168 SE 16TH AVE
CANBY OR 97013

41E03CB03200
BRUCE MARSHALL
1201 SE 15TH AVE
CANBY OR 97013

41E03CB03900
SEAN WARREN
1166 SE 15TH AVE
CANBY OR 97013

41E03CB09400
HEATHER HADRABA
SCOTT SHORTER
1325 SE 15TH AVE
CANBY OR 97013

41E03CB09700
MICHELSON FAMILY TRUST
1273 SE 15TH AVE
CANBY OR 97013

41E03CB10000
RYAN FRAZIER
JENNIFER FRAZIER
1239 SE 15TH AVE
CANBY OR 97013

41E04DA01600
CHRISTOPHER MARTIN
1512 S MAPLE ST
CANBY OR 97013

41E04DA01900
LESLIE RANTS
JACK RANTS
389 SE 15TH PL
CANBY OR 97013

41E04DA02000
MICHELLE MURPHY
GREG MURPHY
377 SE 15TH PL
CANBY OR 97013

41E04DA02300
SCOTT ACKERMAN
STACEY ACKERMAN
349 SE 15TH PL
CANBY OR 97013

41E04DA02600
DWIGHT FRENCH
KATHLEEN FRENCH
342 SE 15TH PL
CANBY OR 97013

41E04DA02900
CHRISTOPHER RODGERS
374 SE 15TH PL
CANBY OR 97013

41E04DA03200
JOEY ELDER
TRISHA ELDER
359 SE 14TH PL
CANBY OR 97013

41E04DA05300
PATRICK DEVLIN
CONNIE DEVLIN
1597 S PEPPERWOOD ST
CANBY OR 97013

41E03CB05805
DAVID DEVORE
1154 SE 17TH AVE
CANBY OR 97013

41E03CB05808
BRANDON PEDRO
DEIDRE PEDRO
1216 SE 17TH AVE
CANBY OR 97013

41E03CB05811
GWENDOLYN POLGAR
ALEX POLGAR
1246 SE 17TH AVE
CANBY OR 97013

41E03CB05814
PAUL MATLOCK
JODY MATLOCK
1302 SE 17TH AVE
CANBY OR 97013

41E04DA02100
DUSTIN JOHNSTON
JULIE TITTERINGTON
369 SE 15TH PL
CANBY OR 97013

41E04DA02400
PAUL ROHER II
FELICIA ROHER
1545 S LUPINE ST
CANBY OR 97013

41E04DA02700
NATHAN JASTER
TEMPLE JOY
356 SE 15TH PL
CANBY OR 97013

41E04DA03000
CHARLES SAWYER
SHIRLEY SAWYER
373 SE 14TH PL
CANBY OR 97013

41E04DA03300
JOHN SOWLES
DEBRA SOWLES
347 SE 14TH PL
CANBY OR 97013

41E03CB05845
DARREN HARPER
MILISSA HARPER
1136 SE 17TH AVE
CANBY OR 97013

41E03CB05806
DANIEL KONOLD
MEGAN KONOLD
1168 SE 17TH AVE
CANBY OR 97013

41E03CB05809
GREGORY CATES
BROOKE CATES
1226 SE 17TH AVE
CANBY OR 97013

41E03CB05812
PATRICK GREGG
2550 BEACON HILL DR
WEST LINN OR 97068

41E03CB05815
ROGER BIGHOUSE
MICHELLE BIGHOUSE
1318 SE 17TH AVE
CANBY OR 97013

41E04DA02200
MATTHEW TAYLOR
JULIE TAYLOR
355 SE 15TH PL
CANBY OR 97013

41E04DA02500
APRIL YOUNG
338 SE 15TH PL
CANBY OR 97013

41E04DA02800
ROBERT SHEVELAND
368 SE 15TH PL
CANBY OR 97013

41E04DA03100
STEVEN OAKLEY
AMY OAKLEY
365 SE 14TH PL
CANBY OR 97013

41E04DA03400
PATRICK BALBI
7271 S BRIDLETRAIL DR
CANBY OR 97013

41E03CB05804
KEVIN DAUGHERTY
STANCY DAUGHERTY
1142 SE 17TH AVE
CANBY OR 97013

41E03CB05807
AMY HUGHES
RICHARD HUGHES
1190 SE 17TH AVE
CANBY OR 97013

41E03CB05810
JESSICA SHORT
JAMES SHORT
1236 SE 17TH AVE
CANBY OR 97013

41E03CB05813
DOUGLAS EHRICH
CHRISTINE EHRICH
1266 SE 17TH AVE
CANBY OR 97013

41E03CB05816
KARL NEERING
1328 SE 17TH AVE
CANBY OR 97013

41E03CB05817
PHILIP EDMUNDS
KATHLEEN EDMUNDS
1332 SE 17TH AVE
CANBY OR 97013

41E03CB05820
MICHAEL DUNLEVY
1355 SE 16TH AVE
CANBY OR 97013

41E03CB05823
JAMES JOHNSON
SHELLEY JOHNSON
1327 SE 16TH AVE
CANBY OR 97013

41E03CB05826
DAVID FLEMING
STEPHANIE FLEMING
1285 SE 16TH AVE
CANBY OR 97013

41E03CB05829
JAMES UNGER
REBECCA UNGER
1260 SE 16TH AVE
CANBY OR 97013

41E03CB05832
CHRISTOPHER DVERSDAL
JENNIFER DVERSDAL
1308 SE 16TH AVE
CANBY OR 97013

41E03CB05835
STEPHANIE PERSONS
1338 SE 16TH AVE
CANBY OR 97013

41E03CB05838
JACK ROBERTS
LORI BENTON
1590 S REDWOOD ST
CANBY OR 97013

41E03CB05841
JUSTIN STODDART
TRESSA STODDART
1620 S REDWOOD ST
CANBY OR 97013

41E03CB05844
TOFTE FARMS #4 HOMEOWNERS
ASSN
1672 WILLAMETTE FALLS DR
WEST LINN OR 97068

41E03CB05818
BRANDON REED
JENNIFER REED
1340 SE 17TH AVE
CANBY OR 97013

41E03CB05821
MARCUS STOLPP
SARA STOLPP
1343 SE 16TH AVE
CANBY OR 97013

41E03CB05824
ANDREA MERRIFIELD
1315 SE 16TH AVE
CANBY OR 97013

41E03CB05827
APRIL GENSMAN
JARED GENSMAN
1275 SE 16TH AVE
CANBY OR 97013

41E03CB05830
JOSEPH BAGUIO
MIKKI BAGUIO
1270 SE 16TH AVE
CANBY OR 97013

41E03CB05833
BRIAN KOELLERMEIER
KELLEY KOELLERMEIER
1316 SE 16TH AVE
CANBY OR 97013

41E03CB05836
ROBIN CURRIN
1342 SE 16TH AVE
CANBY OR 97013

41E03CB05839
ROBERT HERNDON
1600 S REDWOOD ST
CANBY OR 97013

41E03CB05842
GARY PADDOCK
1630 S REDWOOD ST
CANBY OR 97013

41E03CB05847
JOHN KIEFEL
1339 SE 15TH AVE
CANBY OR 97013

41E03CB05819
JUSTIN PAOLA
1354 SE 17TH AVE
CANBY OR 97013

41E03CB05822
PEDRO RIVERA
LINDSAY HILL
1339 SE 16TH AVE
CANBY OR 97013

41E03CB05825
MICHAEL LAGOOD
NICOLE LAGOOD
1303 SE 16TH AVE
CANBY OR 97013

41E03CB05828
DAVID DEWAR
PAIGE DEWAR
1265 SE 16TH AVE
CANBY OR 97013

41E03CB05831
COOK HEITH R CO-TRUSTEE
1280 SE 16TH AVE
CANBY OR 97013

41E03CB05834
HPA BORROWER 2018-1 MS LLC
180 N STETSON AVE STE 3650
CHICAGO IL 60601

41E03CB05837
EARL LACHNITE
1586 S REDWOOD ST
CANBY OR 97013

41E03CB05840
JEREMY HOSFORD
GINA HOSFORD
1610 S REDWOOD ST
CANBY OR 97013

41E03CB05843
BRENT PAVLICEK
JENNIFER PAVLICEK
1640 S REDWOOD ST
CANBY OR 97013

41E03CB05848
MICHAEL MAIER
1347 SE 15TH AVE
CANBY OR 97013

41E03CB05849
JOHN MCFARLAND
MELISSA MCFARLAND
1582 S REDWOOD ST
CANBY OR 97013

41E04DA05209
WILLIAM PERRY
202 SE 16TH AVE
CANBY OR 97013

41E04DA05210
KEVIN CZERWINSKI
LEIGH BROCKI
250 SE 16TH AVE
CANBY OR 97013

41E04DA05211
JAMES GADBERRY
284 SE 16TH AVE
CANBY OR 97013

41E04DA05212
DOROTHY KNISER
314 SE 16TH AVE
CANBY OR 97013

41E04DA05213
KIMBERLY RAGAIN
342 SE 16TH AVE
CANBY OR 97013

41E04DA05214
JAMES BERNKLAU
368 SE 16TH AVE
CANBY OR 97013

41E04DA05215
PAUL HOGLUND
376 SE 16TH AVE
CANBY OR 97013

41E04DA05216
DONNA PETERSON-NAGL
1560 S LUPINE ST
CANBY OR 97013

41E04DA05217
KATRINA ROBSON
1580 S LUPINE ST
CANBY OR 97013

41E04DA05218
STEVE SALTMARSH
426 SE 16TH AVE
CANBY OR 97013

41E04DA05219
DINSMORE ESTATES LLC
130 SW 2ND AVE STE 103
CANBY OR 97013

41E04DA05220
NORMA BURNUM
ROBERT JR DECK
462 SE 16TH AVE
CANBY OR 97013

41E04DA05221
LINDA SCHMIDT
484 SE 16TH AVE
CANBY OR 97013

41E04DA05222
MARY LOU AUBIN
490 SE 16TH AVE
CANBY OR 97013

41E04DA05224
DINSMORE ESTATES
HOMEOWNERS ASSN

41E04DA05400
ALICIA VILLANOS
110 SE 16TH AVE
CANBY OR 97013

41E04DA05401
ANDREW BARR
KELLI BARR
128 SE 16TH AVE
CANBY OR 97013

41E04DA05402
RANDAL WATSON
132 SE 16TH AVE
CANBY OR 97013

41E04DA05403
ANGELA SURBY
148 SE 16TH AVE
CANBY OR 97013

41E04DA05404
ANTHONY TAPIA
CINDY TAPIA
156 SE 16TH AVE
CANBY OR 97013

41E04DA05405
BRETT WILLIAMS
J SUMMERS-WILLIAMS
164 SE 16TH AVE
CANBY OR 97013

41E04DA05406
NAME SUPPRESSED
172 SE 16TH AVE
CANBY OR 97013

41E04DA05500
MELODY ACRES
247 SE 15TH PL
CANBY OR 97013

41E04DA05600
CLAYTON MCKEON
JULIE MARIE
265 SE 15TH PL
CANBY OR 97013

41E04DA05700
CRYSTAL ROSS
JAMES ROSS
287 SE 15TH PL
CANBY OR 97013

41E04DA05800
STEVEN PUGA
LEANNE PUGA
317 SE 15TH PL
CANBY OR 97013

41E04DA05900
CRAIG WHEELER
JUDITH WHEELER
325 SE 15TH PL
CANBY OR 97013

41E04DA06000
BETH MILLICAN
PO BOX 884
MULINO OR 97042

41E04DA06100
LARRY CUNNINGHAM
334 SE 15TH PL
CANBY OR 97013

41E04DA06200
TROY HARRY
331 SE 14TH PL
CANBY OR 97013

41E04DA06500
JOSEPH INGRAM
LORENE INGRAM
1495 S LOCUST ST
CANBY OR 97013

41E04DA06800
HAROLD KLEIN
KIMBERLY KLEIN
244 SE 15TH PL
CANBY OR 97013

41E04DA07100
TERRY WADDELL
315 SE 14TH PL
CANBY OR 97013

41E04DA09800
JAMES COOK
ALYSSA COOK
173 SE 15TH PL
CANBY OR 97013

41E04DA10100
KEVIN JOHNSON
SHARON JOHNSON
145 SE 15TH CT
CANBY OR 97013

41E04DA10400
SHERRI ZENNER
128 SE 15TH CT
CANBY OR 97013

41E04DA10700
DINSMORE ESTATES 3 LLC
130 SW 2ND AVE STE 103
CANBY OR 97013

41E04DA06300
ROGER SWANSON
PATRICIA SWANSON
1455 S LOCUST ST
CANBY OR 97013

41E04DA06600
DOMINICK JACOBELLIS
MICHELLE JACOBELLIS
274 SE 15TH PL
CANBY OR 97013

41E04DA06900
KRISTINA SCOTT
245 SE 14TH PL
CANBY OR 97013

41E04DA09600
WAYNE SCOTT
130 SW 2ND AVE STE 103
CANBY OR 97013

41E04DA09900
VERNON BREWER
KIMBERLY BREWER
165 SE 15TH PL
CANBY OR 97013

41E04DA10200
BRETT RAMONA
133 SE 15TH CT
CANBY OR 97013

41E04DA10500
RYAN COOK
1495 S JUNIPER ST
CANBY OR 97013

41E04DA06400
SCOTT SPEER
1475 SE LOCUST ST
CANBY OR 97013

41E04DA06700
LESLEY WILLIAMS
MICHAEL WILLIAMS
268 SE 15TH PL
CANBY OR 97013

41E04DA07000
ANTHONY CORCORAN
285 SE 14TH PL
CANBY OR 97013

41E04DA09700
TRAVIS MCROBBIE
KATIE MCROBBIE
130 SW 2ND AVE STE 103
CANBY OR 97013

41E04DA10000
BLAINE MCELFFISH
153 SE 15TH CT
CANBY OR 97013

41E04DA10300
WILLIAM BINGHAM
KRISTIL BINGHAM
125 SE 15TH CT
CANBY OR 97013

41E04DA10600
BRIAN HUTCHINS
1475 S JUNIPER ST
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 01-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 05-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 09-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 01-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 05-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 09-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 01-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 05-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 10-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 02-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 06-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 10-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 02-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 06-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 10-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 02-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 06-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 11-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 03-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 07-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 11-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 03-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 07-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 12-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 04-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 08-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 13-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 04-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 09-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 13-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 14-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 24-B
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 101
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 14-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 20-A
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 102
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 15-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 20-B
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 103
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 16-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 21-A
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 104
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 17-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 21-B
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 105
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 17-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 22-A
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 106
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 18-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
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CANBY OR 97013

ASSISTED LIVING RESIDENT
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CANBY OR 97013

POST-ACUTE REHAB RESIDENT
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POST-ACUTE REHAB RESIDENT
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ASSISTED LIVING RESIDENT
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POST-ACUTE REHAB RESIDENT
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POST-ACUTE REHAB RESIDENT
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ASSISTED LIVING RESIDENT
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CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
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POST-ACUTE REHAB RESIDENT
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ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
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CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 111
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 121
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CANBY OR 97013

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CANBY OR 97013

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CANBY OR 97013

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ASSISTED LIVING RESIDENT
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1589 S IVY ST, ROOM 239
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 249
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 250
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 01-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 10-2
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 251
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 02-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 11-1
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 252
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 03-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 12-1
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 253
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 04-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 13-1
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 254
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 05-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 14-1
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 255
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 06-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 15-1
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 256
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 07-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 16-1
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 257
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 08-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 17-1
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 258
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 09-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 18-1
CANBY OR 97013

ASSISTED LIVING RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 259
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 10-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 19-1
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MEMORY CARE RESIDENT
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MEMORY CARE RESIDENT
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1589 S IVY ST, ROOM 20-2
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 21-1
CANBY OR 97013

MEMORY CARE RESIDENT
HOPE VILLAGE INC
1589 S IVY ST, ROOM 22-1
CANBY OR 97013



Fidelity National Title
Client Services Group
900 SW 5th Ave, Mezzanine
Portland, OR 97204
O: 503-227-5478 F: 503-274-5472
csrequest@fnf.com

Monday, April 19, 2021

The enclosed radius search was created using data purchased from GeoAdvantage and Metro. This data is derived from county tax records and is deemed reliable, but is not guaranteed. Fidelity National Title cannot be held liable for any additions, deletions, or errors in this search.

This research was completed on the date stated above.

Thank you.

Enclosures:

- Data summary of parcels to be notified
- Map of subject parcel, radius, and parcels to be notified
- County assessor maps for parcels to be notified
- Labels

Owner Name: Tofte Farms LLC	Parcel ID: 00996499	Tax ID: 41E03 02300
Co-Owner:	Recording Date: 05/05/2005	
Site Addr: 371 SE 13th Ave Canby OR 97013	Use: EFU farmland vacant	
Owner Addr: PO Box 97 Aurora OR 97002	Assessed Total: \$46,588.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 36.09 Acres
Legal: SEE SPLIT CODE ACCT 02390 Y 183,867		

Owner Name: Tofte Farms LLC	Parcel ID: 01002587	Tax ID: 41E04D 01200
Co-Owner:	Recording Date: 05/05/2005	
Site Addr: OR 97013	Use: EFU farmland vacant	
Owner Addr: PO Box 97 Aurora OR 97002	Assessed Total: \$21,341.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 12.48 Acres
Legal: Section 04 Township 4S Range 1E Quarter D TAX LOT 01200 Y 183,867		

Owner Name: Braun, Charles R Sr	Parcel ID: 01002596	Tax ID: 41E04D 01300
Co-Owner: Braun, Janet K	Recording Date: 04/01/1986	
Site Addr: 1712 S Ivy St Canby OR 97013	Use: Residential land improved	
Owner Addr: 1712 S Ivy St Canby OR 97013	Assessed Total: \$470,197.00	Sale Price: \$35,000.00
Bedroom: 4 Bath: 2 Year Blt: 1986	Bldg SqFt: 4,230 SqFt	Acres: 1.83 Acres
Legal: Section 04 Township 4S Range 1E Quarter D TAX LOT 01300 Y 183,867		

Owner Name: Tofte Farms LLC	Parcel ID: 01437485	Tax ID: 41E03 02390
Co-Owner:	Recording Date: 05/05/2005	
Site Addr: OR 97013	Use: EFU farmland vacant	
Owner Addr: PO Box 97 Aurora OR 97002	Assessed Total: \$201.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 4.37 Acres
Legal: SEE SPLIT CODE ACCT 02300 Y 183,867		

Parcel Reference List



Fidelity National Title
PORTLAND

ParcelID	Tax Account	Owner	Site Address
00996505	41E03 02400	Tyson Hemrich & Shannon Covington	1826 S Redwood St Canby 97013
00996514	41E03 02500	Beals Joyce C Trustee	1834 S Redwood St Canby 97013
01002505	41E04DA05000	Martin & Helene Meskers	1490 S Ivy St Canby 97013
01002550	41E04DC00200	Hope Village Inc	Canby 97013
01002569	41E04DC00300	Hope Village Inc	1665 S Ivy St Canby 97013
01002578	41E04DC00301	Hope Village Inc	Canby 97013
01002603	41E04DC00400	Hope Village Inc	1701 S Ivy St Canby 97013
01002612	41E04DC00500	Hope Village Inc	1735 S Ivy St Canby 97013
01002621	41E04DC00600	Brian Christensen	1841 S Ivy St Canby 97013
01002630	41E04DC00700	Hope Village Inc	Canby 97013
01002667	41E04DC01000	Riverside Park LLC	1901 S Ivy St Canby 97013
01002676	41E04D 02100	Hilsabeck Linda L Trustee	1956 S Ivy St Canby 97013
01005860	41E09 00100	David Peter & Cindy Bennett	25130 S Hwy 170 Canby 97013
01006672	41E10 00700	Beals Joyce C Trustee	97013
01006681	41E10 00790	Beals Joyce C Trustee	97013
01006690	41E10 00800	Roy & Charlotte Sweeten	9193 S Alder Creek Ln Canby 97013
01006707	41E10 00900	Kamal & Kelly Salem	9117 S Alder Creek Ln Canby 97013
01437467	41E03 02590	Beals Joyce C Trustee	97013
01437476	41E03 02490	Tyson Hemrich & Shannon Covington	97013
01437494	41E10 02700	Gene Bruno	9051 S Alder Creek Ln Canby 97013
01739239	41E03CB01100	Paul & Nancy Muller	1493 S Pepperwood St Canby 97013
01739248	41E03CB01200	Brant & Lynn Carey	1507 S Pepperwood St Canby 97013
01739257	41E03CB01300	Ashokkumar & Sushilla Patel	1525 S Pepperwood St Canby 97013
01739266	41E03CB01400	James & Annette Molamphy	1543 S Pepperwood St Canby 97013
01739275	41E03CB01500	Steven & Tania Bollin	1561 S Pepperwood St Canby 97013
01739284	41E03CB01600	Conrad & Linda Kristensen	1579 S Pepperwood St Canby 97013
01739293	41E03CB01700	Patrick & Connie Devlin	1597 S Pepperwood St Canby 97013

01739300	41E03CB01800	Dave & Joleen Anderson	1153 SE 16th Ave Canby 97013
01739319	41E03CB01900	Curtis Nelson	1167 SE 16th Ave Canby 97013
01739328	41E03CB02000	Thomas Higgins & Ann Marie	1189 SE 16th Ave Canby 97013
01739337	41E03CB02100	Ronald & Donna Erickson	1219 SE 16th Ave Canby 97013
01739346	41E03CB02200	Barry & Cathy Wood	1235 SE 16th Ave Canby 97013
01739355	41E03CB02300	Kimberly & Jacob Hanlon	1253 SE 16th Ave Canby 97013
01739364	41E03CB02400	Timothy & Kimberly Rondeau	1256 SE 16th Ave Canby 97013
01739373	41E03CB02500	Scott & Lisa Reed	1238 SE 16th Ave Canby 97013
01739382	41E03CB02600	Randy & Teresa Yost	1224 SE 16th Ave Canby 97013
01739391	41E03CB02700	Timothy & Tara McGarry	1208 SE 16th Ave Canby 97013
01739408	41E03CB02800	Bruce Holte & Tami Wetzell-Holte	1190 SE 16th Ave Canby 97013
01739417	41E03CB02900	Eric Thatcher	1168 SE 16th Ave Canby 97013
01739426	41E03CB03000	Alejandro Hernandez	1161 SE 15th Ave Canby 97013
01739435	41E03CB03100	Sorlah Moghaddampour	1185 SE 15th Ave Canby 97013
01739444	41E03CB03200	Bruce Marshall	1201 SE 15th Ave Canby 97013
01739453	41E03CB03300	Pomeroy Ronald K Trustee	1221 SE 15th Ave Canby 97013
01739462	41E03CB03400	Brian Harmston	1233 SE 15th Ave Canby 97013
01739514	41E03CB03900	Sean Warren	1166 SE 15th Ave Canby 97013
01741262	41E04D 00802	Hope Village Inc	1589 S Ivy St Canby 97013
01783555	41E04D 00811	Hope Village Inc	1535 S Ivy St Canby 97013
01831806	41E03CB09400	Heather Hadraba & Scott Shorter	1325 SE 15th Ave Canby 97013
01831815	41E03CB09500	Kevin Henderson	1311 SE 15th Ave Canby 97013
01831824	41E03CB09600	Coon Donna L Trustee	1301 SE 15th Ave Canby 97013
01831833	41E03CB09700	Michelson Family Trust	1273 SE 15th Ave Canby 97013
01831842	41E03CB09800	Jason & Brenda Griffin	1257 SE 15th Ave Canby 97013
01831851	41E03CB09900	Cary Carpenter	1247 SE 15th Ave Canby 97013
01831860	41E03CB10000	Ryan & Jennifer Frazier	1239 SE 15th Ave Canby 97013
05003065	41E04DA01400	Eric & Karalee Kylo	395 SE 14th Pl Canby 97013
05003066	41E04DA01500	Lynn Schultz	387 SE 14th Pl Canby 97013
05003067	41E04DA01600	Christopher Martin	1512 S Maple St Canby 97013
05003068	41E04DA01700	Monahan Michael F Co-Trustee	1536 S Maple St Canby 97013
05003069	41E04DA01800	Zachary & Shannon Guensch	397 SE 15th Pl Canby 97013
05003070	41E04DA01900	Leslie & Jack Rants	389 SE 15th Pl Canby 97013

05003071	41E04DA02000	Michelle & Greg Murphy	377 SE 15th Pl Canby 97013
05003072	41E04DA02100	Dustin Johnston & Julie Titterton	369 SE 15th Pl Canby 97013
05003073	41E04DA02200	Matthew & Julie Taylor	355 SE 15th Pl Canby 97013
05003074	41E04DA02300	Scott & Stacey Ackerman	349 SE 15th Pl Canby 97013
05003075	41E04DA02400	Paul Roher II & Felicia Roher	1545 S Lupine St Canby 97013
05003076	41E04DA02500	April Young	338 SE 15th Pl Canby 97013
05003077	41E04DA02600	Dwight & Kathleen French	342 SE 15th Pl Canby 97013
05003078	41E04DA02700	Nathan Jaster & Temple Joy	356 SE 15th Pl Canby 97013
05003079	41E04DA02800	Sheveland Robert H Trustee	368 SE 15th Pl Canby 97013
05003080	41E04DA02900	Christopher Rodgers	374 SE 15th Pl Canby 97013
05003081	41E04DA03000	Charles & Shirley Sawyer	373 SE 14th Pl Canby 97013
05003082	41E04DA03100	Steven & Amy Oakley	365 SE 14th Pl Canby 97013
05003083	41E04DA03200	Joey & Trisha Elder	359 SE 14th Pl Canby 97013
05003084	41E04DA03300	John & Debra Sowles	347 SE 14th Pl Canby 97013
05003085	41E04DA03400	Balbi Patrick Merle Trustee	335 SE 14th Pl Canby 97013
05003098	41E04DA05300	Patrick & Connie Devlin	Canby 97013
05005896	41E03CB05845	Darren & Milissa Harper	1136 SE 17th Ave Canby 97013
05005897	41E03CB05804	Kevin & Stancy Daugherty	1142 SE 17th Ave Canby 97013
05005898	41E03CB05805	David Devore	1154 SE 17th Ave Canby 97013
05005899	41E03CB05806	Daniel & Megan Konold	1168 SE 17th Ave Canby 97013
05005900	41E03CB05807	Amy & Richard Hughes	1190 SE 17th Ave Canby 97013
05005901	41E03CB05808	Brandon & Deidre Pedro	1216 SE 17th Ave Canby 97013
05005902	41E03CB05809	Gregory & Brooke Cates	1226 SE 17th Ave Canby 97013
05005903	41E03CB05810	Jessica & James Short	1236 SE 17th Ave Canby 97013
05005904	41E03CB05811	Gwendolyn & Alex Polgar	1246 SE 17th Ave Canby 97013
05005905	41E03CB05812	Patrick Gregg	1256 SE 17th Ave Canby 97013
05005906	41E03CB05813	Douglas & Christine Ehrich	1266 SE 17th Ave Canby 97013
05005907	41E03CB05814	Paul & Jody Matlock	1302 SE 17th Ave Canby 97013
05005908	41E03CB05815	Roger & Michelle Bighouse	1318 SE 17th Ave Canby 97013
05005909	41E03CB05816	Karl Neering	1328 SE 17th Ave Canby 97013
05005910	41E03CB05817	Philip & Kathleen Edmunds	1332 SE 17th Ave Canby 97013
05005911	41E03CB05818	Brandon & Jennifer Reed	1340 SE 17th Ave Canby 97013
05005912	41E03CB05819	Justin Paola	1354 SE 17th Ave Canby 97013

05005913	41E03CB05820	Michael Dunlevy	1355 SE 16th Ave Canby 97013
05005914	41E03CB05821	Marcus & Sara Stolpp	1343 SE 16th Ave Canby 97013
05005915	41E03CB05822	Pedro Rivera & Lindsay Hill	1339 SE 16th Ave Canby 97013
05005916	41E03CB05823	James & Shelley Johnson	1327 SE 16th Ave Canby 97013
05005917	41E03CB05824	Andrea Merrifield	1315 SE 16th Ave Canby 97013
05005918	41E03CB05825	Michael & Nicole Lagood	1303 SE 16th Ave Canby 97013
05005919	41E03CB05826	David & Stephanie Fleming	1285 SE 16th Ave Canby 97013
05005920	41E03CB05827	April & Jared Gensman	1275 SE 16th Ave Canby 97013
05005921	41E03CB05828	David & Paige Dewar	1265 SE 16th Ave Canby 97013
05005922	41E03CB05829	James & Rebecca Unger	1260 SE 16th Ave Canby 97013
05005923	41E03CB05830	Joseph & Mikki Baguio	1270 SE 16th Ave Canby 97013
05005924	41E03CB05831	Cook Heith R Co-Trustee	1280 SE 16th Ave Canby 97013
05005925	41E03CB05832	Christopher & Jennifer Dversdal	1308 SE 16th Ave Canby 97013
05005926	41E03CB05833	Brian & Kelley Koellermeier	1316 SE 16th Ave Canby 97013
05005927	41E03CB05834	Hpa Borrower 2018-1 Ms LLC	1326 SE 16th Ave Canby 97013
05005928	41E03CB05835	Stephanie Persons	1338 SE 16th Ave Canby 97013
05005929	41E03CB05836	Robin Currin	1342 SE 16th Ave Canby 97013
05005930	41E03CB05837	Earl Lachnite	1586 S Redwood St Canby 97013
05005931	41E03CB05838	Jack Roberts & Lori Benton	1590 S Redwood St Canby 97013
05005932	41E03CB05839	Robert Herndon	1600 S Redwood St Canby 97013
05005933	41E03CB05840	Jeremy & Gina Hosford	1610 S Redwood St Canby 97013
05005934	41E03CB05841	Justin & Tressa Stoddart	1620 S Redwood St Canby 97013
05005935	41E03CB05842	Paddock Gary William Trustee	1630 S Redwood St Canby 97013
05005936	41E03CB05843	Brent & Jennifer Pavlicek	1640 S Redwood St Canby 97013
05005937	41E03CB05844	Tofte Farms #4 Homeowners As sn	Canby 97013
05012913	41E03CB05847	John Kiefel	1339 SE 15th Ave Canby 97013
05012914	41E03CB05848	Michael Maier	1347 SE 15th Ave Canby 97013
05012915	41E03CB05849	John & Melissa McFarland	1582 S Redwood St Canby 97013
05020920	41E04DA05209	William Perry	202 SE 16th Ave Canby 97013
05020921	41E04DA05210	Kevin Czerwinski & Leigh Brocki	250 SE 16th Ave Canby 97013
05020922	41E04DA05211	Gadberry James R Trustee	284 SE 16th Ave Canby 97013
05020923	41E04DA05212	Dorothy Kniser	314 SE 16th Ave Canby 97013
05020924	41E04DA05213	Kimberly Ragain	342 SE 16th Ave Canby 97013

05020925	41E04DA05214	Bernklau James W Trustee	368 SE 16th Ave Canby 97013
05020926	41E04DA05215	Hoglund Paul T Trustee	376 SE 16th Ave Canby 97013
05020927	41E04DA05216	Donna Peterson-Nagl	1560 S Lupine St Canby 97013
05020928	41E04DA05217	Katrina Robson	1580 S Lupine St Canby 97013
05020929	41E04DA05218	Steve Saltmarsh	426 SE 16th Ave Canby 97013
05020930	41E04DA05219	Dinsmore Estates LLC	440 SE 16th Ave Canby 97013
05020931	41E04DA05220	Norma Burnum & Robert Robert Jr	462 SE 16th Ave Canby 97013
05020932	41E04DA05221	Schmidt Linda D Trustee	484 SE 16th Ave Canby 97013
05020933	41E04DA05222	Mary Lou Aubin	490 SE 16th Ave Canby 97013
05020935	41E04DA05224	Dinsmore Estates Homeowners Assn	Canby 97013
05025680	41E04DA05400	Alicia Villanos	110 SE 16th Ave Canby 97013
05025681	41E04DA05401	Andrew & Kelli Barr	128 SE 16th Ave Canby 97013
05025682	41E04DA05402	Randal Watson	132 SE 16th Ave Canby 97013
05025683	41E04DA05403	Angela Surby	148 SE 16th Ave Canby 97013
05025684	41E04DA05404	Anthony & Cindy Tapia	156 SE 16th Ave Canby 97013
05025685	41E04DA05405	Brett Williams & J Summers-Williams	164 SE 16th Ave Canby 97013
05025686	41E04DA05406	Name Suppressed	172 SE 16th Ave Canby 97013
05027084	41E04DA05500	Melody Acres	247 SE 15th Pl Canby 97013
05027085	41E04DA05600	Clayton McKeon & Julie Marie	265 SE 15th Pl Canby 97013
05027086	41E04DA05700	Crystal & James Ross	287 SE 15th Pl Canby 97013
05027087	41E04DA05800	Steven & Leanne Puga	317 SE 15th Pl Canby 97013
05027088	41E04DA05900	Craig & Judith Wheeler	325 SE 15th Pl Canby 97013
05027089	41E04DA06000	Beth Millican	335 SE 15th Pl Canby 97013
05027090	41E04DA06100	Larry Cunningham	334 SE 15th Pl Canby 97013
05027091	41E04DA06200	Troy Harry	331 SE 14th Pl Canby 97013
05027092	41E04DA06300	Roger & Patricia Swanson	1455 S Locust St Canby 97013
05027093	41E04DA06400	Scott Speer	1475 S Locust St Canby 97013
05027094	41E04DA06500	Joseph & Lorene Ingram	1495 S Locust St Canby 97013
05027095	41E04DA06600	Dominick & Michelle Jacobellis	274 SE 15th Pl Canby 97013
05027096	41E04DA06700	Lesley & Michael Williams	268 SE 15th Pl Canby 97013
05027097	41E04DA06800	Harold & Kimberly Klein	244 SE 15th Pl Canby 97013
05027098	41E04DA06900	Kristina Scott	245 SE 14th Pl Canby 97013

05027099	41E04DA07000	Corcoran Anthony J Trustee	285 SE 14th Pl Canby 97013
05027100	41E04DA07100	Waddell Terry L Trustee	315 SE 14th Pl Canby 97013
05027125	41E04DA09600	Wayne Scott	Canby 97013
05030099	41E04DA09700	Travis & Katie McRobbie	180 SE 15th Pl Canby 97013
05030100	41E04DA09800	James & Alyssa Cook	173 SE 15th Pl Canby 97013
05030101	41E04DA09900	Vernon & Kimberly Brewer	165 SE 15th Pl Canby 97013
05030102	41E04DA10000	Blaine McElfish	153 SE 15th Ct Canby 97013
05030103	41E04DA10100	Kevin & Sharon Johnson	145 SE 15th Ct Canby 97013
05030104	41E04DA10200	Brett Ramona	133 SE 15th Ct Canby 97013
05030105	41E04DA10300	William & Kristil Bingham	125 SE 15th Ct Canby 97013
05030106	41E04DA10400	Sherri Zenner	128 SE 15th Ct Canby 97013
05030107	41E04DA10500	Ryan Cook	1495 S Juniper St Canby 97013
05030108	41E04DA10600	Brian Hutchins	1475 S Juniper St Canby 97013
05030109	41E04DA10700	Dinsmore Estates 3 LLC	Canby 97013

Exhibit J: Neighborhood Meeting Documentation

June 3, 2021



**Re: Neighborhood Meeting Minutes
Tofte Annexation, Development Concept Plan, and Zone Change
City of Canby File No. PRA 21-06**

Meeting Date: May 25, 2021

Time: 6:00 p.m.

Location: Virtual Meeting was held via Zoom Webinar

The applicant conducted a neighborhood meeting in accordance with applicable City regulations to discuss an annexation, development concept plan (DCP), and zone change application(s) for a property south of the Canby City Limits. This meeting was held via a Zoom Webinar in accordance with the City's Neighborhood Meeting Guidelines. Marie Holladay, Paul Sellke, and Mimi Doukas from AKS Engineering & Forestry, LLC and Mike Morse, Ana Bozich, Dan Pahlisch, and Cory Bittner from Pahlisch Homes were present, as well as approximately 29 other interested neighbors/other attendees. The meeting began with a brief presentation which included an overview of the project and details about the planned project. The planned land use application and a general process of the land use application process was described.

Following the introduction of the project, neighbors asked questions and/or provided general comments about the project. Additionally, prior to the meeting, there were some questions asked by neighbors. Below is a summary of the questions asked and responses provided:

Item	Question	Response Provided at Meeting
1	Will park land extend to the cliff/bluff edge? What are the green arrows along the parkland?	Yes, the green area shown on the presentation slide is open/natural space to accommodate the Emerald Necklace Conceptual Trail shown in the City's Comprehensive Plan. This area is planned to be preserved as a trail/viewshed to the Molalla River. The green arrows shown on the presentation slide are potential accessways/connections which will allow pedestrian and bicycle movement from the future residential street network to the proposed trail/green space.
2	What is the minimum setback to the Molalla River? Is it 100 feet from the river?	The minimum setback to the Molalla River is 100 feet. As shown on the preliminary plans, the subject site plans to provide well over 100 feet from the body of water, due to the existing topography and location of the bluff.
3	Will homes be along the park land?	Yes, homes are proposed along the park land in the northwest/central area of the site, as well as along the conceptual trail.
4	Will there be a fence along the bluff of the river? Will there be a pathway down (the cliff) to the river? It is quite steep/dangerous in this area.	Trail improvements will be discussed and vetted with the Canby Parks Department. Fencing will be determined through that design process. The conceptual trail is along the Molalla River bluff and

		there are no plans to create/extend a trail down to the river (body of water).
5	Will 16 th /Lupine be the main entrance to the subdivision?	No. The primary entry to the development is anticipated to be located on S Ivy Street, the curved road shown on the presentation slide. This is a desired area for monumentation, signage, and entry to the park facility.
6	Will this development plant more trees along the bluff/river for stabilization?	The project plans to limit grading activity and ground disturbance based on the preliminary geotechnical analysis and recommendation. At this time, plans for tree placement is unknown.
7	Will the home on Tax Lot 1300 remain?	Tax Lot 1300 is involved in the Annexation, DCP, and Zone Change applications. The existing home is planned to be removed/demolished upon redevelopment.
8	Why is there a roundabout shown? Will there be an entrance off Ivy Street to this development in the meantime?	There is a roundabout conceptually shown per the City's transportation plans. The right-of-way will be dedicated with this project to accommodate for a future roundabout to be built. However, this project is only one quadrant (1/4) of the intersection and the City will need to acquire the remaining land/funds necessary to complete the improvement. Yes, the primary entrance to the subject site is planned from S Ivy Street. This will likely be a "T" intersection improvement until the potential/future roundabout is constructed.
10	Where does the trail (Emerald Necklace Conceptual Trail) along the river end on the east side of the property?	The trail is planned to wind along the south property line, as shown on the Emerald Necklace Conceptual Trail within the Canby's Comprehensive Plan. The trail design is still undetermined, but the physical trail improvement will likely loop back into the subdivision (i.e. not terminate at the east property boundary) to avoid pedestrian movement/trespassing onto adjacent private properties.
11	Will 16 th Avenue be widened to a regular size street section? Currently cars park halfway on the street/halfway in the adjacent field.	Yes, SE 16 th Avenue will be widened to the standard local typical section per City requirements. Currently, SE 16 th Avenue appears "non-standard" because it is a 3/4 street improvement. The remaining street area will be constructed along the north property line, allowing safe parking on both sides of future SE 16 th Avenue.
12	Assuming development is approved, which area will be built first?	Initially, development may begin along SE 16 th /17 th Avenues due to existing infrastructure extensions (water, sewer, street stubs, etc.) and then work from the west property line (along Ivy Street) towards the east property boundary. However, the phasing design

		will be determined through the subsequent subdivision application process.
13	There is an osprey perch with a breeding pair along 17 th Avenue. How will this project address the impact to the nest?	Pahlisch Homes knows about the nest and will be working with a professional environmentalist to move the osprey nest without disturbing it and relocate it in an appropriate spot.
14	Will 17 th Avenue/Ivy Street be implemented initially as a T intersection?	Yes, a "T" intersection will be constructed initially, until the future roundabout right-of-way is acquired. As mentioned previously, this project plans to dedicate the subject site's portion of right-of-way required to accommodate the future roundabout.
15	What is the brown area of land northwest of the roundabout (shown on the presentation slide)?	The brown area shown on the screen is land/area that is not involved in the project. It is brown because it is zoned Residential Commercial (RC) on the City's Zoning Map.
16	Can a 4-way stop at 16 th /17 th be provided instead of two cul-de-sac bulbs?	The preliminary design of the two cul-de-sac bulbs in close proximity to each other in the north portion of the site is primarily for traffic calming purposes to avoid a "racetrack" effect made by adjoining lengthy, straight streets. Additionally, there are existing street patterns and standards which dictate the internal transportation network. For instance, blocks cannot exceed 450 feet without additional connectivity features. The design of this transportation feature is dependent upon the local trips (generated by future homes) and analyzed within a future traffic report.
15	When will construction begin?	It is estimated that it be approximately 6 months for the necessary land use and engineering approvals. Based on that, construction is estimated to start in Summer 2022 and potential home construction by Christmas 2022.

The meeting concluded at approximately 7:15 p.m.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



Mimi Doukas – AICP, RLA, Associate

12965 SW Herman Road, Suite 100

Tualatin, OR 97062

503-563-6151 | DoukasM@aks-eng.com



Tofte Annexation, Development Concept Plan, and Zone Change Neighborhood Meeting

ATTENDEE REPORT

Report Generated: 6/3/2021 13:40

Topic	Webinar ID	Actual Start Time	Actual Duration (mir # Registered)	Total Users
Tofte Neighborhood Meeting	865 9695 4835	5/25/2021 17:40	91	16
				29

HOST DETAILS

User Name	Email	Join Time	Leave Time	Time in Session (minutes)
Mimi Doukas	mimid@aks-eng.com	5/25/2021 17:40	5/25/2021 19:11	91

PANELIST DETAILS

User Name	Email	Join Time	Leave Time
Dan Pahlisch	danp@pahlisch.com	5/25/2021 18:04	5/25/2021 19:11
Cory Bittner (Dan Pahlisch)	danp@pahlisch.com	5/25/2021 18:10	5/25/2021 19:11
Marie Holladay	holladaym@aks-eng.com	5/25/2021 17:46	5/25/2021 19:11
Mike Morse	mikem@pahlisch.com	5/25/2021 17:52	5/25/2021 19:11
Paul Sellke	sellkep@aks-eng.com	5/25/2021 18:01	5/25/2021 19:11
Ana Bozich	anab@pahlisch.com	5/25/2021 17:43	5/25/2021 19:11

ATTENDEE DETAILS

User Name	First Name	Last Name	Email	Registration Time	Join Time
Alex Polgar	Alex	Polgar	raglop56@outlook.co	5/17/2021 10:23	5/25/2021 18:00
Brian Hutchins	Brian	Hutchins	bhutchins@msn.com	5/18/2021 8:36	5/25/2021 18:00
jimgadberry@yahoo.com	jimgadberry@yahoo.com		jimgadberry@yahoo.	5/23/2021 11:02	5/25/2021 18:03
Steve Saltmarsh	Steve	Saltmarsh	steve.saltmarsh@ore	5/24/2021 14:22	5/25/2021 18:00
Gene Bruno	Gene	Bruno	drgenebruno@gmail	5/16/2021 14:13	5/25/2021 18:09
Shannon Covington-Hemrich	Shannon	Covington-Hemrich	shannon.covington@	5/25/2021 17:41	5/25/2021 18:01
Jerry Jones	Jerry	Jones	jerryjones@columbia	5/25/2021 18:15	5/25/2021 18:15
Kamal Salem	Kamal	Salem	kamal@westsidedry	5/22/2021 16:14	5/25/2021 18:00
Kevin Czerwinski	Kevin	Czerwinski	kczerwin@gmail.com	5/25/2021 18:02	5/25/2021 18:02
Bill Perry	Bill	Perry	bill@bpsoregon.com	5/18/2021 10:56	5/25/2021 18:09
Jim Bernklau	Jim	Bernklau	jd.bernklau@gmail.c	5/14/2021 17:52	5/25/2021 18:00

Attended Via Phone

Attended Via Phone	Join Time
18502120443	5/25/2021 18:10
15416684628	5/25/2021 18:02
15034072578	5/25/2021 18:00

The meeting will start shortly...

Visit

If you haven't already, please visit

<https://www.aks-eng.com/tofte-farms/>

to register for this event.

Call

If you are having audio difficulties, please call

+1-253-215-8782

Zoom ID **865 9695 4835**, Password **6151**

OR one of the telephone numbers listed on the Virtual Meeting Instructions sheet at the above website.

Submit

During the Question/Answer period, you can also **"Raise Your Hand"** to be called on to provide your questions and comments.

You can submit questions by typing them into the **Group Chat Box** – they will go directly to the Meeting Moderator. Questions will be answered after the presentation.

Tofte Properties

Annexation, Development Concept Plan & Zone Change

City of Canby

Virtual Neighborhood Meeting Webinar

May 25, 2021 at 6:00 pm



Meeting Format – Zoom Webinar

Audio Help

- Meeting attendees will be muted throughout the presentation.
- Make sure your speakers are turned on and not muted.
- If you do not have speakers on your computer, you can join the audio by calling any of these toll-free numbers:

+1-669-900-6833	+1-346-248-7799
+1-929-205-6099	+1-253-215-8782
+1-301-715-8592	+1-312-626-6799



Project Team

» Pahlisch Homes

» Applicant

» Dennis Pahlisch, Dan Pahlisch, Mike Morse, Ana Bozich, Jerry Jones



» AKS Engineering & Forestry, LLC

» Land Use Planning, Civil Engineering, Surveying, Landscape Architecture, Arborist, and Natural Resources Consultant

» Mimi Doukas, Marie Holladay, Paul Sellke

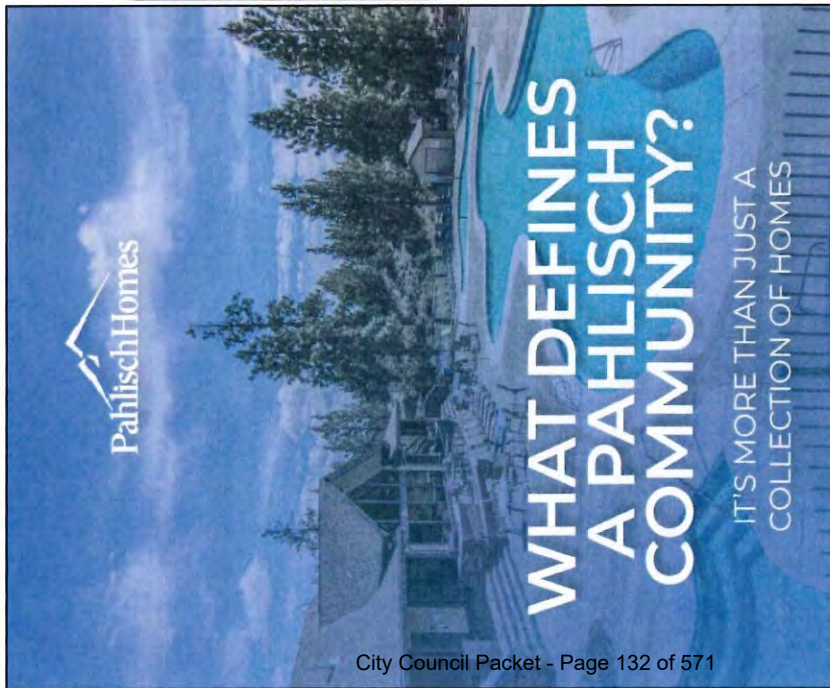


» Schwabe Williamson & Wyatt

» Legal Counsel

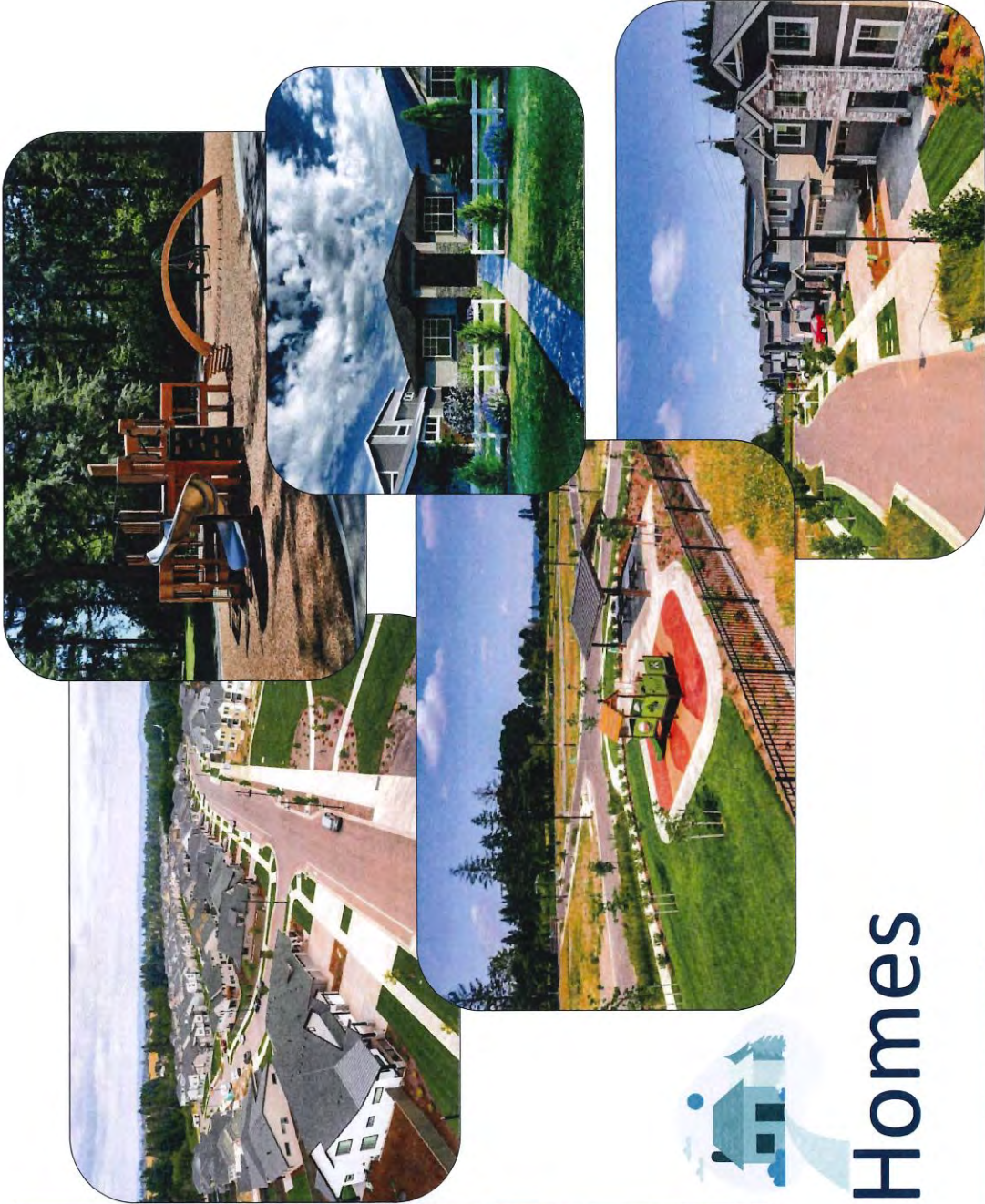
» Michael Robinson





WHAT DEFINES
A PAHLISCH
COMMUNITY?

IT'S MORE THAN JUST A
COLLECTION OF HOMES



Pahlisch Homes

Project Overview

» Generally located southeast of the City of Canby Limits

» South of SW 13th Avenue, east of S Ivy Street, west of Redwood Lane, and north of the Molalla River

Total Annexation Area:

» ±42.5 gross acres

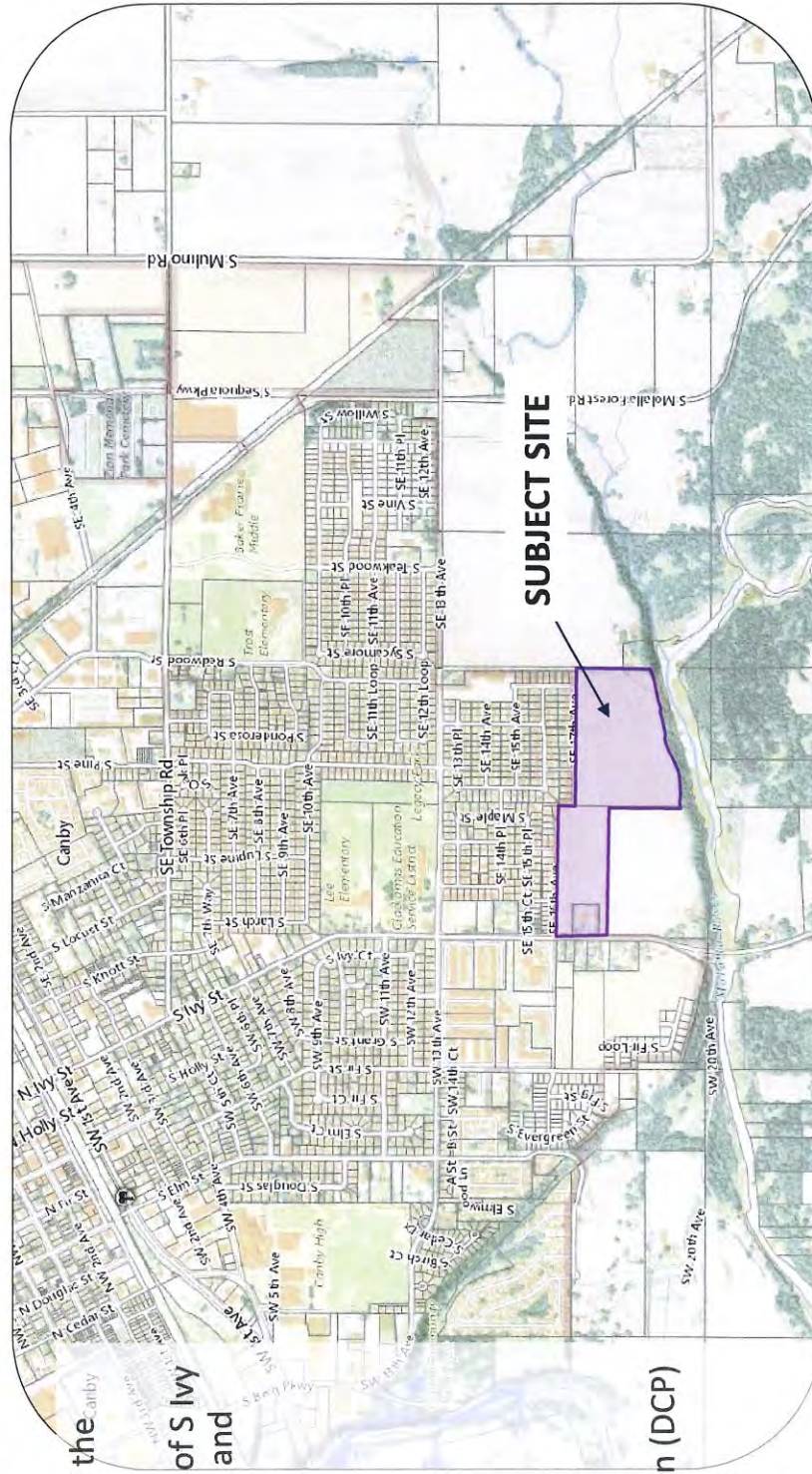
Three applications in first submittal

» Annexation

» Zone Change

» Development Concept Plan (DCP)

» Next step is the subdivision application



» **±42.5 gross acres**

Tax Lot 1300: +1.83 acres

Tax Lot 1200: +12.48 acres

Tax Lot 2300: ±28.15 acres

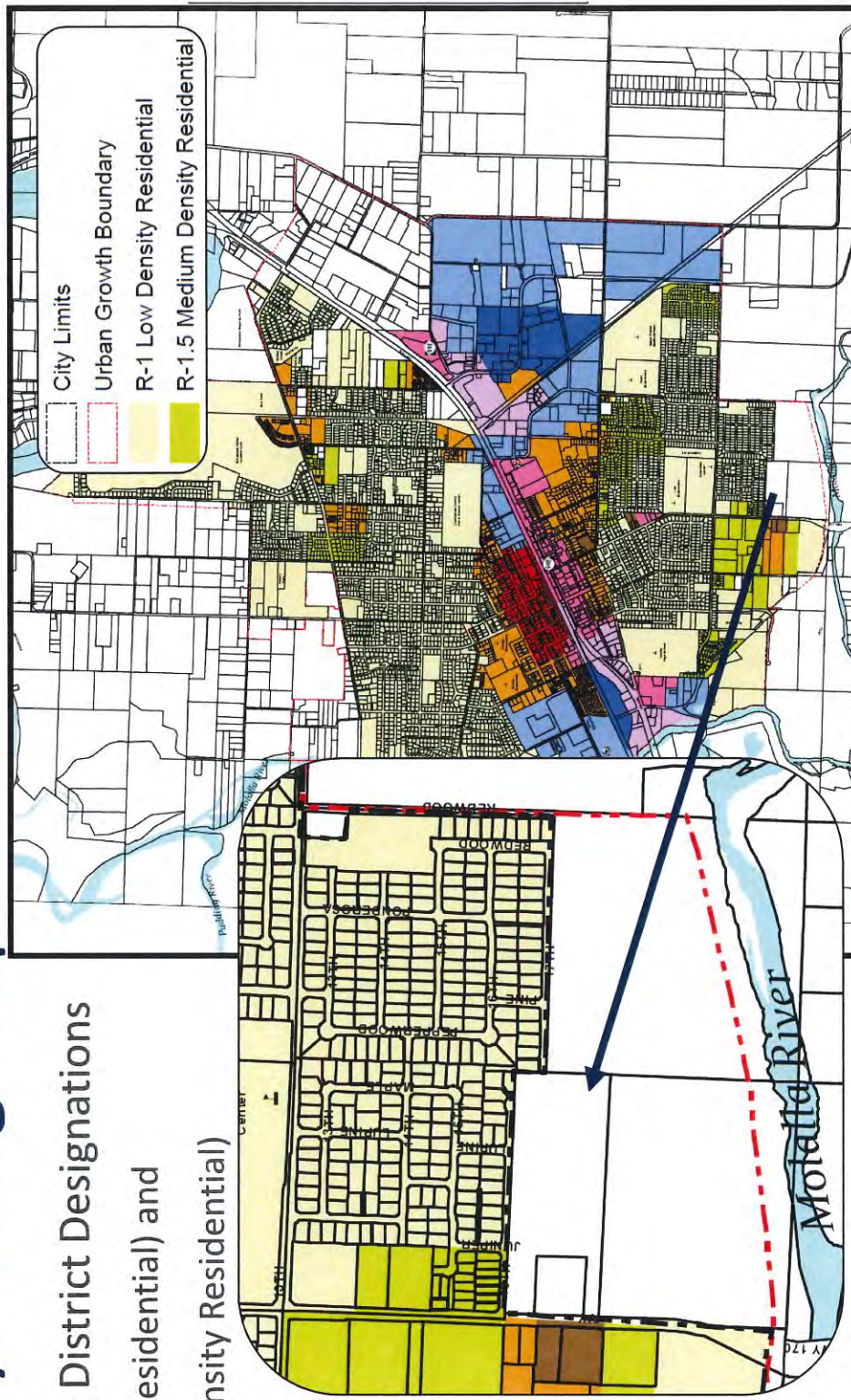
» **Note: only a portion of TL 2300 is within the Urban Growth Boundary and able to be annexed into City Limits**

» R-1 (Low Density Residential) and
» R-1.5 (Medium Density Residential)



City of Canby Zoning Map

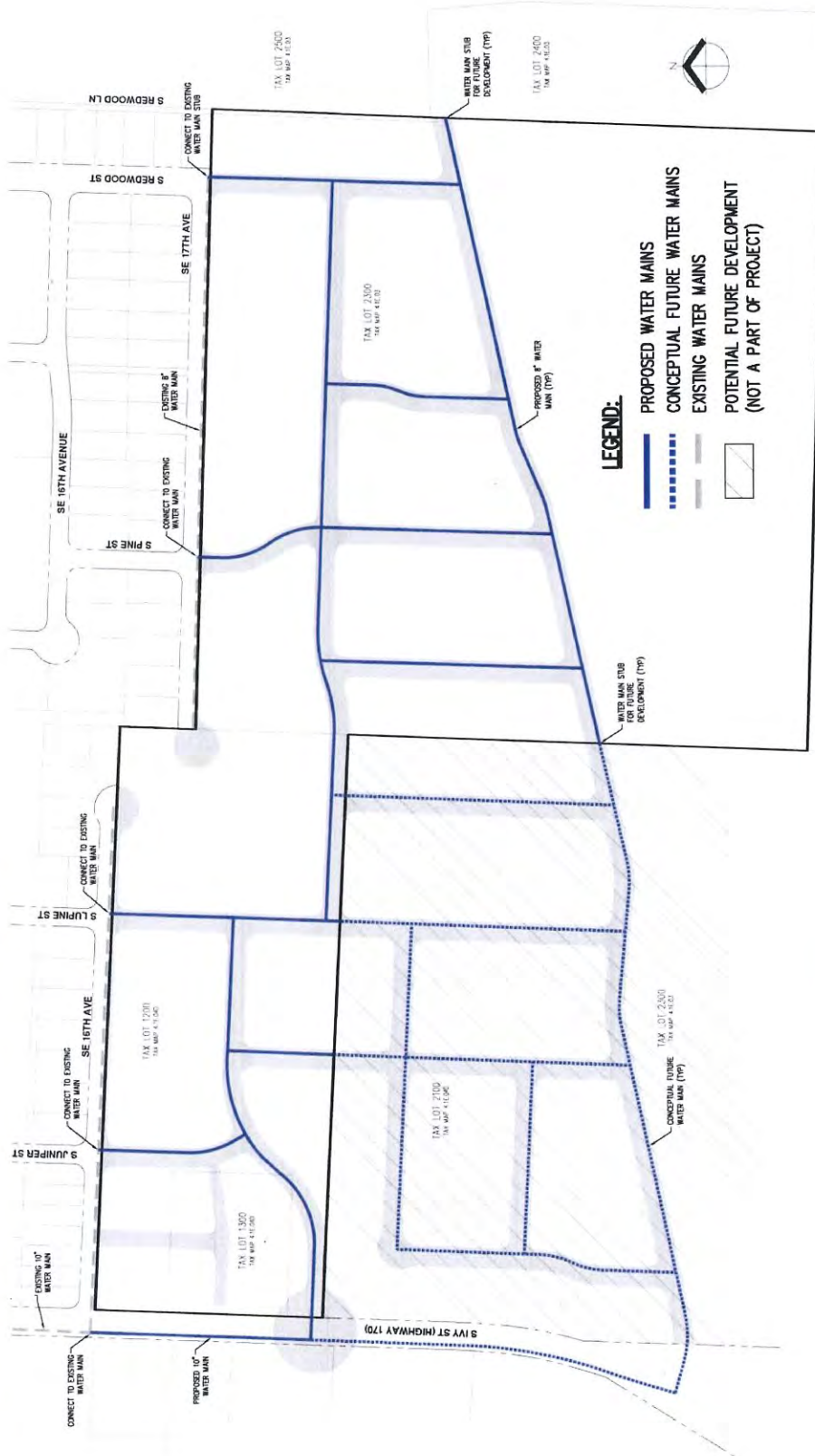
- » Anticipated Zoning District Designations
 - » R-1 (Low Density Residential) and
 - » R-1.5 (Medium Density Residential)



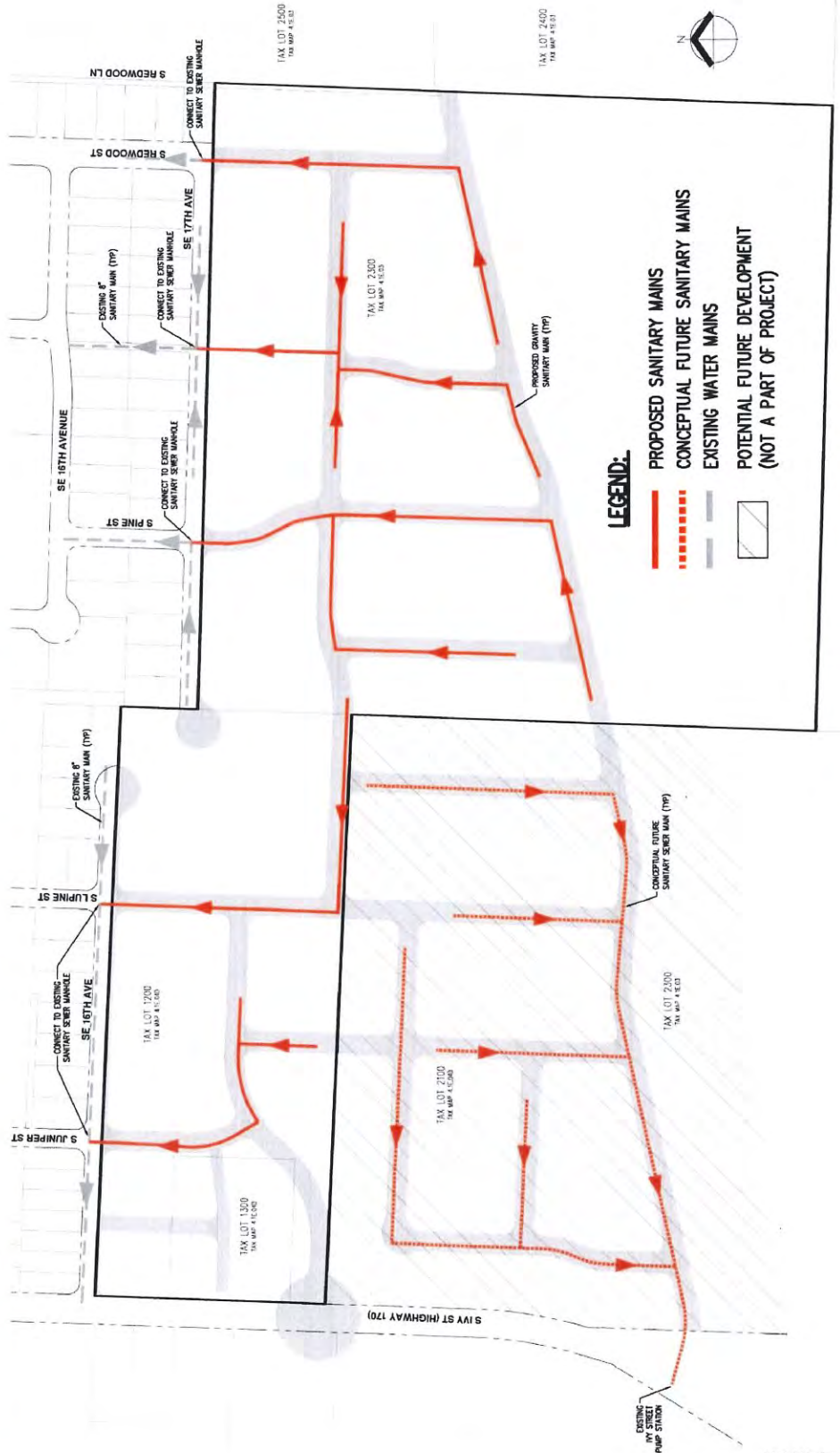
Development Concept Plan



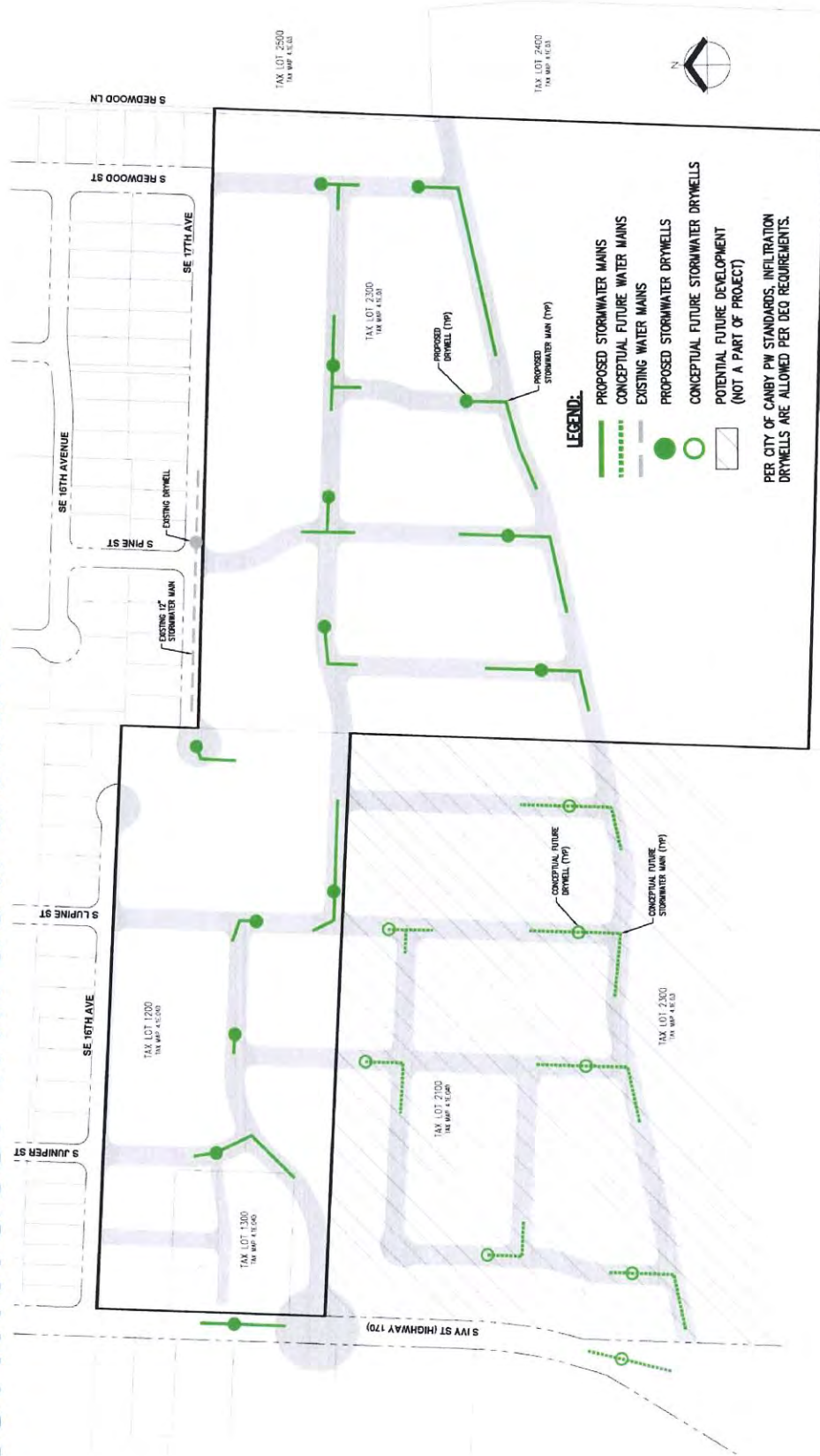
Water Infrastructure



Sanitary Sewer Infrastructure



Stormwater Infrastructure



Summary of City of Canby

Type IV Land Use Application Process



- » Pre-Application Conference
- » **Neighborhood Meeting**
- » Application Submittal
 - » Staff reviews application for acceptance and Notice of Completion is issued
- » Public Notices Issued
 - » Applicant posts property
 - » Staff mails public notice
 - » 14-day comment period
- » Staff Report
 - » Staff reviews, comments, and prepares report
- » Public Hearing - PC
 - » Public testimony is received
 - » Planning Commission reviews and makes recommendation to City Council
- » Public Hearing - CC
 - » Public testimony is received
 - » City Council reviews Planning Commission recommendation and makes final decision
- » Decision Notice
 - » Decision by City Council
 - » Staff mails Notice of Decision
- » Appeal
 - » 12-day appeal period

Questions?

Mimi Doukas

AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97068
DoukasM@aks-eng.com
(503) 563-6151

Press **“Raise Your Hand”** to be called on to provide your questions and comments.

You can submit questions by typing them into the **Group Chat Box** – they will go directly to the Meeting Moderator.

AFFIDAVIT OF MAILING

STATE OF OREGON)
)ss
COUNTY OF Washington)

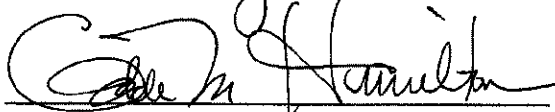
I, Reggie Summers, being duly sworn, depose and say that on May 11, 2021, I caused to have mailed to each of the persons on the attached list a notice of a meeting to discuss a proposed development located at The intersection of S Ivy Street and SE 16th Avenue (Tax Lots 1200 and 1300 of Clackamas County Assessor's Map 4 1 E 04D and Tax Lot 2300 of 4 1 E 03), a copy of which notice so mailed is attached hereto and made a part of hereof.

I further state that said notices were enclosed in envelopes plainly addressed to said persons and were deposited on the date indicated above in the United States Post Office with postage prepaid thereon.


Signature

Subscribed and sworn to, or affirmed, before me this 11th day of May, 2021.




Notary Public for the State of Oregon
My Commission Expires 4/20/2024

May 11, 2021



RE: VIRTUAL NEIGHBORHOOD MEETING NOTICE
Land Use Application for Annexation, Development Concept Plan (DCP), and Zone Change

Dear Property Owner/Neighbor:

AKS Engineering & Forestry, LLC is holding a virtual neighborhood meeting regarding a ±42.5-acre site located southeast of the intersection of S Ivy Street and SE 16th Avenue (Tax Lots 1200 and 1300 of Clackamas County Assessor's Map 4 1 E 04D, and Tax Lot 2300 of 4 1 E 03). The enclosed map shows the specific location of the subject site. The project involves annexation and zone change for future residential homes. We would like to take the opportunity to discuss the project in more detail with you prior to submitting applications to the City of Canby.

The purpose of this virtual meeting is to provide a forum for the applicant and surrounding property owners/neighbors to review the proposal and to identify issues so that they may be considered before a land use application is submitted to the City of Canby. This meeting gives you the opportunity to share with us any special information you know about the property involved. We will attempt to answer questions which may be relevant to meeting development standards consistent with the City of Canby Municipal Code.

You are invited to attend the virtual meeting on:

May 25, 2021 at 6:00 PM
See enclosed instructions to join the meeting.

Please note this meeting will be an informational meeting on preliminary development plans. These plans may be altered prior to submittal of the application to the City of Canby.

I look forward to discussing this project with you. If you have questions but will be unable to attend, please feel free to call me at 503-563-6151.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC

A handwritten signature in blue ink that reads 'Mimi Doukas'.

Mimi Doukas, AICP, RLA – Associate

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**Instructions for Joining & Participating in the
Public Neighborhood Meeting for
Tofte Farms Annexation and Zone Change
Virtual Meeting provided via Zoom Webinar**

May 25, 2021 at 6:00 PM

Please Register in Advance
(a list of attendees will be submitted to the City of Canby):

- Go online to <https://www.aks-eng.com/tofte-farms/>
- Click on the link provided to complete the online registration form.
- You will receive a confirmation email containing a link to join the Zoom webinar at the scheduled time as well as additional instructions.
- Meeting materials will be available upon request at least 10 days after the meeting concludes.

How to Join the Meeting:

Join by computer, tablet or smartphone

- **This is the preferred method as it allows you to see the Presenter's materials on screen.**
- Click on the "Click this URL join" link provided in your registration confirmation email.
- (If you registered but did not receive a confirmation email, please check your junk/spam folder before contacting the Meeting Administrator.)
- You may be prompted to "download and run Zoom" or to install the App (ZOOM cloud meetings). Follow the prompts or bypass this process by clicking "join from your browser".
- You should automatically be connected to the virtual neighborhood meeting.

Join by telephone

- Dial any of the toll-free Zoom numbers below to connect to the neighborhood meeting:

+ 1-346-248-7799	+ 1-669-900-6833
+ 1-253-215-8782	+ 1-312-626-6799
+ 1-929-205-6099	+ 1-301-715-8592

- If you experience trouble connecting, please pick another number and try again.
- After dialing in, enter this Zoom ID when prompted: **865 9695 4835**
- The Password if needed is: **6151**

MEETING ADMINISTRATOR:

For technical assistance or to submit a question for the meeting:

Email: mimid@aks-eng.com

During the Meeting

Audio Help

- Meeting attendees will be muted throughout the presentation. This will allow everyone to hear the presentation clearly without added distractions.
- Make sure that the speakers on your device are turned on and not muted.
- If you do not have speakers on your computer, you can join by phone (using the "Join by telephone" instructions) to hear the presentation while watching the presentation on your computer monitor.

Questions & Answers

Your questions are important to us. There will be time reserved during the meeting to take questions, using one of the submission options below. Our presentation team will make their best effort to answer all question(s) during the meeting.

Prior to the Meeting:

- You can Email your question(s) in advance to the Meeting Administrator: mimid@aks-eng.com

During the Meeting:

- **Preferred Method:** Use the "Q&A" button on the bottom of the presentation screen to submit a question in real time.
- Email your question to the Meeting Administrator: mimid@aks-eng.com

After the Meeting:

- We will continue to take questions after the meeting has ended. Please submit your question(s) to the Meeting Administrator: mimid@aks-eng.com
- All questions received after the meeting will be answered in an email to all registered meeting participants by end of business the following day.

Helpful Hints/Troubleshooting

We want to start on time! Please join the meeting 5-10 minutes prior to the 6:00 PM start time to ensure successful connection.

- You do not need a Zoom account to join the meeting.
- You will need a valid email address at the time of registration to receive the confirmation email and link to join the webinar or receive answers to any questions submitted after the meeting.
- For first-time Zoom users, we recommend downloading and installing the Zoom App well in advance, by clicking on the "Click Here to Join" link in your confirmation email.
- For technical assistance, please contact the Meeting Administrator (contact above).
- If you have difficulties connecting by computer, tablet or smartphone, we suggest disconnecting and instead use the "Join by telephone" instructions to listen in.

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41E03CB09700
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41E03CB09800
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41E03CB09900
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41E04DA02000
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41E04DA02300
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STACEY ACKERMAN
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41E04DA02600
DWIGHT FRENCH
KATHLEEN FRENCH
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41E04DA02900
CHRISTOPHER RODGERS
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41E03CB05814
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41E04DA03000
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41E04DA03300
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41E03CB05845
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41E03CB05806
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41E03CB05809
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41E03CB05812
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41E04DA02200
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41E04DA02800
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368 SE 15TH PL
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41E04DA03100
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41E04DA03400
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41E03CB05804
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41E03CB05807
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41E03CB05810
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41E03CB05813
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41E03CB05816
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41E03CB05818
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41E03CB05819
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41E03CB05825
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41E03CB05826
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41E03CB05827
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41E03CB05842
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ASSN
1672 WILLAMETTE FALLS DR
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41E04DA05220
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41E04DA05221
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JAMES ROSS
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41E04DA05800
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41E04DA07100
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41E04DA09800
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41E04DA10100
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SHARON JOHNSON
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41E04DA10400
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41E04DA10700
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41E04DA06300
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41E04DA06900
KRISTINA SCOTT
245 SE 14TH PL
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41E04DA09600
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41E04DA09900
VERNON BREWER
KIMBERLY BREWER
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41E04DA10200
BRETT RAMONA
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CANBY OR 97013

41E04DA10500
RYAN COOK
1495 S JUNIPER ST
CANBY OR 97013

41E04DA06400
SCOTT SPEER
1475 SE LOCUST ST
CANBY OR 97013

41E04DA06700
LESLEY WILLIAMS
MICHAEL WILLIAMS
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41E04DA07000
ANTHONY CORCORAN
285 SE 14TH PL
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41E04DA09700
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KATIE MCROBBIE
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41E04DA10000
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41E04DA10300
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POST-ACUTE REHAB RESIDENT
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1577 S IVY ST, ROOM 01-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 05-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 09-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 01-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 05-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 09-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 01-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 05-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 10-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 02-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 06-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 10-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 02-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 06-B
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 10-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 02-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 06-C
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 11-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 03-A
CANBY OR 97013

POST-ACUTE REHAB RESIDENT
HOPE VILLAGE INC
1577 S IVY ST, ROOM 07-A
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HOPE VILLAGE INC
1577 S IVY ST, ROOM 11-B
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Exhibit K: Pre-Application Meeting Documentation



Pre-Application Conference

Pre-Application Conference Notes – PRA 21-06, Tofte Farms – April 19, 2021 (via Zoom)

Prepared by Erik Forsell, Associate Planner

This document is an informational supplement to the pre-application meeting. It does not imply nor grant land use approval as defined by ORS. The discussion in this document is a summary of general discussion and may not account for all details discussed.

PARTICIPANTS

City of Canby:

- Jerry Nelzen, Public Works Director; nelzenj@canbyoregon.gov
- Hassan Ibrahim, PE, Consulting Engineer, Curran-McLeod; hai@curran-mcleod.com
- Erik Forsell, Associate Planner; ForsellE@canbyoregon.gov
- Ryan Potter, AICP, Senior Planner; PotterR@canbyoregon.gov
- Don Hardy, Planning Director; HardyD@canbyoregon.gov

Applicant Team:

- Mimi Doukas; doukasm@aks-eng.com
- Marie Holladay; holladaym@aks-eng.com
- Michael Robinson;
- Paul Selke selkep@aks-eng.com
- Mike Morse morsem@aks-eng.com
- Pahlisch Representatives

DISCUSSION

Mimi Doukas, AKS

- Mimi provided a general overview of the project: discussed layout, street connectivity, zoning and overall concept of the project. Discussed the breaking up of the R-1 and R-1.5 between N. Juniper Street.
- You would suggest that the DCP could be a little more vague and not necessarily dive into the exceptions at the DCP level? (Don) You have some options; one route could be via DCP or to go through the PUD process.
- We are concerned with some of the strict writing of the code: block length, coverage requirements, frontage requirements and want some clarification. We would like to stay with a straight subdivision and are hoping that we can get this processed in that manner.
- Still have issues with the alternative lot layout standards. We have lots that are substantially larger than required in the zone. (Erik) Yes the 10% threshold is pretty hard line not sure if the mechanism to modify with the PUD or variance. A big component of the lot area averaging is that the open space area is interconnected, continuous and consolidated. It doesn't look exactly like that from this preliminary plat. Previous iterations of this project showed more of that

interconnectedness and consolidation. Regarding the 10% lot area threshold for alternative lot layout, to move the 10% threshold looks like it could be modified through alternative lot layout in combination with the PUD. This needs to demonstrate a public interest that is not already being received as part of a relatively straightforward subdivision.

- Both the PUD / Alternative Lot Layout are really focusing on the open space amenities. The alternative lot layout really speaks to built in density bonus with the lot area average. (Mimi) We agree that we are not asking for a density bonus here and providing improved open space we are looking to navigate the 10% exception to the lot areas. Do we pursue a variance? (Erik) Not sure, the variance can be difficult to justify with a greenfield type development like this instance.
- Code speaks to voter approved annexation process? (Don/Erik) Correct, that was changed in state law, not applicable to this project because of contiguity with existing annexed property. Could still apply for not contiguous annexed properties.
- Questions about the traffic report, applicant paid DKS for traffic study? (Mike) Spoke with DKS on project and confirmed that the project scope was there. (Mimi) We want to have the study done at maximum density?
- What is the name of the street on, google It says 18th on plat it says 17th? (Erik) Yes, that is SE 17th avenue?
- Head in parking is something allowed? (Ryan) We do have a standard that only 4-spaces could be allowed for maximum head in spacing about public parking. (Erik) I think your point about demonstrating parking and maybe even some visuals are going to be useful for staff to use for parking findings.

Don Hardy, City of Canby

- Discussed the sequencing of application submittals and background work on a Development Agreement between Canby and the applicant regarding timelines for submittals, general sequencing and other agreements. Indicated that the City wants the annexation, DCP and zone change to be approved through the Planning Commission before the submittal of a subdivision. Also indicated we will request a waiver to the ORS requirements for timelines on action for subdivision application.
- We are not really seeing the DCP as a strong vehicle for varying the development code. Frontage, parking lot dimensions are concerning especially in the NW section.
- We are looking at lot sizes, frontages, coverages that don't meet the code and how they need to be varied or otherwise allowed. We also have concern over the area around the Molalla River.
- The DCP may not be the best mechanism for exceptions; you could wade into these items to some extent but not to the extent that the DCP becomes the PUD itself. This should be a potential to evaluate broad concepts of the design.
- Some of the items of contention are more difficult the parking and lot frontage in the Northwest and the coverage areas are going to be difficult.
- Regarding the neighborhood meeting, we recommend being cautious about characterizing the first meeting. It needs to be framed as a DCP/Annexation/Zone Change first with the 2nd meeting being a subdivision.
- Timelines: Ordinance requires 2 council meetings with a 35-day DLCD noticing procedure; final decision is the 2nd reading of the ordinance.

Hassan Ibrahim, Consulting City Engineer

- Street Transportation / Circulation (Q #s 15, 16, 17)
 - Ivy Street is an arterial with a 60-foot wide ROW existing and should be adequate for ½ street improvements. Needs 23' from centerline to curb line.
 - 6' wide sidewalk if 5' sidewalk is present will match with existing.
 - Roundabout radius should be centerline of intersection at 92'. Does not need to be built at this time. Hope Village will dedicate ¼ of NW corner. NE corner will be Tofte ¼ dedication.
 - Roundabout is not in TSP or SDC calculations. Dedication reimbursement is up to City Council or Planning. Although, the plan is definitely to construct roundabout.
- (Q 18) Angle of 76 degrees, we strive to 90 degree angles into interior streets, city standards allow reduction down to 75 degrees. If there is a way to make them as close to 90 degrees that is the preferred route.
- Minimum centerline radius is 165' If can't meet the tangent and centerline radii would rather compromise the centerline radius than the tangent. Hopefully nothing less than 100' centerline radius.
- (Paul) Streets will be 34' wide curb to curb, 44' ROW? Correct.
- (Paul) Sidewalks will all be in the PUE? (Erik) It starts to create issues with setbacks in the future, garage setbacks are 19' from rear of sidewalk. (Jerry) Canby Utility will also need to weigh in on the concept; this is a Planning and Canby Utility issues. (Erik) If the entire sidewalk is within the PUE on the property, the sidewalk and associated curb will count against the total impervious area calculations.
- Hassan would like to see curb and gutter and catch inlets. Standard details for those improvements are on the City website.
- Hassan mentioned the fire district standards and request a 26' clear path. The Fire Departments regulations are not consistent with City Standards regarding public parking on both sides of the streets. City has ultimate authority over the parking standards.-(Erik) City has incorporated Fire District Standards by reference in our code. Regardless coordination between Canby Fire District, City Engineer and Planning will be required for final design of street sections and widths.
- (Q19) 150' long on cul-de-sac street separation requirements. The measurement for the separation from the intersection from the local street appears to be 137' from intersection. Will need to address why the applicant cannot meet the requirement. The turning radius needs to be 54' from centerline. Section 2.2.06 PW Department.
- Hassan mentioned he understood that the City was no longer accepting dedications of parkland. (Erik) A complicated issue. The Emerald Necklace is not really a negotiable item. (Don) The code has not changed that the developer has to contribute, understand that there is a desire for developers to contribute to SDCs. There is some negotiation on value of dedication versus SDCs. (Jerry) The Parks and Recreation team wants to be involved. (Don)
- (Erik) We will need to coordinate with other agencies such as Park's Advisory Committee (PAC) as appropriate – Parks PAC is an advisory group. Planning in consultation with other groups will have final authority on the acceptance of park land dedication. Any proposed parkland dedications need data and assumptions such as amenities, LOS, type of park, proposed users etc.
- Pedestrian paths need to be paved full width and striped. We don't want any planter strips along either side. It becomes an issue with maintenance. (Mimi) Mentioned that Palisch Homes builds a strong relationship with HOA and HOA management. They manage many private open

spaces areas. Pahlisch may be an HOA maintained facility. They are able to maintain the open spaces and would like to have some of them maintained. (Hassan) If HOA maintains the pedestrian tracts, Public Works is OK with them being landscaped.

- (Q 23) Canby Utility requires 12-foot wide PUEs.
- (Q 24) This area judging by the west side, percolates well for infiltration. We use UICs and drywells and we are permitted under statewide DEQ permitting. We are covered under that permit. Anything private you will need to connect them together so that they are as homogeneous as possible.
- (Q 25) Sanitary sewer all laterals are 6" with a cleanout in the sidewalk. City has details on those. City's policy where there is a potential where we can take a sanitary to an existing gravity sewer. If that's not possible, we will go to pumping.
- The pump station can take the flow from this development it is sized to take that flow.
- Question for SDCs for off-street part of the sewer. Developer could pay for half the cost and has the sewer on the back of the property or could form an AFD to recover the offsite costs. There is a process in the City to do this.
- Is there a master plan 'shadow plat' with connections to neighboring properties? (Mimi) We haven't fully shadowed it out but we are providing good connections neighboring properties. (Don) We discussed this and would like to see a shadow plat.

Erik Forsell, City of Canby

- Will provide contacts with for Canby Fire District and Canby Utility.
- Canby Fire District is not part of the City government structure.
- There are multiple land use applications here tracking at the same time. DCP, Annexation, Zone Change. Some of the DCP components are discretionary and may change the subdivision exact design. Can't predict the future of the Planning Commission and City Council. (Mimi) How much discretion does the Planning Commission and City Council over the DCP? (Erik) Staff work from the code but there are some outside components, political, appeals or other factors. (Don) Sequencing is important here, we are essentially building a 'box' that describes the general concept of the entire subdivision. Exceptions to the standards would be found more in the subdivision and PUD/alternative lot layout standards.
- Lot coverage 60% for R-1 zones but does allow 70% for R-1.5 zones. (Mimi) Does lot coverage contain just building footprint? (Erik) It includes improvements, sidewalks and lot areas. So for R-1 zones it looks like some these lots are not going to meet the impervious area percentage requirements. The other thing that happens here is people generally want accessory structures, with maxed out lots we have to get into the conversation of telling a lot of people no because the lots have been maxed out. We do allow people to provide LID techniques so as pervious concrete, asphalts, raingardens and other ways to reduce in theory the impervious coverage.
- PUDs are mushy code. We haven't used them a ton in Canby recently. PUDs are really intended to provide as part of the process consolidated, interconnected open space areas with LID techniques and clustering of uses. It really was a more effective tool for projects like condominiums (Hope Village) was an example.
- Do you have a topo (Paul) We don't have a survey of OHW, just top of bank. (Erik/Don) We will also need delineated upbank wetland area, floodplain, existing conditions, and tree survey. (Don) The line for riparian setback and we will need the delineated upland wetland area. Basically, we are wanting to build our information so we have the scientific supporting data

related to the positioning of the trail, Geotech requirements, riparian setback area and any future engagement with interested public in the future.

- The reasoning for choosing 100' setback for riparian area for non-annexed properties and 75' for annexed properties? The Geotech standards are part of the applicant's city engineer and are not part of the city code standards.
- Where did the 50' setback for the Geotech recommendation come from? (Paul) That was the seismic and structural setback recommendation that came back from the Geotech engineering report.
- No bank stabilization on the downslope? (Paul) No large gravels, rocks and present; Geotech should clear this up.
- Setbacks question (Mimi) Primarily interested in a 7' variance. (Don / Erik) This is something that the Council is not favorable on, this will be a hard sell. We have a different project going now asking for a blanket variance and that is something we will likely be recommending denial. The PUD may be a better vehicle. (Don) There is some consistency related to the more leeway with coverage, area and variances that the feel is more R-2 than actually R-1.

Paul Selke, Applicant Team Engineer

- Confirm that tangent is from the projection of the curbline? (Hassan) Correct.
- Lots on bluff can we put private water into a public system, do we still need to go through DEQ? (Hassan/Jerry) Sometimes you can use weepholes onto the street and once it goes on the street it becomes public water. It may need to be some of the lots across the street. Water needs to be far away from the geotech zone.
- Would you prefer weepholes as opposed to a public storm system with laterals to the lines? (Jerry) Yes. As long as weepholes go to curb and gutter or a 4" line to the house it will be maintained by Canby. (Jerry) We are not going to allow piping stormwater unless you can prove that you don't have the grade to use weepholes.
- If we have a private dry well system can we have a weephole for an overflow? (Jerry) If you build it to our design. The ground conditions should not be a problem unless the geotech indicates something different. If you have grade issues, look into taking your foundation drain into an infiltration system.
- Driveways drain to the street? (Hassan) Not technically, but the public system needs to account for it.
- When we can submit the 1200-C? (Erik) You could send them to me along with the construction drawings after the subdivision is final.

Jerry Nelzen, City of Canby Public Works

- A power vault was placed in the wrong place. Applicant will need to coordinate with Canby Utility on the power vault relocation. The benefit is applicant will not need to extend power from 16th but the vault will need to be moved over onto Tofte site.
- Street Lighting. Right now Canby Utility does not have anyone doing street light designs. We would like to see them on the plans and we will adjust them. We use a 24' post with a 39 watt LED Cobra Head light with 150' stagger centered on property lines. On Ivy it will be a 34' post with a 84 watt LED Light.
- The sewer concerns me, the depth of it. At one time we talked about a private pump station. We want to be involved with that.

- Public Works would like for the applicant to handle the street trees on this one and let the applicant take on the street tree process and Public Works review the project. (Don) Timing will be on the applicant to address the street tree placement.
- Dimensions of tract C? (Paul) 200' x 180'.
- What will happen with the roundabout area until build out? They would build out the road to ½ street standards rather than having a 'dead zone' area.
- What are the dimensions of Tract 'C' ? (Paul)

Michael Robinson, Applicant's Attorney

- Wanted to confirm that the vault will need to be moved outside of the ROW area as part of the power provision. (Jerry confirmed and indicated moving to the other site of the public ROW will work).
- 16.84.040(A)(1)(b) (Annexation) Properties shown the DCP area on the annexation and development map? (Erik) Yes it is. Wanted to ask about discussion on exceptions, what would you say on how that component works? (Don) There is an opportunity to allow for exceptions on the DCP. The burden of proof must demonstrate compatibility with physical, aesthetic, social and environmental standards and proposed mitigation efforts in line with these standards. We believe the zoning code is the implementation method. (Erik) A more specific example of exceptions through the DCP were density bonuses through the dedication park land in the N. Redwood DCP area. (Mimi) What kind of exception if any should be proposed with the DCP or should it be done through a PUD? There are some lots we have that meet the averaging requirements but are exceeding the maximum amounts. Is this kicking us over to a PUD or should this be included as a DCP? (Don) It doesn't really have a bright line. Some considerations are: where are people going to park? What is the minimum frontage requirements? What are the deviations for those? Parking is a huge issue. There was a recent denial focused solely on parking requirements and perceptions.
- Lot coverage standard in the two zones is there a definition of what is included in the lot coverage zones? (Erik) It includes all covered areas and structures on the property.
- Are Canby schools operating in person right now? (Don) I believe they are operating on a hybrid model.

Marie Holladay, AKS

- TSP calls out a trail section but no real design requirements.
- Related to the noticing requirements? (Ryan / Erik) We have been sending notice to each unit not necessarily with our names. (Marie) How does the applicant go about doing that? (Ryan / Erik) We will need to notice the individual occupants.

Mike Robinson, Applicant's Attorney

- Wanted to confirm that the vault will need to be moved outside of the ROW area as part of the power provision. (Jerry confirmed and indicated moving to the other site of the public ROW will work).

Pahlisch Homes, Applicant

- Would want to maintain and build trails themselves.
- Would want to dedicate the Emerald Necklace Trail in exchange for SDC credits on parks. (Jerry) You will design and build the parks? (Pahlisch Homes) Yes, we generally do that with our

development projects. (Don) We need to understand better the balance of what would be built and dedicated and what SDC valuation would be creditable.

General Commentary Follow-Up from Staff

Development Concept Plan

- The DCP is the planning document that discusses the high-level planning concepts around environmental, aesthetic, social and physical effects. How the proposed land will accommodate and benefit these characteristics and be an asset for the City. The DCP is also intended to allow for public participation in the annexation process so that the public can see what the overall concept is for the area to be annexed.
- The DCP should include overall plans for utility, road, interconnectivity, pedestrian and other general layouts of the project area. The DCP is the planning document framework for why bringing this land into the city can be accommodated by existing public services but that the potential proposed development will be compatible with surrounding area and the City as a whole.
- A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. The DCP needs to address and plan for the utilities, circulation, street infrastructure, open space, parks and other information as appropriate.
 - There should be data based findings and assumptions about the DCP area that demonstrate the need for additional land zoned R-1 and R-1.5
- The DCP should include a housing analysis, identifying the amount of vacant land (R-1 and R-1.5) that is currently inside the city limits.
 - This should include a consumption rate.
 - A demonstration of the 3-year supply of residential land.

Regarding Molalla River Bank Area

- As soon as you are able can we get copies of the mapping / surveying done. Specifically, floodplain, existing conditions, topography, and any delineated wetland areas.

Commentary on Parks Board and Acceptance of Dedicated Park Land

This will be an ongoing process which will require staff to better understand the desires and perceptions of public works / park staff and the parks community advisory board. We are also in the process of updating our master parks plan – which may have some effect, depending on timing on dedications.

At this time, our suggestion is for you to invite the Parks Board members into the neighborhood meeting and begin a discussion with them at that level. We believe the optics on this are important and a sounding board scenario with the neighborhood meeting should produce some good feedback and discussion.

Evaluation on the acceptance of parkland dedication will be made on a basis of:

- Need

- Accessibility
- Amenities
- Parking
- Balance between SDC funding and desire for acceptance of additional park land

As we discussed in the meeting, we will need to determine appropriate SDC creditable calculations for the process. We will begin by opening a discussion with the Parks Board on the overall project to gauge the park dedication process. Ultimately, the acceptance or refusal of parkland dedication is a Planning Commission / Director decision.

Setbacks / Impervious Percentages and Lot Frontage

- These standards are rigid. Of the three, impervious percentages can be mitigated through LID techniques and pervious surfacing outside of direct code application like a variance or PUD. Any large scale LID proposals will need to be backed by engineering and perhaps CC&Rs and plat notes so that there is an understanding these will be maintained in perpetuity. The City doesn't want to play the role of enforcer when someone wants to build an accessory structure or repave their driveway and are unable to do so because of a 'pervious' driveway used to address the impervious percentage requirements.
- We understand that the Council is generally not supportive of 'blanket variances' and that there really needs to be extraordinary and unusual circumstances that effect the property and development to justify the variance to setbacks and lot frontage.

Lot Area Exceptions for R-1 Zone 16.16.030(B)

Regarding our discussion about the 10% threshold for lot area exceptions. A 10% allowance is built into the code through the development standards of the zone.

- If More than 10% of the lots are outside the minimum and maximum lot area of 16.16.030(A) a public benefit must be demonstrated by the applicant. It will be up to the applicant to demonstrate sufficiently that there is a public benefit for the Planning Commission to grant the exception. Public Benefit is not a defined term in our code – so there is significant discretion past the 10% allowance.
- No lot shall be less than 6,000 square feet unless the lot averaging of 16.64.040 is used. As I mentioned in the preapp, the Alternative Lot layout found in 16.64.040 allows flexibility but the focus is on accommodating dedicated interconnected open space or natural areas. It isn't a free pass for alteration of setbacks and lot area requirements without providing that dedicated, interconnected open space are or natural areas. We believe the burden will again be on the applicant to demonstrate that those aspects are being provided for in order to pursue the added flexibility of the lot averaging standards in 16.64.040.

PUD

- The PUD Exception criteria is the largest 'blanket' code criteria that allows for deviation for standards. **16.76.040 Exceptions.** In considering a proposed planned unit development project, the approval thereof may involve modifications in the regulations, requirements and standards of the zoning district in which the project is located so as to appropriately apply such

regulations, requirements and standards to the development. Modification of the lot size, lot width and yard setback requirements may be approved by the commission at the time of the approval of the tentative subdivision.

- The PUD standards have not been used frequently in the City. The way the code reads is that they are mostly intended to accommodate cottage clustering, unique multifamily projects or similar types of development rather than a broad tool for subdivisions. The code is squishy and has a focus similar to the alternative lot layout on provisions for protecting and maintaining quality open space areas.

**Exhibit L (UPDATED):
Wetland Determination Report**

Tofte Farms Clackamas County, Oregon Wetland Determination Report

Date: July 2021

Prepared for: Pahlisch Homes, Inc.
15333 Sequoia Parkway, Suite 190
Portland, OR 97224

Prepared by: AKS Engineering & Forestry, LLC
Lex Francis, Natural Resource Specialist
503.563.6151 Ext. 182 | francisl@aks-eng.com
Sonya Templeton, Natural Resource Specialist
503.563.6151 Ext. 293 | templetons@aks-eng.com

Study Area: Clackamas County Assessor's Map 4 1E 03,
Portions of Tax Lot 2300 and Map 4 1E 04D, Tax Lot
1200
Clackamas County, Oregon

AKS Job Number: 8659



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

Table of Contents

Introduction.....	2
A. Landscape Setting and Land Use	2
B. Site Alterations	2
C. Precipitation Data and Analysis.....	3
D. Methods	3
E. Description of All Wetlands and Other Non-Wetland Waters	4
Wetlands	4
Upland	4
F. Deviation from NWI	4
G. Mapping Method.....	4
H. Additional Information	4
I. Summary of Results and Conclusions	4
J. Required Disclaimer.....	4
K. List of Preparers	5
Literature Cited and Referenced	6

Tables

Table 1: Precipitation Data	3
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Appendices

Appendix A: Maps

Figure 1: USGS Vicinity Map

Figure 2A-2B: County Assessor's Map

Figure 3: NRCS Soils Map

Figure 4: National Wetland Inventory (NWI) Map

Figure 5A-5B: Wetland Determination Map

Appendix B: Google Earth Aerial Images

Appendix C: Precipitation Data

Appendix D: Wetland Determination Data Forms

Appendix E: Site Representative Photographs

Introduction

This report was prepared by AKS Engineering and Forestry, LLC (AKS) in accordance with Oregon Administrative Rules (OAR) 141-090-0030 and OAR-141-090-0035 (1-17) and describes the results of a wetland determination conducted on portions of Tax Lot 2300 of Clackamas County Assessor's Map 4 1E 03 and Tax Lot 1200 of Map 4 1E 04D, located south of SE 17th Avenue and SE 16th Avenue and east of S Ivy Street in Clackamas County, Oregon (Figures 1 and 2 in Appendix A; referred to as the study area). The study area for the wetland determination is ±40 acres. The area of mention is shown in Figures 1 through 5 in Appendix A.

AKS determined wetland conditions were not present in the study area. The study area was reviewed via aerial imagery in advance of the site visit to determine any potential inundation patterns. The entire study area was traversed, and three sample plots were taken which confirmed upland conditions on site.

A. Landscape Setting and Land Use

The study area is zoned as Exclusive Farm Use District (EFU) within Clackamas County and consists of agricultural fields actively-farmed for garlic which border the Molalla River off site to the south. The adjacent off-site land use consists of agricultural fields to the south and east. A subdivision is present immediately off site to the north and is zoned within the City of Canby as R-1, low density residential.

The general topography in the study area consists of a relatively flat (less than 5 percent slopes) graded terrace. The southern portion of the study area marks the bluff of a cliff dropping off to the Molalla River off site. The site was being actively farmed at the time of the July 15, 2021 site visit, having rows of garlic planted throughout. The remaining unplanted vegetation in the study area was dominated by common velvet grass (*Holcus lanatus*; FAC), tall false rye grass (*Schedonorus arundinaceus*; FAC), and large sweet vernal grass (*Anthoxanthum odoratum*; FACU) with lesser amounts of common upland weeds.

According to the Natural Resources Conservation Service (NRCS) Clackamas County Area Soil Survey Map (Figure 3 in Appendix A), the following soil units are mapped within the study area:

- Latourell Loam, (Unit 53A), 0 to 3 percent slopes – Non-Hydric
- Xerochrepts and Haploxerolls, (Unit 92F), very steep – Non-Hydric

B. Site Alterations

Aerial images were obtained from Google Earth dated from July 2000 through May 2019 and are included in Appendix B. According to the aerials, the site was in agricultural use prior to July 2000. The subdivision to the north expanded between July 2000 and July 2005 with the construction of SE 17th Avenue taking place in 2003. Sometime around July 2008, SE 16th Avenue was constructed, and the subdivision development was completed between 2015 and 2016.

Potential subtle saturation signatures are present on aerials dating from June 2006 through May 2019, with saturation originating at the southernmost edge the study area and extending off-site to the south. The NRCS soils survey map does not show hydric soils mapped on site.

Our study determined no wetlands or waters were present and the off-site inundation signatures show no connection to wetlands or waters from within the study area.

C. Precipitation Data and Analysis

Observed precipitation data were obtained from the Oregon City, Oregon weather station via the National Oceanic and Atmospheric Administration (NOAA) Applied Climate Information System (ACIS). The closest WETS (Climate Analysis for Wetlands Tables) station to the project site is the Oregon City station. From this report, the site received 0.00 inches of rainfall the day of the site visit and 0.00 inches for the two weeks prior to the July 15, 2021 site visit. Observed water year-to-date (starting October 1, 2020) was 42.56 inches, which was 0.72 inches above normal. Table 1 shows antecedent rainfall according to the WETS Oregon City station for the three months prior to the July 15, 2021 site visit (raw data included in Appendix C):

Table 1: Precipitation Data

Prior Months	Observed Precipitation (Inches)	Average WETS Precipitation (Inches)	30% Chance Will Have		Condition Dry, Wet, Normal	Condition Value (1=dry, 2=normal, 3=wet)	Month Weight	Multiply Previous Two Columns
			Less Than	More Than				
Jun. 2021	1.38	1.68	1.01	2.04	Dry	1	3	3
May. 2021	2.29	2.39	1.44	2.90	Normal	2	2	4
Apr. 2021	0.18	3.57	2.54	4.22	Dry	1	1	1
Sum								8
								Dry
Rainfall of prior period was: drier than normal (sum is 6-9), normal (sum is 10-14), wetter than normal (sum is 15-18)								

According to the WETS data, monthly observed precipitation for the Oregon City area was within the drier-than-normal range preceding the site visit.

According to the Portland WETS data, the growing season is between January 16 to January 11. The site visit was conducted within the WETS growing season, which was determined by observation of multiple non-evergreen plant species showing evidence of woody bud burst and emergence of herbaceous plants from the ground.

D. Methods

The methodology used to determine the presence of wetlands followed the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)* (Wakeley et al., 2010). The *National Wetland Plant List 2018* (USACE, 2018) was used to assign wetland indicator status for the appropriate region. Field work was conducted on July 15, 2021 by AKS Natural Resource Specialists Lex Francis and Sonya Templeton. Soils, vegetation, and indicators of hydrology were recorded at three sample plot locations on standardized wetland determination data forms (Appendix D) to document site conditions.

To determine the presence of wetlands, the sample plots were taken at the lowest topographic elevation nearest the identified off-site inundation patterns, or within an area of suspect vegetation. Each plot yielded insufficient indicators to prove the presence of wetlands.

Representative ground-level site photographs are included in Appendix E. References cited and literature used are listed at the end of this report.

E. Description of All Wetlands and Other Non-Wetland Waters

Wetlands

No wetlands were determined to be present in the study area.

Upland

Plots 1 and 3 are located nearest off-site potential inundation patterns identified on Google Earth historical aeriels. The vegetation community in Plots 1 and 3 was dominated by common velvet grass, tall false rye grass, large sweet vernal grass, and perennial rye grass (*Lolium Perenne*; FAC). Soils were described as a silt loam texture, with a high chroma (chroma 3 or higher), and no redoximorphic features were observed. The Plots lacked indicators of wetland hydrology.

Plot 2 is located near a balsam poplar sapling (*Populus balsamifera*; FAC) and nearest an off-site potential inundation pattern seen on the Google Earth aerial imagery. The vegetation in this plot was dominated by Himalayan blackberry (*Rubus armeniacus*; FAC), balsam poplar, and tall false rye grass. Soils were of high chroma throughout and had a silt loam texture. No hydric soils or indicators of wetland hydrology were observed.

While vegetation met the hydrophytic wetland indicator for Plots 1 and 2, neither soils nor hydrology met wetland requirements in any of the plots; therefore, this area was determined to be upland.

F. Deviation from NWI

The study area is not mapped on an Oregon Department of State Lands (DSL) approved Local Wetland Inventory (LWI) map. No wetlands or waters were mapped on or near the study area based on the US Fish and Wildlife Service National Wetland Inventory (NWI) map, included as Figure 4 in Appendix A. AKS concurs with the current NWI map.

G. Mapping Method

Sample Plots 1, 2, and 3 were GPS mapped by AKS using a handheld Trimble Geo 7X with submeter accuracy. The determination map is included as Figure 5A-5B in Appendix A.

H. Additional Information

No additional information.

I. Summary of Results and Conclusions

Three sample plot locations were taken at the lowest topographic setting or adjacent to potential saturation signatures visible on aerial imagery to determine site conditions and presence of wetlands. Precipitation for this time of year was within the drier-than-normal range; however, it did not pose naturally problematic circumstances. There were no indicators of hydric soil or wetland hydrology at the sample plots, therefore, no potentially jurisdictional wetlands or water were documented in the study area.

J. Required Disclaimer

This report documents the investigation, best professional judgment, and conclusions of the investigator. It is correct and complete to the best of our knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk, unless it has been reviewed and

approved in writing by the Oregon Department of State Lands in accordance with Oregon Administrative Rules (OAR) 141-090-0005 through 141-090-0055.

K. List of Preparers



Lex Francis
Natural Resource Specialist
Field Work, Report Preparation



Sonya Templeton
Natural Resource Specialist
Fieldwork, Report QA/QC

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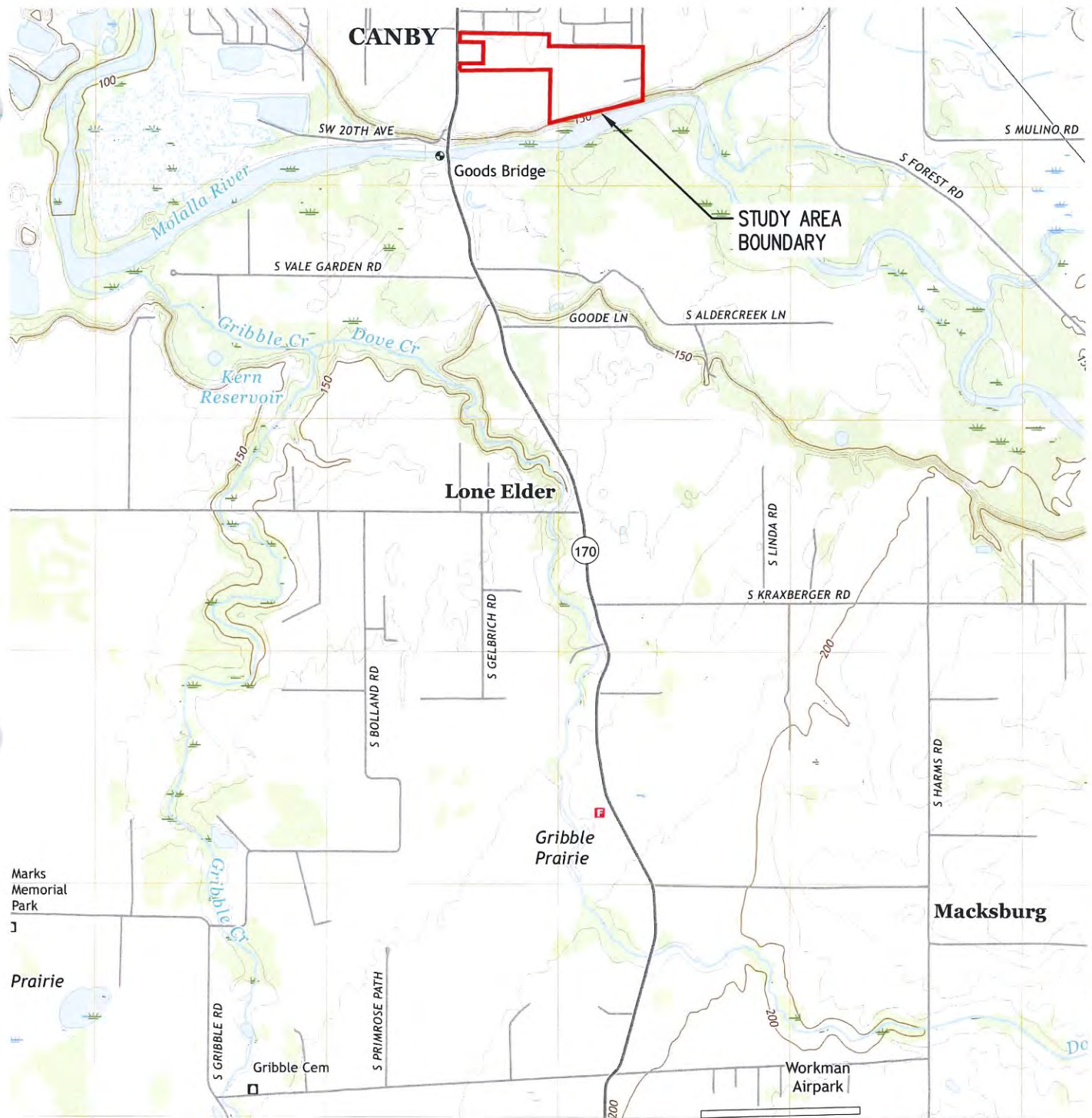
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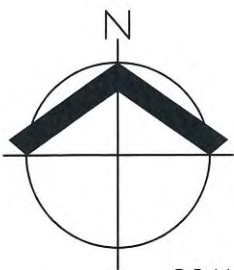
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Appendix A: Maps



USGS 7.5' TOPOGRAPHIC SERIES
QUADRANGLE: YODER, OR (2020)



SCALE: 1" = 2000 FEET



DATE: 07/16/2021

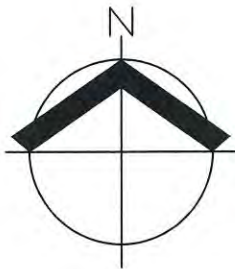
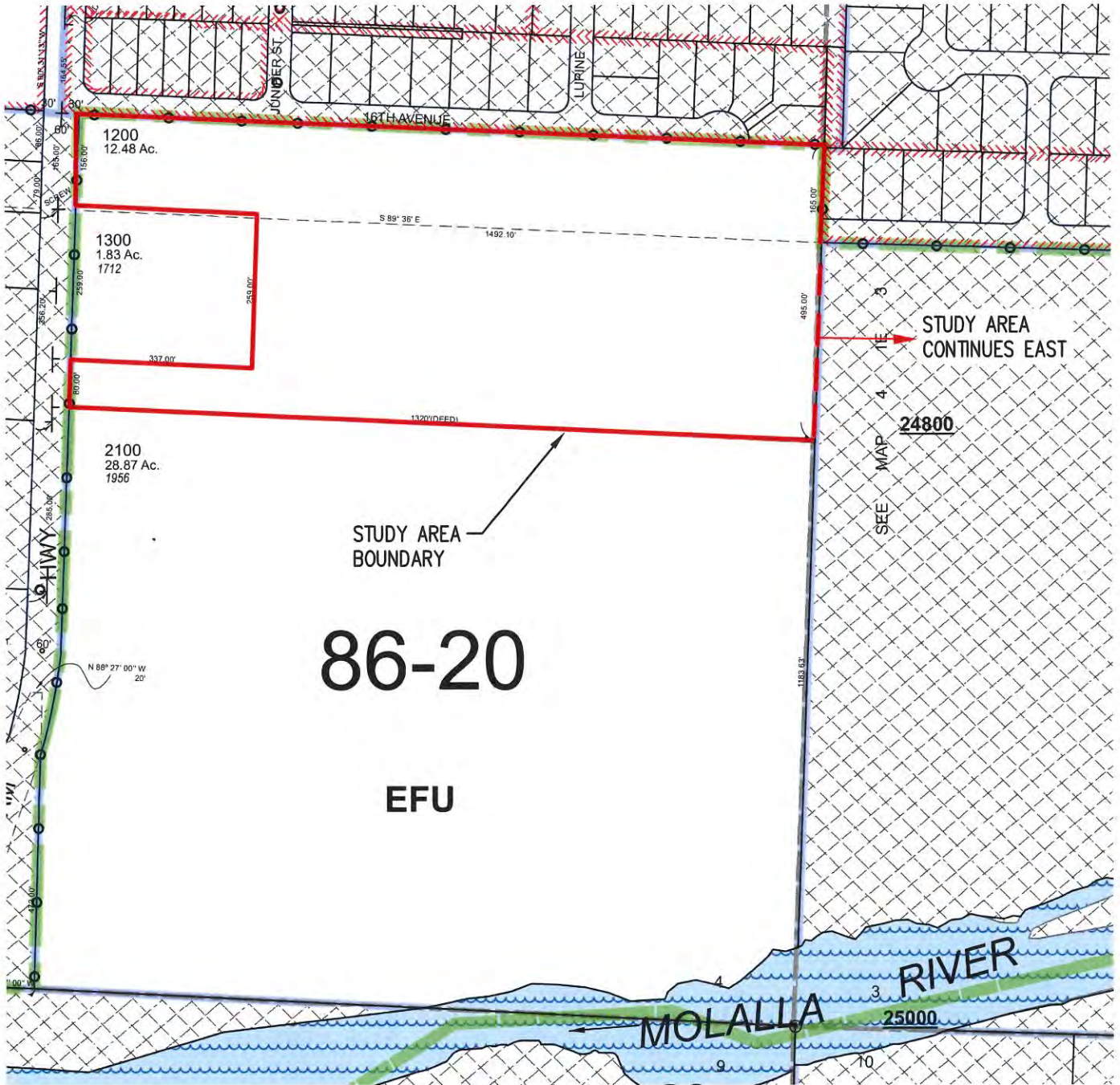
USGS VICINITY MAP
TOFTE FARMS WETLAND DETERMINATION REPORT

FIGURE
1

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

AKS

DRWN: MVH
CHKD: SKT
AKS JOB:
8659



SCALE: 1" = 250 FEET



CLACKAMAS COUNTY
TAX LOT 1200
TAX MAP 4 4S 1E

DATE: 07/16/2021

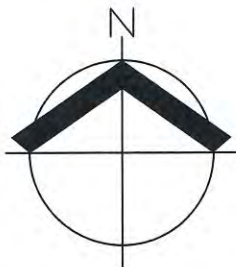
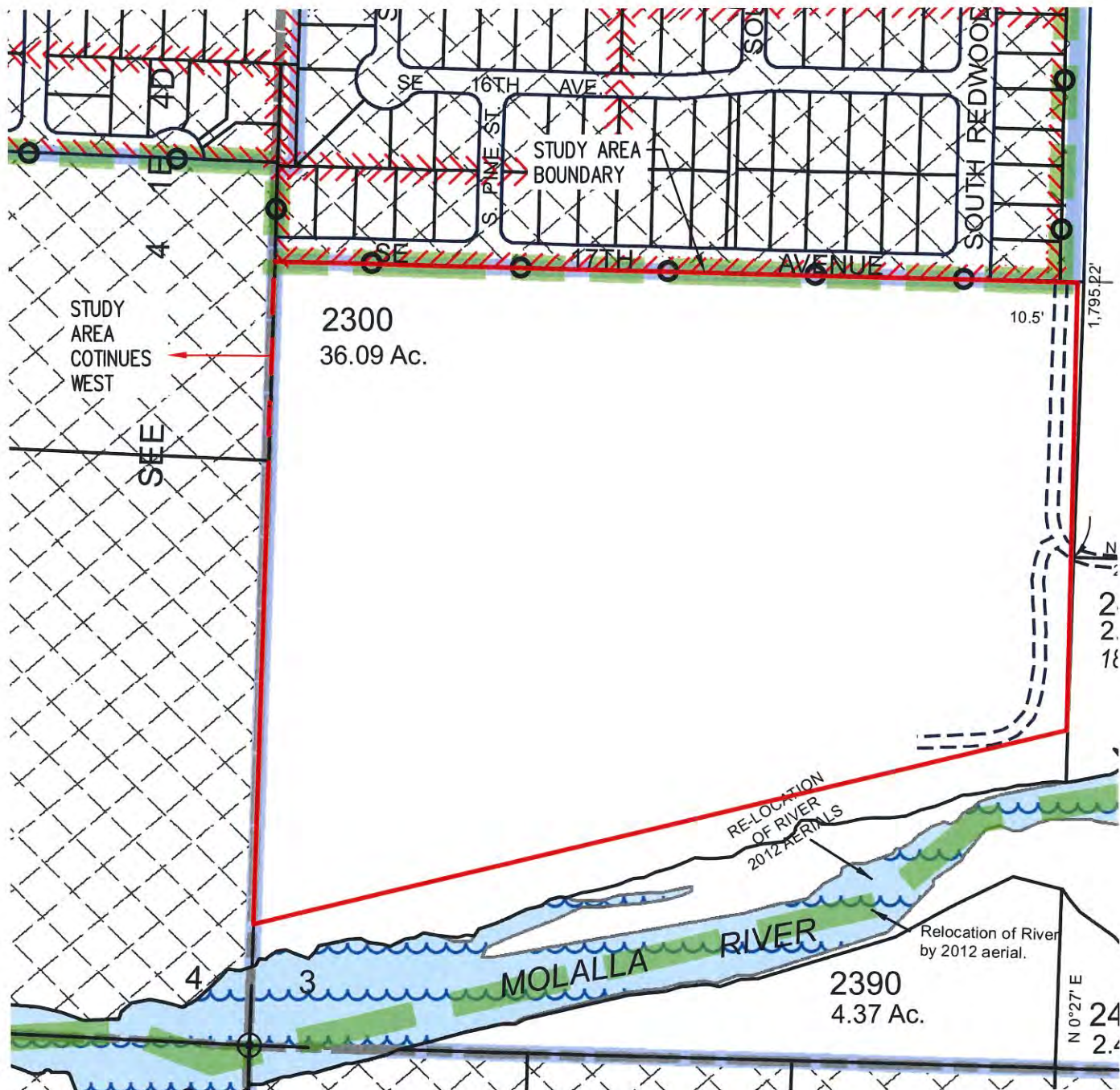
TAX MAP (MAP 4 4S 1E)
TOFTE FARMS WETLAND DETERMINATION REPORT

FIGURE
2A

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



DRWN: MVH
CHKD: SKT
AKS JOB:
8659



SCALE: 1" = 250 FEET



DATE: 07/16/2021

TAX MAP (MAP 3 4S 1E)
TOFTE FARMS WETLAND DETERMINATION REPORT

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



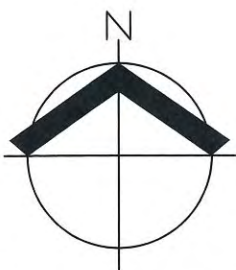
FIGURE
2B

DRWN: MVH
CHKD: SKT
AKS JOB:
8659



MAP UNIT SYMBOL	MAP UNIT NAME
53A	LATOURELL LOAM, 0% TO 3% SLOPES; NON-HYDRIC
92F	XEROCHREPTS & HAPLOXEROLLS, VERY STEEP; NON-HYDRIC

NRCS WEB SOIL SURVEY FOR
CLACKAMAS COUNTY



SCALE: 1" = 500 FEET



DATE: 07/16/2021

**NRCS SOIL SURVEY MAP
TOFTE FARMS WETLAND DETERMINATION REPORT**

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

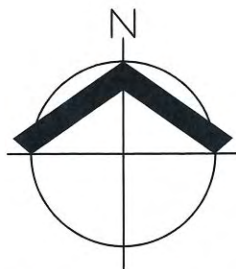


**FIGURE
3**

DRWN: MVH
CHKD: SKT
AKS JOB:
8659



US FISH & WILDLIFE SERVICE
NATIONAL WETLANDS INVENTORY



SCALE: 1" = 500 FEET



DATE: 07/16/2021

**NATIONAL WETLANDS INVENTORY MAP
TOFTE FARMS WETLAND DETERMINATION REPORT**

FIGURE
4

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



DRWN: MVH
CHKD: SKT
AKS JOB:
8659



LEGEND



PHOTO LOCATION & ORIENTATION

PLOT LOCATIONS DOCUMENTED BY AKS (ENGINEERING & FORESTRY, LLC (AKS)) ON JULY 15, 2021 AND WERE LOCATED USING A TRIMBLE 5602 TD HANDHELD GPS RECEIVER WITH SUB-METER ACCURACY.

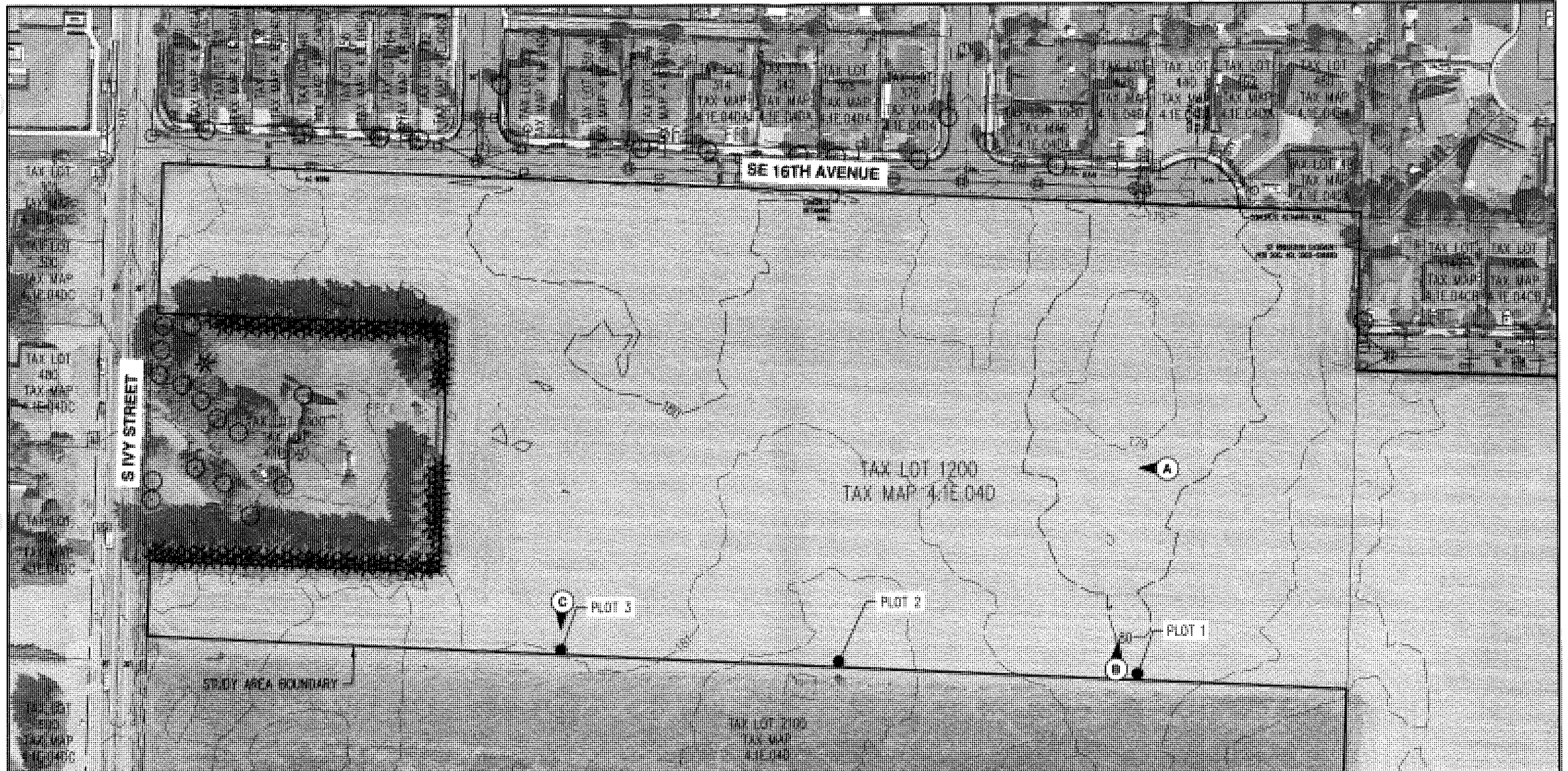
1-FOOT INTERVAL GROUND CONTOURS AND EXISTING CONDITIONS DERIVED FROM AKS PROFESSIONAL LAND SURVEY. STUDY AREA WAS HAND-MAPPED IN AUTOCAD, 1:500.

GOOGLE EARTH AERIAL IMAGE
AUGUST 2020

DATE: 07/22/2021

WETLAND DETERMINATION OVERVIEW MAP		FIGURE
TOPTIE FARMS WETLAND DETERMINATION REPORT		5A
AKS ENGINEERING & FORESTRY, LLC		DATE: 5/1
12865 SW HERMAN RD., STE 100		DATE: 5/1
TUALATIN, OR 97062		AKS JOB:
503.583.6151 WWW.AKS-ENG.COM		8659





GOOGLE EARTH AERIAL IMAGE
AUGUST 2020

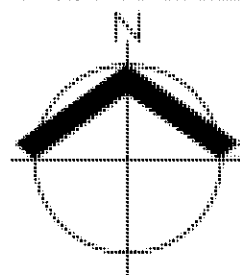
LEGEND



PHOTO LOCATION & ORIENTATION

PLOT LOCATIONS DOCUMENTED BY AKS ENGINEERING & FORESTRY, LLC (AKS) ON JULY 15, 2021 AND WERE LOCATED USING A TRIMBLE GED 7X HANDHELD GPS RECEIVER WITH SUB-METER ACCURACY.

1-FOOT INTERVAL GROUND CONTOURS AND EXISTING CONDITIONS DERIVED FROM AKS PROFESSIONAL LAND SURVEY. STUDY AREA WAS HAND-MAPPED IN AUTOCAD, ±5FT.



SCALE: 1"=100 FEET



ORIGINAL PAGE SIZE: 11" x 17"

DATE: 07/22/2021

WETLAND DETERMINATION MAP		FIGURE
TOPTIE FARMS WETLAND DETERMINATION REPORT		58
AKS ENGINEERING & FORESTRY, LLC		FWW: SGT
12945 SW HERMAN RD, STE 100		FWF: SGT
TUALATIN, OR 97062		AKS JOB:
503.563.6151 WWW.AKS-ENG.COM		0050



Appendix B: Google Earth Aerial Images

August 2020

Job# 8659



Google Earth

900 ft



S Ivy St

May 2019

Job# 8659

Southeast 16 Avenue

SE 15th Pl

S Lupine St

S Pine St

SE 18th Pl

S Ponderosa St

SE 15th Ave

SE 16th Ave

SE 17th Ave

S Redwood St

Redwood Ln

S Ivy St



900 ft

Google Earth

May 2017

Job# 8659

S Ivy St

Southeast 16 Avenue

SE 15th Pl

S Lupine St

S Pine St

SE 18th Pl

S Ponderosa St

SE 15th Ave

SE 16th Ave

SE 17th Ave

S Redwood St

Redwood Ln



900 ft

Google Earth

April 2015

Job# 8659

S Ivy St

Southeast 16 Avenue

S Lupine St

SE 15th Pl

S Pine St

SE 18th Pl

S Ponderosa St

SE 15th Ave

SE 16th Ave

SE 17th Ave

S Redwood St

Redwood Ln



900 ft

Google Earth

July 2012

Job# 8659

Google Earth

Image USDA Farm Service Agency

Image © 2021 Metro, Portland Oregon



May 2010

10:50 AM

Southeast 16 Avenue

SE 16th Ave

SE 16th Ave

SE 16th Ave

SE 16th Ave

SE 16th Ave

SE 16th Ave

SE 16th Ave

Redwood Ln

Redwood Ln



000 ft

Google Earth

June 2006

Job# 8659

Southeast 16 Avenue

City Council Packet - Page 195 of 571

S Ivy St

Google Earth

Image State of Oregon

Image © 2021 Metro, Portland Oregon

900 ft

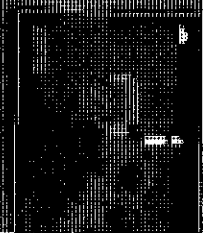
N



May 2002

June 2000

Springfield Avenue



Google Earth

Image © 2002 Google



900 ft

July 2000

Job# 0050

Southeast Avenue

SE 14th Ave

SE 14th St

SE 16th St

SE 16th Ave

SE 16th St

SE 17th Ave

Google Earth

900 ft

Appendix C: Precipitation Data

WETS Table

WETS Station: OREGON
CITY, OR

Requested years: 1971 -
2020

Month	Avg Max Temp	Avg Min Temp	Avg Mean Temp	Avg Precip	30% chance precip less than	30% chance precip more than	Avg number days precip 0.10 or more	Avg Snowfall
Jan	47.8	35.9	41.9	6.27	4.07	7.54	12	0.5
Feb	52.2	37.1	44.6	4.76	3.22	5.68	11	0.9
Mar	57.5	39.5	48.5	5.16	3.59	6.13	12	0.1
Apr	63.1	42.6	52.9	3.57	2.54	4.22	9	0.0
May	70.2	47.8	59.0	2.39	1.44	2.90	7	0.0
Jun	75.9	52.4	64.2	1.68	1.01	2.04	4	0.0
Jul	82.9	56.3	69.6	0.63	0.25	0.72	2	0.0
Aug	83.1	56.3	69.7	0.87	0.25	0.92	2	0.0
Sep	77.5	52.4	64.9	1.81	0.87	2.16	4	0.0
Oct	65.3	45.9	55.6	3.65	2.05	4.45	7	0.0
Nov	53.2	40.0	46.6	6.47	4.41	7.72	12	0.1
Dec	46.9	35.8	41.4	7.26	5.03	8.63	13	0.8
Annual:					40.06	49.39		
Average	64.6	45.2	54.9	-	-	-	-	-
Total	-	-	-	44.51			95	2.3

GROWING SEASON DATES

Years with missing data:	24 deg = 17	28 deg = 16	32 deg = 16
Years with no occurrence:	24 deg = 8	28 deg = 0	32 deg = 0
Data years used:	24 deg = 33	28 deg = 34	32 deg = 34
Probability	24 F or higher	28 F or higher	32 F or higher
50 percent *	1/16 to 1/11: 360 days	2/13 to 12/6: 296 days	3/20 to 11/12: 237 days
70 percent *	12/27 to 2/1: 401 days	2/6 to 12/13: 310 days	3/11 to 11/21: 255 days

* Percent chance of the
growing season occurring
between the Beginning and
Ending dates.

STATS TABLE - total
precipitation (inches)

Yr	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annl
1911											3.49	4.82	8.31
1912	9.10	5.27	2.15	2.89	2.17	4.12	0.61	5.16	1. 26	4.19	6.71	7.11	50. 74
1913	8.18	1.28	5.79	4.11	2.36	4.23	0.67	0.74	3. 01	4.50	7.50	3.79	46. 16
1914	12.79	5.07	4.07	4.26	2.11	2.55	0.17	T	3. 85	4.50	5.07	3.16	47. 60
1915	6.74	4.40	2.83	2.11	2.78	1.64	1.34	T	0. 67	2.71	M11. 84	10. 24	47. 30
1916	6.44	11.42	12.06	4.21	3.09	1.86	2.90	0.26	1. 95	1.64	8.18	4.40	58. 41
1917	4.21	3.72	8.22	6.97	3.67	1.48	0.01	0.00	2. 24	0.03	4.23	18. 71	53. 49
1918	6.40	8.06	5.50	1.22	1.16	0.01	0.67	0.74	0. 38	5.07	5.06	4.99	39. 26
1919	10.91	8.96	6.01	4.42	2.56	1.04	0.06	0.05	3.	1.73	9.73	6.79	56.

									91				17
1920	5.84	0.40	4.36	5.61	1.25	3.03	1.18	1.39	5.76	5.01	7.18	9.79	50.80
1921	8.92	7.67	5.34	2.17	2.06	1.50	0.03	0.16	2.89	3.32	12.12	3.32	49.50
1922	4.04	4.24	7.83	2.94	1.24	0.23	0.00	2.26	1.86	5.03	2.66	9.87	42.20
1923	13.00	2.55	3.14	2.10	1.68					0.38	4.77	7.00	34.62
1924	3.27	5.87	1.93	1.24						6.58	8.29	5.10	32.28
1925	8.80	8.87	2.94	3.81						0.05	5.71	5.55	35.73
1926	3.46		1.01	1.50						5.01	9.93	5.39	26.30
1927	8.87	8.11	3.65	1.50						4.47	10.19	2.86	39.65
1928	5.63	1.76	8.96	6.00						1.92	6.26	8.72	39.25
1929	3.50	1.24	3.27	4.37						1.29	0.70	11.34	25.71
1930	4.40	6.81	2.07	3.12						2.49	3.05	3.13	25.07
1931	M3.29	3.07	6.80	4.50						5.42	8.22	9.15	40.45
1932	6.41	M3.63	8.25	3.81						4.83	9.41	6.82	43.16
1933	8.48	4.49	6.23	1.01									20.21
1934													
1935													
1936													
1937													
1938													
1939													
1940													
1941													
1942													
1943													
1944													
1945													
1946													
1947													
1948	M0.17	7.57	4.70	4.27	4.73	1.15	0.91	2.07	3.46	2.70	8.46	M10.26	50.45
1949	1.48	13.09	3.34	1.16	2.69	1.25	0.94	0.22	2.60	3.17	6.92	6.50	43.36
1950	11.44	M6.97	M6.29	3.13	1.09	2.05	1.35	0.45	2.26	10.34	12.70	7.48	65.55
1951	10.50	5.93	5.63	1.06	2.58	0.09	0.16	0.34	3.71	5.55	6.25	7.29	49.09
1952	6.20	4.72	4.51	1.75	0.89	3.30	T	0.09	0.42	0.87	1.32	7.70	31.77
1953	16.77	4.76	4.96	2.52	M4.15	1.50	0.04	2.53	1.40	3.39	7.46	9.04	58.52
1954	11.25	5.06	3.46	3.88	2.17	3.76	0.69	2.18	1.01	3.91	5.61	6.49	49.47
1955	3.02	3.62	5.32	6.30	1.45	1.37	1.39	0.00	3.46	7.68	9.71	11.20	54.52
1956	14.25	4.44	7.61	0.68	2.30	1.99	0.02	3.57	1.67	7.69	1.81	4.53	50.56
1957	3.26	4.81	9.43	1.66	3.10	1.95	M0.43	0.37	0.68	3.97	4.02	M10.60	44.28
1958	9.43	6.93	2.67	5.38	0.61	3.26	0.00	0.04	1.40	1.73	8.21	7.12	46.78

1959	10.41	5.75	5.07	1.65	3.76	2.00	0.83	0.17	3.81	4.17	3.34	3.86	44.82
1960	4.91	4.94	6.64	4.09	5.80	0.64	T	1.33	1.20	3.49	12.68	4.18	49.90
1961	5.22	11.74	7.01	3.47	4.14	0.60	0.57	0.85	0.84	4.04	6.01	6.65	51.14
1962	2.13	4.33	5.88	4.05	3.62	1.15	0.06	1.37	2.43	4.36	11.78	3.00	44.16
1963	1.96	4.99	6.33	5.06	4.36	1.74	1.30	0.54	1.46	3.68	7.73	4.22	43.37
1964	13.64	1.22	4.43	1.85	1.07	2.90	0.76	0.95	1.72	1.22	9.65	14.78	54.19
1965	10.67	1.99	1.47	3.42	1.91	0.75	0.24	1.50	0.03	2.54	7.28	8.87	40.67
1966	9.75	2.19	6.43	1.29	1.31	1.67	1.26	0.31	1.72	3.32	6.60	8.29	44.14
1967	8.65	2.76	6.08	3.54	2.52	1.17	0.00	0.00	0.81	6.36	2.74	6.24	40.87
1968	5.53	8.87	3.60	1.95	3.23	3.44	0.50	4.95	3.83	7.09	7.89	14.56	65.44
1969	10.47	3.92	2.99	9.44	2.23	4.48	0.09	0.11	4.50	5.00	3.77	9.15	56.15
1970	14.05	6.03	3.01	3.76	1.81	0.69	0.09	T	2.15	3.59	8.69	9.36	53.23
1971	10.08	4.50	6.27	4.33	2.41	3.16	0.37	1.50	3.79	4.37	7.66	10.25	58.69
1972	9.17	6.71	6.53	4.81	2.87	0.73	0.50	0.71	4.41	1.04	6.47	9.79	53.74
1973	5.90	2.34	4.00	1.79	1.62	2.23	0.08	1.40	3.18	4.00	14.21	11.93	52.68
1974	9.57	6.70	8.04	2.81	2.63	1.18	2.82	0.06	0.40	2.44	7.21	6.87	50.73
1975	8.28	5.51	5.67	2.44	1.93	2.12	0.73	3.31	T	6.25	5.53	7.79	49.56
1976	6.33	8.11	3.64	3.55	2.12	0.67	0.87	2.30	1.25	1.20	0.93	1.69	32.66
1977	1.65	3.52	4.20	0.77	4.31	1.41	0.68	3.01	3.41	2.92	7.17	11.49	44.54
1978	5.96	4.53	1.88	5.84	4.45	1.71	1.53	2.36	2.88	0.61	4.73	3.27	39.75
1979	2.90	8.99	3.30	3.94	2.49	0.70	0.52	0.98	3.14	5.70	3.75	7.73	44.14
1980	11.38	4.38	3.71	3.91	1.30	3.79	0.18	0.22	1.65	1.56	7.60	12.61	52.29
1981	1.84	4.51	3.13	2.55	1.83	4.52	0.28	T	2.84	4.79	5.49	11.42	43.20
1982	7.76	M8.22	5.18	4.37	1.66	1.05	0.22	1.27	3.76	4.25	5.42	10.39	53.55
1983	8.70	8.93	7.87	2.50	2.11		4.24	2.57	0.53	2.16	9.82	6.78	56.21
1984	3.29	5.53		3.82	5.19	4.60	0.00	0.03		6.24	12.34	4.27	45.31
1985	0.46	3.64	4.39	1.38	0.93	M2.51	0.43	0.52	2.65	3.59	6.47	3.05	30.02
1986	M6.56	7.99	3.19	2.40	2.89	0.57	1.92	M0.00	M0.93	2.08	6.93		35.46
1987	7.92	4.44	6.00	2.71	M2.11	M0.49	1.62	0.23	0.84	0.29	2.25	10.77	39.67
1988	9.17	2.04	4.91	5.85	M3.58	1.94	0.59	0.08	1.51	0.18	11.24	3.43	44.52
1989	5.18	3.18	7.08	2.02	M2.23	1.05	0.58	1.45	1.10	2.25	3.69	3.98	33.79
1990	9.65	4.58	2.78	2.59	1.92	2.46	0.48	1.00	0.47	5.94	4.94	3.31	40.12
1991	3.50	4.26	3.71	4.63	4.40	2.32	0.06	1.61	0.15	2.98	7.65	5.99	41.26
1992	5.24	4.48	1.12	5.10	0.16	0.41	0.26	0.76	1.86	4.19	4.46	6.51	34.55

1993	3.74	1.11	5.24	6.15	4.24	1.73	2.23	0.23	T	1.43	1.91	6.48	34.49
1994	5.38	6.33	4.12	2.14	1.71	1.53	0.08	T	1.10	7.22	8.74	6.62	44.97
1995	7.61	5.44	4.23	3.88	1.54	1.97	0.76	1.62	2.93	4.82	11.00	8.36	54.16
1996	9.17	12.05	3.86	5.63	5.00	0.91	0.63	0.11	2.25	5.33	9.96	16.13	71.03
1997	8.45	2.20	8.63	4.91	2.37	2.38	1.01	1.54	4.02	M5.70	3.97	3.47	48.65
1998	M8.91	4.86	4.68	1.19	4.99	1.03	0.43	0.02	1.13	M4.21	11.32	9.74	52.51
1999	9.14	10.01	5.60	3.43	3.41	1.78	0.20	0.84	0.19	M2.70		M5.01	42.31
2000	M4.86	M6.29	3.08	M2.26	M3.25	M1.41	M0.46	0.02	M0.48	M3.88	M2.50	M2.98	31.47
2001	M1.25	M1.33	M5.02	M2.62	1.60	M1.61	M0.73	1.05	M0.80	M2.85	M6.52	M9.54	34.92
2002	M8.83	3.96	M5.55	M3.58	M1.50	M2.09	0.37	0.29	M0.49	0.47	M2.81	M10.18	40.12
2003	M7.69	M3.86	M7.85	5.58	0.52	0.70	0.00		1.02	3.02	M6.20	9.30	45.74
2004	M5.98	3.33		1.74	2.38	2.15	0.15	3.20	2.27	5.62	1.89	4.35	33.06
2005	M2.15	0.78	M5.43	M2.88	M4.03	M2.06	0.57	MT	M1.58	M3.19	M6.73	9.91	39.31
2006	M13.20	M2.60	M3.70	6.28		1.01	M0.08	M0.00	M1.25	M1.59	M10.61	M1.70	42.02
2007	M1.01	M2.13	M1.43	M1.39	0.61	M0.27	M0.32	T	0.32	M1.82	M3.80	M6.95	20.05
2008	M6.23	M3.08	M6.13	M2.12		M0.40		M1.53	M0.25		M7.13	M3.28	30.15
2009	6.86	M3.06	4.88	1.38	0.98	1.05	M0.17	0.69	1.60	M2.74	M6.35	M5.05	34.81
2010	M5.39	3.65	M5.06	M3.49	M2.85	M2.20	0.22	0.17	M2.24	M5.73	7.91	11.43	50.34
2011	5.35	5.17	M8.25	5.58	3.32	1.48	1.10	MT	1.04		9.14	M4.30	44.73
2012	M9.24	M3.11	M9.43	4.84	M3.16	M3.54	M0.79	MT	0.09	M7.92	M9.00	9.74	60.86
2013	M3.56	2.48	M1.95		M2.69	0.12	0.00		M5.56	1.05	M3.94	M2.08	23.43
2014	M3.21	M3.83	M9.02	3.93	2.59	1.33	0.91	M0.77	1.56	M6.86	3.39	M5.08	42.48
2015	M3.28	M3.99	5.52	2.35	1.00	0.32	0.26	0.80	0.96	M4.31	7.50	14.15	44.44
2016	M7.35	M3.43	5.47	3.45	1.12	1.49	0.43	0.10	0.82	M11.24	M7.56	5.98	48.44
2017	M3.75	9.17	M18.65	5.16	1.29	M1.38	0.00	0.23	3.22	6.51	7.72	4.18	61.26
2018	6.98	2.85	4.32	7.08	0.12	1.73	0.00	0.05	0.52	2.85	3.99	7.26	37.75
2019	4.43	M8.12	2.03	4.67	1.19	0.80	0.23	M0.46	M3.07	2.70	1.57	3.68	32.95
2020	9.83	2.45	M2.76	1.42	3.04	2.80	M0.02	0.14	M5.00	2.95	7.82	9.42	47.65
2021	9.71	M5.32	M3.09	M0.18	2.29	1.38	M0.00						21.97

Notes: Data missing in any month have an "M" flag. A "T" indicates a trace of precipitation.

Data missing for all days in a month or year is blank.

Creation date: 2021-07-15

Climatological Data for OREGON CITY, OR - April 2021

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2021-04-01	69	40	54.5	15	5	0.00	0.0	0
2021-04-02	67	38	52.5	13	3	0.00	0.0	0
2021-04-03	67	40	53.5	14	4	0.00	0.0	0
2021-04-04	66	45	55.5	16	6	0.00	0.0	0
2021-04-05	59	34	46.5	7	0	0.00	0.0	0
2021-04-06	65	36	50.5	11	1	0.00	0.0	0
2021-04-07	64	39	51.5	12	2	0.00	0.0	0
2021-04-08	54	38	46.0	6	0	0.01	0.0	0
2021-04-09	59	33	46.0	6	0	0.00	0.0	0
2021-04-10	59	42	50.5	11	1	0.02	0.0	0
2021-04-11	58	31	44.5	5	0	0.00	0.0	0
2021-04-12	65	37	51.0	11	1	0.00	0.0	0
2021-04-13	64	46	55.0	15	5	0.00	0.0	0
2021-04-14	69	42	55.5	16	6	0.00	0.0	0
2021-04-15	76	40	58.0	18	8	0.00	0.0	0
2021-04-16	76	40	58.0	18	8	0.00	0.0	0
2021-04-17	85	47	66.0	26	16	0.00	0.0	0
2021-04-18	83	45	64.0	24	14	0.00	0.0	0
2021-04-19	M	M	M	M	M	0.00	0.0	0
2021-04-20	M	M	M	M	M	0.00	0.0	0
2021-04-21	76	44	60.0	20	10	0.00	0.0	0
2021-04-22	M	M	M	M	M	0.00	0.0	0
2021-04-23	67	43	55.0	15	5	0.00	0.0	0
2021-04-24	M	M	M	M	M	S	0.0	0
2021-04-25	61	45	53.0	13	3	0.15A	0.0	0
2021-04-26	61	46	53.5	14	4	0.00	0.0	0
2021-04-27	66	43	54.5	15	5	0.00	0.0	0
2021-04-28	65	47	56.0	16	6	0.00	0.0	0
2021-04-29	M	M	M	M	M	M	0.0	0
2021-04-30	M	M	M	M	M	M	0.0	0
Average/Sum	66.7	40.9	53.8	337	113	0.18	0.0	0.0

Climatological Data for OREGON CITY, OR - May 2021

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2021-05-01	65	52	58.5	19	9	0.22	0.0	0
2021-05-02	57	46	51.5	12	2	0.22	0.0	0
2021-05-03	58	46	52.0	12	2	0.02	0.0	0
2021-05-04	68	53	60.5	21	11	0.09	0.0	0
2021-05-05	81	46	63.5	24	14	0.00	0.0	0
2021-05-06	80	51	65.5	26	16	0.06	0.0	0
2021-05-07	61	45	53.0	13	3	0.00	0.0	0
2021-05-08	60	41	50.5	11	1	0.00	0.0	0
2021-05-09	64	50	57.0	17	7	0.00	0.0	0
2021-05-10	69	46	57.5	18	8	0.00	0.0	0
2021-05-11	74	45	59.5	20	10	0.00	0.0	0
2021-05-12	M	M	M	M	M	0.00	0.0	0
2021-05-13	79	57	68.0	28	18	0.00	0.0	0
2021-05-14	79	51	65.0	25	15	0.00	0.0	0
2021-05-15	79	49	64.0	24	14	0.00	0.0	0
2021-05-16	81	51	66.0	26	16	0.00	0.0	0
2021-05-17	82	51	66.5	27	17	0.00	0.0	0
2021-05-18	63	41	52.0	12	2	0.00	0.0	0
2021-05-19	62	43	52.5	13	3	0.08	0.0	0
2021-05-20	59	43	51.0	11	1	0.11	0.0	0
2021-05-21	M	M	M	M	M	S	0.0	0
2021-05-22	67	44	55.5	16	6	0.15A	0.0	0
2021-05-23	67	49	58.0	18	8	0.00	0.0	0
2021-05-24	65	49	57.0	17	7	0.39	0.0	0
2021-05-25	62	53	57.5	18	8	0.63	0.0	0
2021-05-26	72	49	60.5	21	11	0.00	0.0	0
2021-05-27	72	49	60.5	21	11	0.32	0.0	0
2021-05-28	67	50	58.5	19	9	0.00	0.0	0
2021-05-29	81	47	64.0	24	14	0.00	0.0	0
2021-05-30	83	54	68.5	29	19	0.00	0.0	0
2021-05-31	85	54	69.5	30	20	0.00	0.0	0
Average/Sum	70.4	48.4	59.4	572	282	2.29	0.0	0.0

Climatological Data for OREGON CITY, OR - June 2021

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2021-06-01	94	61	77.5	38	28	0.00	0.0	0
2021-06-02	95	64	79.5	40	30	0.00	0.0	0
2021-06-03	89	55	72.0	32	22	0.00	0.0	0
2021-06-04	M	M	M	M	M	0.00	0.0	0
2021-06-05	78	55	66.5	27	17	0.01	0.0	0
2021-06-06	64	48	56.0	16	6	0.08	0.0	0
2021-06-07	65	48	56.5	17	7	0.03	0.0	0
2021-06-08	67	50	58.5	19	9	0.00	0.0	0
2021-06-09	67	45	56.0	16	6	0.12	0.0	0
2021-06-10	68	41	54.5	15	5	0.00	0.0	0
2021-06-11	67	54	60.5	21	11	0.07	0.0	0
2021-06-12	76	52	64.0	24	14	0.02	0.0	0
2021-06-13	78	61	69.5	30	20	0.83	0.0	0
2021-06-14	71	59	65.0	25	15	0.22	0.0	0
2021-06-15	72	54	63.0	23	13	0.00	0.0	0
2021-06-16	78	50	64.0	24	14	0.00	0.0	0
2021-06-17	84	52	68.0	28	18	0.00	0.0	0
2021-06-18	83	55	69.0	29	19	0.00	0.0	0
2021-06-19	81	48	64.5	25	15	0.00	0.0	0
2021-06-20	93	55	74.0	34	24	0.00	0.0	0
2021-06-21	94	65	79.5	40	30	0.00	0.0	0
2021-06-22	94	60	77.0	37	27	0.00	0.0	0
2021-06-23	M	M	M	M	M	0.00	0.0	0
2021-06-24	M	M	M	M	M	0.00	0.0	0
2021-06-25	93	64	78.5	39	29	0.00	0.0	0
2021-06-26	107	68	87.5	48	38	0.00	0.0	0
2021-06-27	111	85	98.0	58	48	0.00	0.0	0
2021-06-28	114	80	97.0	57	47	0.00	0.0	0
2021-06-29	92	65	78.5	39	29	0.00	0.0	0
2021-06-30	M	M	M	M	M	0.00	0.0	0
Average/Sum	83.7	57.5	70.6	801	541	1.38	0.0	0.0

Climatological Data for OREGON CITY, OR - July 2021

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2021-07-01	76	63	69.5	30	20	0.00	M	M
2021-07-02	83	63	73.0	33	23	0.00	M	M
2021-07-03	85	61	73.0	33	23	0.00	M	M
2021-07-04	86	58	72.0	32	22	0.00	M	M
2021-07-05	88	59	73.5	34	24	0.00	M	M
2021-07-06	88	58	73.0	33	23	0.00	M	M
2021-07-07	89	59	74.0	34	24	0.00	M	M
2021-07-08	78	56	67.0	27	17	0.00	M	M
2021-07-09	87	70	78.5	39	29	0.00	M	M
2021-07-10	87	61	74.0	34	24	0.00	M	M
2021-07-11	87	49	68.0	28	18	0.00	M	M
2021-07-12	85	57	71.0	31	21	0.00	M	M
2021-07-13	85	56	70.5	31	21	0.00	M	M
2021-07-14	85	58	71.5	32	22	0.00	M	M
2021-07-15	M	M	M	M	M	M	M	M
2021-07-16	M	M	M	M	M	M	M	M
2021-07-17	M	M	M	M	M	M	M	M
2021-07-18	M	M	M	M	M	M	M	M
2021-07-19	M	M	M	M	M	M	M	M
2021-07-20	M	M	M	M	M	M	M	M
2021-07-21	M	M	M	M	M	M	M	M
2021-07-22	M	M	M	M	M	M	M	M
2021-07-23	M	M	M	M	M	M	M	M
2021-07-24	M	M	M	M	M	M	M	M
2021-07-25	M	M	M	M	M	M	M	M
2021-07-26	M	M	M	M	M	M	M	M
2021-07-27	M	M	M	M	M	M	M	M
2021-07-28	M	M	M	M	M	M	M	M
2021-07-29	M	M	M	M	M	M	M	M
2021-07-30	M	M	M	M	M	M	M	M
2021-07-31	M	M	M	M	M	M	M	M
Average/Sum	84.9	59.1	72.0	451	311	0.00	M	M

Appendix D: Wetland Determination Data Forms

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Tofte Farms City/County: Canby, Clackamas County Sampling Date: 7/15/2021
 Applicant/Owner: Pahlisch Homes, INC. State: OR Sampling Point: 1
 Investigator(s): Lex Francis, Sonya Templeton Section, Township, Range: Sec. 4, T4S., R1E.
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): None Slope (%): <3%
 Subregion (LRR): A. Northwest Forests and Coast Lat: 45.24752045N Long: 122.68284574W Datum:
 Soil Map Unit Name: (053A) Latourell Loam, 0 - 3 Percent slopes; Non-Hydric NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No X (If no, explain in Remarks)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No <u></u>	Is the Sampled Area within a Wetland? Yes <u></u> No <u>X</u>
Hydric Soil Present?	Yes <u></u>	No <u>X</u>	
Wetland Hydrology Present?	Yes <u></u>	No <u>X</u>	

Precipitation:

According to the AgACIS Oregon City weather station, 0.00 inches of rainfall was received on the day of the site visit and 0.00 inches within the two weeks prior. Conditions are drier than normal.

Remarks:

Plot located in low topographic area near off-site inundation pattern.

VEGETATION

Tree Stratum (Plot Size: 30' r or)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
1. <u></u>				
2. <u></u>				
3. <u></u>				
4. <u></u>				
0% = Total Cover				
Sapling/Shrub Stratum (Plot Size: 10' r or)				
1. <u>Rubus armeniacus</u>	5%	Yes	FAC	Hydrophytic Vegetation Indicators: 1 - Rapid Test for Hydrophytic Vegetation X 2 - Dominance Test is >50% 3 - Prevalence Index is ≤3.0 ¹ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) 5 - Wetland Non-Vascular Plants ¹ Problematic Hydrophytic Vegetation (Explain) ¹ ¹ Indicators of hydric soil and wetland hydrology must be present.
2. <u></u>				
3. <u></u>				
4. <u></u>				
5% = Total Cover				
Herb Stratum (Plot Size: 5' r or)				
1. <u>Holcus lanatus</u>	40%	Yes	FAC	Hydrophytic Vegetation Present? Yes <u>X</u> No <u></u>
2. <u>Schedonorus arundinaceus</u>	20%	Yes	FAC	
3. <u>Anthoxanthum odoratum</u>	10%	No	FACU	
4. <u>Lolium perenne</u>	10%	No	FAC	
5. <u>Sonchus oleraceus</u>	3%	No	UPL	
6. <u></u>				
7. <u></u>				
8. <u></u>				
9. <u></u>				
10. <u></u>				
11. <u></u>				
83% = Total Cover				
Woody Vine Stratum (Plot Size: 10' r or)				
1. <u></u>				
2. <u></u>				
0% = Total Cover				
% Bare Ground in Herb Stratum <u>17%</u>				

Remarks:

[illegible]

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Tofte Farms City/County: Canby, Clackamas County Sampling Date: 7/15/2021
 Applicant/Owner: Pahlisch Homes, INC. State: OR Sampling Point: 2
 Investigator(s): Lex Francis, Sonya Templeton Section, Township, Range: Sec. 4, T4S., R1E.
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): None Slope (%): <3%
 Subregion (LRR): A. Northwest Forests and Coast Lat: 45.24753052N Long: 122.68406375W Datum:
 Soil Map Unit Name: (053A) Latourell Loam, 0 - 3 Percent slopes; Non-Hydric NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No X (If no, explain in Remarks)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No <u></u>	Is the Sampled Area within a Wetland? Yes <u></u> No <u>X</u>
Hydric Soil Present?	Yes <u></u>	No <u>X</u>	
Wetland Hydrology Present?	Yes <u></u>	No <u>X</u>	

Precipitation:

According to the AgACIS Oregon City weather station, 0.00 inches of rainfall was received on the day of the site visit and 0.00 inches within the two weeks prior. Conditions are drier than normal.

Remarks:

Plot located approximately 6" higher in elevation than Plot 1 adjacent Balsam Poplar.

VEGETATION

Tree Stratum (Plot Size: 30' r or)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
1. <u></u>	<u></u>	<u></u>	<u></u>	
2. <u></u>	<u></u>	<u></u>	<u></u>	
3. <u></u>	<u></u>	<u></u>	<u></u>	
4. <u></u>	<u></u>	<u></u>	<u></u>	
0% = Total Cover				
Sapling/Shrub Stratum (Plot Size: 10' r or)				
1. <u>Rubus armeniacus</u>	10%	Yes	FAC	Hydrophytic Vegetation Indicators: 1 - Rapid Test for Hydrophytic Vegetation X 2 - Dominance Test is >50% 3 - Prevalence Index is ≤3.0 ¹ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) 5 - Wetland Non-Vascular Plants ¹ Problematic Hydrophytic Vegetation (Explain) ¹ ¹ Indicators of hydric soil and wetland hydrology must be present.
2. <u>Populus balsamifera</u>	5%	Yes	FAC	
3. <u></u>	<u></u>	<u></u>	<u></u>	
4. <u></u>	<u></u>	<u></u>	<u></u>	
5. <u></u>	<u></u>	<u></u>	<u></u>	
15% = Total Cover				
Herb Stratum (Plot Size: 5' r or)				
1. <u>Schedonorus arundinaceus</u>	60%	Yes	FAC	Hydrophytic Vegetation Yes <u>X</u> No <u></u> Present?
2. <u>Holcus lanatus</u>	10%	No	FAC	
3. <u>Lolium perenne</u>	10%	No	FAC	
4. <u>Anthoxanthum odoratum</u>	5%	No	FACU	
5. <u>Sonchus oleraceus</u>	1%	No	UPL	
6. <u></u>	<u></u>	<u></u>	<u></u>	
7. <u></u>	<u></u>	<u></u>	<u></u>	
8. <u></u>	<u></u>	<u></u>	<u></u>	
9. <u></u>	<u></u>	<u></u>	<u></u>	
10. <u></u>	<u></u>	<u></u>	<u></u>	
11. <u></u>	<u></u>	<u></u>	<u></u>	
86% = Total Cover				
Woody Vine Stratum (Plot Size: 10' r or)				
1. <u></u>	<u></u>	<u></u>	<u></u>	
2. <u></u>	<u></u>	<u></u>	<u></u>	
0% = Total Cover				
% Bare Ground in Herb Stratum <u>14%</u>				

Remarks:

[illegible]

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Tofte Farms City/County: Canby, Clackamas County Sampling Date: 7/15/2021
 Applicant/Owner: Pahlisch Homes, INC. State: OR Sampling Point: 3
 Investigator(s): Lex Francis, Sonya Templeton Section, Township, Range: Sec. 4, T4S., R1E.
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): None Slope (%): <3%
 Subregion (LRR): A. Northwest Forests and Coast Lat: 45.24753701N Long: 122.68520295W Datum:
 Soil Map Unit Name: (053A) Latourell Loam, 0 - 3 Percent slopes; Non-Hydric NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No X (If no, explain in Remarks)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u></u>	No <u>X</u>	Is the Sampled Area within a Wetland? Yes <u></u> No <u>X</u>
Hydric Soil Present?	Yes <u></u>	No <u>X</u>	
Wetland Hydrology Present?	Yes <u></u>	No <u>X</u>	

Precipitation:
 According to the AgACIS Oregon City weather station, 0.00 inches of rainfall was received on the day of the site visit and 0.00 inches within the two weeks prior. Conditions are drier than normal.

Remarks:
 Plot located in approximately the same elevation as Plot 1.

VEGETATION

Tree Stratum (Plot Size: 30' r or)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>50%</u> (A/B)
1. <u></u>	<u></u>	<u></u>	<u></u>	
2. <u></u>	<u></u>	<u></u>	<u></u>	
3. <u></u>	<u></u>	<u></u>	<u></u>	
4. <u></u>	<u></u>	<u></u>	<u></u>	
0% = Total Cover				
Sapling/Shrub Stratum (Plot Size: 10' r or)				
1. <u>Rubus armeniacus</u>	3%	No	FAC	Prevalence Index worksheet: Total % Cover of: <u></u> Multiply by: <u></u> OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>1</u> x 2 = <u>2</u> FAC species <u>31</u> x 3 = <u>93</u> FACU species <u>65</u> x 4 = <u>260</u> UPL species <u>5</u> x 5 = <u>25</u> Column Totals: <u>102</u> (A) <u>380</u> (B) Prevalence Index = B/A = <u>3.73</u>
2. <u>Fraxinus latifolia</u>	1%	No	FACW	
3. <u></u>	<u></u>	<u></u>	<u></u>	
4. <u></u>	<u></u>	<u></u>	<u></u>	
5. <u></u>	<u></u>	<u></u>	<u></u>	
4% = Total Cover				
Herb Stratum (Plot Size: 5' r or)				
1. <u>Anthoxanthum odoratum</u>	65%	Yes	FACU	Hydrophytic Vegetation Indicators: 1 - Rapid Test for Hydrophytic Vegetation 2 - Dominance Test is >50% 3 - Prevalence Index is ≤3.0 ¹ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) 5 - Wetland Non-Vascular Plants ¹ Problematic Hydrophytic Vegetation (Explain) ¹ ¹ Indicators of hydric soil and wetland hydrology must be present.
2. <u>Lolium perenne</u>	20%	Yes	FAC	
3. <u>Bromus species</u>	5%	No	FAC*	
4. <u>Sonchus oleraceus</u>	5%	No	UPL	
5. <u>Cirsium arvense</u>	3%	No	FAC	
6. <u></u>	<u></u>	<u></u>	<u></u>	
7. <u></u>	<u></u>	<u></u>	<u></u>	
8. <u></u>	<u></u>	<u></u>	<u></u>	
9. <u></u>	<u></u>	<u></u>	<u></u>	
10. <u></u>	<u></u>	<u></u>	<u></u>	
11. <u></u>	<u></u>	<u></u>	<u></u>	
98% = Total Cover				
Woody Vine Stratum (Plot Size: 10' r or)				
1. <u></u>	<u></u>	<u></u>	<u></u>	Hydrophytic Vegetation Present? Yes <u></u> No <u>X</u>
2. <u></u>	<u></u>	<u></u>	<u></u>	
0% = Total Cover				
% Bare Ground in Herb Stratum <u>2%</u>				

Remarks:
 *Assumed FAC

USACE Western Mountains, Valleys and Coast - Version 2.0
City Council Packet - Page 213 of 571

Appendix E: Site Photographs



Photo A. General site conditions oriented west.



Photo B. View north from Plot 1.



Photo C. View of Plot 3 oriented south.


















Photo D. View facing northwest of upland field.



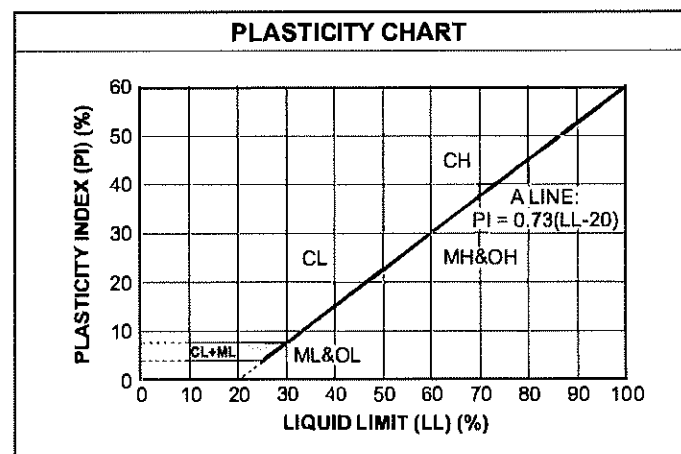
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LABORATORY TEST RESULTS

UNIFIED SOIL CLASSIFICATION SYSTEM

UNIFIED SOIL CLASSIFICATION AND SYMBOL CHART		
COARSE-GRAINED SOILS (more than 50% of material is larger than No. 200 sieve size.)		
GRAVELS More than 50% of coarse fraction larger than No. 4 sieve size	Clean Gravels (Less than 5% fines)	
	 GW	Well-graded gravels, gravel-sand mixtures, little or no fines
	 GP	Poorly-graded gravels, gravel-sand mixtures, little or no fines
	Gravels with fines (More than 12% fines)	
	 GM	Silty gravels, gravel-sand-silt mixtures
	 GC	Clayey gravels, gravel-sand-clay mixtures
SANDS 50% or more of coarse fraction smaller than No. 4 sieve size	Clean Sands (Less than 5% fines)	
	 SW	Well-graded sands, gravelly sands, little or no fines
	 SP	Poorly graded sands, gravelly sands, little or no fines
	Sands with fines (More than 12% fines)	
	 SM	Silty sands, sand-silt mixtures
	 SC	Clayey sands, sand-clay mixtures
FINE-GRAINED SOILS (50% or more of material is smaller than No. 200 sieve size.)		
SILTS AND CLAYS Liquid limit less than 50%	 ML	Inorganic silts and very fine sands, rock flour, silty of clayey fine sands or clayey silts with slight plasticity
	 CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
	 OL	Organic silts and organic silty clays of low plasticity
SILTS AND CLAYS Liquid limit 50% or greater	 MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts
	 CH	Inorganic clays of high plasticity, fat clays
	 OH	Organic clays of medium to high plasticity, organic silts
HIGHLY ORGANIC SOILS	 PT	Peat and other highly organic soils

LABORATORY CLASSIFICATION CRITERIA		
GW	$C_u = \frac{D_{60}}{D_{10}}$ greater than 4; $C_c = \frac{D_{30}}{D_{10} \times D_{60}}$ between 1 and 3	
GP	Not meeting all gradation requirements for GW	
GM	Atterberg limits below "A" line or P.I. less than 4	Above "A" line with P.I. between 4 and 7 are borderline cases requiring use of dual symbols
GC	Atterberg limits above "A" line with P.I. greater than 7	
SW	$C_u = \frac{D_{60}}{D_{10}}$ greater than 4; $C_c = \frac{D_{30}}{D_{10} \times D_{60}}$ between 1 and 3	
SP	Not meeting all gradation requirements for GW	
SM	Atterberg limits below "A" line or P.I. less than 4	Limits plotting in shaded zone with P.I. between 4 and 7 are borderline cases requiring use of dual symbols.
SC	Atterberg limits above "A" line with P.I. greater than 7	
Determine percentages of sand and gravel from grain-size curve. Depending on percentage of fines (fraction smaller than No. 200 sieve size), coarse-grained soils are classified as follows:		
Less than 5 percent GW, GP, SW, SP		
More than 12 percent GM, GC, SM, SC		
5 to 12 percent Borderline cases requiring dual symbols		



SOIL DESCRIPTION AND CLASSIFICATION GUIDELINES

Particle-Size Classification

COMPONENT	ASTM/USCS		AASHTO	
	size range	sieve size range	size range	sieve size range
Cobbles	> 75 mm	greater than 3 inches	> 75 mm	greater than 3 inches
Gravel	75 mm – 4.75 mm	3 inches to No. 4 sieve	75 mm – 2.00 mm	3 inches to No. 10 sieve
Coarse	75 mm – 19.0 mm	3 inches to 3/4-inch sieve	-	-
Fine	19.0 mm – 4.75 mm	3/4-inch to No. 4 sieve	-	-
Sand	4.75 mm – 0.075 mm	No. 4 to No. 200 sieve	2.00 mm – 0.075 mm	No. 10 to No. 200 sieve
Coarse	4.75 mm – 2.00 mm	No. 4 to No. 10 sieve	2.00 mm – 0.425 mm	No. 10 to No. 40 sieve
Medium	2.00 mm – 0.425 mm	No. 10 to No. 40 sieve	-	-
Fine	0.425 mm – 0.075 mm	No. 40 to No. 200 sieve	0.425 mm – 0.075 mm	No. 40 to No. 200 sieve
Fines (Silt and Clay)	< 0.075 mm	Passing No. 200 sieve	< 0.075 mm	Passing No. 200 sieve

Consistency for Cohesive Soil

CONSISTENCY	SPT N-VALUE (BLOWS PER FOOT)	POCKET PENETROMETER (UNCONFINED COMPRESSIVE STRENGTH, tsf)
Very Soft	2	less than 0.25
Soft	2 to 4	0.25 to 0.50
Medium Stiff	4 to 8	0.50 to 1.0
Stiff	8 to 15	1.0 to 2.0
Very Stiff	15 to 30	2.0 to 4.0
Hard	30 to 60	greater than 4.0
Very Hard	greater than 60	-

Relative Density for Granular Soil

RELATIVE DENSITY	SPT N-VALUE (BLOWS PER FOOT)
Very Loose	0 to 4
Loose	4 to 10
Medium Dense	10 to 30
Dense	30 to 50
Very Dense	more than 50

Moisture Designations

TERM	FIELD IDENTIFICATION
Dry	No moisture. Dusty or dry.
Damp	Some moisture. Cohesive soils are usually below plastic limit and are moldable.
Moist	Grains appear darkened, but no visible water is present. Cohesive soils will clump. Sand will bulk. Soils are often at or near plastic limit.
Wet	Visible water on larger grains. Sand and silt exhibit dilatancy. Cohesive soil can be readily remolded. Soil leaves wetness on the hand when squeezed. Soil is much wetter than optimum moisture content and is above plastic limit.

AASHTO SOIL CLASSIFICATION SYSTEM

TABLE 1. Classification of Soils and Soil-Aggregate Mixtures

General Classification	Granular Materials (35 Percent or Less Passing .075 mm)				Silt-Clay Materials (More than 35 Percent Passing 0.075)		
	A-1	A-3	A-2	A-4	A-5	A-6	A-7
Sieve analysis, percent passing:							
2.00 mm (No. 10)	-	-	-	-	-	-	-
0.425 mm (No. 40)	50 max	51 min	-	-	-	-	-
0.075 mm (No. 200)	25 max	10 max	35 max	36 min	36 min	36 min	36 min
Characteristics of fraction passing 0.425 mm (No. 40)							
Liquid limit				40 max	41 min	40 max	41 min
Plasticity index		N.P.		10 max	10 max	11 min	11 min
General rating as subgrade	6 max	Excellent to good					Fair to poor

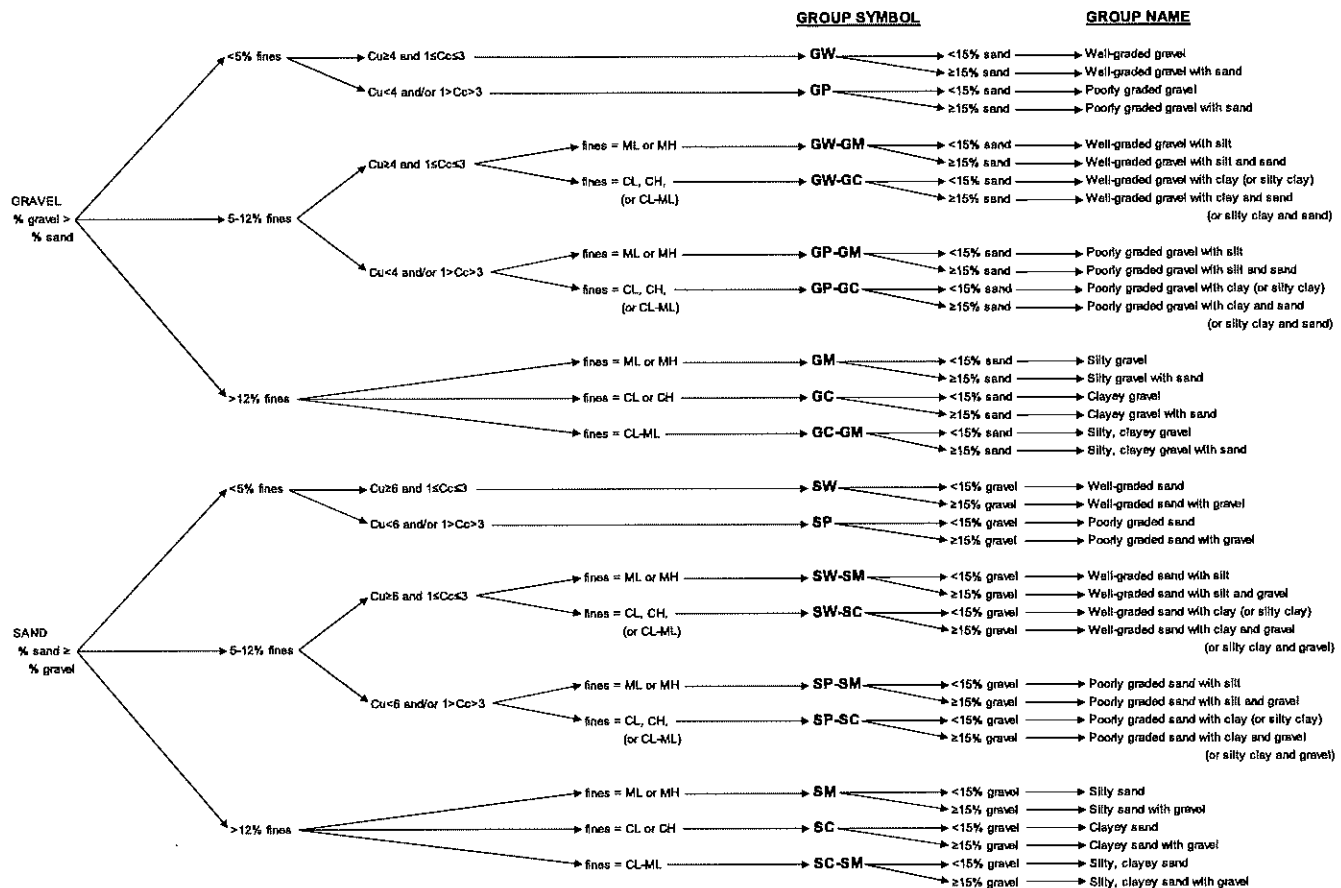
Note: The placing of A-3 before A-2 is necessary in the "left to right elimination process" and does not indicate superiority of A-3 over A-2.

TABLE 2. Classification of Soils and Soil-Aggregate Mixtures

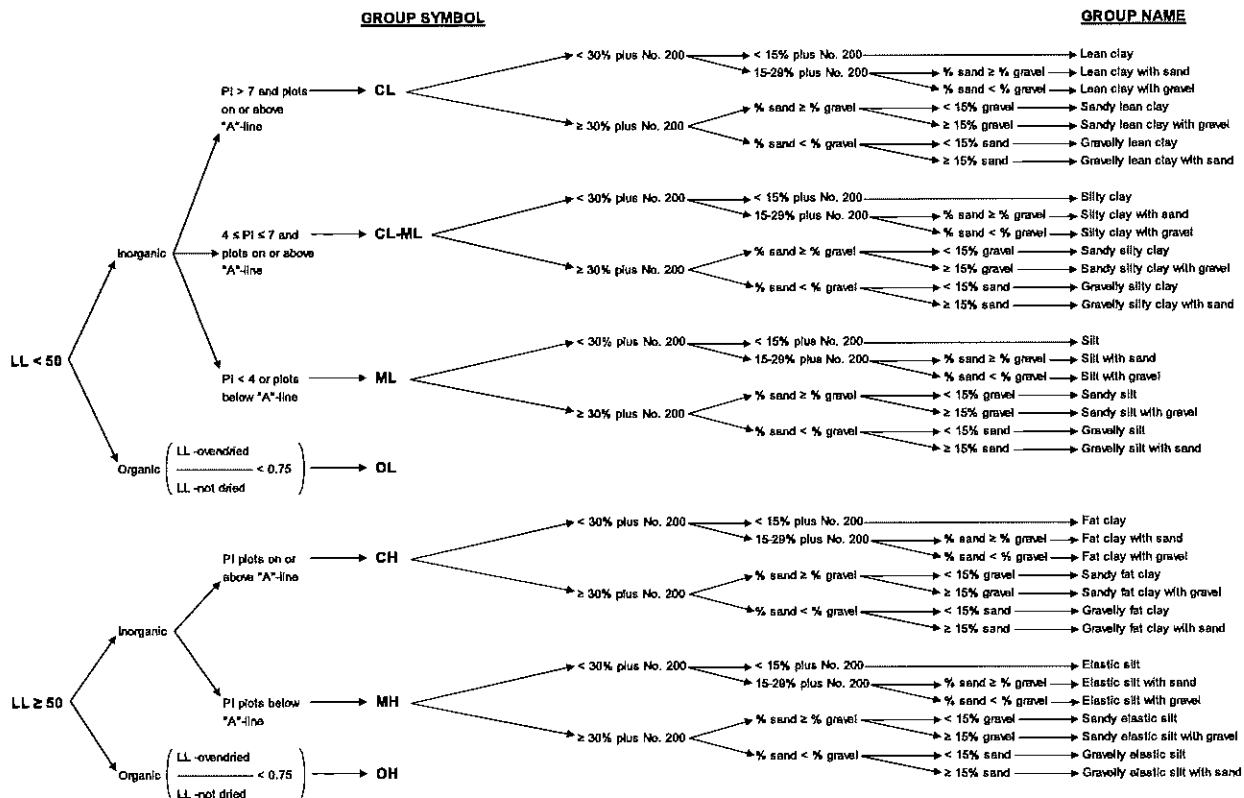
General Classification	Granular Materials (35 Percent or Less Passing 0.075 mm)							Silt-Clay Materials (More than 35 Percent Passing 0.075 mm)			
	A-1	A-1-a	A-1-b	A-3	A-2-4	A-2-5	A-2	A-4	A-5	A-6	A-7
Sieve analysis, percent passing:											
2.00 mm (No. 10)		50 max									
0.425 mm (No. 40)		30 max	50 max	51 min							
0.075 mm (No. 200)		15 max	25 max	10 max	35 max	35 max	35 max	36 min	36 min	36 min	36 min
Characteristics of fraction passing 0.425 mm (No. 40)											
Liquid limit					40 max	41 min	40 max	41 min	40 max	41 min	41 min
Plasticity index		6 max		N.P.	10 max	10 max	11 min	10 max	10 max	11 min	11 min
Usual types of significant constituent materials		Stone fragments, gravel and sand		Fine sand		Silty or clayey gravel and sand		Silty soils		Clayey soils	
General ratings as subgrade				Excellent to Good							Fair to poor

Note: Plasticity index of A-7-5 subgroup is equal to or less than LL minus 30. Plasticity index of A-7-6 subgroup is greater than LL minus 30 (see Figure 2).

AASHTO = American Association of State Highway and Transportation Officials

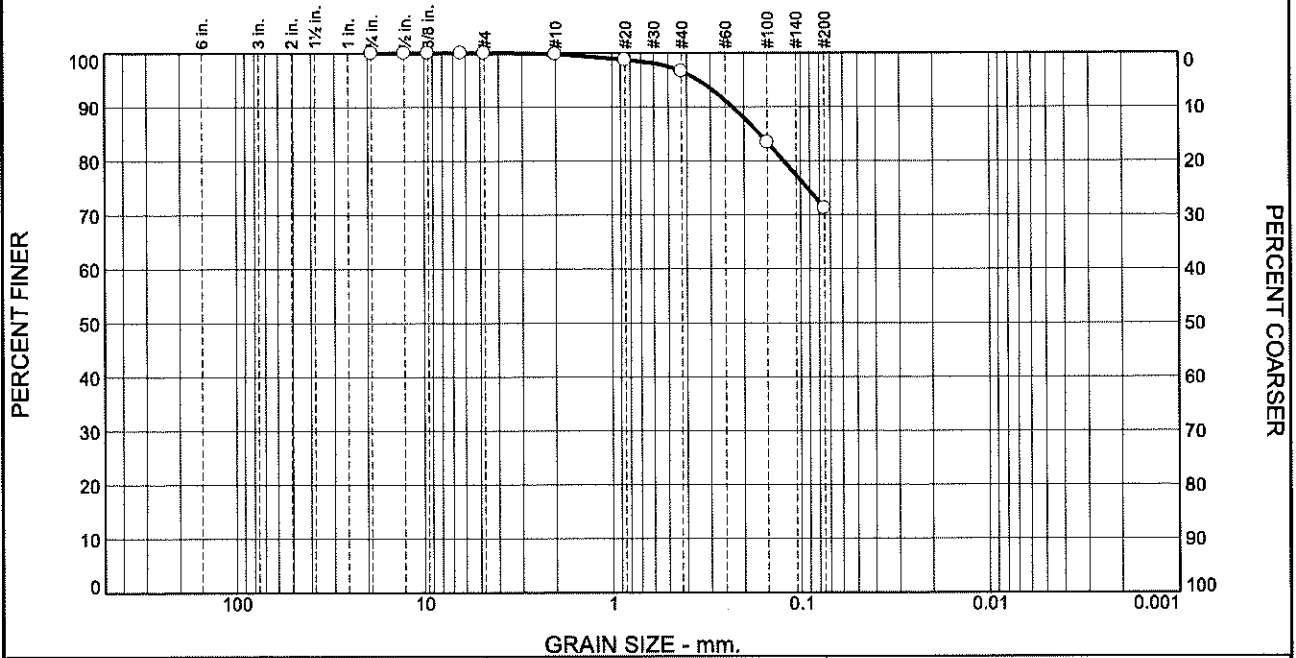


Flow Chart for Classifying Coarse-Grained Soils (More Than 50% Retained on No. 200 Sieve)



Flow Chart for Classifying Fine-Grained Soil (50% or More Passes No. 200 Sieve)

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	0.0	0.0	0.2	3.2	25.4	71.2	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
.75	100.0		
.5	100.0		
.375	100.0		
.25	100.0		
#4	100.0		
#10	99.8		
#20	98.7		
#40	96.6		
#100	83.4		
#200	71.2		

* (no specification provided)

Material Description	
Silt with Sand	
Atterberg Limits (ASTM D 4318)	
PL= 26.1	LL= 39.3 PI= 13.2
Classification	
USCS (D 2487)= ML	AASHTO (M 145)= A-6(9)
Coefficients	
D ₉₀ = 0.2293	D ₈₅ = 0.1652 D ₆₀ =
D ₅₀ =	D ₃₀ = D ₁₅ =
D ₁₀ =	C _u = C _c =
Moisture 21.0%	
Remarks	
Date Received: _____	Date Tested: 7/20/2020
Tested By: SJC	
Checked By: _____	
Title: _____	

Location: TP-1
Sample Number: S20-193 Depth: 3'

Date Sampled: 7/14/2020

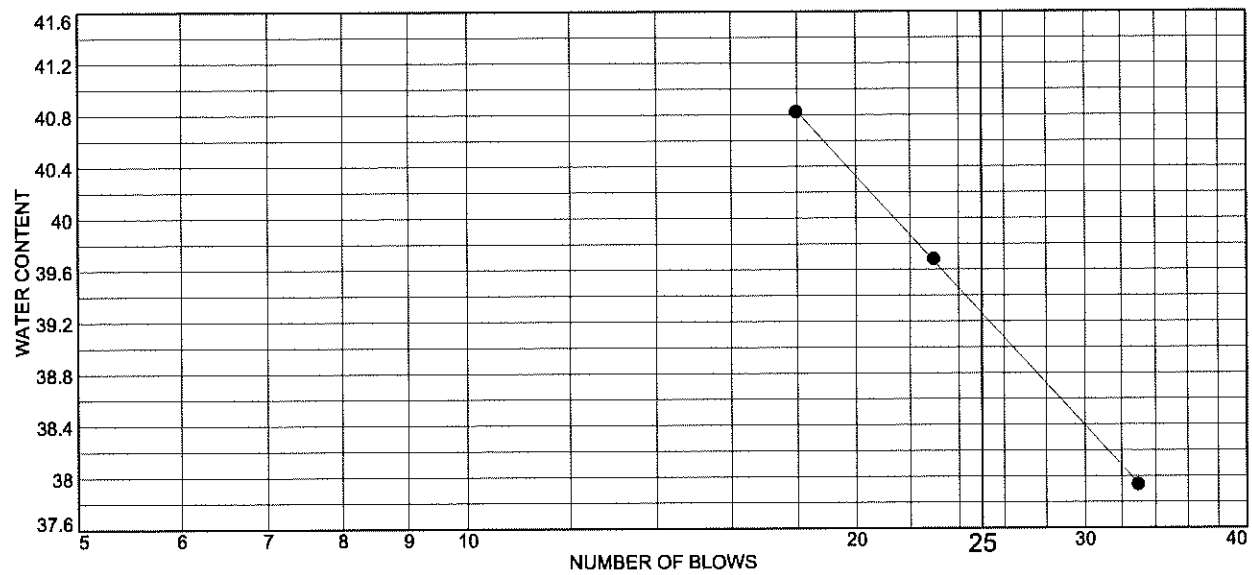
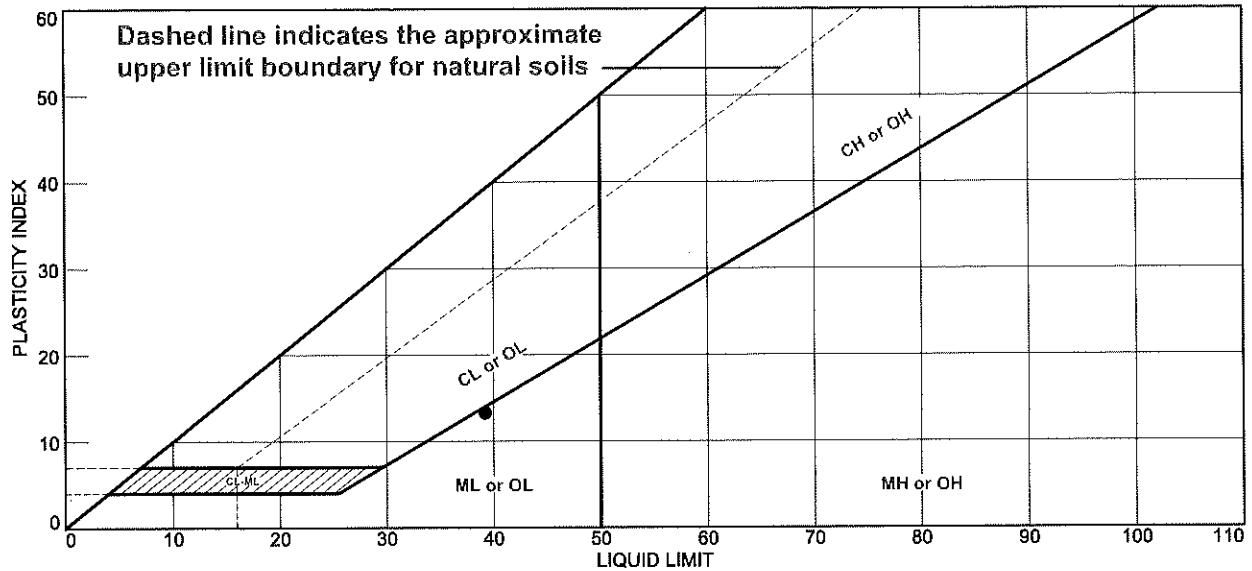
**GEOPACIFIC
ENGINEERING, INC.**

Client: Tofte Farms
Project: Canby Subdivison Preliminary

Project No: 20-5548

Figure

LIQUID AND PLASTIC LIMITS TEST REPORT



MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
Silt with Sand	39.3	26.1	13.2	96.6	71.2	ML

Project No. 20-5548 Client: Tofte Farms

Project: Canby Subdivision Preliminary

Location: TP-1

Sample Number: S20-193 Depth: 3'

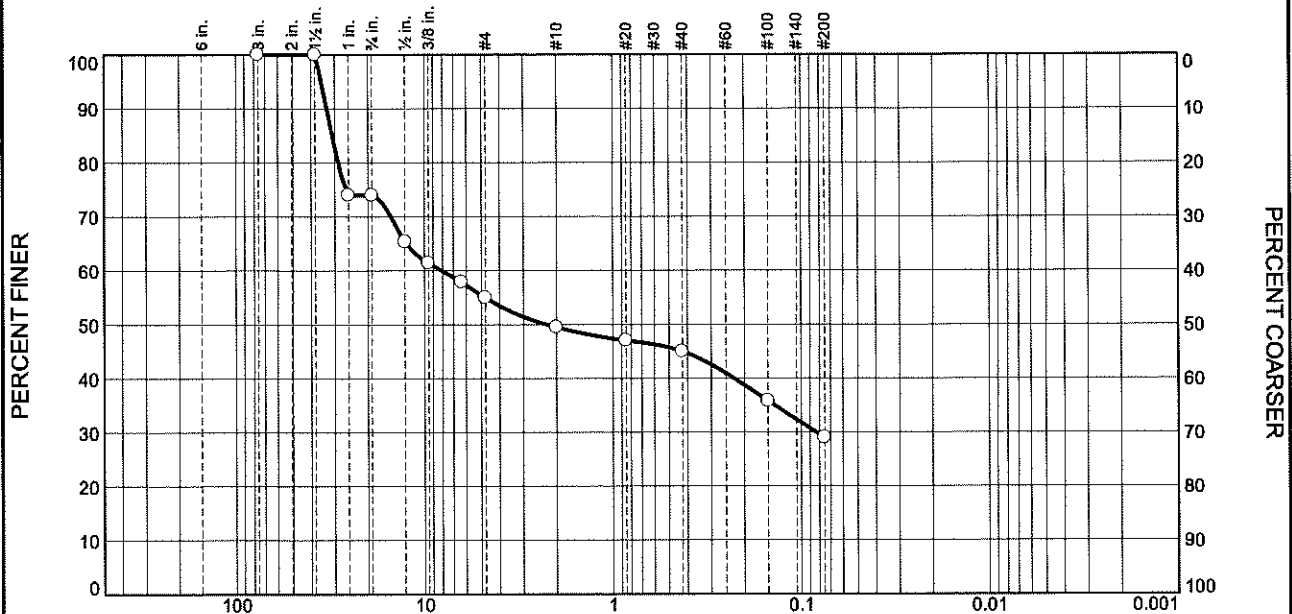
Remarks:

GEOPACIFIC ENGINEERING, INC.

Figure

Tested By: SJC

Particle Size Distribution Report



GRAIN SIZE - mm.

% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0	26.0	19.0	5.5	4.5	16.0	29.0	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	74.0		
.75	74.0		
.5	65.4		
.375	61.4		
.25	57.9		
#4	55.0		
#10	49.5		
#20	47.1		
#40	45.0		
#100	35.8		
#200	29.0		

* (no specification provided)

Material Description

Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)

PL= 24.0 LL= 30.6 PI= 6.6

Classification

USCS (D 2487)= GM AASHTO (M 145)= A-2-4(0)

Coefficients

D₉₀= 32.9937 D₈₅= 30.8918 D₆₀= 8.0719
D₅₀= 2.2536 D₃₀= 0.0830 D₁₅=
D₁₀= C_u= C_c=

Remarks

Moisture 13.6%

Date Received: Date Tested: 7/20/2020

Tested By: SJC

Checked By:

Title:

Location: TP-1

Sample Number: S20-194

Depth: 6'

Date Sampled: 7/14/2020

**GEOPACIFIC
ENGINEERING, INC.**

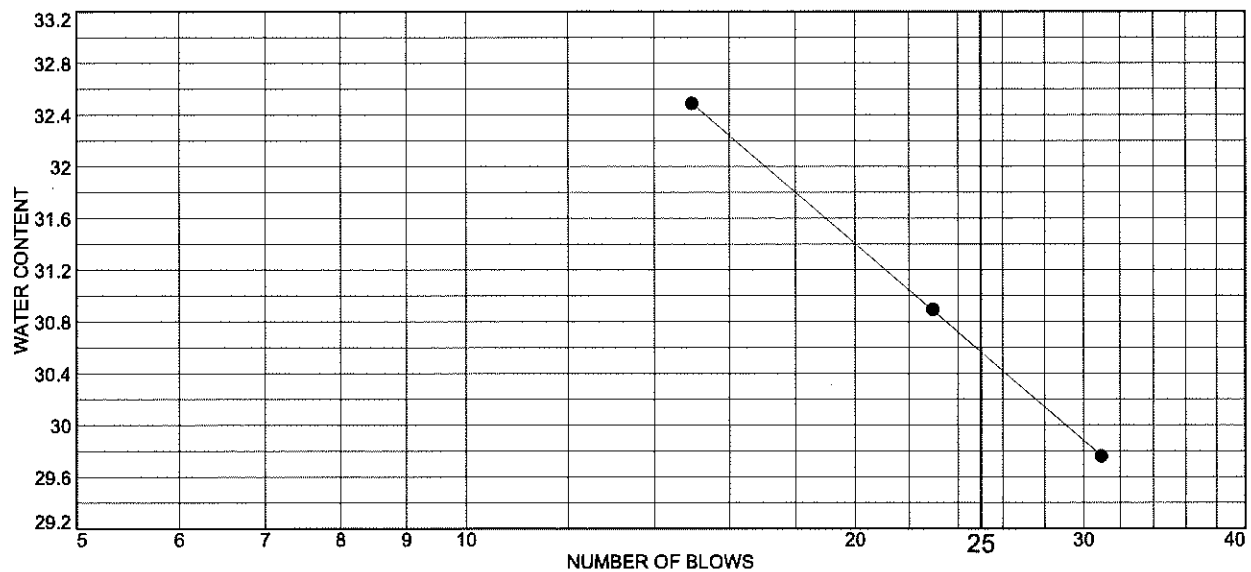
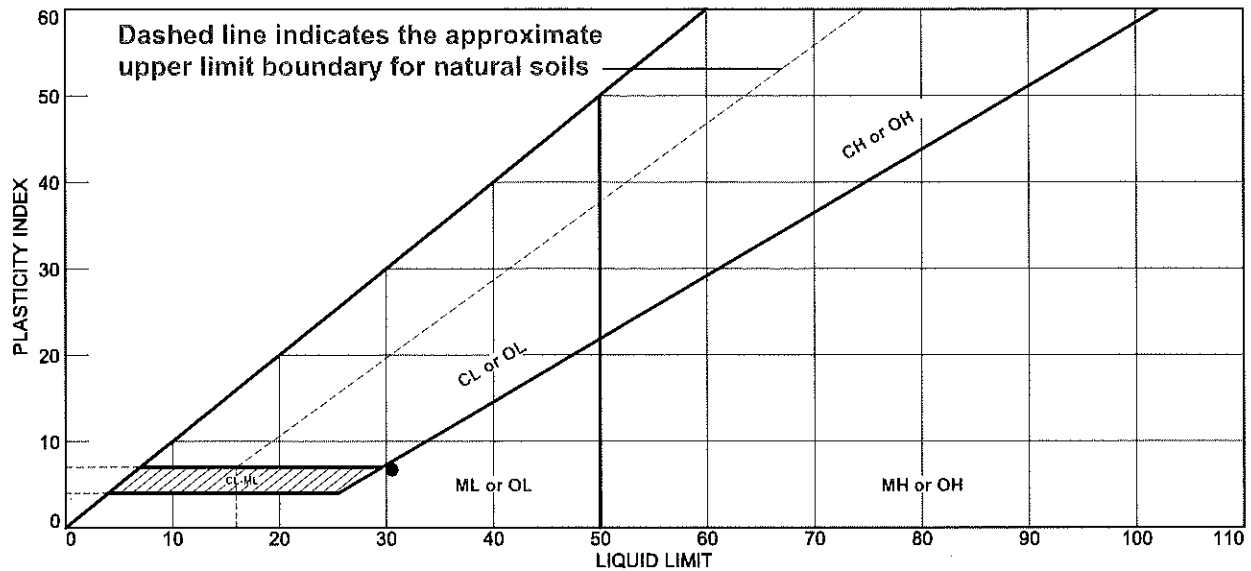
Client: Tofte Farms

Project: Canby Subdivision Preliminary

Project No: 20-5548

Figure

LIQUID AND PLASTIC LIMITS TEST REPORT



MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
Silty Gravel with Sand	30.6	24.0	6.6	45.0	29.0	GM

Project No. 20-5548 Client: Tofte Farms

Project: Canby Subdivision Preliminary

Location: TP-1

Sample Number: S20-194

Depth: 6'

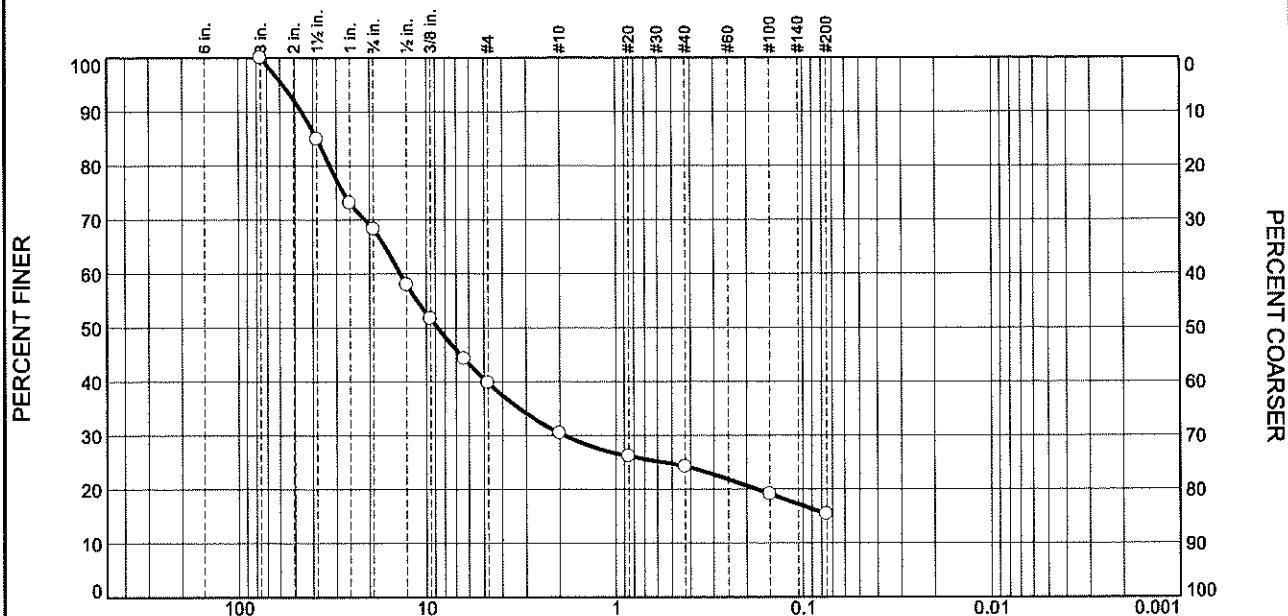
Remarks:

GROPACIFIC ENGINEERING, INC.

Figure

Tested By: SJC

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	31.7	28.5	9.4	6.2	8.8	15.4	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	85.0		
1	73.1		
.75	68.3		
.5	58.0		
.375	51.7		
.25	44.3		
#4	39.8		
#10	30.4		
#20	26.1		
#40	24.2		
#100	19.1		
#200	15.4		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
PL= NP LL= NV PI= NP

Classification
USCS (D 2487)= GM AASHTO (M 145)= A-1-a

Coefficients
D₉₀= 46.0087 D₈₅= 38.1435 D₆₀= 13.7206
D₅₀= 8.7136 D₃₀= 1.8826 D₁₅=
D₁₀= C_u= C_c=

Remarks
Moisture 11.9%

Date Received: _____ Date Tested: 7/20/2020
Tested By: SJC
Checked By: _____
Title: _____

Location: TP-1
Sample Number: S20-195 Depth: 10'

Date Sampled: 7/14/2020

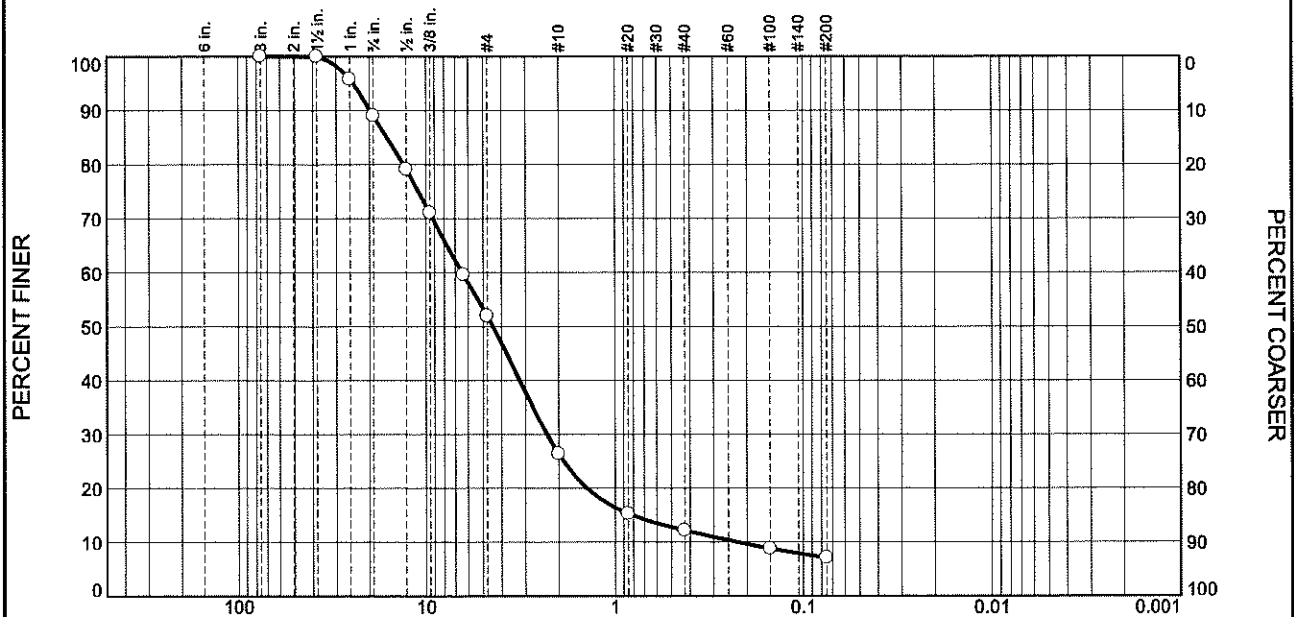
**GEOPACIFIC
ENGINEERING, INC.**

Client: Tofte Farms
Project: Canby Subdivision Preliminary

Project No: 20-5548

Figure

Particle Size Distribution Report



GRAIN SIZE - mm.

% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	11.0	37.0	25.6	14.2	5.1	7.1	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	95.8		
.75	89.0		
.5	79.1		
.375	71.0		
.25	59.6		
#4	52.0		
#10	26.4		
#20	15.3		
#40	12.2		
#100	8.8		
#200	7.1		

* (no specification provided)

Material Description

Poorly Graded Gravel with Silt and Sand

Atterberg Limits (ASTM D 4318)

PL= NP LL= NV PI= NP

Classification

USCS (D 2487)= GP-GM AASHTO (M 145)= A-1-a

Coefficients

D₉₀= 19.8594 D₈₅= 16.1676 D₆₀= 6.4438
D₅₀= 4.4274 D₃₀= 2.3028 D₁₅= 0.8088
D₁₀= 0.2236 C_u= 28.82 C_c= 3.68

Remarks

Moisture 10.7%

Date Received: _____ Date Tested: 7/20/2020

Tested By: SJC

Checked By: _____

Title: _____

Location: TP-3

Sample Number: S20-196

Depth: 17'

Date Sampled: 7/14/2020

**GEOPACIFIC
ENGINEERING, INC.**

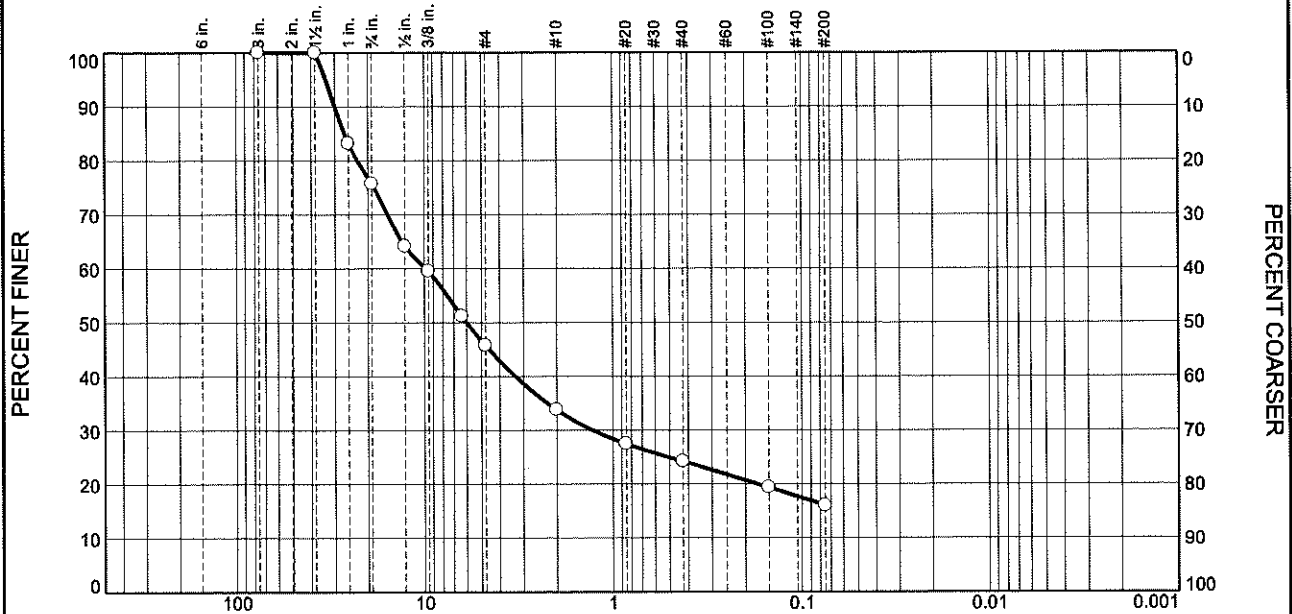
Client: Tofte Farms

Project: Canby Subdivision Preliminary

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	24.3	30.0	11.9	9.6	8.2	16.0	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	83.2		
.75	75.7		
.5	64.2		
.375	59.5		
.25	51.2		
#4	45.7		
#10	33.8		
#20	27.5		
#40	24.2		
#100	19.4		
#200	16.0		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
 PL= NP LL= NV PI= NP

Classification
 USCS (D 2487)= GM AASHTO (M 145)= A-1-b

Coefficients
 D₉₀= 29.9294 D₈₅= 26.6604 D₆₀= 9.8302
 D₅₀= 5.9897 D₃₀= 1.2837 D₁₅=
 D₁₀= C_u= C_c=

Remarks
Moisture 15.7%

Date Received: _____ Date Tested: 3/26/2021
 Tested By: SJC
 Checked By: _____
 Title: _____

Location: B-1
Sample Number: S21-085 Depth: 5'

Date Sampled: 3/16/2021

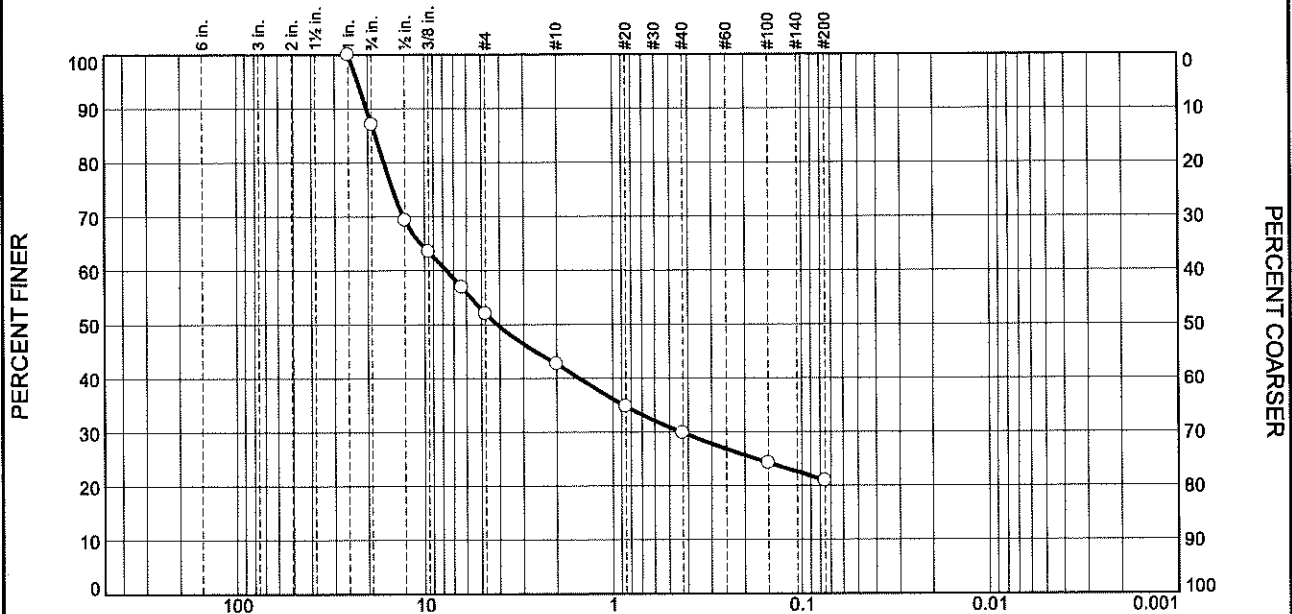
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	12.9	35.1	9.4	12.7	8.9	21.0	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	87.1		
.5	69.3		
.375	63.5		
.25	56.9		
#4	52.0		
#10	42.6		
#20	34.7		
#40	29.9		
#100	24.2		
#200	21.0		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
 PL= NP LL= NV PI= NP

Classification
 USCS (D 2487)= GM AASHTO (M 145)= A-1-b

Coefficients
 D₉₀= 20.2586 D₈₅= 18.2263 D₆₀= 7.6469
 D₅₀= 4.1194 D₃₀= 0.4354 D₁₅=
 D₁₀= C_u= C_c=

Remarks
Moisture 5.5%

Date Received: _____ Date Tested: 3/26/2021
 Tested By: SJC
 Checked By: _____
 Title: _____

Location: B-1
Sample Number: S21-086 Depth: 10'

Date Sampled: 3/16/2021

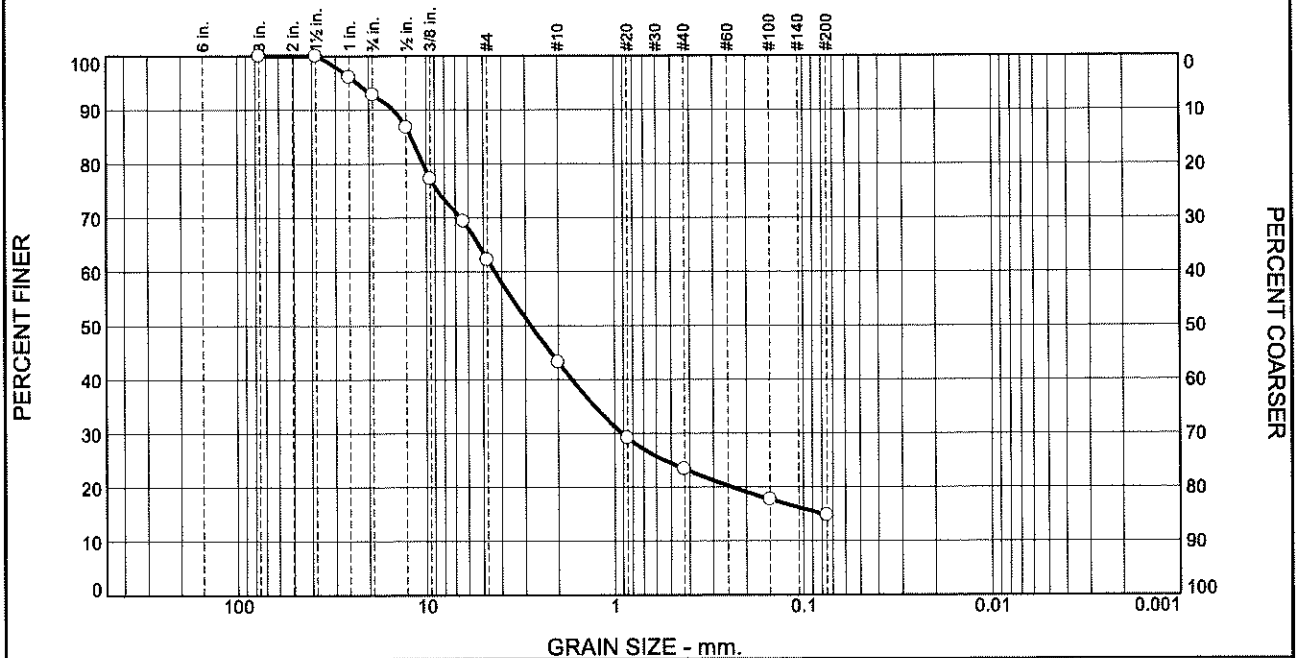
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	7.2	30.5	19.0	19.9	8.6	14.8	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	96.1		
.75	92.8		
.5	86.7		
.375	77.2		
.25	69.3		
#4	62.3		
#10	43.3		
#20	29.2		
#40	23.4		
#100	17.7		
#200	14.8		

* (no specification provided)

Material Description
Silty Sand with Gravel

Atterberg Limits (ASTM D 4318)
 PL= NP LL= NV PI= NP

Classification
 USCS (D 2487)= SM AASHTO (M 145)= A-1-a

Coefficients
 D₉₀= 14.8563 D₈₅= 11.9974 D₆₀= 4.3422
 D₅₀= 2.7967 D₃₀= 0.9096 D₁₅= 0.0785
 D₁₀= C_u= C_c=

Remarks
Moisture 8.4%

Date Received: _____ Date Tested: 3/26/2021
 Tested By: SJC
 Checked By: _____
 Title: _____

Location: B-1
Sample Number: S21-087 Depth: 15'

Date Sampled: 3/16/2021

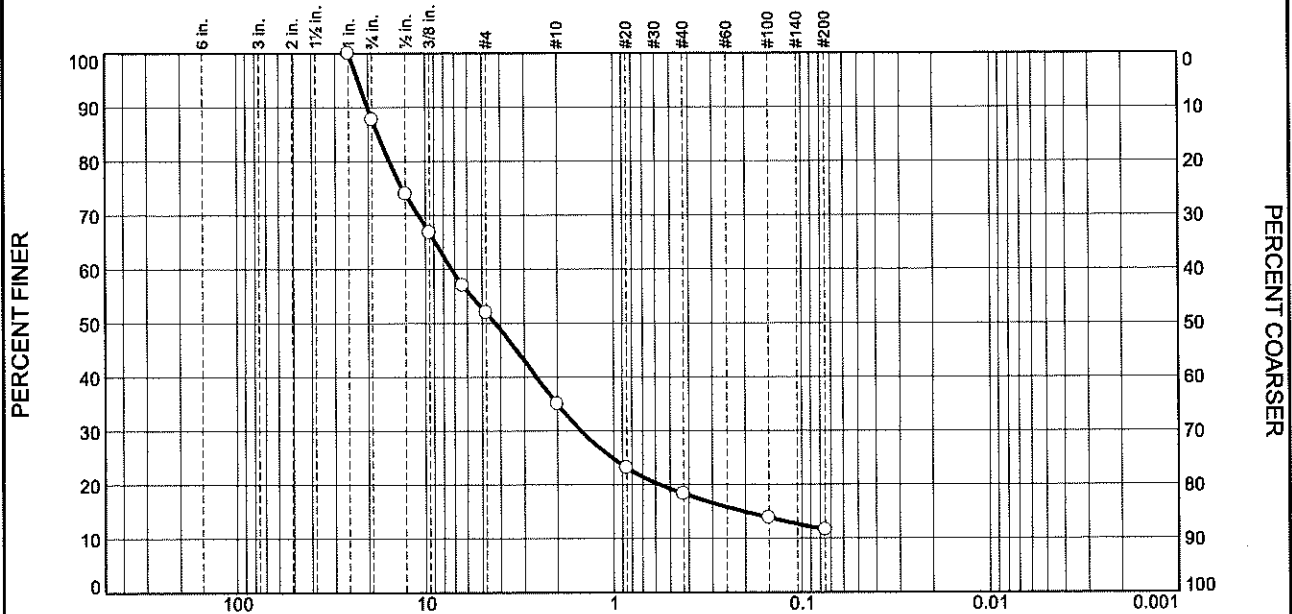
**GEOPACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	12.3	35.7	17.0	16.7	6.7	11.6	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	87.7		
.5	73.9		
.375	66.8		
.25	57.0		
#4	52.0		
#10	35.0		
#20	23.1		
#40	18.3		
#100	13.9		
#200	11.6		

* (no specification provided)

Material Description
Poorly Graded Gravel with Silt and Sand

Atterberg Limits (ASTM D 4318)
 PL= NP LL= NV PI= NP

Classification
 USCS (D 2487)= GP-GM AASHTO (M 145)= A-1-a

Coefficients
 D₉₀= 20.1356 D₈₅= 17.7632 D₆₀= 7.2536
 D₅₀= 4.2487 D₃₀= 1.4834 D₁₅= 0.2041
 D₁₀= C_u= C_c=

Remarks
Moisture 7.5%

Date Received: _____ Date Tested: 3/26/2021
 Tested By: SIC
 Checked By: _____
 Title: _____

Location: B-1
Sample Number: S21-088

Depth: 20'

Date Sampled: 3/16/2021

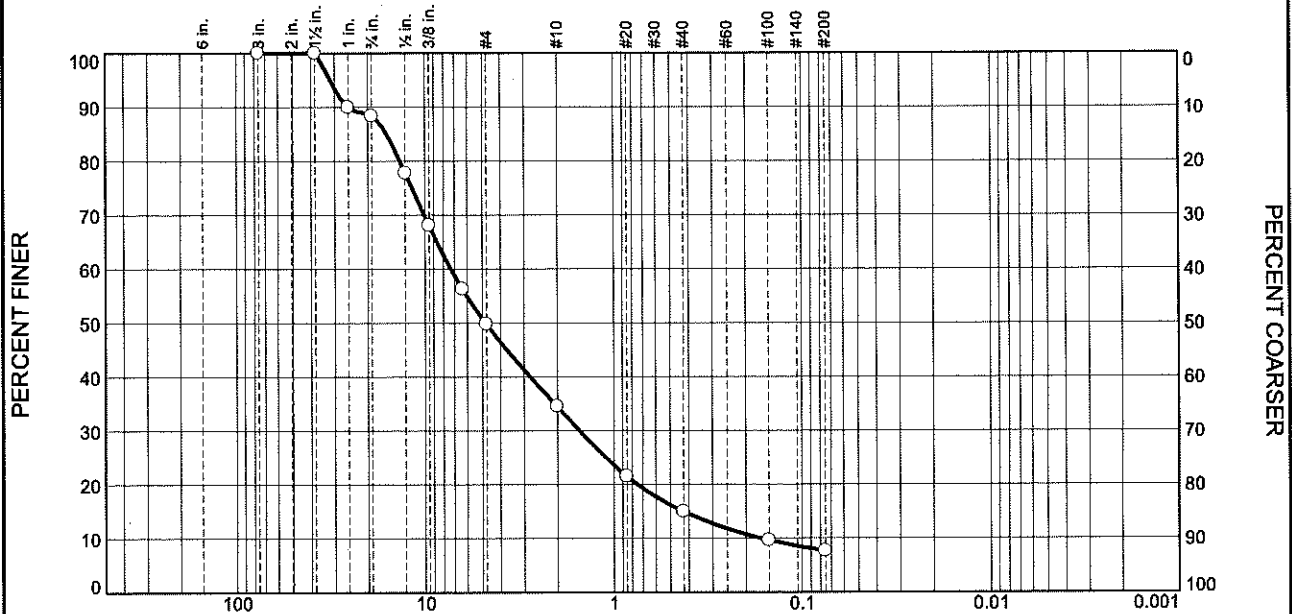
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	11.6	38.6	15.3	19.5	7.3	7.7	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	89.9		
.75	88.4		
.5	77.8		
.375	68.1		
.25	56.3		
#4	49.8		
#10	34.5		
#20	21.5		
#40	15.0		
#100	9.7		
#200	7.7		

* (no specification provided)

Material Description
Well-graded Gravel with Silt and Sand

Atterberg Limits (ASTM D 4318)
PL= NP LL= NV PI= NP

Classification
USCS (D 2487)= GW-GM AASHTO (M 145)= A-1-a

Coefficients
 D₉₀= 25.5191 D₈₅= 15.9634 D₆₀= 7.3097
 D₅₀= 4.7903 D₃₀= 1.5202 D₁₅= 0.4266
 D₁₀= 0.1654 C_u= 44.20 C_c= 1.91

Remarks
Moisture 8.1%

Date Received: _____ Date Tested: 3/29/2021
 Tested By: SJC
 Checked By: _____
 Title: _____

Location: B-1
Sample Number: S21-089 Depth: 25'

Date Sampled: 3/16/2021

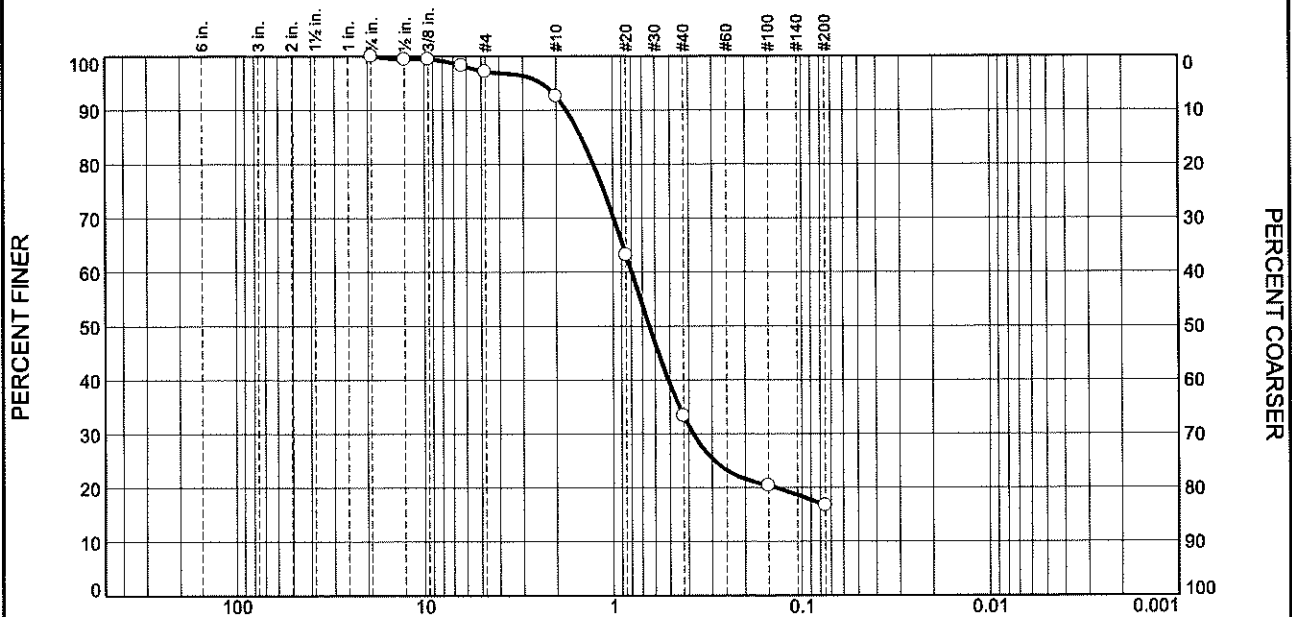
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	0.0	2.9	4.5	59.2	16.7	16.7	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
.75	100.0		
.5	99.4		
.375	99.4		
.25	98.3		
#4	97.1		
#10	92.6		
#20	63.2		
#40	33.4		
#100	20.4		
#200	16.7		

* (no specification provided)

Material Description		
Silty Sand		
Atterberg Limits (ASTM D 4318)		
PL= NP	LL= NV	PI= NP
Classification		
USCS (D 2487)= SM	AASHTO (M 145)= A-1-b	
Coefficients		
D ₉₀ = 1.7633	D ₈₅ = 1.4711	D ₆₀ = 0.7936
D ₅₀ = 0.6415	D ₃₀ = 0.3775	D ₁₅ =
D ₁₀ =	C _u =	C _c =
Remarks		
Moisture 11.4%		
Date Received: _____		Date Tested: 3/29/2021
Tested By: SJC		
Checked By: _____		
Title: _____		

Location: B-1
Sample Number: S21-090 Depth: 30'

Date Sampled: 3/16/2021

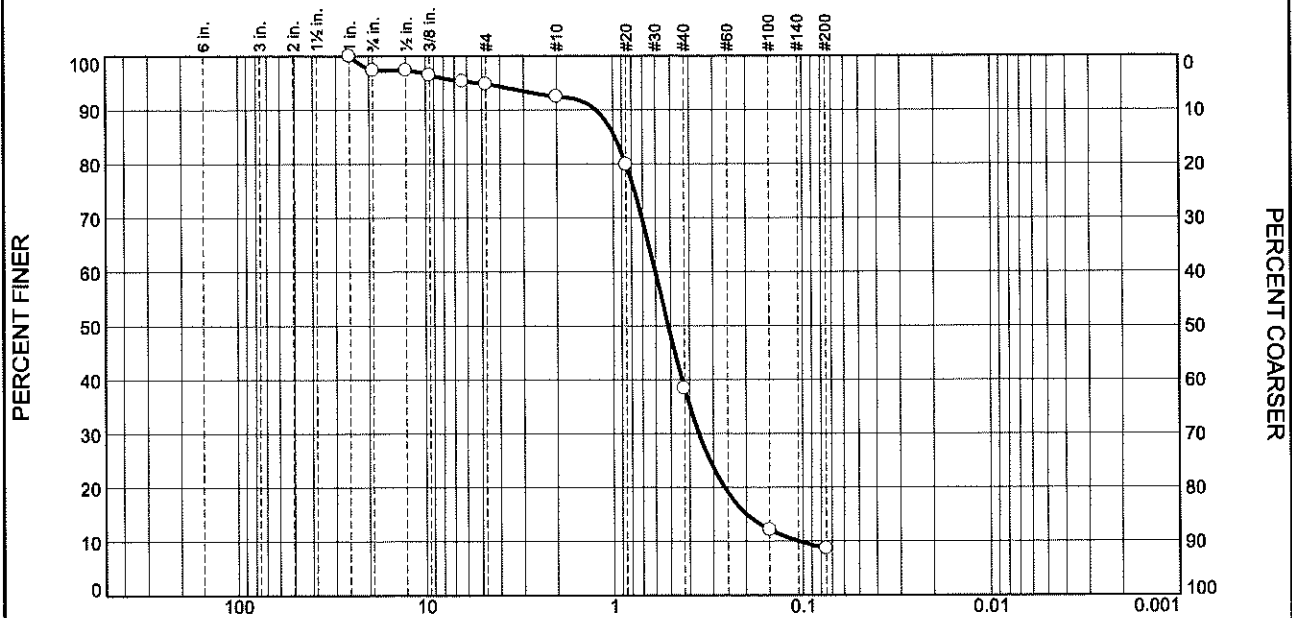
**GEOPACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



GRAIN SIZE - mm.

% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	2.7	2.5	2.4	54.0	29.7	8.7	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	97.3		
.5	97.3		
.375	96.5		
.25	95.3		
#4	94.8		
#10	92.4		
#20	79.9		
#40	38.4		
#100	12.2		
#200	8.7		

* (no specification provided)

Material Description

Poorly Graded Sand with Silt

Atterberg Limits (ASTM D 4318)

PL= NP LL= NV PI= NP

Classification

USCS (D 2487)= SP-SM AASHTO (M 145)= A-1-b

Coefficients

D₉₀= 1.2299 D₈₅= 0.9761 D₆₀= 0.6009
D₅₀= 0.5154 D₃₀= 0.3560 D₁₅= 0.1984
D₁₀= 0.1048 C_u= 5.73 C_c= 2.01

Remarks

Moisture 15.0%

Date Received: _____ Date Tested: 3/29/2021

Tested By: SJC

Checked By: _____

Title: _____

Location: B-1

Sample Number: S21-091

Depth: 35'

Date Sampled: 3/16/2021

**GEOPACIFIC
ENGINEERING, INC.**

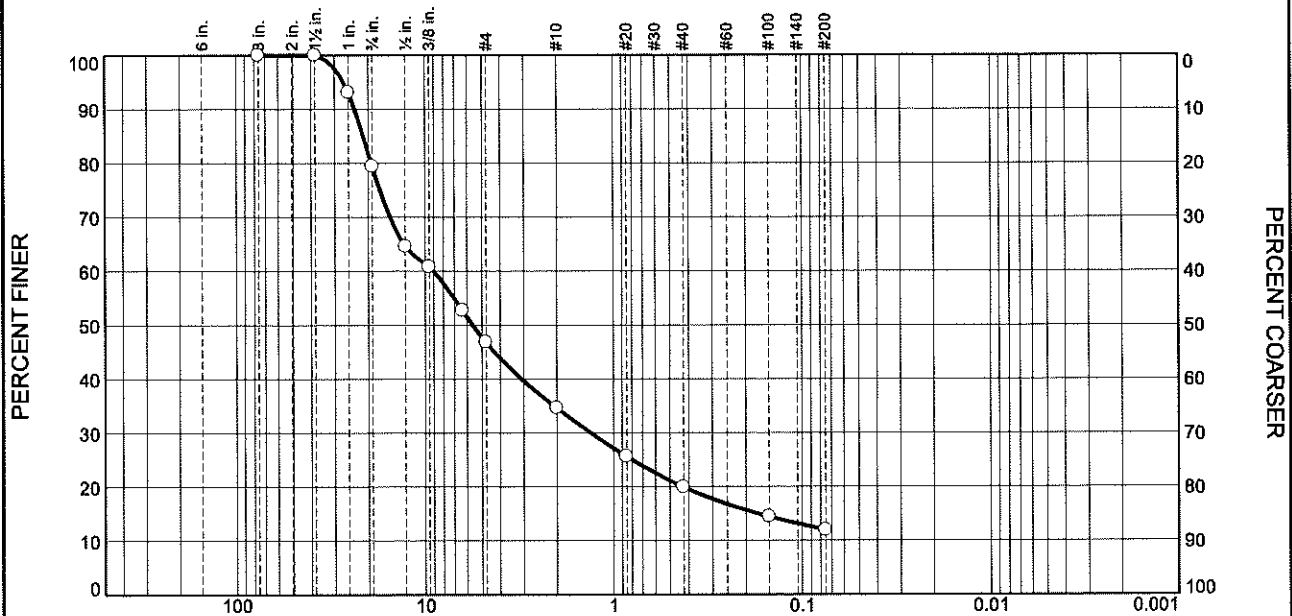
Client: Pahlisch Homes

Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



GRAIN SIZE - mm.

% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	20.6	32.6	12.2	14.7	7.9	12.0	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	93.1		
.75	79.4		
.5	64.6		
.375	60.8		
.25	52.7		
#4	46.8		
#10	34.6		
#20	25.6		
#40	19.9		
#100	14.4		
#200	12.0		

* (no specification provided)

Material Description

Poorly Graded Gravel with Silt and Sand

Atterberg Limits (ASTM D 4318)

PL= NP LL= NV PI= NP

Classification

USCS (D 2487)= GP-GM AASHTO (M 145)= A-1-a

Coefficients

D₉₀= 23.5649 D₈₅= 21.2667 D₆₀= 9.0359
D₅₀= 5.5859 D₃₀= 1.3155 D₁₅= 0.1722
D₁₀= C_u= C_c=

Remarks

Moisture 5.9%

Date Received: _____ Date Tested: 3/29/2021
Tested By: SJC
Checked By: _____
Title: _____

Location: B-1
Sample Number: S21-092 Depth: 40'

Date Sampled: 3/16/2021

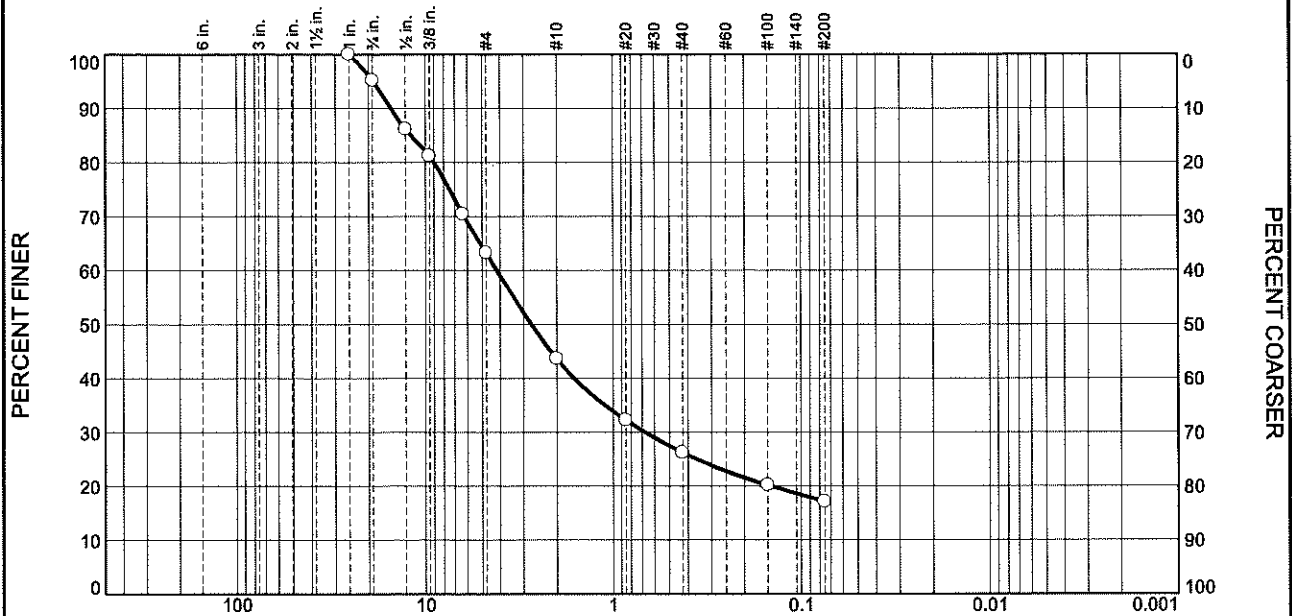
**GEOPACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	4.8	32.0	19.6	17.4	9.0	17.2	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	95.2		
.5	86.1		
.375	81.2		
.25	70.4		
#4	63.2		
#10	43.6		
#20	32.2		
#40	26.2		
#100	20.2		
#200	17.2		

* (no specification provided)

Material Description		
Silty Sand with Gravel		
Atterberg Limits (ASTM D 4318)		
PL= NP	LL= NV	PI= NP
Classification		
USCS (D 2487)= SM	AASHTO (M 145)= A-1-b	
Coefficients		
D ₉₀ = 15.1958	D ₈₅ = 11.9152	D ₆₀ = 4.1510
D ₅₀ = 2.7205	D ₃₀ = 0.6719	D ₁₅ =
D ₁₀ =	C _u =	C _c =
Remarks		
Moisture 6.9%		
Date Received: _____		Date Tested: 3/29/2021
Tested By: SJC		
Checked By: _____		
Title: _____		

Location: B-1
Sample Number: S21-093 Depth: 50'

Date Sampled: 3/16/2021

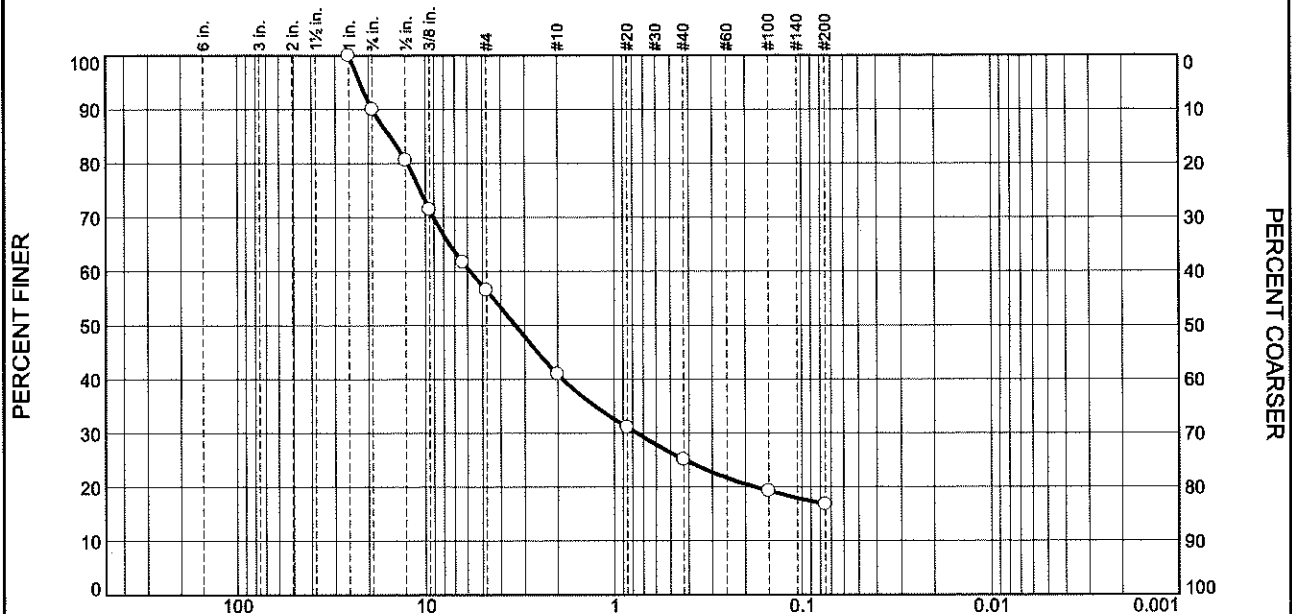
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	10.0	33.5	15.6	15.8	8.3	16.8	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	90.0		
.5	80.6		
.375	71.5		
.25	61.7		
#4	56.5		
#10	40.9		
#20	31.1		
#40	25.1		
#100	19.3		
#200	16.8		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
PL= NP LL= NV PI= NP

Classification
USCS (D 2487)= GM AASHTO (M 145)= A-1-b

Coefficients
D₉₀= 19.0472 D₈₅= 15.3605 D₆₀= 5.7949
D₅₀= 3.3450 D₃₀= 0.7574 D₁₅=
D₁₀= C_u= C_c=

Remarks
Moisture 6.5%

Date Received: _____ Date Tested: 3/26/2021
Tested By: SJC
Checked By: _____
Title: _____

Location: B-1
Sample Number: S21-094 Depth: 60'

Date Sampled: 3/16/2021

**GEOPACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

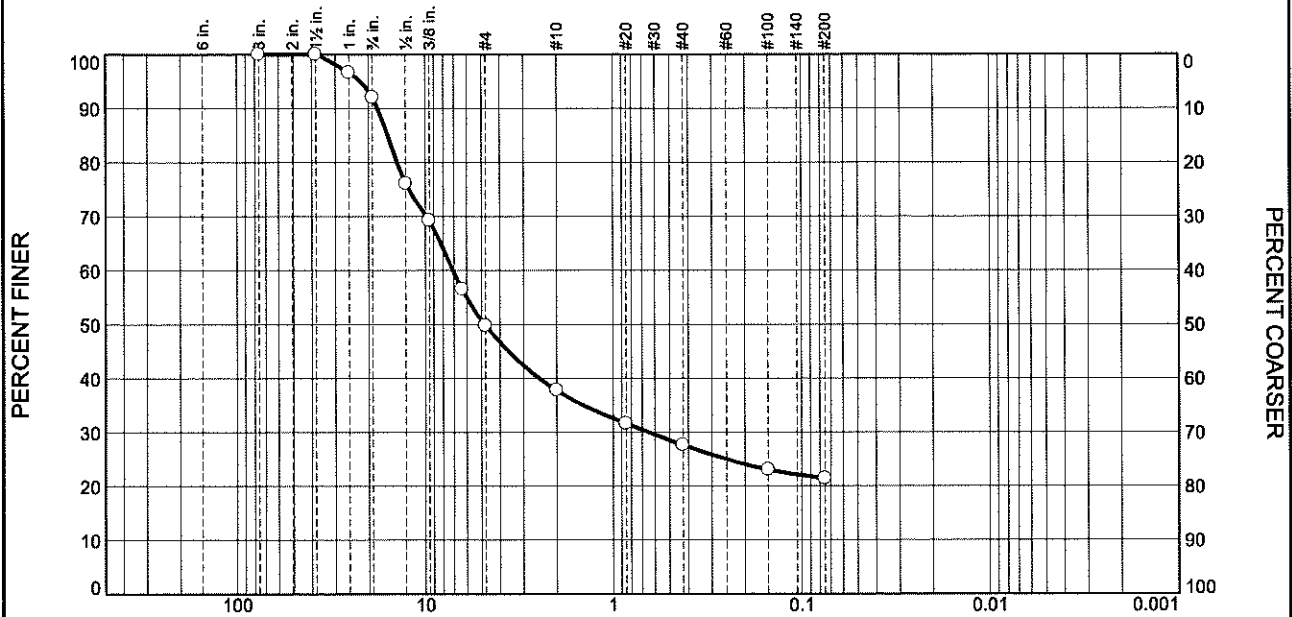
The graph displays the grain size distribution of a material. The x-axis represents grain size in millimeters on a logarithmic scale. The left y-axis represents the percentage of material finer than a given size, and the right y-axis represents the percentage coarser. The curve shows that approximately 100% of the material is finer than 1 mm, and about 22% is finer than 0.075 mm (No. 200 sieve).

Sieve Size	Grain Size (mm)	Percent Finer (%)	Percent Coarser (%)
1 in.	25.4	100	0
3/4 in.	19.0	98	2
1/2 in.	12.5	88	12
3/8 in.	9.5	82	18
No. 40	4.75	73	27
No. 10	2.0	53	47
No. 20	0.85	42	58
No. 30	0.60	38	62
No. 40	0.425	34	66
No. 60	0.25	28	72
No. 100	0.15	25	75
No. 40	0.075	22	78
No. 200	0.075	22	78

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	96.4		
.5	86.8		
.375	81.9		
.25	73.2		
#4	68.5		
#10	52.6		
#20	40.7		
#40	33.4		
#100	24.7		
#200	21.8		

City Council Packet - Page 237 of 571

Particle Size Distribution Report



GRAIN SIZE - mm.

% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	8.0	42.2	12.0	10.2	6.2	21.4	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	96.6		
.75	92.0		
.5	76.1		
.375	69.3		
.25	56.5		
#4	49.8		
#10	37.8		
#20	31.6		
#40	27.6		
#100	23.1		
#200	21.4		

* (no specification provided)

Material Description

Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)

PL= NP LL= NV PI= NP

Classification

USCS (D 2487)= GM AASHTO (M 145)= A-1-b

Coefficients

D₉₀= 17.8978 D₈₅= 15.8256 D₆₀= 7.0902
D₅₀= 4.7896 D₃₀= 0.6464 D₁₅=
D₁₀= C_u= C_c=

Remarks

Moisture 13.9%

Date Received: _____ Date Tested: 3/29/2021

Tested By: SJC

Checked By: _____

Title: _____

Location: B-1

Sample Number: S21-096

Depth: 80'

Date Sampled: 3/16/2021

**GEO PACIFIC
ENGINEERING, INC.**

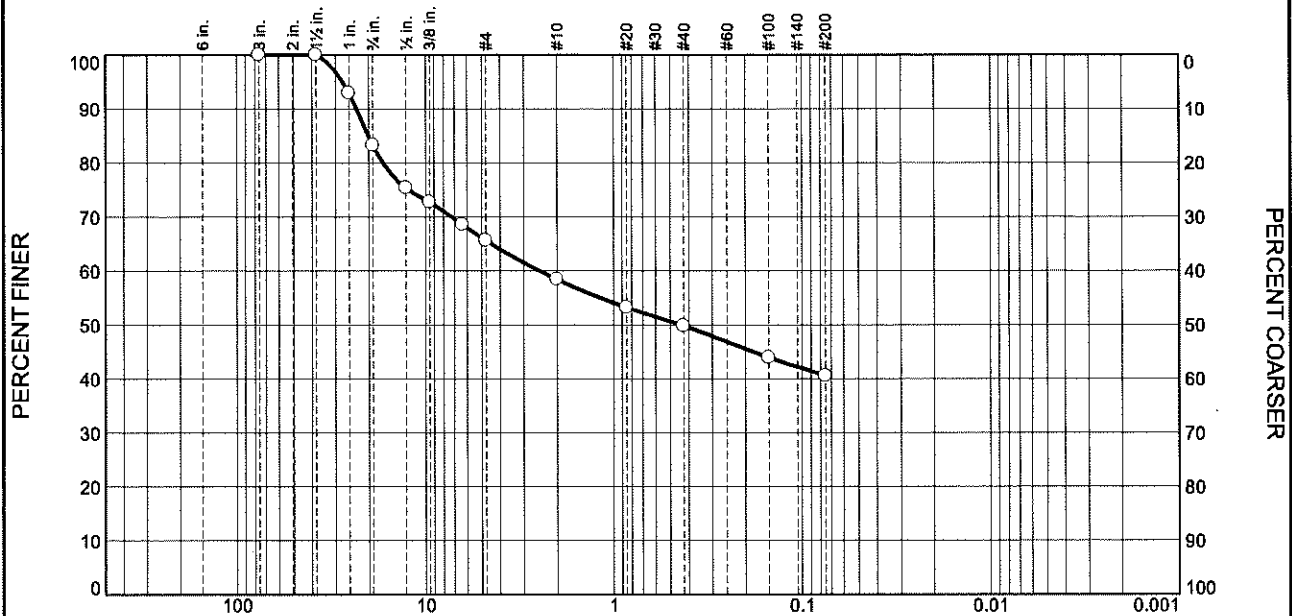
Client: Pahlisch Homes

Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	16.7	17.7	7.1	8.6	9.3	40.6	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	92.9		
.75	83.3		
.5	75.3		
.375	72.8		
.25	68.6		
#4	65.6		
#10	58.5		
#20	53.2		
#40	49.9		
#100	44.0		
#200	40.6		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
PL= NP LL= NV PI= NP

Classification
USCS (D 2487)= GM AASHTO (M 145)= A-4(0)

Coefficients
D₉₀= 23.1964 D₈₅= 20.0945 D₆₀= 2.4697
D₅₀= 0.4371 D₃₀= D₁₅=
D₁₀= C_u= C_c=

Moisture 11.9%

Remarks

Date Received: _____ Date Tested: 3/29/2021
Tested By: SJC
Checked By: _____
Title: _____

Location: B-4
Sample Number: S21-097 Depth: 5'

Date Sampled: 3/19/2021

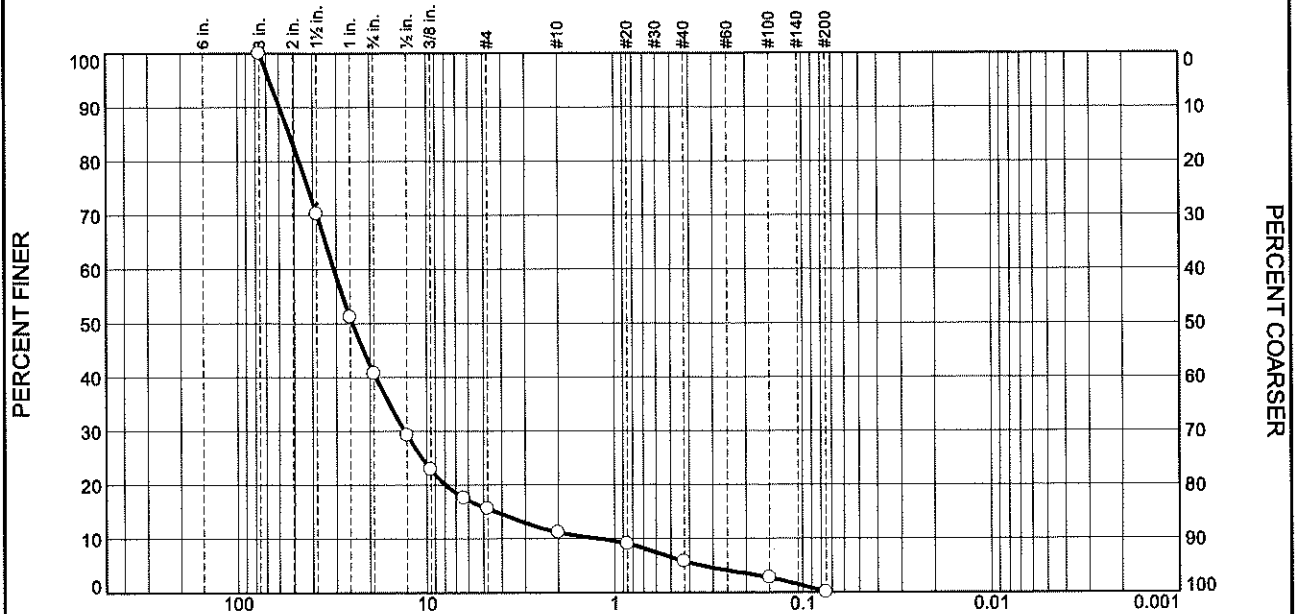
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



GRAIN SIZE - mm.

% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	59.3	25.1	4.4	5.4	5.7	0.1	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	70.3		
1	51.2		
.75	40.7		
.5	29.2		
.375	22.9		
.25	17.6		
#4	15.6		
#10	11.2		
#20	9.0		
#40	5.8		
#100	2.7		
#200	0.1		

* (no specification provided)

Material Description

Poorly Graded Gravel with Sand

Atterberg Limits (ASTM D 4318)

PL= NP LL= NV PI= NP

Classification

USCS (D 2487)= GP AASHTO (M 145)= A-1-a

Coefficients

D₉₀= 59.6129 D₈₅= 52.9004 D₆₀= 30.8226
D₅₀= 24.6883 D₃₀= 13.0921 D₁₅= 4.2861
D₁₀= 1.2082 C_u= 25.51 C_c= 4.60

Remarks

Moisture 10.2%

Date Received: _____ Date Tested: 3/26/2021

Tested By: SJC

Checked By: _____

Title: _____

Location: B-4

Sample Number: S21-098

Depth: 20'

Date Sampled: 3/19/2021

**GEO PACIFIC
ENGINEERING, INC.**

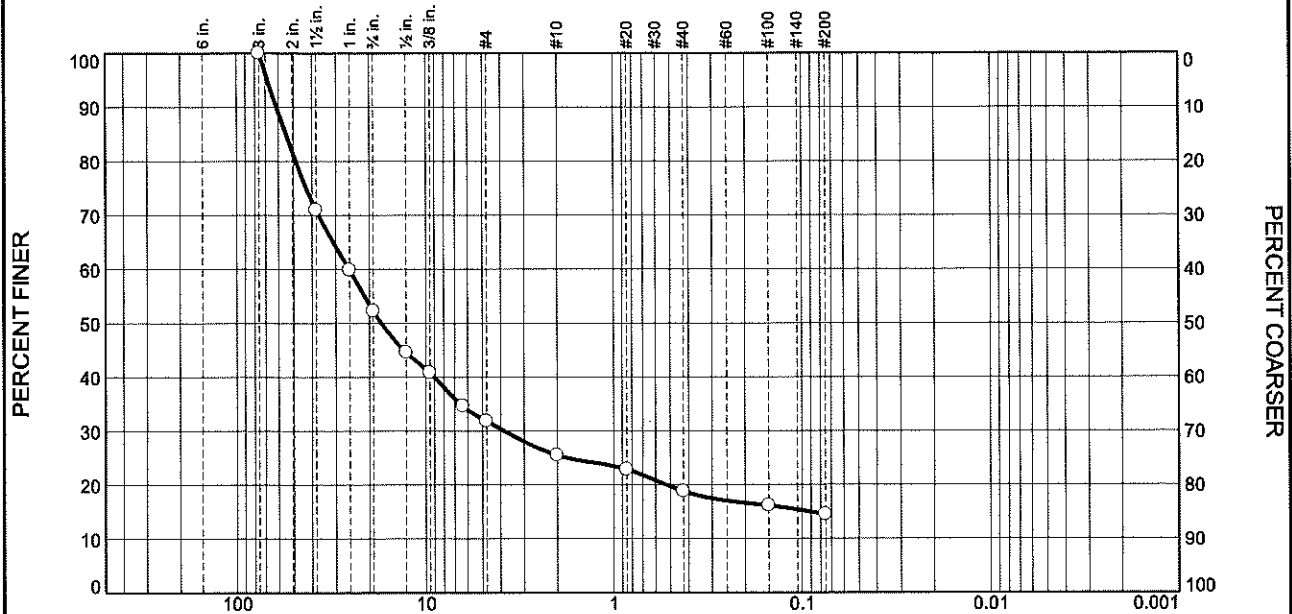
Client: Pahlisch Homes

Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	47.7	20.5	6.3	6.7	4.3	14.5	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	71.0		
1	59.9		
.75	52.3		
.5	44.6		
.375	40.9		
.25	34.7		
#4	31.8		
#10	25.5		
#20	22.9		
#40	18.8		
#100	16.2		
#200	14.5		

* (no specification provided)

Material Description		
Silty Gravel with Sand		
Atterberg Limits (ASTM D 4318)		
PL= NP	LL= NV	PI= NP
Classification		
USCS (D 2487)= GM	AASHTO (M 145)= A-1-a	
Coefficients		
D ₉₀ = 61.4081	D ₈₅ = 54.8820	D ₆₀ = 25.4908
D ₅₀ = 17.2665	D ₃₀ = 3.8190	D ₁₅ = 0.0908
D ₁₀ =	C _u =	C _c =
Moisture 6.8%		
Remarks		
Date Received: _____ Date Tested: 3/26/2021		
Tested By: SJC		
Checked By: _____		
Title: _____		

Location: B-4
Sample Number: S21-099 Depth: 25'

Date Sampled: 3/19/2021

**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

The graph illustrates the grain size distribution of a soil sample. The x-axis is logarithmic, with sieve size in inches at the top and sieve number at the bottom. The y-axis shows the percentage of soil finer or coarser than a given sieve size.

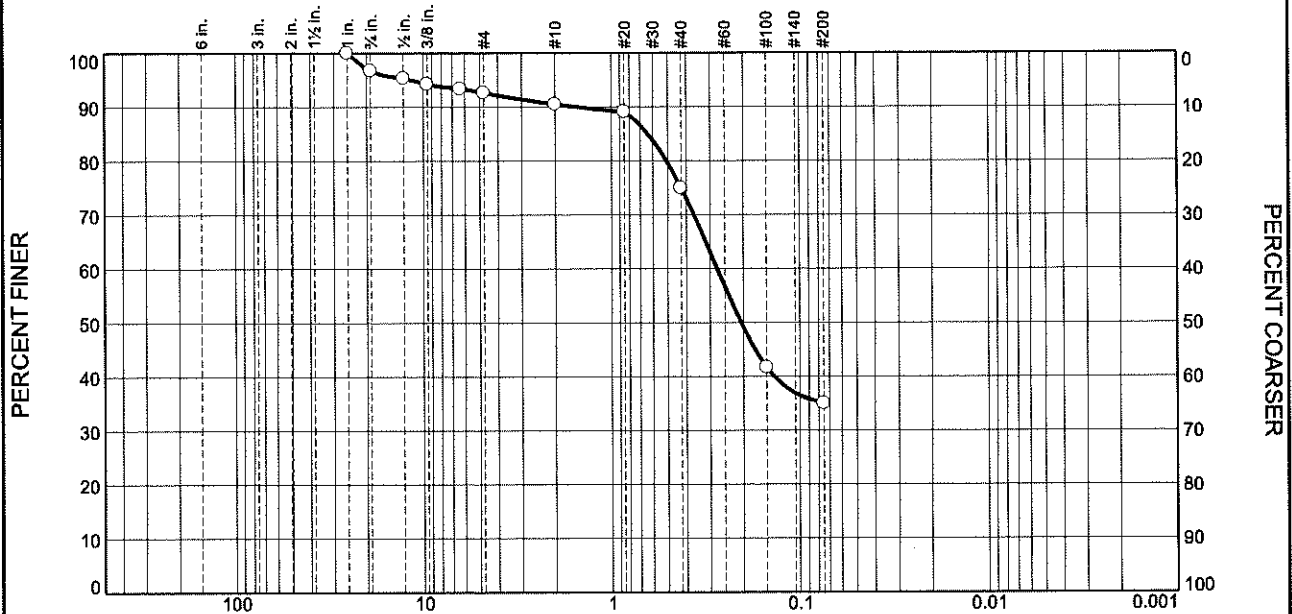
Sieve Size (in.)	Sieve Number	Percent Finer (%)
6 in.	-	100
3 in.	-	100
2 in.	-	100
1½ in.	-	90
1 in.	-	75
¾ in.	-	70
½ in.	-	63
3/8 in.	-	58
#4	4	53
#10	10	48
#20	20	40
#30	30	36
#40	40	28
#60	60	24
#100	100	22
#140	140	20
#200	200	20

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	89.0		
1	74.0		
.75	68.8		
.5	62.2		
.375	58.4		
.25	52.2		
#4	48.3		
#10	39.9		
#20	35.5		
#40	27.4		
#100	22.2		
#200	19.3		

Date Received: _____ **Date Tested:** 3/29/2021
Tested By: SJC
Checked By: _____
Title: _____

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	3.3	4.1	2.1	15.5	40.0	35.0	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	96.7		
.5	95.3		
.375	94.2		
.25	93.4		
#4	92.6		
#10	90.5		
#20	89.0		
#40	75.0		
#100	41.7		
#200	35.0		

* (no specification provided)

Material Description		
Silty Clayey Sand		
Atterberg Limits (ASTM D 4318)		
PL= 21.6	LL= 26.7	PI= 5.1
Classification		
USCS (D 2487)= SC-SM	AASHTO (M 145)= A-2-4(0)	
Coefficients		
D ₉₀ = 1.5431	D ₈₅ = 0.6382	D ₆₀ = 0.2745
D ₅₀ = 0.2049	D ₃₀ =	D ₁₅ =
D ₁₀ =	C _u =	C _c =
Moisture 19.2%		
Remarks		
Date Received: _____ Date Tested: 3/26/2021		
Tested By: SJC		
Checked By: _____		
Title: _____		

Location: B-5

Sample Number: S21-101

Depth: 5'

Date Sampled: 3/19/2021

**GEO PACIFIC
ENGINEERING, INC.**

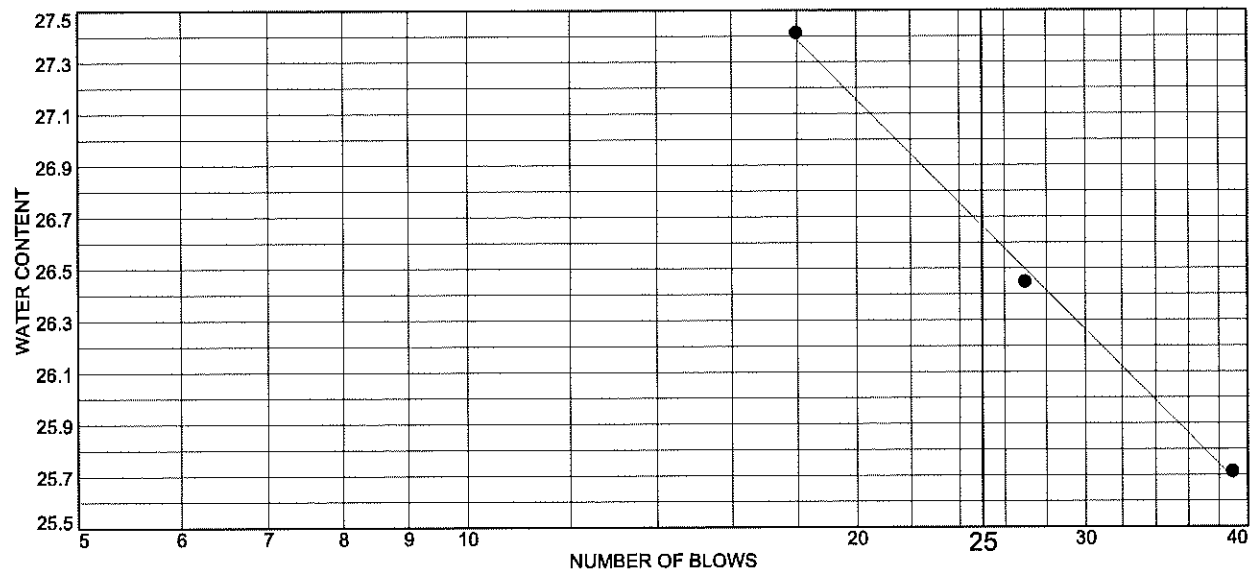
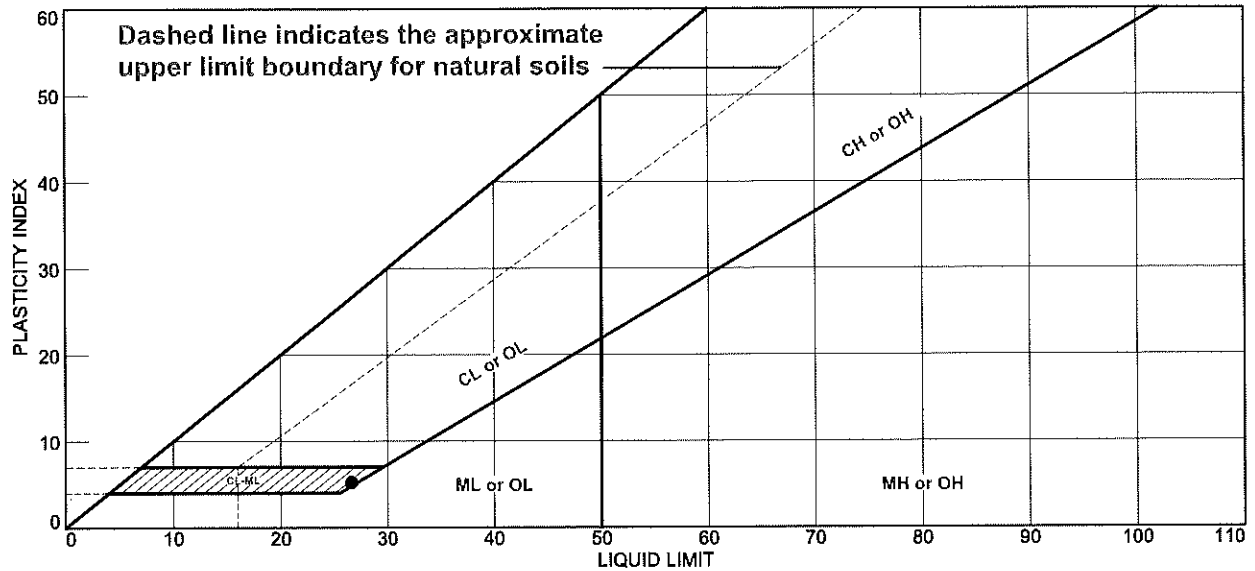
Client: Pahlisch Homes

Project: Tofte Farms #7

Project No: 20-5548

Figure

LIQUID AND PLASTIC LIMITS TEST REPORT



MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
Silty Clayey Sand	26.7	21.6	5.1	75.0	35.0	SC-SM

Project No. 20-5548 Client: Pahlisch Homes

Project: Tofte Farms #7

Location: B-5

Sample Number: S21-101 Depth: 5'

Remarks:

GEOPACIFIC ENGINEERING, INC.

Figure

Tested By: SJC

The graph displays the grain size distribution of a soil sample. The x-axis is logarithmic, with sieve size in inches at the top and sieve number at the bottom. The y-axis shows the percentage of soil finer than a given sieve size.

Sieve Size (inches)	Sieve Number	Percent Finer (%)
3 in.	-	100
2 in.	-	75
1 1/4 in.	-	65
1 in.	-	62
3/4 in.	-	56
3/8 in.	-	52
#4	4	45
#10	10	40
#20	20	28
#30	30	23
#40	40	18
#60	60	15
#100	100	14
#140	140	13
#200	200	12

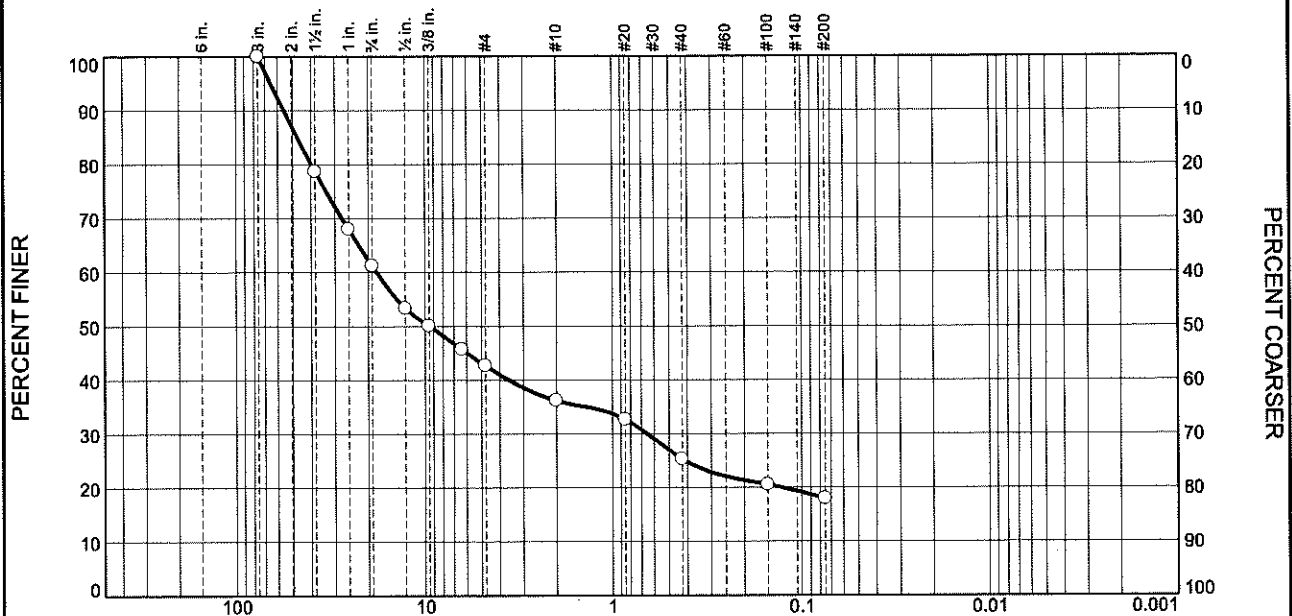
GRAIN SIZE - mm.						
% +3"	% Gravel		% Sand			% Fines
	Coarse	Fine	Coarse	Medium	Fine	Silt Clay
0.0	39.0	21.1	13.0	10.3	4.7	11.9

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	73.3		
1	65.0		
.75	61.0		
.5	55.8		
.375	51.5		
.25	44.6		
#4	39.9		
#10	26.9		
#20	22.0		
#40	16.6		
#100	13.8		
#200	11.9		

Title:

Figure

Particle Size Distribution Report



GRAIN SIZE - mm.

% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	38.8	18.5	6.5	10.9	7.3	18.0	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	78.7		
1	68.0		
.75	61.2		
.5	53.3		
.375	50.1		
.25	45.7		
#4	42.7		
#10	36.2		
#20	32.7		
#40	25.3		
#100	20.5		
#200	18.0		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
PL= NP LL= NV PI= NP

Classification
USCS (D 2487)= GM AASHTO (M 145)= A-1-b

Coefficients
D₉₀= 55.5629 D₈₅= 47.2176 D₆₀= 18.0249
D₅₀= 9.4466 D₃₀= 0.6513 D₁₅=
D₁₀= C_u= C_c=

Remarks
Moisture 5.9%

Date Received: _____ Date Tested: 3/29/2021
Tested By: SJC
Checked By: _____
Title: _____

Location: B-5
Sample Number: S21-103 Depth: 25'

Date Sampled: 3/19/2021

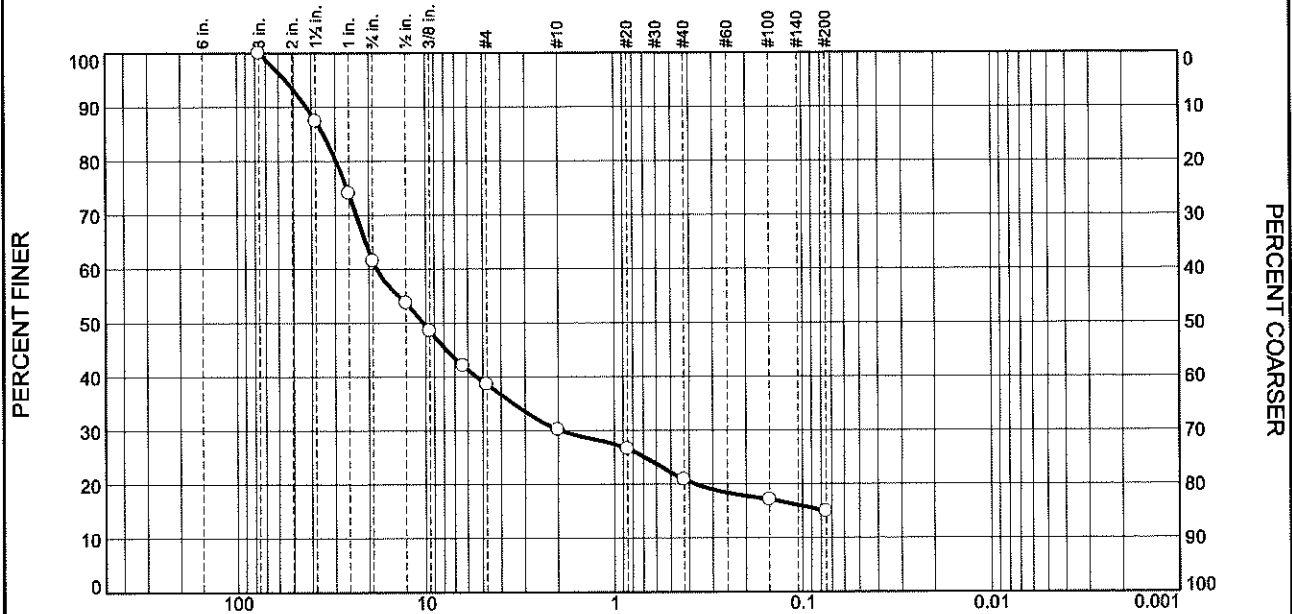
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	38.4	23.0	8.4	9.3	6.0	14.9	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	87.4		
1	74.1		
.75	61.6		
.5	53.8		
.375	48.6		
.25	42.1		
#4	38.6		
#10	30.2		
#20	26.6		
#40	20.9		
#100	17.1		
#200	14.9		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
 PL= NP LL= NV PI= NP

Classification
 USCS (D 2487)= GM AASHTO (M 145)= A-1-a

Coefficients
 D₉₀= 42.6003 D₈₅= 34.7552 D₆₀= 18.1237
 D₅₀= 10.2707 D₃₀= 1.9281 D₁₅= 0.0768
 D₁₀= C_u= C_c=

Remarks
Moisture 7.3%

Date Received: _____ Date Tested: 3/26/2021
 Tested By: SJC
 Checked By: _____
 Title: _____

Location: B-5
Sample Number: S21-104 Depth: 30'

Date Sampled: 3/19/2021

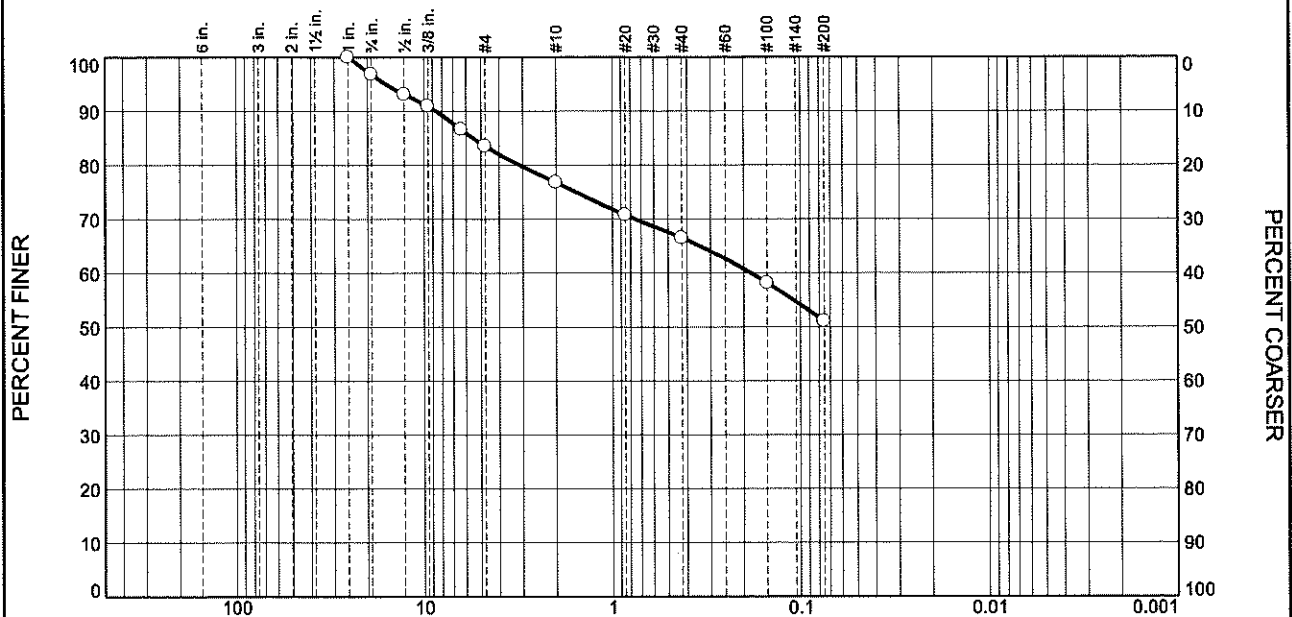
**GEOPACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	3.2	13.3	6.7	10.3	15.4	51.1	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	96.8		
.5	93.1		
.375	90.9		
.25	86.6		
#4	83.5		
#10	76.8		
#20	70.7		
#40	66.5		
#100	58.1		
#200	51.1		

(no specification provided)

Material Description		
Sandy Silty with Gravel		
Atterberg Limits (ASTM D 4318)		
PL= 25.8	LL= 31.6	PI= 5.8
Classification		
USCS (D 2487)= ML	AASHTO (M 145)= A-4(1)	
Coefficients		
D ₉₀ = 8.6254	D ₈₅ = 5.4928	D ₆₀ = 0.1833
D ₅₀ =	D ₃₀ =	D ₁₅ =
D ₁₀ =	C _u =	C _c =
Remarks		
Moisture 16.3%		
Date Received:		Date Tested: 3/26/2021
Tested By: SJC		
Checked By:		
Title:		

Location: B-6
Sample Number: S21-105 Depth: 5'

Date Sampled: 3/22/2021

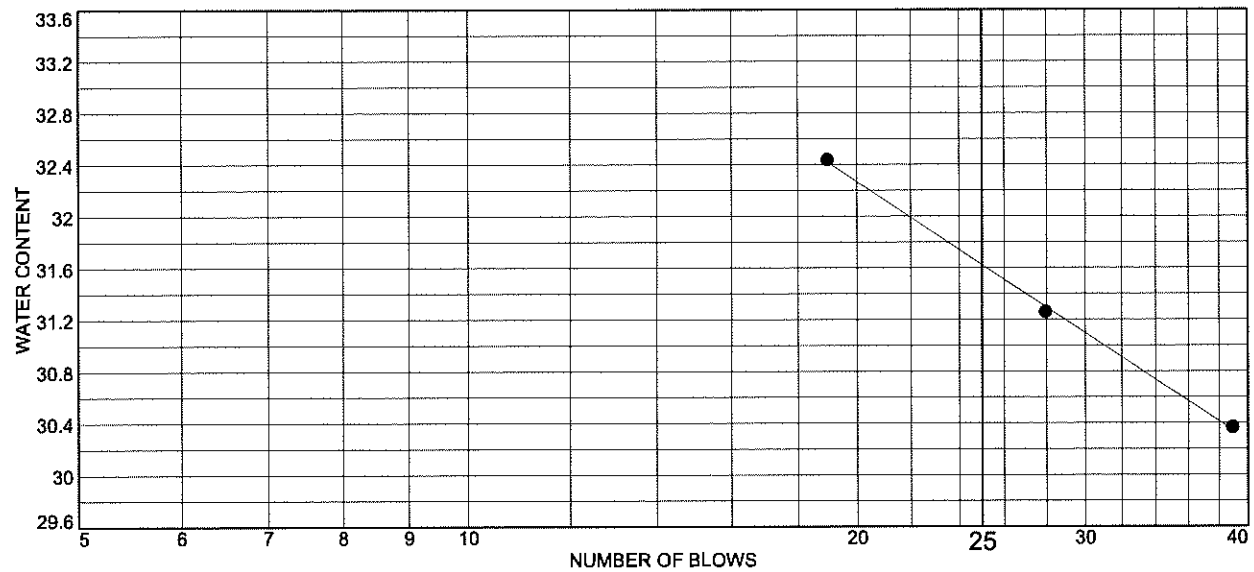
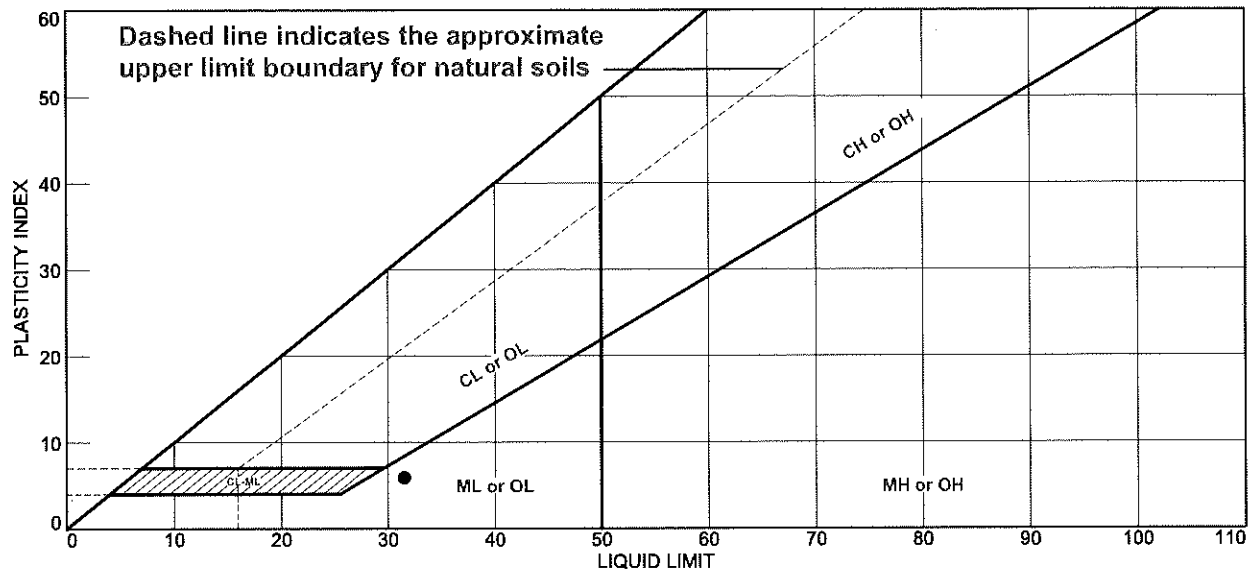
**GEOPACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

LIQUID AND PLASTIC LIMITS TEST REPORT



MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
Sandy Silty with Gravel	31.6	25.8	5.8	66.5	51.1	ML

Project No. 20-5548 Client: Pahlisch Homes

Project: Tofte Farms #7

Location: B-6

Sample Number: S21-105

Depth: 5'

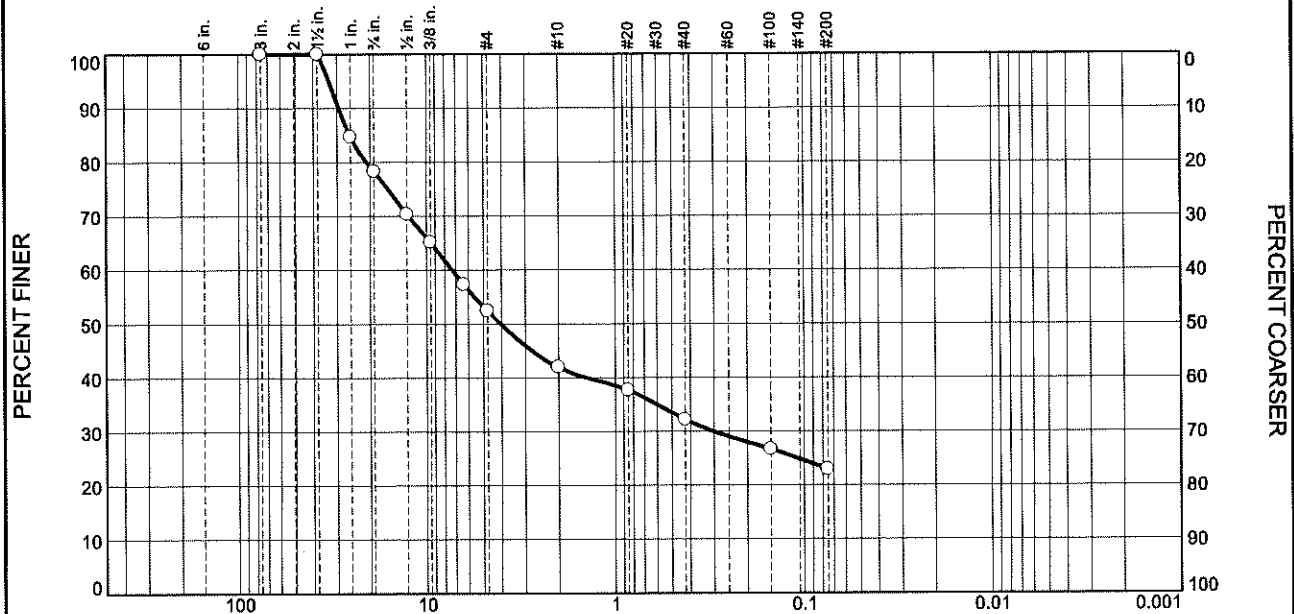
Remarks:

GEOPACIFIC ENGINEERING, INC.

Figure

Tested By: SJC

Particle Size Distribution Report



GRAIN SIZE - mm.

% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	21.7	25.8	10.6	9.7	9.3	22.9	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	100.0		
1	84.6		
.75	78.3		
.5	70.3		
.375	65.2		
.25	57.3		
#4	52.5		
#10	41.9		
#20	37.6		
#40	32.2		
#100	26.7		
#200	22.9		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
 PL= NP LL= NV PI= NP

Classification
 USCS (D 2487)= GM AASHTO (M 145)= A-1-b

Coefficients
 D₉₀= 29.3122 D₈₅= 25.6813 D₆₀= 7.3059
 D₅₀= 4.0364 D₃₀= 0.3002 D₁₅=
 D₁₀= C_u= C_c=

Remarks
Moisture 11.7%

Date Received: _____ Date Tested: 3/29/2021
 Tested By: SJC
 Checked By: _____
 Title: _____

Location: B-6
Sample Number: S21-106 Depth: 10'

Date Sampled: 3/22/2021

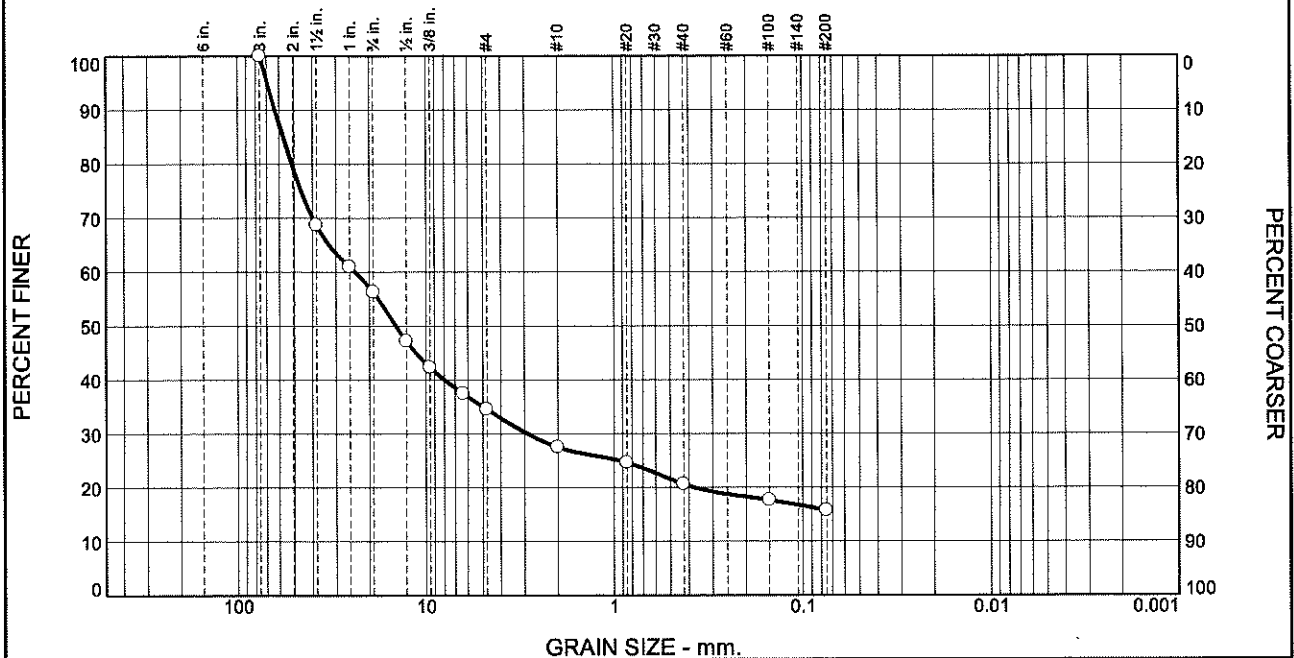
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	43.7	21.7	7.1	6.9	4.9	15.7	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	68.7		
1	61.0		
.75	56.3		
.5	47.2		
.375	42.3		
.25	37.5		
#4	34.6		
#10	27.5		
#20	24.6		
#40	20.6		
#100	17.7		
#200	15.7		

* (no specification provided)

Material Description		
Silty Gravel with Sand		
Atterberg Limits (ASTM D 4318)		
PL= NP	LL= NV	PI= NP
Classification		
USCS (D 2487)= GM	AASHTO (M 145)= A-1-b	
Coefficients		
D ₉₀ = 63.0819	D ₈₅ = 57.1401	D ₆₀ = 23.7265
D ₅₀ = 14.4294	D ₃₀ = 2.8811	D ₁₅ =
D ₁₀ =	C _u =	C _c =
Remarks		
Moisture 6.4%		
Date Received: _____		Date Tested: 3/29/2021
Tested By: SJC		
Checked By: _____		
Title: _____		

Location: B-6
Sample Number: S21-107 Depth: 25'

Date Sampled: 3/22/2021

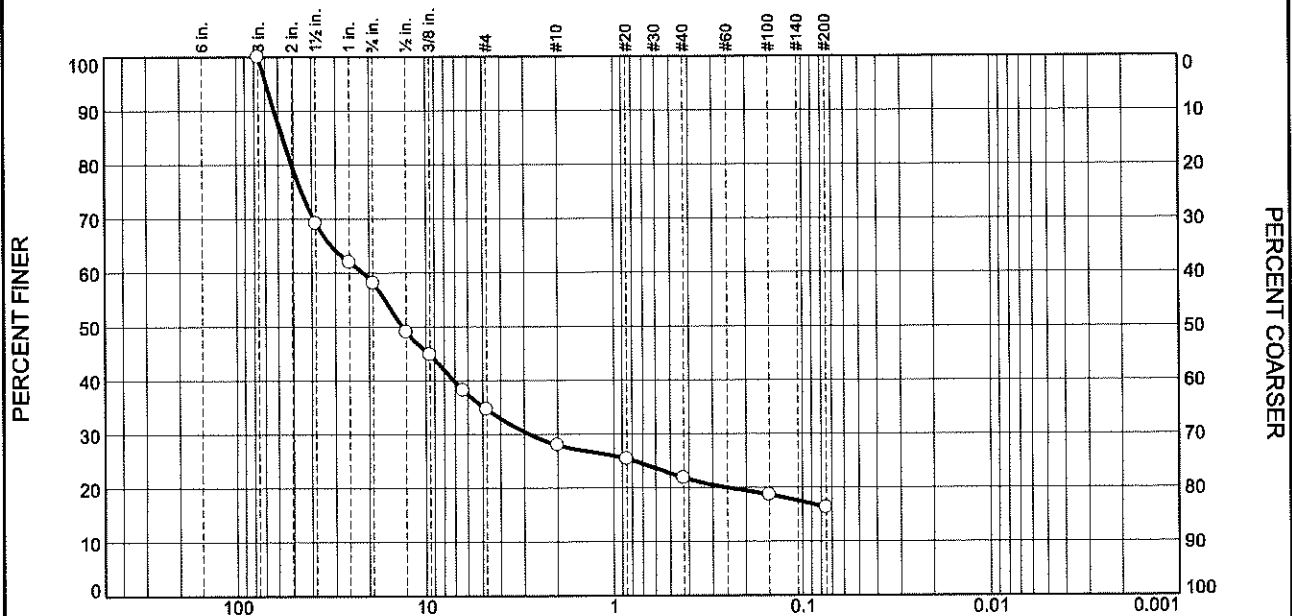
**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	41.9	23.4	6.7	6.2	5.5	16.3	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
3	100.0		
1.5	69.2		
1	62.0		
.75	58.1		
.5	49.1		
.375	44.8		
.25	38.2		
#4	34.7		
#10	28.0		
#20	25.4		
#40	21.8		
#100	18.7		
#200	16.3		

* (no specification provided)

Material Description
Silty Gravel with Sand

Atterberg Limits (ASTM D 4318)
PL= NP LL= NV PI= NP

Classification
USCS (D 2487)= GM AASHTO (M 145)= A-1-b

Coefficients
D₉₀= 62.8498 D₈₅= 56.8109 D₆₀= 21.4757
D₅₀= 13.3137 D₃₀= 2.8177 D₁₅=
D₁₀= C_u= C_c=

Remarks
Moisture 9.4%

Date Received: _____ Date Tested: 3/29/2021
Tested By: SJC
Checked By: _____
Title: _____

Location: B-6
Sample Number: S21-108 Depth: 30'

Date Sampled: 3/22/2021

**GEO PACIFIC
ENGINEERING, INC.**

Client: Pahlisch Homes
Project: Tofte Farms #7

Project No: 20-5548

Figure



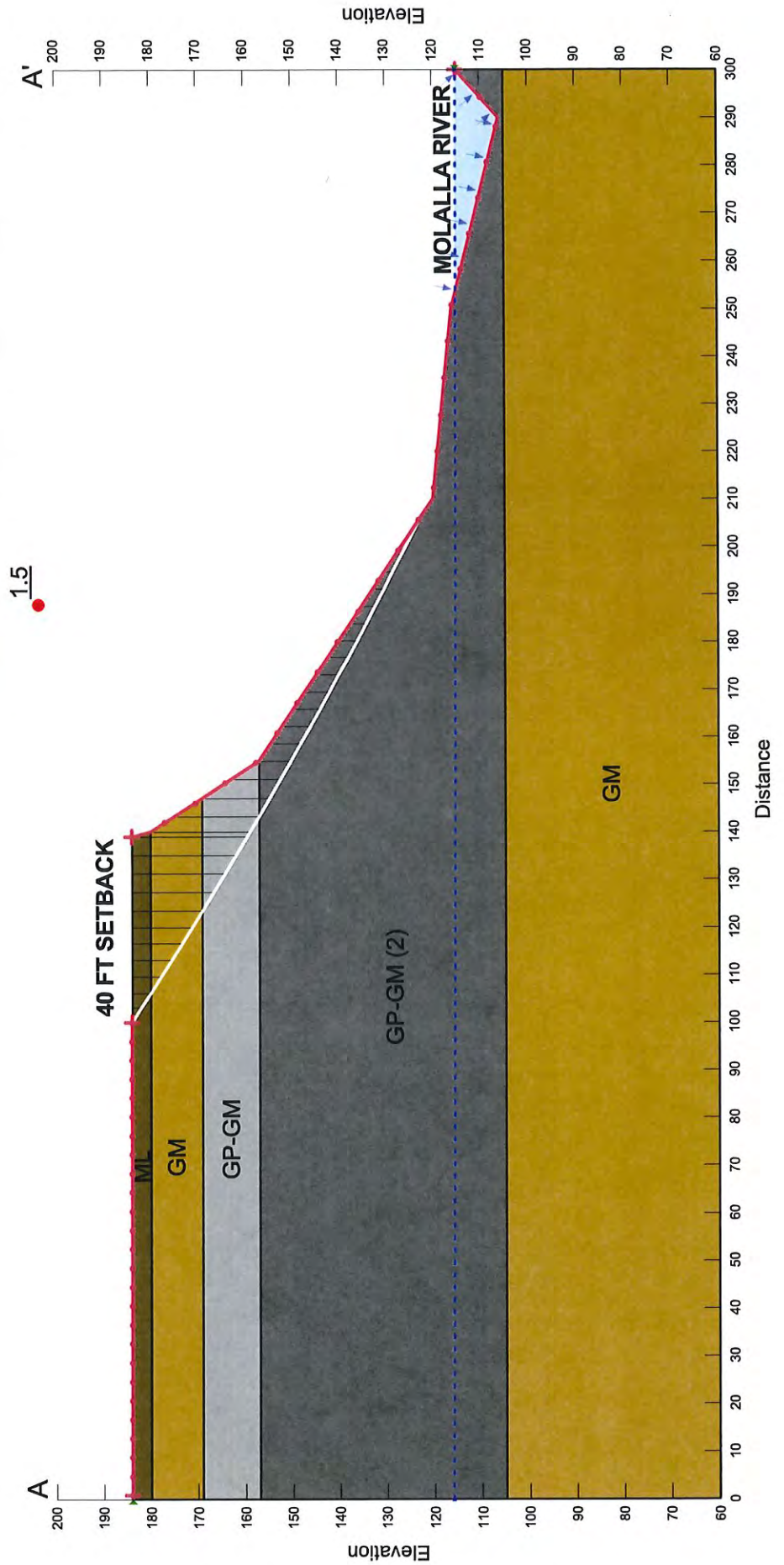
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SLOPE STABILITY CROSS-SECTIONS

20-5548, Tofte Farms No. 7 Geologic Cross-Section A to A' Existing Condition-Static

Static Factor of Safety: 1.5

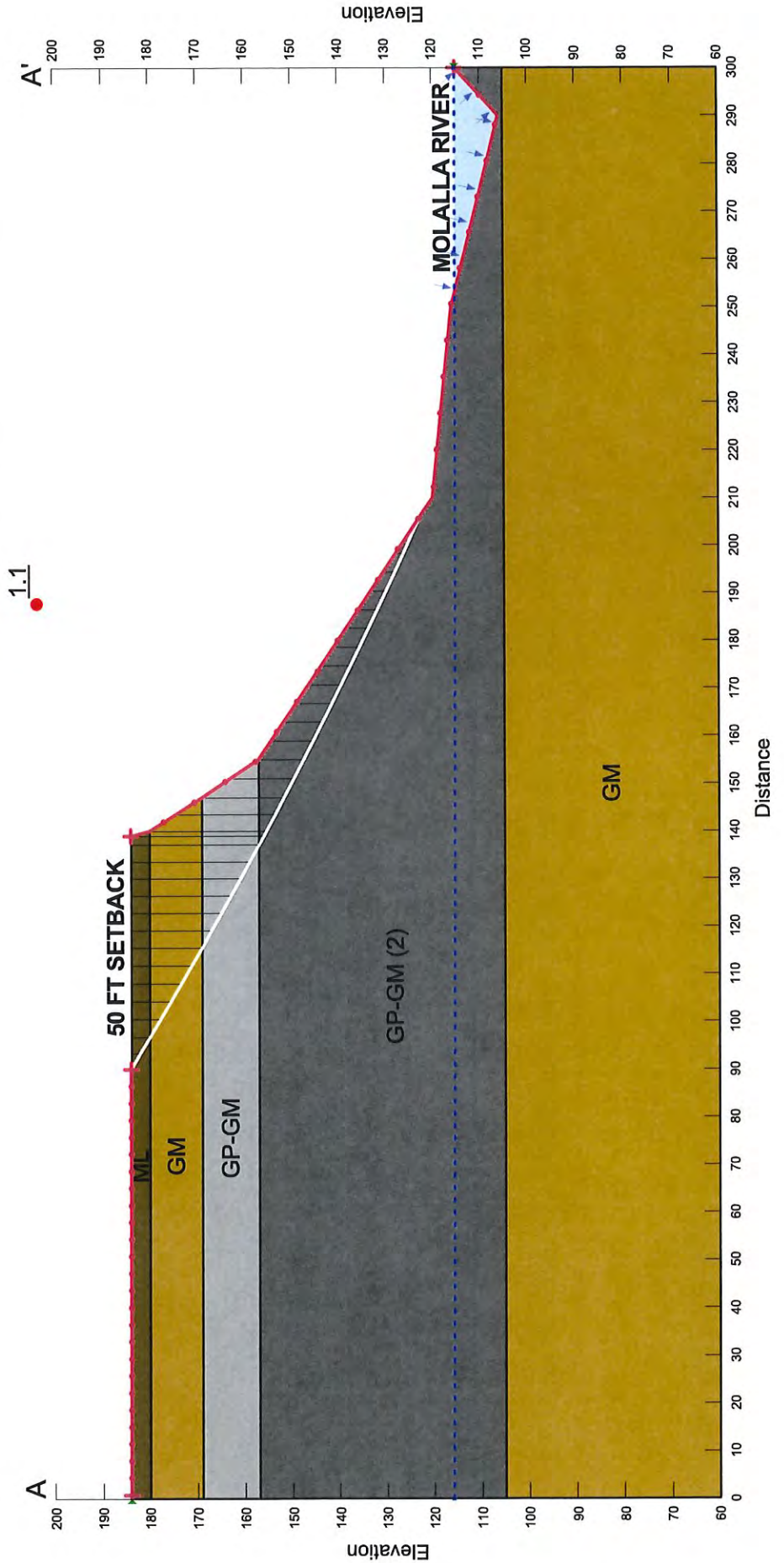
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 **Geologic Cross-Section A to A'** **Existing Condition-Seismic**

Pseudostatic Factor of Safety: 1.1
 PGAm = 0.369g (1/2 PGAm = 0.18g)

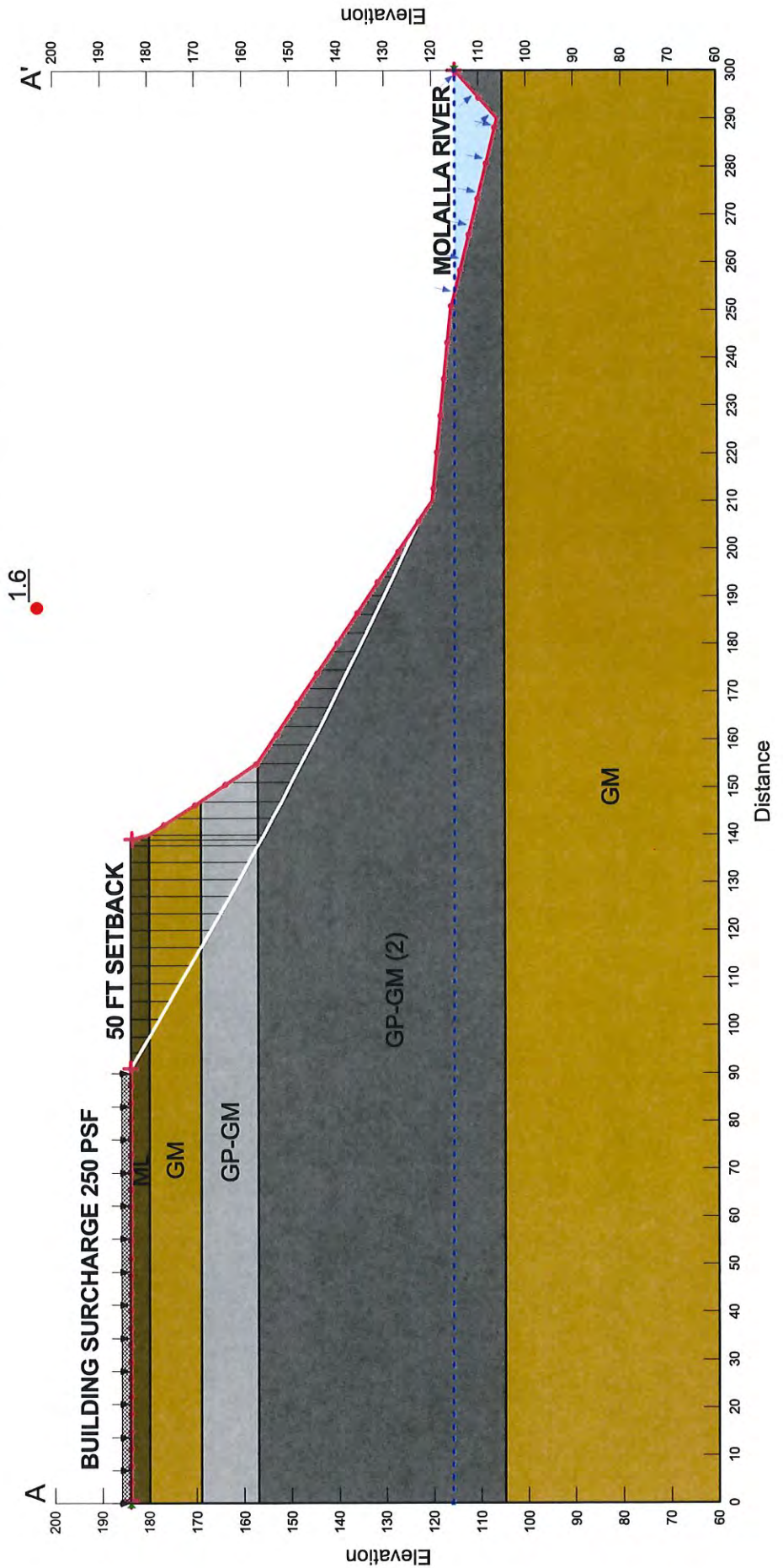
Color	Name	Model	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 Geologic Cross-Section A to A' Post Construction-Static

Static Factor of Safety: 1.6

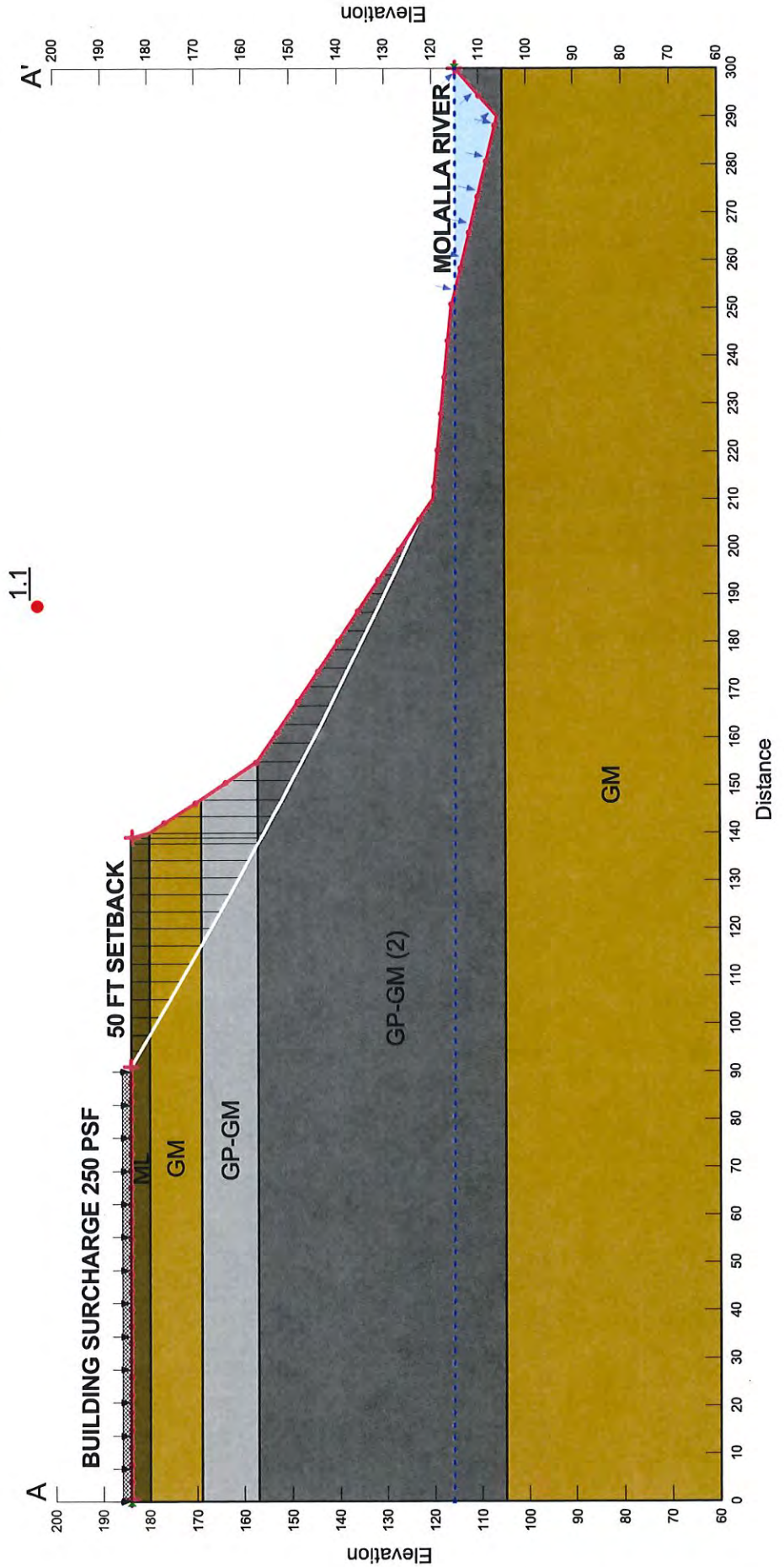
Color	Name	Model	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 **Geologic Cross-Section A to A'** **Post Construction-Seismic**

Pseudostatic Factor of Safety: 1.1
 PGAm = 0.369g (1/2 PGAm = 0.18g)

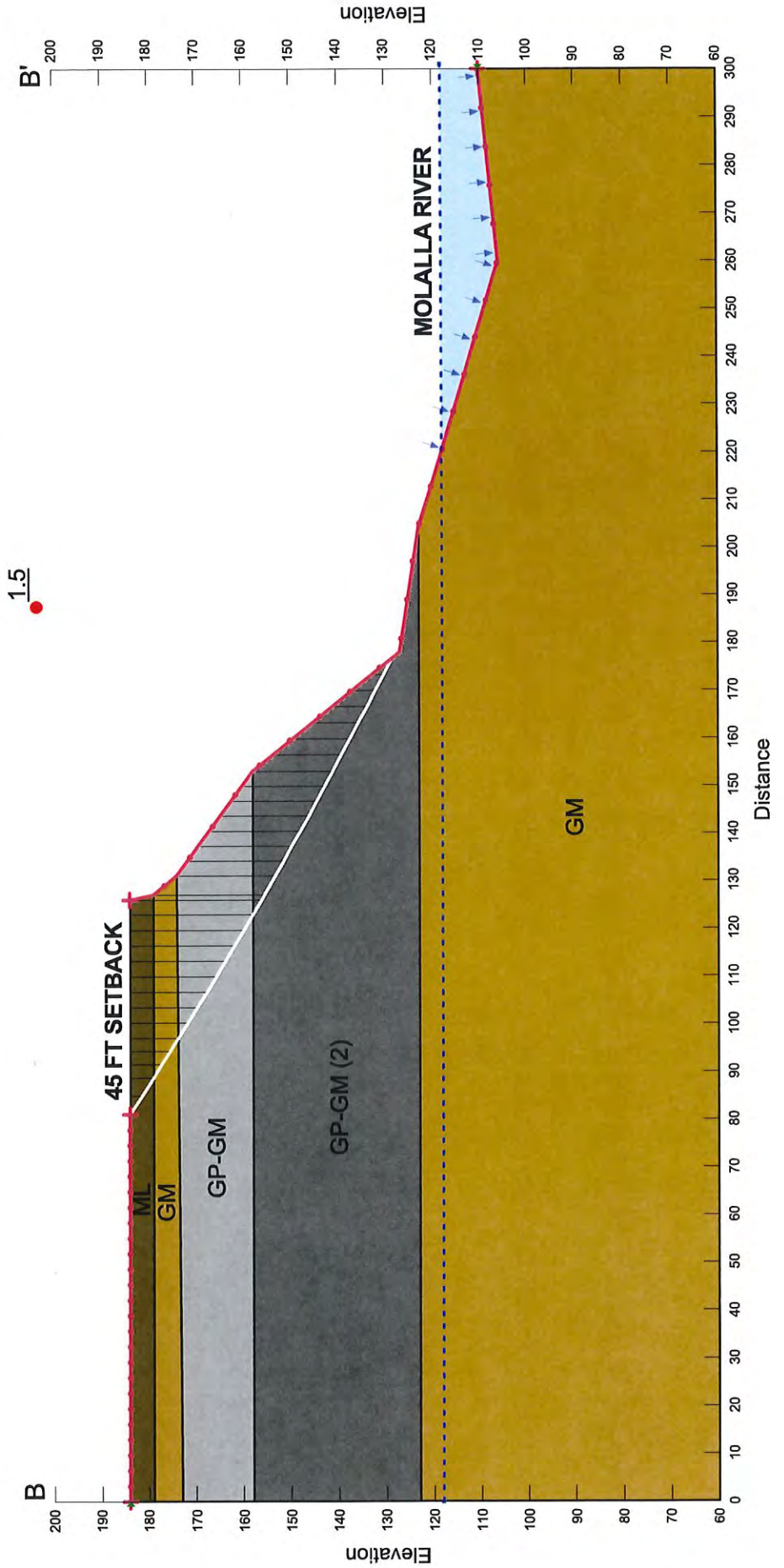
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 Geologic Cross-Section B to B' Existing Condition-Static





Static Factor of Safety: 1.5

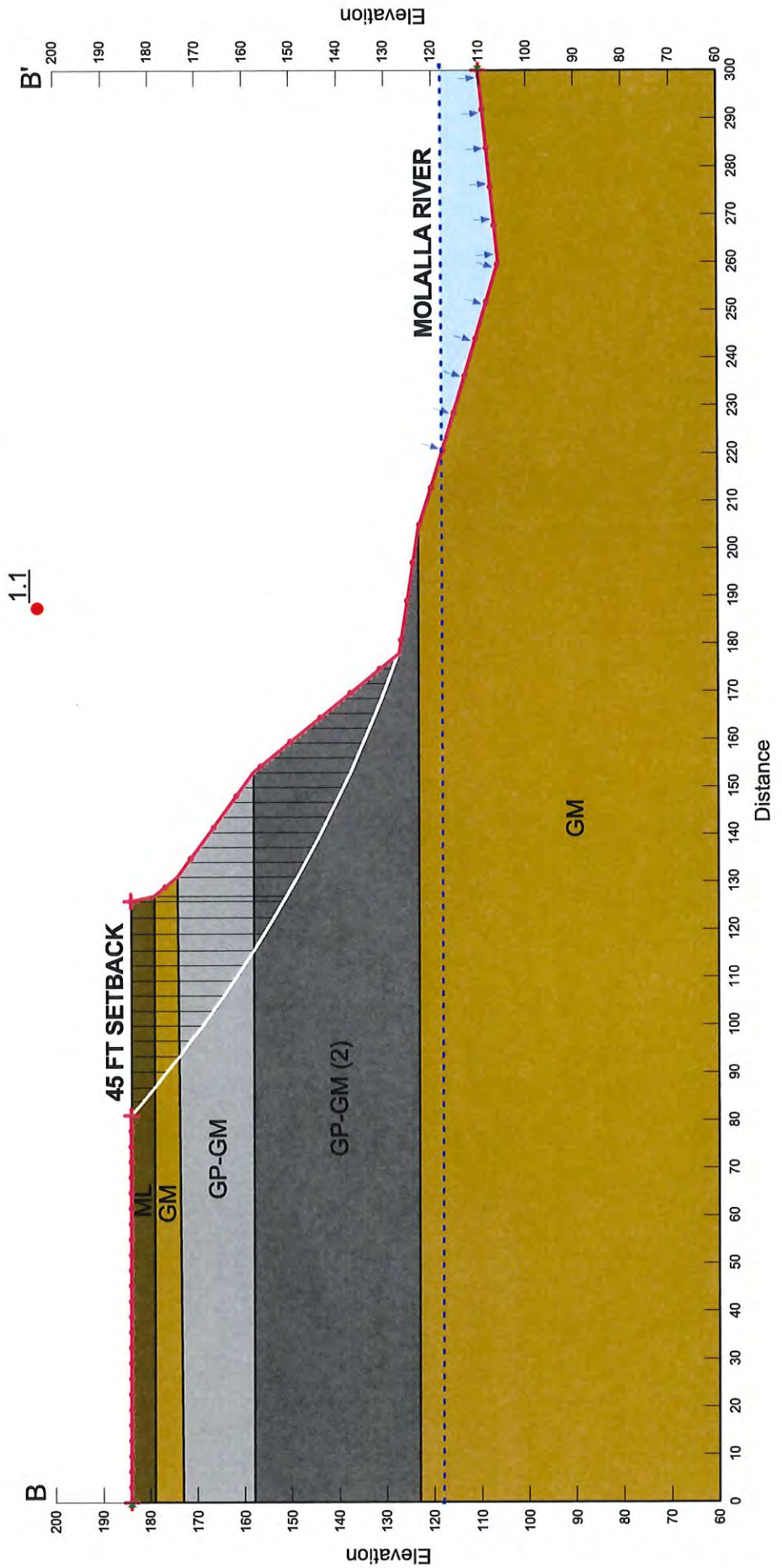
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 **Geologic Cross-Section B to B'** **Existing Condition-Seismic**

Pseudostatic Factor of Safety: 1.1
 PGAm = 0.369g (1/2 PGAm = 0.18g)

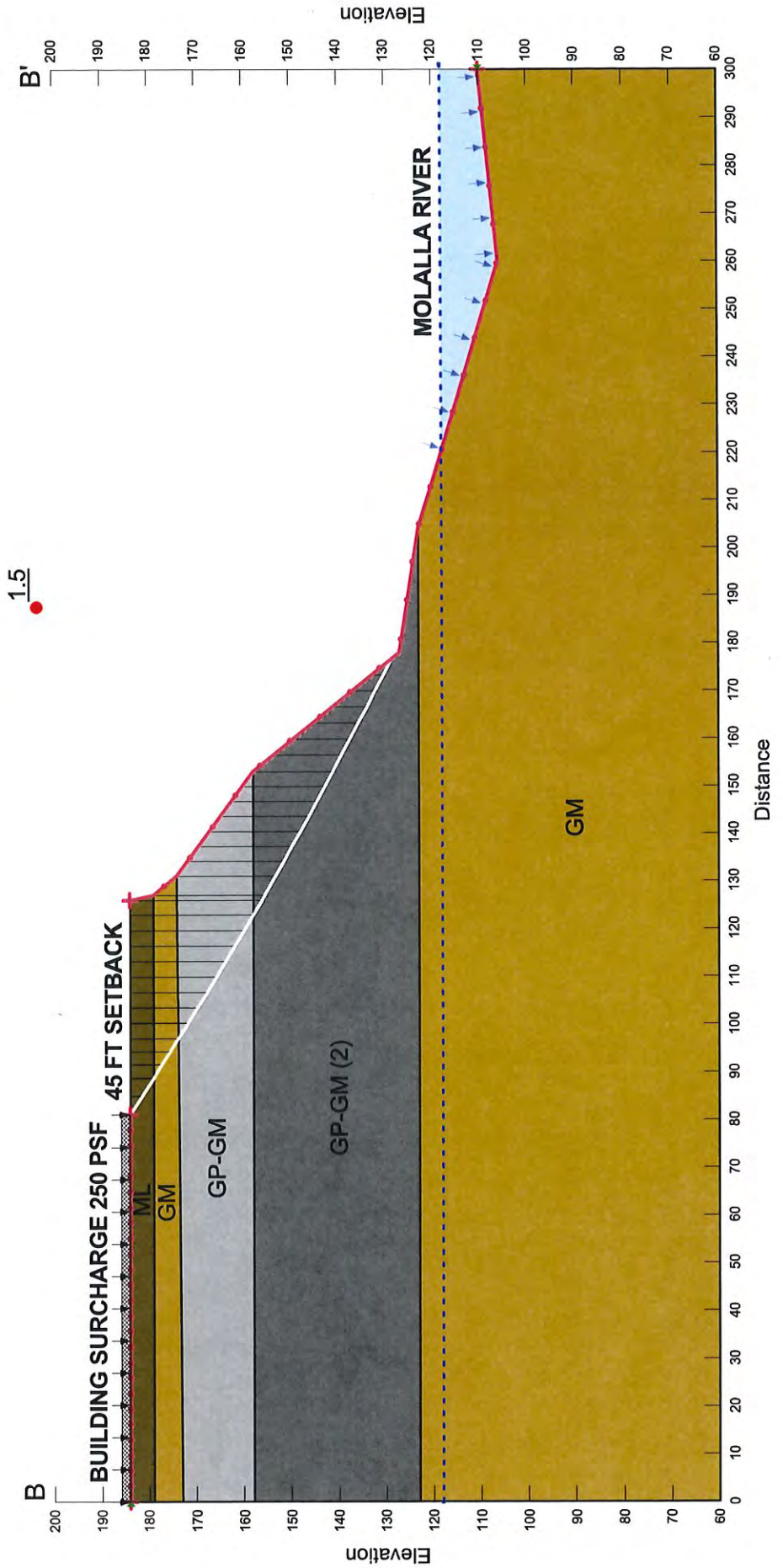
Color	Name	Model	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 Geologic Cross-Section B to B' Post Construction-Static

Static Factor of Safety: 1.5

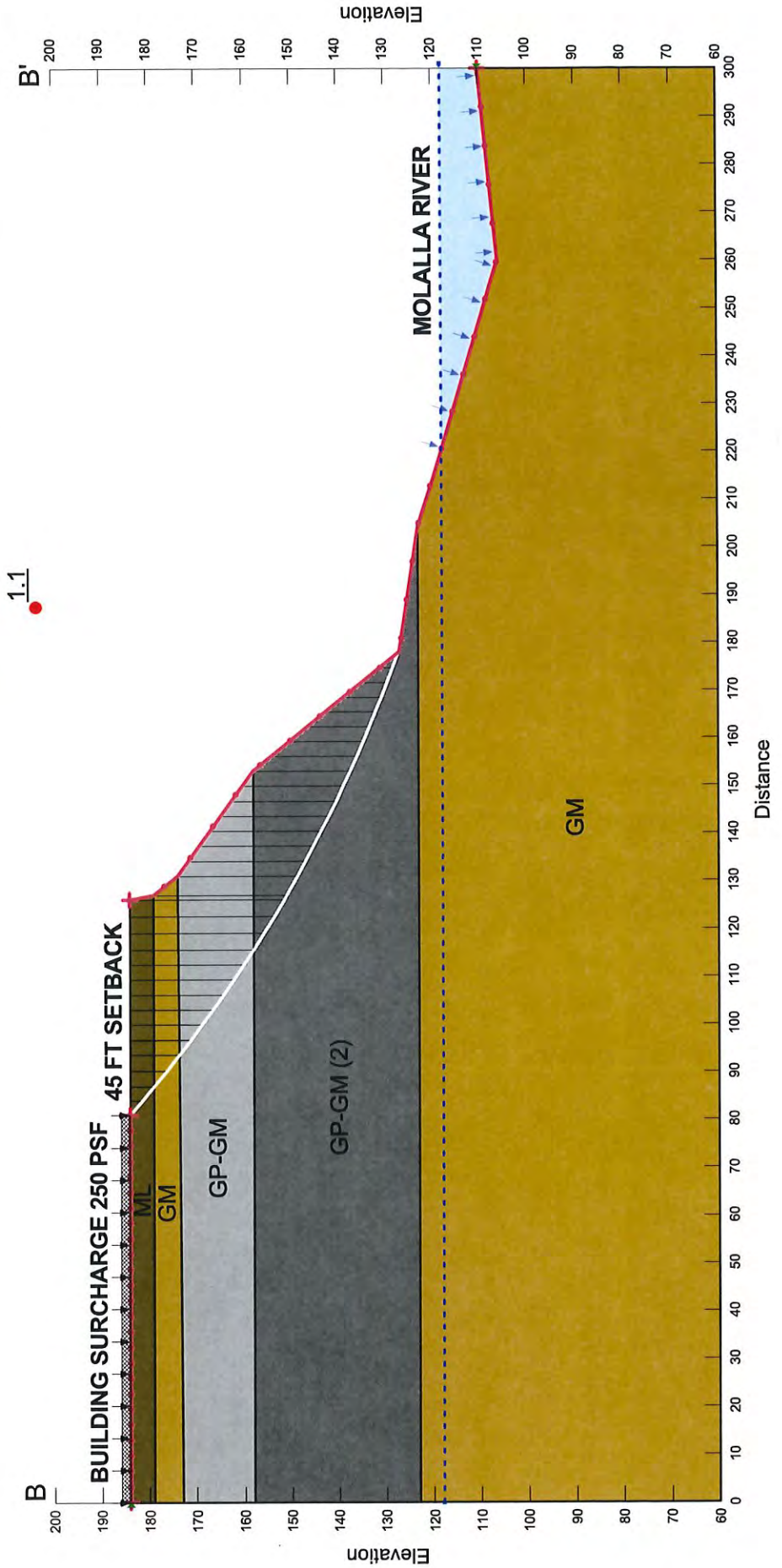
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 **Geologic Cross-Section B to B'** **Post Construction-Seismic**

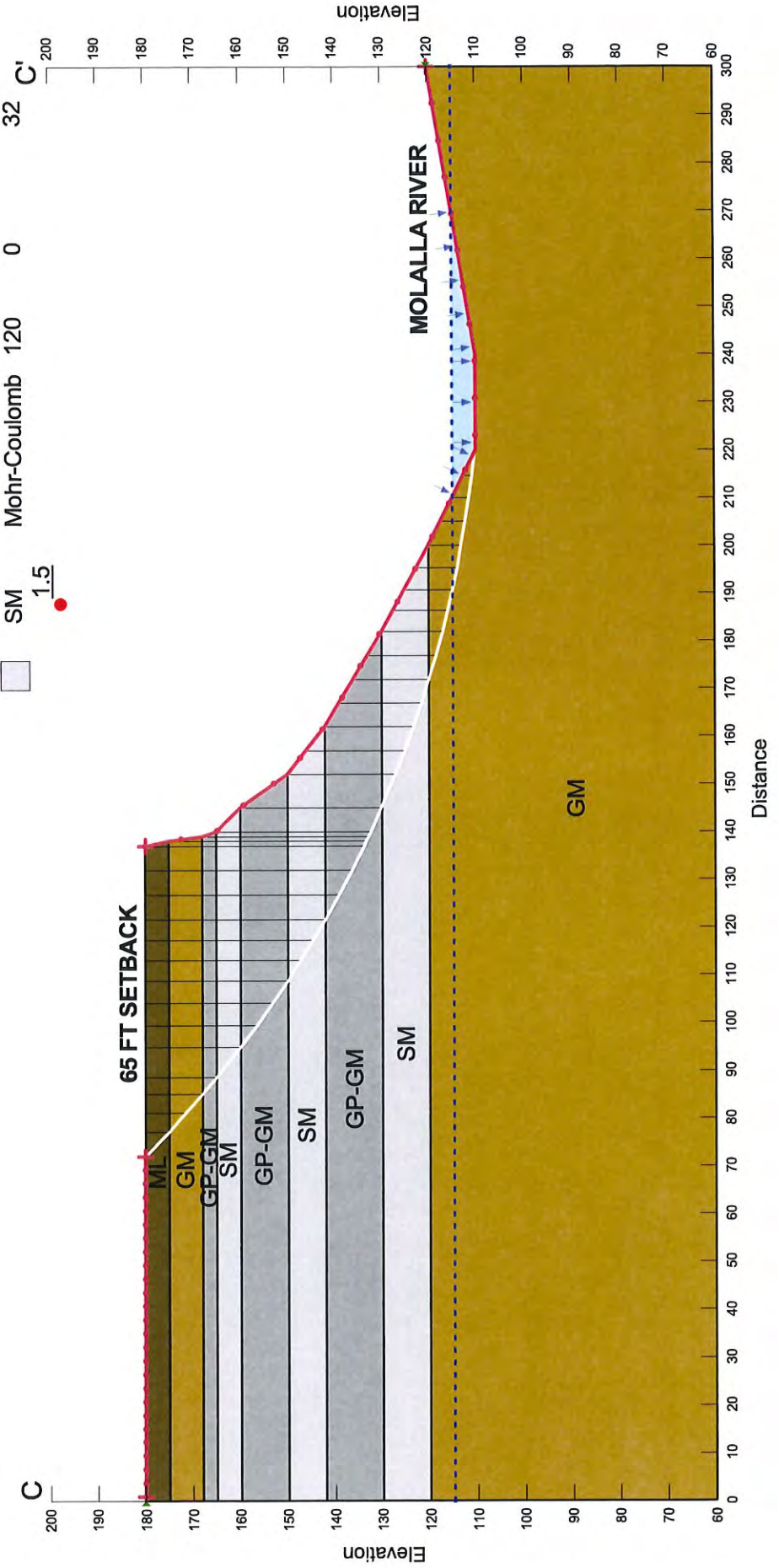
Pseudostatic Factor of Safety: 1.1
 PGAm = 0.369g (1/2 PGAm = 0.18g)

Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



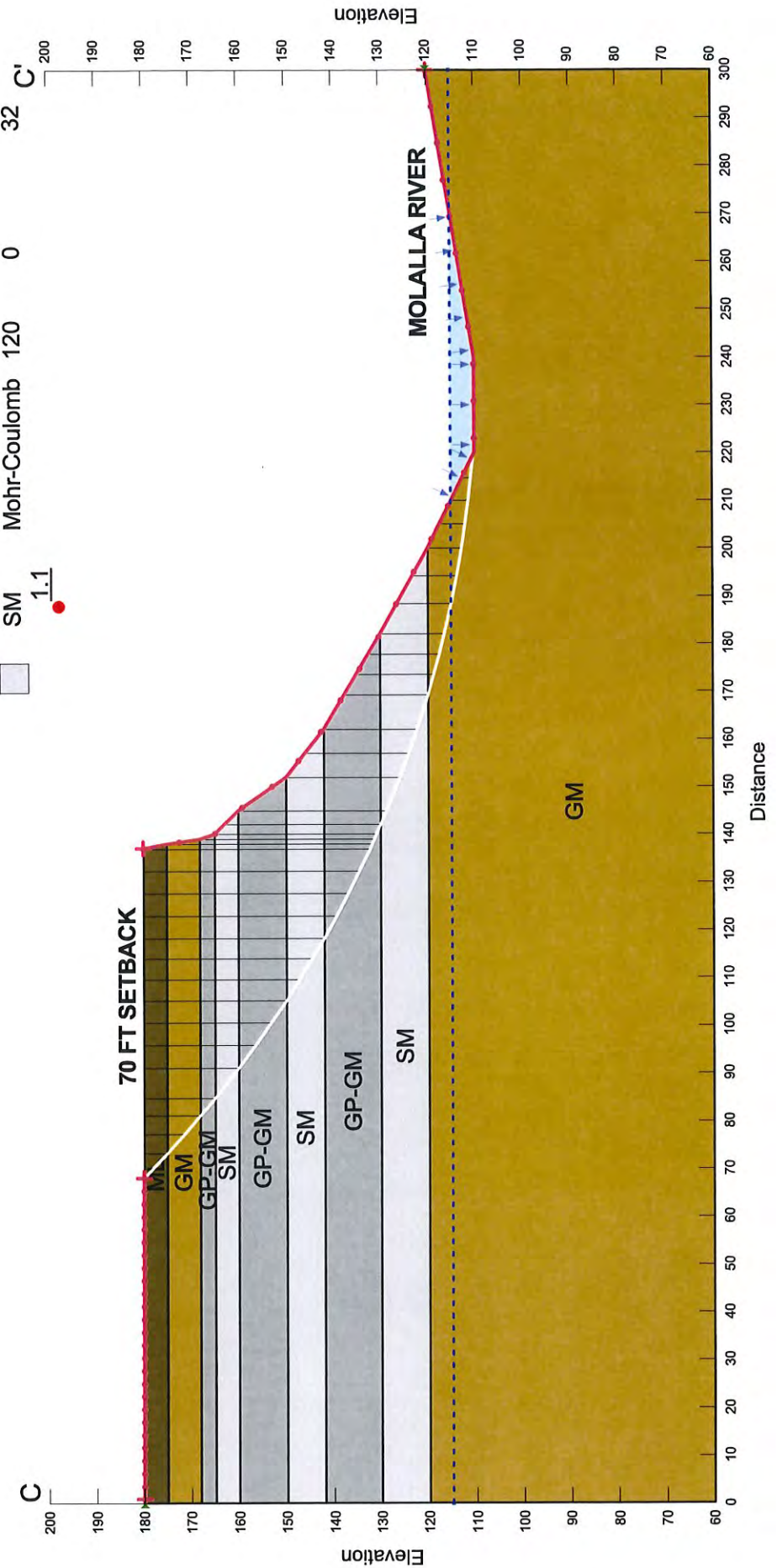
20-5548, Tofte Farms No. 7 Geologic Cross-Section C to C' Existing Condition-Static

Static Factor of Safety: 1.5



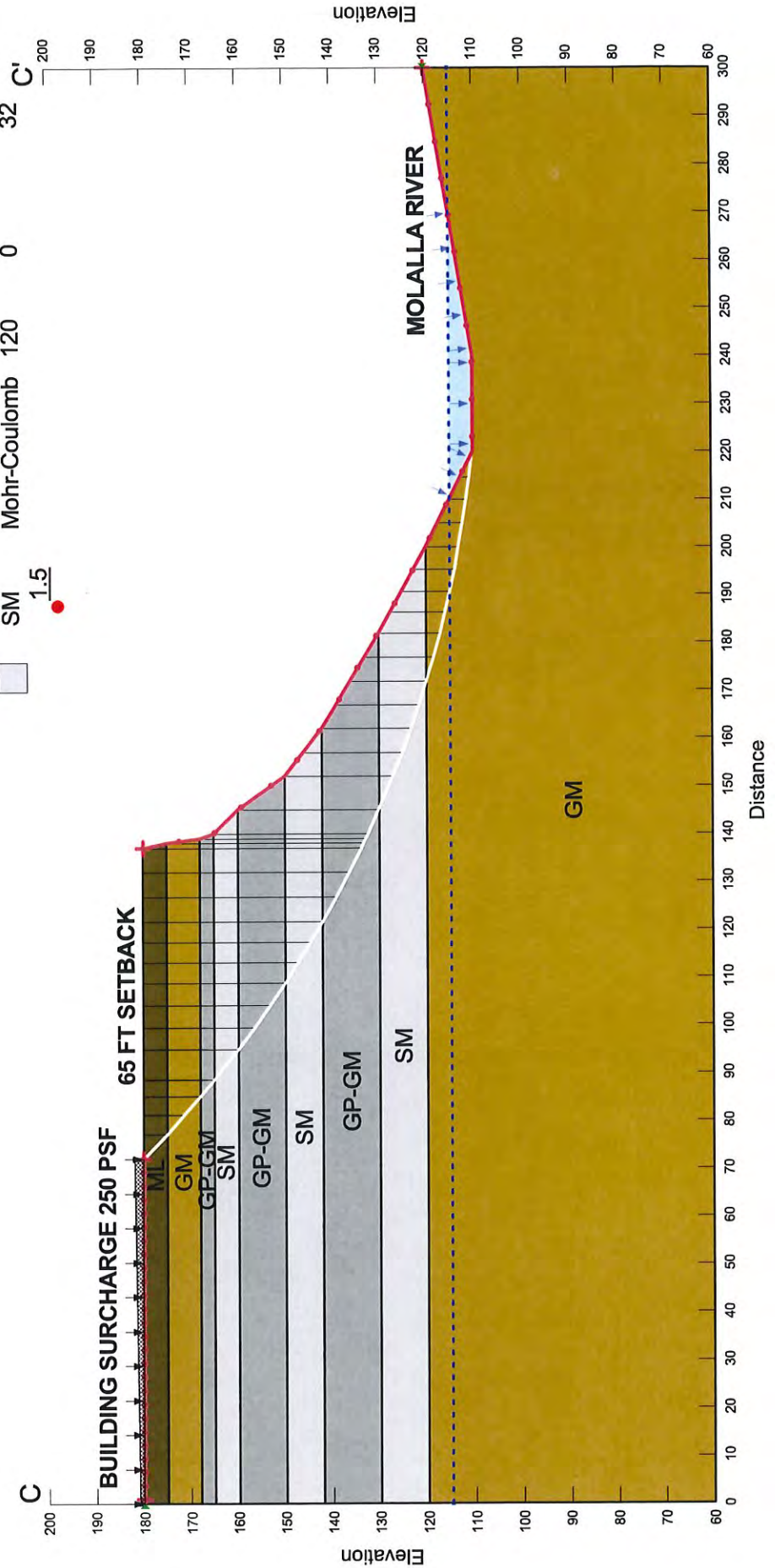
20-5548, Tofte Farms No. 7 Geologic Cross-Section C to C' Existing Condition-Seismic

Pseudostatic Factor of Safety: 1.1
PGAm = 0.369g (1/2 PGAm = 0.18g)



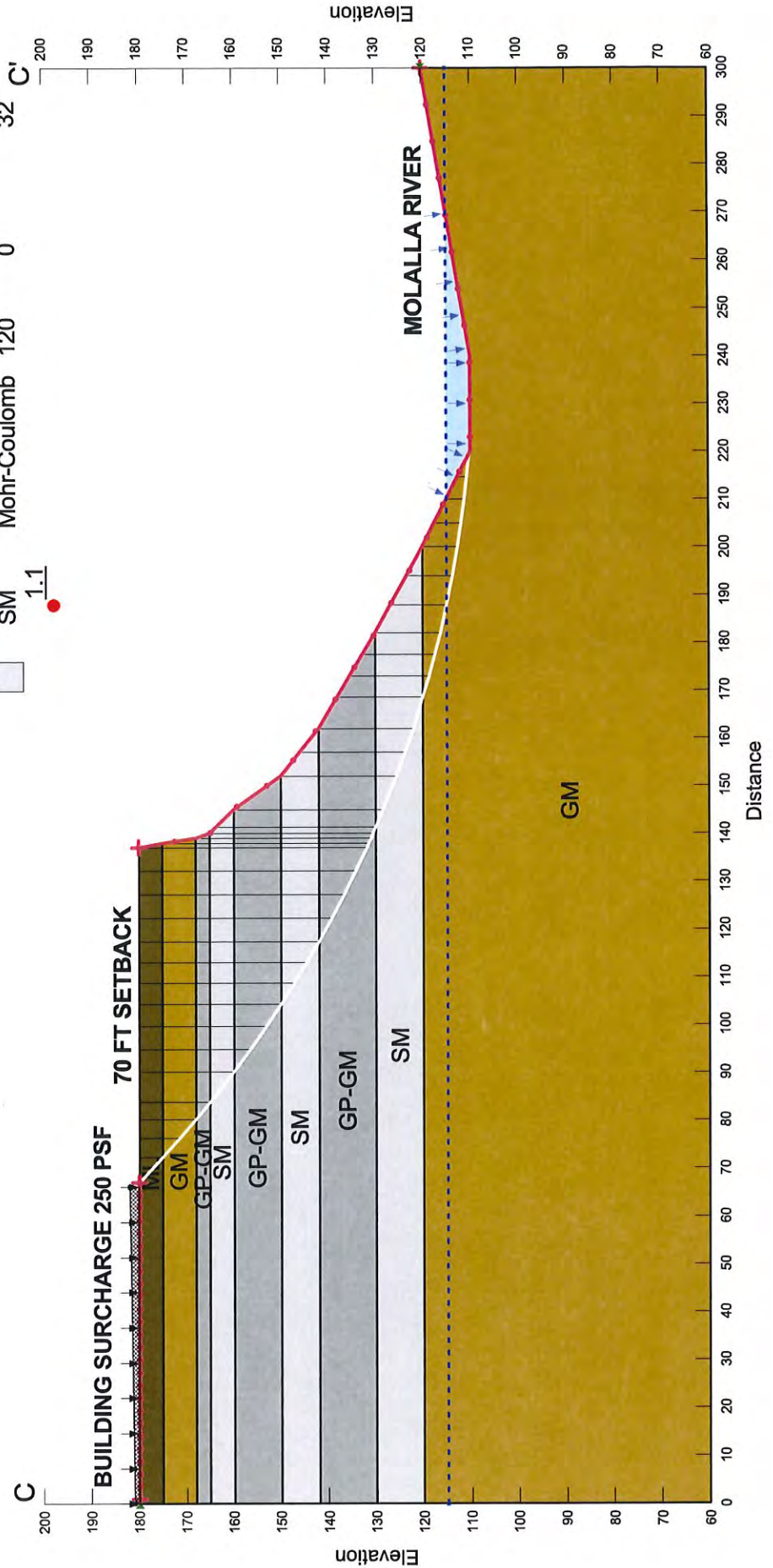
20-5548, Tofte Farms No. 7 Geologic Cross-Section C to C' Post Construction-Static

Static Factor of Safety: 1.5



20-5548, Tofte Farms No. 7 Geologic Cross-Section C to C' Post Construction-Seismic Pseudostatic Factor of Safety: 1.1 PGAm = 0.369g (1/2 PGAm = 0.18g)

Color	Name	Model	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	ML	Mohr-Coulomb	120	200	28
	SM	Mohr-Coulomb	120	0	32

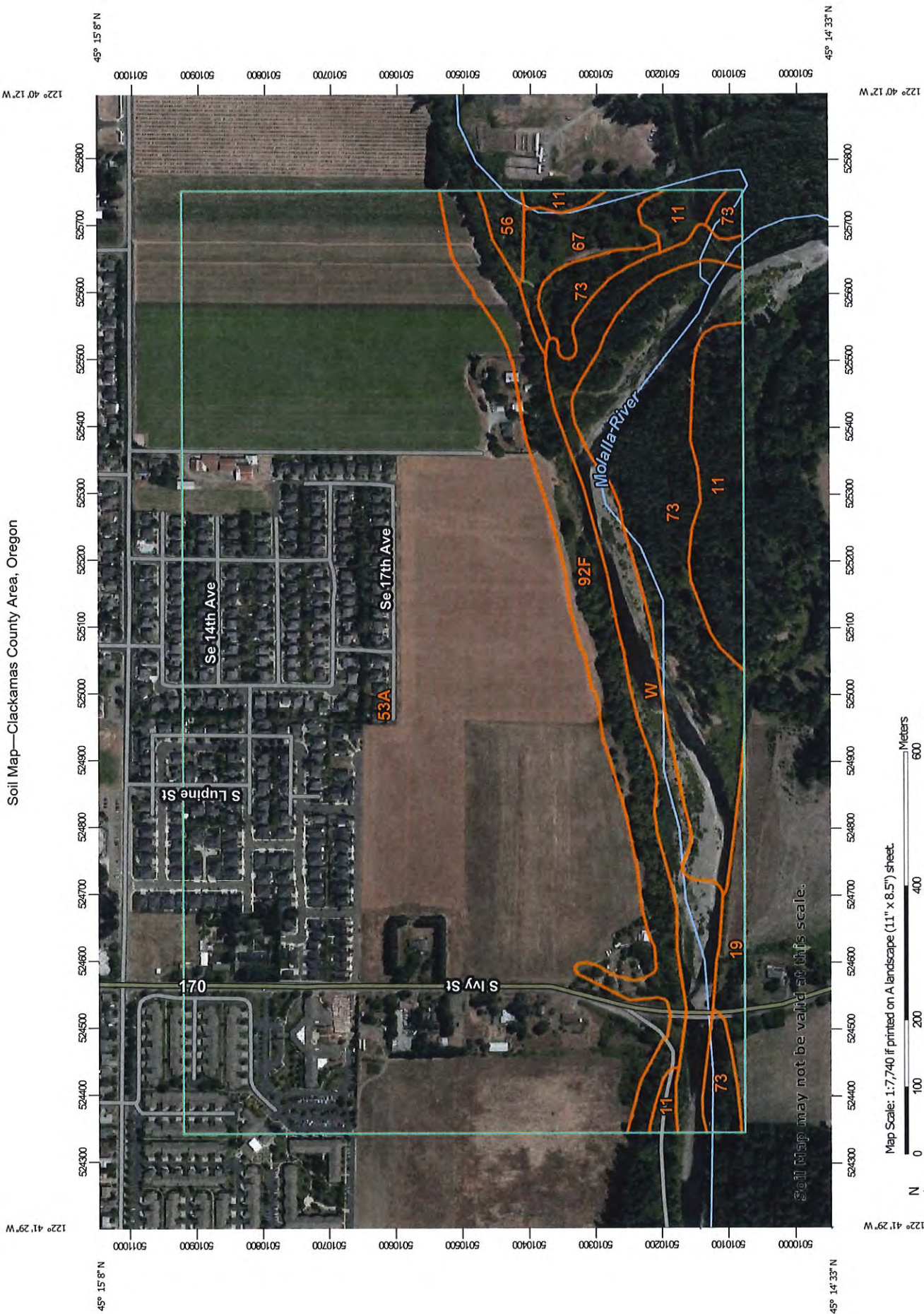
























































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SITE RESEARCH

Soil Map—Clackamas County Area, Oregon



MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Area of Interest (AOI)		Stony Spot
	Soils		Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
	Special Point Features		Streams and Canals
	Blowout		Transportation
	Borrow Pit		Rails
	Clay Spot		Interstate Highways
	Closed Depression		US Routes
	Gravel Pit		Major Roads
	Gravelly Spot		Local Roads
	Landfill		Background
	Lava Flow		Aerial Photography
	Marsh or swamp		
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clackamas County Area, Oregon

Survey Area Data: Version 16, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 1, 2019—Sep 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
11	Camas gravelly sandy loam	11.9	4.0%
19	Cloquato silt loam	3.3	1.1%
53A	Latourell loam, 0 to 3 percent slopes	206.1	69.8%
56	McBee silty clay loam	1.4	0.5%
67	Newberg fine sandy loam	4.8	1.6%
73	Riverwash	32.4	11.0%
92F	Xerochrepts and Haploxerolls, very steep	19.3	6.5%
W	Water	16.1	5.5%
Totals for Area of Interest		295.4	100.0%



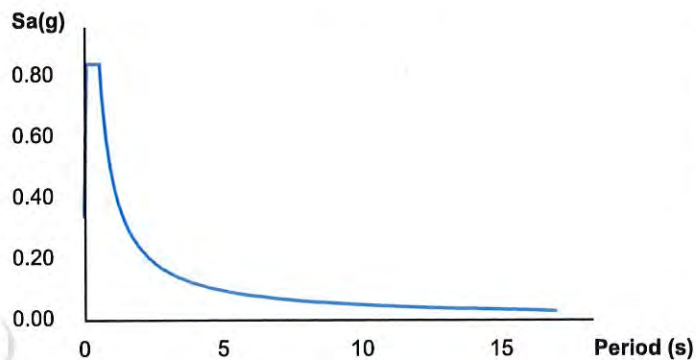
Hazards by Location

Search Information

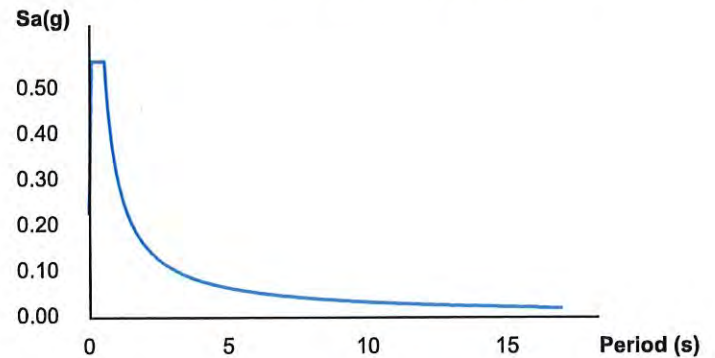
Coordinates: 45.246545, -122.3678885
Elevation: 746 ft
Timestamp: 2021-03-23T22:52:26.873Z
Hazard Type: Seismic
Reference Document: ASCE7-16
Risk Category: II
Site Class: C



MCER Horizontal Response Spectrum



Design Horizontal Response Spectrum



Basic Parameters

Name	Value	Description
S_S	0.683	MCE _R ground motion (period=0.2s)
S_1	0.316	MCE _R ground motion (period=1.0s)
S_{MS}	0.838	Site-modified spectral acceleration value
S_{M1}	0.474	Site-modified spectral acceleration value
S_{DS}	0.559	Numeric seismic design value at 0.2s SA
S_{D1}	0.316	Numeric seismic design value at 1.0s SA

▼Additional Information

Name	Value	Description
SDC	D	Seismic design category
F_a	1.227	Site amplification factor at 0.2s
F_v	1.5	Site amplification factor at 1.0s
CR_S	0.89	Coefficient of risk (0.2s)

CR_1	0.873	Coefficient of risk (1.0s)
PGA	0.308	MCE_G peak ground acceleration
F_{PGA}	1.2	Site amplification factor at PGA
PGA_M	0.369	Site modified peak ground acceleration
T_L	16	Long-period transition period (s)
SsRT	0.683	Probabilistic risk-targeted ground motion (0.2s)
SsUH	0.768	Factored uniform-hazard spectral acceleration (2% probability of exceedance in 50 years)
SsD	1.5	Factored deterministic acceleration value (0.2s)
S1RT	0.316	Probabilistic risk-targeted ground motion (1.0s)
S1UH	0.362	Factored uniform-hazard spectral acceleration (2% probability of exceedance in 50 years)
S1D	0.6	Factored deterministic acceleration value (1.0s)
PGAd	0.5	Factored deterministic acceleration value (PGA)

The results indicated here DO NOT reflect any state or local amendments to the values or any delineation lines made during the building code adoption process. Users should confirm any output obtained from this tool with the local Authority Having Jurisdiction before proceeding with design.

Disclaimer

Hazard loads are provided by the U.S. Geological Survey [Seismic Design Web Services](#).

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Real-World Geotechnical Solutions
Investigation • Design • Construction Support

PHOTOGRAPHIC LOG

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Aerial Photograph, Facing Northwest



Aerial Photograph, Facing West

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Steep River Bank, Southeastern Corner of Site, Facing West



Steep Slope Area, Molalla River Below, Facing East



**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Shallow Landslide Area, Southeastern Portion of Site, Facing West



Shallow Landslide Area, Southeastern Portion of Site, Facing West



**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Steep Slope Area, South Central Portion of Site, Facing West



Switchback, Water Main Installed from River, Steep Cut

**TOFTE FARMS NO.7
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PHOTOGRAPHIC LOG**



Bottom of Switchback Area, 15-20 Foot Vertical Cliff Below



Southwestern Edge of Site, Steep Slope Area, Facing East



**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Majority of Site is Flat Open Farm Fields



Site Facing North

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Site Facing Northwest



Backhoe Test Pits



**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Sand, Gravel, Cobbles, and Boulders



Farm Fields



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PHOTOGRAPHIC LOG**



Typical Soil Profile Encountered in Test Pits



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PHOTOGRAPHIC LOG**



Sonic Drill Rig Soil Borings



Sonic Drill Rig Soil Borings, SPT Testing

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Sonic Drill Rig

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Conducting Infiltration Testing Inside 6-Inch Sonic Casing



Conducting Infiltration Testing Inside 6-Inch Sonic Casing

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Conducting Infiltration Testing Inside 6-Inch Sonic Casing

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Soil Sampling



Soil Sampling

TOFTE FARMS NO.7 GEOTECHNICAL INVESTIGATION PHOTOGRAPHIC LOG



Soil Sampling



Soil Sampling

Tofte Development Concept Plan

Date: *UPDATED* July 2021

Submitted to: City of Canby
Planning Department
222 NE 2nd Avenue
Canby, OR 97013

Applicant: Pahlisch Homes
15333 Sequoia Parkway Ste: 190
Portland, OR 97224

AKS Job Number: 8659

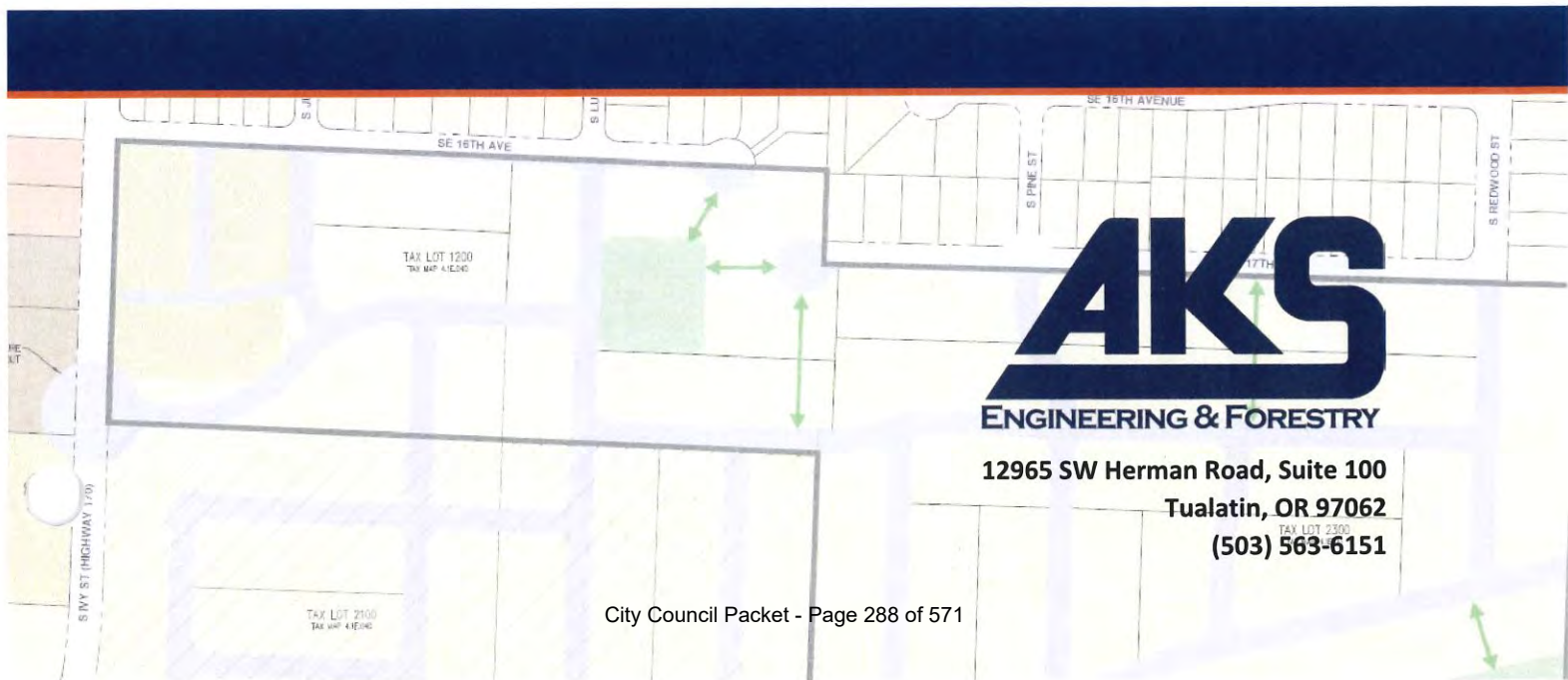


Table of Contents

I.	Executive Summary.....	2
II.	Site Description/Setting	3
III.	Opportunities and Constraints.....	3
	Land Use.....	3
	R-1 (Low Density Residential)	3
	R-1.5 (Medium Density Residential)	4
	Open Space	4
	Parks.....	5
	Trails.....	6
	Transportation	6
	Access.....	6
	Internal Circulation/Street Standards.....	7
	Fire Department Requirements.....	7
	Infrastructure	8
	Water	8
	Sewer	8
	Stormwater	8
	Closing.....	9
III.	Applicable Review Criteria	9
	CITY OF CANBY MUNICIPAL CODE	9
	Title 16 – Planning and Zoning.....	9
IV.	Conclusion	10

Tables

Table 1:	Tofte Development Concept Area Property Breakdown	2
Table 2:	R-1 Development Standards	4
Table 3:	R-1.5 Development Standards	4

Exhibits

- Exhibit A: City Application Form and Checklist
 - Exhibit B (**UPDATED**): Tofte Area—Development Concept Plan
 - Exhibit C (**UPDATED**): Conceptual Infrastructure Appendices
 - Exhibit D: Preliminary Future Local Street Section
 - Exhibit E (**UPDATED**): Wetland Determination Report
 - Exhibit F (**UPDATED**): Preliminary Geotechnical Engineering Report
 - Exhibit G (**UPDATED**): Preliminary Existing Conditions Plan
-

Land Use Application for a Development Concept Plan

Submitted to:	City of Canby Planning Department 222 NE 2 nd Avenue Canby, OR 97013
Applicant:	Pahlisch Homes 15333 Sequoia Parkway Ste: 190 Portland, OR 97224
Property Owner (Tax Lots 1200 and 2300):	Tofte Farms, LLC PO Box 97 Aurora, OR 97002
Property Owner (Tax Lot 1300):	Charles R. Braun & Janet K. Braun 1712 S Ivy Street Canby, OR 97013
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact(s): Mimi Doukas, AICP, RLA Email: mimid@aks-eng.com Phone: (503) 563-6151
Site Location:	S371 SE 13 th Avenue / 1712 S Ivy Street
Clackamas County Assessor's Map:	4 1 E 04D, Tax Lots 1200, 1300, and 2100; 4 1 E 03, Tax Lot 2300
Site Size:	<u>Total development concept plan area: ±70.6 acres</u> ±12.48 acres (Tax Lot 1200) ±1.83 acres (Tax Lot 1300) ±28.10 acres (Tax Lot 2100) ±28.15 acres (Tax Lot 2300) <u>Note:</u> Tax Lot 2300 (north of the Molalla River and inside the Canby Urban Growth Boundary (UGB)) and Tax Lot 2390 (south of the Molalla River and outside the UGB) comprise one legal lot of record and are shown separately for taxation assessment. Only Tax Lot 2300 can be annexed because it is within the UGB. Tax Lot 2390 is not part of this application.
Future Land Use Districts:	R-1 (Low Density Residential) and R-1.5 (Medium Density Residential)

I. Executive Summary

Tofte Farms, LLC (Applicant) is submitting an application to annex ± 42.5 gross acres of land into the City of Canby under a separate cover/package. The subject site (for annexation) is identified within a Development Concept Area on the City of Canby Annexation Development Map, discussed in great detail in this written document. Therefore, pursuant to the annexation approval criteria within the City of Canby Municipal Code Section 16.84.040, the project requires concurrent review of an application for a Development Concept Plan (DCP).

The DCP provides a framework for the identified area, including a conceptual network for transportation, infrastructure improvements, open space, parks, and other amenities to address the City of Canby infrastructure availability and opportunities on the identified properties. As shown in Table 1 (below), there are four properties that comprise the DCP, though only three are slated for annexation to the City of Canby. The areas are shown on the Tofte Area Development Concept Plan (Exhibit B). As illustrated, Tax Lot 2100 is considered a potential future development opportunity and is depicted with shading to clearly assert it is not part of the the Tofte Annexation and Zone Change (concurrent applications).

Table 1 Tofte Development Concept Area Property Breakdown

Property	Clackamas County Assessor's Map	Property Size	Current Zoning (Clackamas County)	Canby Comprehensive Plan Designation	Canby Zoning	Planned for Annexation
Tax Lot 1200	4 1 E0 4D	± 12.48 acres	Exclusive Farm Use (EFU)	Low Density Residential (LDR)	R-1 (LDR)	Yes
				Medium Density Residential (MDR)	R-1.5 (LDR)	
Tax Lot 1300	4 1 E0 4D	± 1.83 acres	EFU	MDR	R-1.5 (LDR)	Yes
Tax Lot 2100	4 1 E0 4D	± 28.10 acres	EFU	LDR	R-1 (LDR)	No
Tax Lot 2300	4 1 E 03	± 28.15 acres	EFU	LDR	R-1 (LDR)	Yes

Note: Tax Lot 2100 is the potential future development area depicted with hashmarks on the DCP (Exhibit B).

The subject development concept area is located immediately south of City Limits and within the Canby Urban Growth Boundary (UGB), comprised of Tax Lots 1200, 1300, and 2100 of Clackamas County Assessor's Map 41E04D and Tax Lot 2300 of Clackamas County Assessor's Map 41E03. The Tofte Development Concept Plan (DCP) incorporates land intended for Low Density Residential (LDR) and Medium Density Residential (MDR) development, as shown above. Accommodation of future homes (at densities required by the future zoning districts) will require the timely extension of transportation infrastructure, stormwater, sanitary sewer, potable water, franchise utilities, and other amenities. As described in this DCP and shown on the associated exhibits contained herein, adequate urban services are able to be administered to the subject area. Therefore, this DCP demonstrates the properties planned for annexation (concurrent application) are in compliance with the applicable City of Canby Municipal Code provisions.

II. Site Description/Setting

The four subject properties are contiguous and located southeast of the intersection of S Ivy Street and SE 16th Avenue. The properties are bound by the UGB/Molalla River to the south, Redwood Lane to the east, SE 16th and 17th Avenue(s) to the north, and S Ivy Street to the west. The topography of Tax Lots 1200 and 1300 are generally flat, Tax Lot 2100 slopes to the west, Tax Lot 2300 gently slopes to the east, and the entire southern area is bound by the steep bluff of the Molalla River.

Currently, the properties are zoned Clackamas County Exclusive Farm Use (EFU) and are within the Canby UGB. The UGB is adjacent to the southern property line and runs along the north side of the Molalla River. Properties directly north and south of the river are designated Clackamas County EFU land. Upon annexation, this application will implement the designated zoning identified in the Comprehensive Plan, shown in Table 1 above. As such, portions of the property will be designated LDR (Low Density Residential) and MDR (Medium Density Residential) Comprehensive Plan districts and zoned R-1 (Low Density Residential) and R-1.5 (Medium Density Residential) in accordance with the City's long range planning effort.

The surrounding area is characterized by residential subdivisions containing varying lot sizes and housing types. Generally, properties north of the site are zoned R-1 and properties to the northwest are zoned R-1.5. There is an existing senior living community, Marquis at Hope Village, zoned RC (Residential Commercial) to the west of the subject site. Further west, properties are zoned HDR (High Density Residential).

III. Opportunities and Constraints

Land Use

The Canby Municipal Code (CMC) contains provisions for annexation of new properties into the City of Canby's corporate boundary and jurisdictional authority. For properties that are within a Development Concept Area, a Development Concept Plan (DCP) must be adopted by the city before a zone change will be approved for a newly annexed property. These provisions ensure that future annexation/zone change applications are consistent with the zoning identified in the applicable DCP.

The DCP is a conceptual framework for the subject area, and thus, a future subdivision application will include preliminary plans which demonstrate specific lot areas, setbacks, density provisions, and other elements are in compliance with the applicable standards of the CMC. As such, the following is a general assessment of existing zoning and comprehensive plan provisions which characterize the subject area.

R-1 (Low Density Residential)

The majority of the development concept area, ±67.7 acres (i.e. 96 percent of the total subject area), is designated LDR in the Canby Comprehensive Plan and planned to be zoned R-1. Single-family dwellings are a permitted use in the R-1 zone and planned to be developed on site in accordance with the CMC Chapter 16.16 provisions. Table 2, below, lists the applicable development standards that are associated with the R-1 zone. As stated above, subsequent subdivision materials and preliminary plans will demonstrate compliance with the design provisions of the LDR district.

Table 2 R-1 Development Standards

Section 16.16.030 Development Standards	
Minimum Lot Area	7,000 square feet
Maximum Lot Area	10,000 square feet
Minimum Width/Frontage	60 feet
Setbacks	
Street Yard	20 feet on side with driveway; 15 feet for all other street sides; except that street yards may be reduced to 10 feet for covered porches only;
Rear Yard	All corner lots, 10 feet single story or 15 feet two-story; all other lots, 15 feet single story or 20 feet two-story. One story building components must meet the single story setback requirements; two story building components must meet the two-story setback requirements;
Interior Street Yard	Seven feet, except as otherwise provided for zero-lot line housing.
Maximum Building Height—Principal Building	35 feet
Maximum Lot Coverage	60% of lot area

R-1.5 (Medium Density Residential)

Approximately ±2.9 acres of the development concept area (i.e. 4 percent of the total subject area), is designated MDR in the Canby Comprehensive Plan and planned to be zoned R-1.5. Single-family dwellings are permitted outright in the R-1.5 zone and planned to be developed on portions of the site in accordance with the CMC Chapter 16.18 provisions. Table 3, below, lists the applicable development standards that are associated with the R-1.5 zone. As stated above, subsequent subdivision materials and preliminary plans will demonstrate compliance with the design provisions of the MDR district.

Table 3 R-1.5 Development Standards

Section 16.18.030 Development Standards	
Minimum Lot Area	5,000 square feet
Maximum Lot Area	6,500 square feet
Minimum Width/Frontage	40 feet
Setbacks	
Street Yard	20 feet on side with driveway; 15 feet for all other street sides; except that street yards may be reduced to 10 feet for covered porches only;
Rear Yard	All corner lots, 10 feet single story or 15 feet two-story; all other lots, 15 feet single story or 20 feet two-story. One story building components must meet the single story setback requirements; two story building components must meet the two-story setback requirements;
Interior Street Yard	Seven feet, except as otherwise provided for zero-lot line housing.
Maximum Building Height—Principal Building	35 feet
Maximum Lot Coverage	70% of lot area

Open Space

A community is more than the homes that are built in it. Tofte is thoughtfully designed, ensuring stewardship of the surroundings, an embrace of the natural landscape, and the intent to integrate and

preserve the natural environment through landscaping, shared open space, and amenities like a new neighborhood park and trails. Whether young families are playing at the nearby park, or retirees are walking the Emerald Necklace trail, the vision for the Tofte development concept plan is a generational community for all who live and visit.

The availability of park, open space, and recreational land is an important element of the City of Canby's rural character and arguably defines a community as a beautiful, enjoyable place to live. CMC Chapter 16.120 contains procedures and policies regarding requirements for dedication of park land with future development. According to Section 16.120.020, the total requirement of park, open space, and recreational land shall be 0.01 of an acre, based on the City standard of 10 acres of land per 1,000 residents. For single-family residential developments, the population formula is 2.7 and the full calculation formula is shown below.

Calculation of Required Park Land Dedication
(maximum units) x (2.7 persons/unit) x (0.01) = acreage to be dedicated

Parks

As shown on the Tofte Area Development Concept Plan (Exhibit B), the properties for annexation comprise ±42.5 acres. The potential future development area (Tax Lot 2100) totals ±28 acres. As shown above, future units/lots dictate the amount of park land dedication required with an associated subdivision plat. Future residential density is calculated using a function of minimum/maximum lot size of net developable acreage. Since this DCP application does not involve a subdivision plat or propose an amount of net developable acreage, the following discussion is a theoretical inventory of anticipated park land dedication.

The future Tofte annexation site anticipates providing approximately ±160 units intended for single-family detached homes. Therefore, as calculated below, a minimum of ±4.3 acres (±9 percent of gross area) of open space, including a neighborhood park is anticipated to be required for dedication, as well as, owned and maintained by the future Tofte Homeowner's Association (HOA). A conceptual open space plan is shown on the DCP (Exhibit B).

TL 1200, 1300, and 2300 – Calculation of Anticipated Park Land Dedication
(160 lots) x (2.7 persons/unit) x (0.01) = ±4.3-acre minimum dedication

It is possible Tax Lot 2100, the potential future development area (depicted by hashmarks on Exhibit B), could provide ±122 units to be developed with future single-family dwellings. Therefore, as calculated below, a minimum of ±3.2 acres of park land could be required. Since Tax Lot 2100 is not associated with the concurrent annexation and zone change applications, conceptual park land was not proposed or drawn on this portion of the DCP. It is also worth mentioning that this DCP does not bind the associated property to any preliminary plans, designs, or agreements.

TL 2100 – Calculation of Anticipated Park Land Dedication
(122 lots) x (2.7 persons/unit) x (0.01) = ±3.3-acre minimum dedication

The neighborhood parks, trails, accessways, and open space tracts will likely be homeowners' association (HOA)-owned and maintained amenities. However, the Canby Parks Department and Parks Advisory Committee (PAC) are the local agencies which facilitate and decide upon matters of park land. Dedication acceptance is determined upon analysis of features such as: level of service, type of park, amenities provided, proposed number of users, etc. Any additional open space areas that are not planned to be owned and maintained by the HOA will be transferred/dedicated to the City of Canby. The Emerald Necklace Trail (which conceptually encircles the City of Canby's perimeter), discussed herein, is likely an amenity that the City will require for public dedication/public access.

Commencing from the primary entrance on S Ivy Street, the Tofte community will introduce a centralized park with activities ranging from play equipment to lawn games, where families and friends can gather, connect, and continue to build an enjoyable community. Moving east, the site contains an efficient network of pedestrian pathways, sidewalks, and accessways which provide safe connections for residents to reach park land and the conceptual Emerald Necklace Trail along the bluff of the Molalla River. Future street trees, landscaping buffers, and open space areas will create a bright and inviting community for future residents and visitors.

Trails

Tofte will have a network of trails, pedestrian pathways, and accessways that wind through the open space areas to the bluff that overlooks the Molalla River. As shown on Figure 9-1 of the City of Canby Park and Recreation Master Plan Update, the Emerald Necklace Concept Trail (a conceptual multi-use trail) is identified on the subject site. Multiple pedestrian accessways are conceptually shown on the south side of the site which illustrate potential connections from the future Tofte neighborhoods to the proposed trail. The trail design is to be determined and will be facilitated by the Parks Advisory Committee. The future trail intends to highlight the natural features along the Molalla River and preserve existing trees and vegetation to the extent practicable.

The southern Emerald Necklace green space incorporates a depth ranging from approximately 50-120 feet and will include the future trail improvement, landscaping, and required infrastructure improvements to create an engaging community amenity. Although the trail design is undetermined at this time, the physical trail will likely loop back into the Tofte residential neighborhoods (future subdivision). Through the public engagement process, feedback was received from adjacent neighbors/property owners who desire the trail to swing north and not terminate at the eastern property boundary to avoid pedestrian movement/trespassing onto adjacent private properties. This feedback is considered and incorporated in the DCP. Additionally, the design as discussed does not preclude the ability to extend the trail further east in the future (as shown on Figure 9-1 of the City of Canby Park and Recreation Master Plan Update) as properties redevelop and change over time.

Transportation

Access

The subject site is located at the southeast corner of the intersection of SE 16th Avenue and S Ivy Street. As such, the property has frontage on S Ivy Street and SE 16th and 17th Avenue(s), functionally classified as an Arterial roadway and Local roadways, respectively, within the City of Canby Transportation System Plan (TSP). Primary access to the development concept plan area is planned to be taken from a future connection on S Ivy Street. That entrance to the community is anticipated to be an ideal area to place monumentation. Furthermore, there are intersection spacing restrictions on S Ivy Street that limit the

potential for east-west-oriented streets to access the existing street network. Additionally, individual/private driveway access is restricted on S Ivy Street (Arterial roadway) and therefore future lots will take access from the internal transportation network.

As shown on the Tofte Development Concept Plan, new local streets, sidewalks/pedestrian accessways, and multi-use paths adjoin to existing and planned infrastructure connections. Existing street infrastructure connections at S Juniper, S Lupine, S Pine, and S Redwood Street(s) are planned to be extended southward through SE 16th and SE 17th Avenue(s). Additionally, pedestrian accessways are provided along the southern property boundary to allow connection to the future Emerald Necklace Trail, present opportunities to enjoy scenic views of the Molalla River, and create an inviting, walkable community.

Internal Circulation/Street Standards

As demonstrated on the functional classification map within the City of Canby Transportation System Plan (TSP), new streets are not conceptually indicated throughout or within the subject site. Adjacent to the property's western boundary, S Ivy Street is classified as an Arterial Roadway; along the eastern boundary, Redwood Street is classified as a Neighborhood Connector. SE 16th and 17th Avenue(s), classified as Local Roadways, border the northern property line of the site.

SE 16th Avenue is planned to be improved to the City's standard local street section. The improvements will include a 6-foot-wide sidewalk (south side only), 5-foot-wide planter strip, and a 7-foot-wide parking area, amounting to a 40-foot right-of-way section, with the planter strip and sidewalk located within a widened Public Utility Easement (PUE), in accordance with Canby provisions. For SE 17th Avenue, the existing curb-to-curb width is 36 feet and the 6-foot sidewalk and 5-foot planter will also be within a widened PUE. The physical improvements will be congruent with Canby's Standard Local Street section; the only difference in street design is the Tofte development concept area plans to include sidewalks within the PUE.

Further, as illustrated on the DCP (Exhibit B) SE 16th and 17th Avenue(s) are preliminary designed to terminate in cul-de-sac features. The preliminary design of the two cul-de-sac bulbs in close proximity to each other in the north portion of the site is primarily for traffic calming purposes to avoid a 'racetrack' effect made by adjoining lengthy, straight streets. Additionally, there are existing street patterns and design provisions which dictate the internal transportation network; for instance, blocks should not exceed 450 feet without additional connectivity features. The intent of separating (i.e. not connecting) the two streets will create a safer transportation network for pedestrians and motorists within the future neighborhood.

Future local streets internal to the development concept plan area are planned to be paved to 34 feet (curb to curb) within a 44-foot-wide right-of-way section. As shown on the Local Street Typical Section (Exhibit D), the internal roadways will have a cross-section providing a 5-foot planter strip, 7-foot parking area, and 10-foot drive aisles (on both sides). Future sidewalks are planned to be located within a widened PUE, in accordance with Canby Utility provisions.

Fire Department Requirements

The DCP (Exhibit B) has been designed in accordance with Canby Fire Department requirements. Future street sections will provide adequate fire/emergency apparatus access to all future lots. As shown on the Tofte DCP (Exhibit B), the majority of streets are looped and connect to the surrounding area. Further, the

project includes plans to modify/finalize the street stubs at SE 16th Avenue (east side) and SE 17th Avenue (west side) and provide emergency vehicle turnarounds by way of permanent cul-de-sacs. This is in part to deter excessive vehicle speeds that could occur with connecting the streets, as well as promote a more walkable neighborhood community. Fire hydrants will be placed adequately for fire operations, with hydrant spacing not to exceed 300 feet. Based on email coordination with the Canby Fire District, the 34-foot paved curb-to-curb width for the internal streets is acceptable for allowing parking on both sides of the street.

Infrastructure

Water

Water service is available to the site by way of Canby Utility, the local water purveyor for areas within the current City of Canby Limits and UGB. Future properties are planned to be provided water service from a water main connection located on the east side of the intersection of S Ivy Street and SE 16th Avenue (to the northwest of the site). As shown on the Conceptual Water Infrastructure Plan (Exhibit C), the project plans to extend water main infrastructure from SE 16th Avenue south and west to the subject site.

Connections to existing water mains within SE 16th/17th Avenue(s) are provided at the intersections of: S Juniper Street and SE 16th Avenue, S Lupine Street and SE 16th Avenue, S Pine Street and SE 17th Avenue, and S Redwood Street and SE 17th Avenue. Further, water mains are stubbed to the east and south property boundaries for future development. Approval of this development concept plan will not preclude adjacent properties (e.g. Tax Lot 2100) from the ability to obtain water service in the future. Necessary water service facilities and easements can be provided, as applicable. As illustrated on the Conceptual Water Infrastructure Plan, the DCP is designed to provide a logical water infrastructure network throughout the vicinity.

Sewer

Sanitary sewer service is planned to be provided to the site and installed in accordance with City of Canby public works and engineering standards. As shown on the Conceptual Sanitary Infrastructure Plan (Exhibit C), the project plans to extend sanitary sewer infrastructure from existing manholes in SE 16th and 17th Avenues southward to the subject site, conveyed to the gravity system (northward), and ultimately transferred to the Wastewater Treatment Plant facility on NE Territorial Road. Another option is to convey sewage to the existing Ivy Street Pump Station, southwest of the project site, though current topographical constraints are not conducive to the proposed gravity mains. Extension of sanitary sewer mains to the west, through adjacent Tax Lot 2100, would make conveyance to the Ivy Street Pump station more feasible.

Approval of this DCP will not preclude adjacent properties (e.g. Tax Lots 2100) from the ability to obtain sanitary sewer service in the future. As depicted in Exhibit C, conceptual sanitary sewer connections are feasible. Therefore, the conceptual development concept plan demonstrated the surrounding area can be provided essential services to accommodate future needed housing.

Stormwater

Stormwater infrastructure will be designed to the applicable City of Canby and Oregon Department of Environmental Quality (DEQ) provisions. The planned stormwater management system will treat and detain the surface water within public and private dry wells located on the subject site. Private dry wells are planned to be provided on each future lot for detention and infiltration. Further, stormwater that sheds to public roadways, sidewalks, etc. will drain to low points on the site for collection within public

dry wells for detention and infiltration. Pursuant to City of Canby standards, infiltration drywells are allowed per DEQ requirements. As shown on the Conceptual Stormwater Infrastructure Plan (Exhibit C), the project connects to existing infrastructure and proposes like infrastructure within potential future development areas (e.g. Tax Lot 2100).

Closing

The purpose of this application is to request approval of the DCP, in order to ultimately provide the framework for annexation and zone change of a portion of land within the DCP into City Limits. In addition to the discussion provided above, the DCP is compliant with the following applicable review criteria within the Canby Municipal Code.

III. Applicable Review Criteria

CITY OF CANBY MUNICIPAL CODE

Title 16 – Planning and Zoning

Division VI. - Annexations

Chapter 16.84 Regulations

16.84.040 Standards and Criteria

A. The following criteria shall apply to all annexation requests.

1. The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):

City of Canby Annexation Development Map

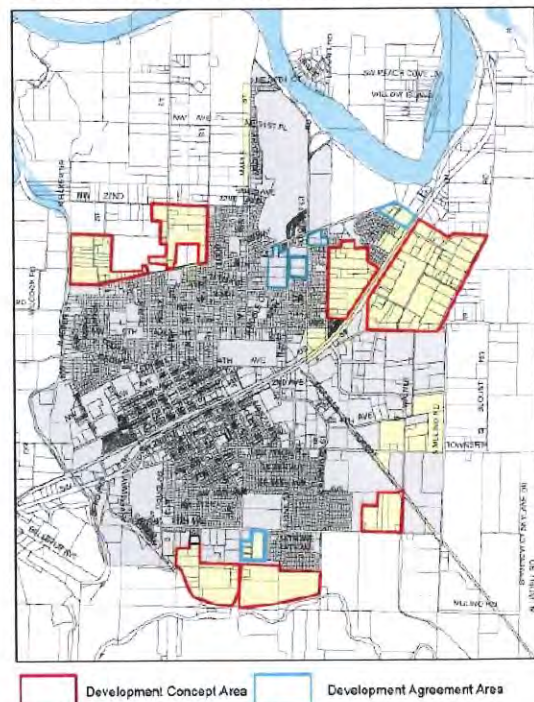


Figure 16.84.040

- ...
- b. A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:

1. Water
2. Sewer
3. Stormwater
4. Access
5. Internal Circulation
6. Street Standards
7. Fire Department requirements
8. Parks and open space

For newly annexed properties that are within the boundaries of a DCP area as designated on the City of Canby Annexation Development Map: A Development Concept Plan shall be adopted by the Canby City Council prior to granting a change in zoning classification. (Ord 1294, 2008)

Response: The subject site is designated as a Development Concept Area on the City of Canby Annexation Development Map, above. Therefore, an application for annexation (submitted under separate cover/package for concurrent review) requires this Development Concept Plan (DCP) be prepared to address the City of Canby infrastructure availability on the subject site. The elements listed in Section 16.84.040.A.1.b., above, are discussed in great detail in this written document. As shown in the Table 1 (page 2), there are four properties that comprise the DCP, though only three are slated for annexation to the City of Canby.

Therefore, this written narrative and accompanying exhibits serve as the complete Development Concept Plan required to review the Tofte Annexation and Zone Change applications. Pursuant to direction from the City of Canby, the DCP is being reviewed concurrently with the Annexation and Zone Change land use applications through the Type IV Quasi-Judicial review process. As such, the Canby City Council should adopt the DCP prior to granting a change in zoning classification, as stated above. Therefore, the criteria are/can be met.

IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the Canby Municipal Code. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve this Development Concept Plan.

Exhibit A: City Application Form and Checklist



City of Canby
Planning Department
222 NE 2nd Avenue
PO Box 930
Canby, OR 97013
(503) 266-7001

LAND USE APPLICATION

ANNEXATION

Process Type IV

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

☐ Applicant Name: Pahlisch Homes Phone: Contact Applicant's Consultant
Address: 15333 Sequoia Parkway Ste: 190 Email: Contact Applicant's Consultant
City/State: Portland, OR Zip: 97224

☒ Representative Name: Mimi Doukas- AKS Engineering & Forestry Phone: 503-563-6151
Address: 12965 SW Herman Road Ste: 100 Email: mimid@aks-eng.com
City/State: Tualatin, OR Zip: 97062

☐ Property Owner Name: Tofte Farms, LLC Phone: Contact Applicant's Consultant
Signature: [Signature] ANGIE A. TOFTE
Address: PO Box 97 Email: Contact Applicant's Consultant
City/State: Aurora, OR Zip: 97002

☐ Property Owner Name: Charles R. Braun and Janet K. Braun Phone: Contact Applicant's Consultant
Signature: _____
Address: 1712 S Ivy Street Email: Contact Applicant's Consultant
City/State: Canby, OR Zip: 97013

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>371 SE 13th Avenue/ 0 S Ivy Street</u>	<u>±42.5 acres</u>	<u>41E04D01200/01300 & 41E0302300</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Vacant farm land</u>	<u>Clackamas County EFU</u>	<u>LDR - Low Density Residential</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation

Annexation of property into the City of Canby

Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE



City of Canby
Planning Department
222 NE 2nd Avenue
PO Box 930
Canby, OR 97013
(503) 266-7001

LAND USE APPLICATION

ANNEXATION

Process Type IV

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

☐ Applicant Name: Pahlsch Homes Phone: Contact Applicant's Consultant
Address: 15333 Sequoia Parkway Ste: 190 Email: Contact Applicant's Consultant
City/State: Portland, OR Zip: 97224

☒ Representative Name: Mimi Doukas- AKS Engineering & Forestry Phone: 503-563-6151
Address: 12965 SW Herman Road Ste: 100 Email: mimid@aks-eng.com
City/State: Tualatin, OR Zip: 97062

☐ Property Owner Name: Tofte Farms, LLC Phone: Contact Applicant's Consultant
Signature: _____
Address: PO Box 97 Email: Contact Applicant's Consultant
City/State: Aurora, OR Zip: 97002

☐ Property Owner Name: Charles R. Braun and Janet K. Braun Phone: Contact Applicant's Consultant
Signature: [Signature] [Signature] Email: Contact Applicant's Consultant
Address: 1712 S Ivy Street
City/State: Canby, OR Zip: 97013

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
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- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>371 SE 13th Avenue/ 0 S Ivy Street</u>	<u>±42.5 acres</u>	<u>41E04D01200/01300 & 41E0302300</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Vacant farm land</u>	<u>Clackamas County EFU</u>	<u>LDR - Low Density Residential</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation
<u>Annexation of property into the City of Canby</u>		
<u>Describe the Proposed Development or Use of Subject Property</u>		

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

Visit our website at: www.canbyoregon.gov
Email Application to: PlanningApps@canbyoregon.gov

Page 1 of 5

NOTE: THE TOFTE DCP IS A SEPARATE APPLICATION TO BE REVIEWED CONCURRENTLY WITH THE TOFTE ANNEXATION AND ZONE CHANGE APPLICATION SUBMITTALS. THIS CHECKLIST STATES THE DCP IS REQUIRED FOR THE SUBJECT ANNEXATION AND THE FORMS HAVE BEEN DUPLICATED FOR REVIEW.



City of Canby
Planning Department
222 NE 2nd Avenue
P.O. Box 930
Canby, OR 97013
Ph: 503-266-7001
Fax: 503-266-1574

CHECKLIST

ANNEXATION – TYPE IV

All required application submittals detailed below must also be submitted in **ELECTRONIC FORMAT** on a CD, flash drive, FTP site, or via email to: PlanningApps@canbyoregon.gov

- | Applicant
Check | City
Check | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of this application packet. The City may request further information at any time before deeming the application complete. SEE EXHIBIT A |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Payment of appropriate fees: Cash, check or credit card. Checks should be made out to the <i>City of Canby</i> . |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT for all property owners and all residents within 500 feet of the subject property. If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to "Occupant." A list of property owners may be obtained from a title insurance company or from the County Assessor's office. SEE EXHIBIT I |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of a written statement and an electronic copy in WORD format describing the property to be annexed, including all existing improvements on the land, and detailing how the annexation and proposed zoning meet the approval criteria, and availability and adequacy of public facilities and services. <u>Ask staff for applicable Municipal Code chapters and approval criteria.</u> Applicable Code Criteria for this application includes:

_____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy in written format of the minutes of the neighborhood meeting is required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and a list of attendees. SEE EXHIBIT J |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy in written format of the minutes of the pre-application meeting SEE EXHIBIT K |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of a written statement, signed by at least 51% of the owners of land in the territory to be annexed that states, pursuant to ORS 222.170: "Consent to annex is hereby given by the undersigned, who represent more than half the owners of land in the territory, and who also own more than half of the land and real property in the contiguous territory, which represents more than half of the assessed value of all real property in the contiguous territory." SEE EXHIBIT B |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of the full quarter-section tax assessor's map with the subject property outlined. SEE EXHIBIT E |



- ☐ One (1) copy of the legal description of the property to be annexed, and a boundary survey certified by a registered engineer or surveyor containing bearings and one half of the adjacent street right-of-way, if applicable. **SEE EXHIBIT D**



- ☐ One (1) copy of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (payment must be received by the City before the traffic engineer will conduct or review a traffic impact study. Ask staff to determine if a TIS is required.

*Note: A traffic impact analysis is not required if all the property to be annexed is located within the boundaries of an approved Development Concept Plan and a traffic impact analysis was completed for the Development Concept Plan. **A TRANSPORTATION MEMORANDUM IS INCLUDED SEE EXHIBIT G***



- ☐ If the property to be annexed is located inside a "Development Concept Area" identified on the Annexation Development Map, Figure 16.84.040 of Canby Municipal Code Chapter 16.84, then submit one (1) copy of an approved Development Concept Plan.

N/A



- ☐ **SEE CONCURRENT DCP SUBMITTAL UNDER SEPARATE COVER/PACKAGE.**
☐ If the property to be annexed is located inside a "Development Agreement Area" identified on the Annexation Development Map, Figure 16.84.040 of Canby Municipal Code Chapter 16.84, then submit one (1) copy of a Development Agreement intended to be approved and recorded with the property.

ANNEXATION APPLICATION – TYPE IV: APPLICATION PROCESS

1. Prior to submitting an application, all applicants are encouraged to request a pre-application meeting with the City, or the City Planner may determine that a pre-application meeting is necessary after an application has been discussed or upon receipt of an application by the City. To schedule a pre-application meeting, an applicant must submit a completed pre-application form and 2 paper copies of the preliminary plans to the City Planner, and all submittal materials must be submitted in electronic format. The City Planner shall forward the pre-application materials to the Canby Public Works Department to schedule the pre-application meeting. The fee for a pre-application meeting for an annexation is indicated in the City of Canby Master Fee Schedule for Pre-Application Conferences for Type III and IV applications.
A pre-application meeting was held on April 19, 2021.
2. Prior to submitting an application, all applicants must hold a neighborhood meeting with surrounding property owners and any recognized neighborhood association representative, pursuant to the procedures described in Canby Municipal Code Section 16.89.070. In certain situations, the Planning Director may waive the neighborhood meeting requirement.
A neighborhood meeting was held on May 25, 2021
3. At the time an application is submitted to the City, payment of required application processing fees is required. An application will not be accepted without payment of fees. City Staff can provide you with information concerning application fees.
4. 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.
5. Staff investigates the application, writes a staff report, issues public notice, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
6. Prior to the public hearing, the City will prepare notice materials for posting on the subject property. This material will be posted by staff at least ten (10) days before the public hearing.

7. The staff report will be available to all interested parties seven (7) days prior to the hearing.
8. The Planning Commission holds a public hearing. The staff report is presented to the Commission. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant. Based on the information received during the public hearing, the Planning Commission issues a recommendation to City Council concerning what zoning designation should be applied to the property if it is annexed, and recommends that the annexation be approved, modified, or denied based on conformance with review criteria.
9. The City Council then holds a second public hearing. The Planning Commission's recommendation is presented to the Council. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant. Based on the information received during the public hearing, the Council decides what zoning designation should be applied to the property if it is annexed, and decides whether the annexation should be approved, modified, or denied.

ANNEXATION APPLICATION – TYPE IV: APPROVAL CRITERIA

Pursuant to Section 16.54.040 of the Canby Municipal Code, the Planning Commission and City Council must find that the requested zoning meets the following criteria in order to approve the zoning designation requested:

- 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; and
- 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.

(Note: if the zoning that is requested in conjunction with the annexation is not consistent with the property's comprehensive plan designation, then the applicant must also apply for a Comprehensive Plan Amendment.)

Pursuant to Section 16.84.040 of the Canby Municipal Code, the Planning Commission and City Council must find that the annexation application meets the following criteria in order to approve the Annexation request:

- A. The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):
 - a. A Development Agreement (DA) binding for all properties located within the boundaries of a designated DA area as shown on the City of Canby Annexation Development Map. The terms of the Development Agreement may include, but are not limited to:
 - i. Timing of the submittal of an application for zoning
 - ii. Dedication of land for future public facilities including park and open space land
 - iii. Construction of public improvements
 - iv. Waiver of compensation claims
 - v. Waiver of nexus or rough proportionality objections to future exactions
 - vi. Other commitments deemed valuable to the City of Canby

For newly annexed properties that are within the boundaries of a DA area as designated on the City of Canby Annexation Development Map: A Development Agreement shall be recorded as a covenant

running with the land, binding on the landowner's successors in interest prior to the City Council granting a change in zoning classification.

- b. A Development Concept Plan (DCP) is binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:
 - i. Water
 - ii. Sewer
 - iii. Stormwater
 - iv. Access
 - v. Internal Circulation
 - vi. Street Standards
 - vii. Fire Department requirements
 - viii. Parks and open space

For newly annexed properties that are within the boundaries of a DCP area as designated on the City of Canby Annexation Development Map: A Development Concept Plan shall be adopted by the Canby City Council prior to granting a change in zoning classification.

- B. Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning – low density residential, light industrial, etc.) currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient;
- C. Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89.020 of the City of Canby Land Development and Planning Ordinance.
- D. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;
- E. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;
- F. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;
- G. Statement outlining method and source of financing required to provide additional facilities, if any;
- H. Statement indicating the type and nature of any comprehensive plan text or map amendments or zoning text or map amendments that may be required to complete the proposed development.
- I. Compliance with other applicable city ordinances or policies;
- J. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222.

**Exhibit B (UPDATED):
Tofte Area—Development Concept Plan**

Exhibit D: Preliminary Future Local Street Section



8659 CONCEPT PLAN.DWG

DATE: 07/22/2021 AKS JOB: 8659

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM

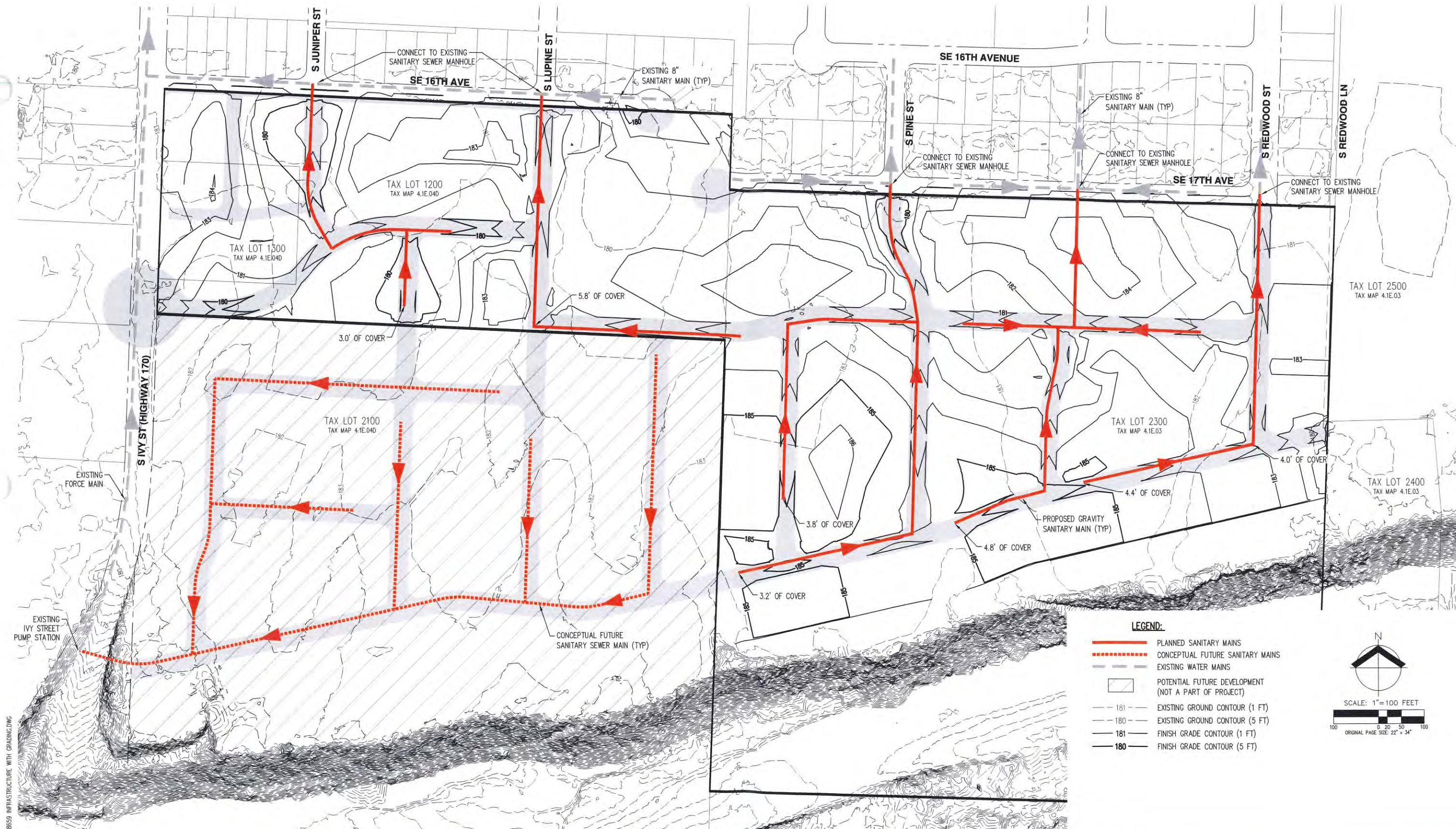


ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE

DEVELOPMENT CONCEPT PLAN TOFTE PROPERTY

CANBY, OREGON

Exhibit C (UPDATED):
Conceptual Infrastructure Appendices



DATE: 07/09/2021 AKS JOB: 8659

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM



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CONCEPTUAL SANITARY INFRASTRUCTURE PLAN WITH GRADING TOFTE PROPERTY CANBY, OREGON City Council Packet - Page 312 of 571

FIGURE 2



8659 INFRASTRUCTURE PLANDWG

DATE: 07/27/2021 AKS JOB: 8659

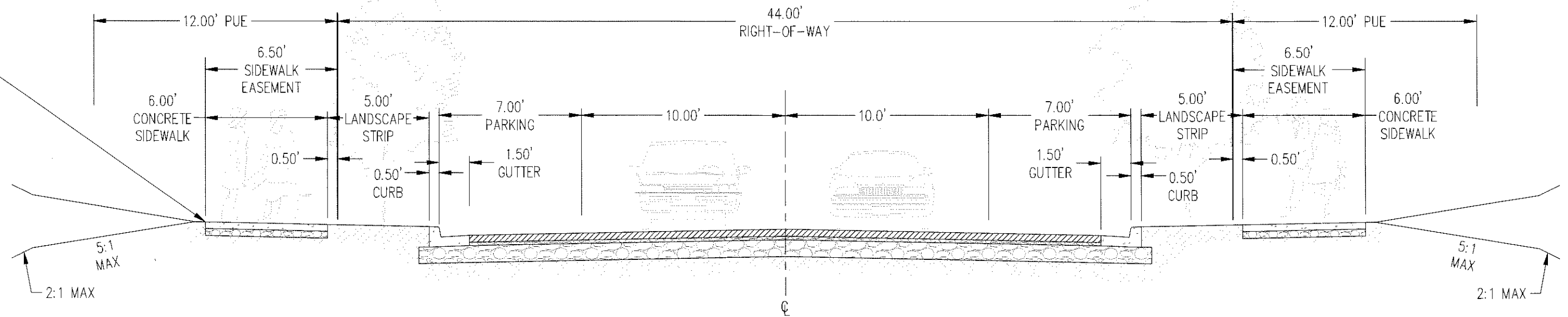
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CONCEPTUAL STORMWATER INFRASTRUCTURE PLAN TOFTE PROPERTY

CANBY, OREGON



STANDARD LOCAL STREET (44' ROW)

SCALE: 1"=5'

DATE: 5/28/2021

TYPICAL LOCAL STREET SECTION		EXHIBIT
TOFTE FARMS SUBDIVISION		A
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: MWJ CHKD: PAS AKS JOB: 8659



Appendix B: Google Earth Aerial Images

August 2020

Job# 8659

Southeast 16 Avenue

SE 15th Pl

S Lupine St

S Pine St

SE 18th Pl

SE 17th Ave

SE 16th Ave

SE 15th Ave

S Ponderosa St

S Redwood St

Redwood Ln

S Ivy St



900 ft

Google Earth

May 2019

Job# 8659

Southeast 16 Avenue

SE 15th Pl

S Lupine St

S Pine St

SE 18th Pl

SE 17th Ave

SE 16th Ave

S Ponderosa St

SE 15th Ave

S Redwood St

Redwood Ln

S Ivy St



900 ft

Google Earth

May 2017

Job# 8659



Google Earth

April 2015

Job# 8659

SE 15th Pl

S Lupine St

Southeast 16 Avenue

S Pine St

SE 18th Pl

SE 17th Ave

SE 16th Ave

SE 15th Ave

S Ponderosa St

S Redwood St

Redwood Ln

S Ivy St



900 ft

Google Earth

July 2012

Job# 8659



Google Earth

Image USDA Farm Service Agency
Image © 2021 Metro, Portland Oregon

May 2010

Job# 8659

Southeast 16 Avenue

SE 15th Pl

S Lupine St

S Pine St

SE 18th Pl

SE 17th Ave

SE 16th Ave

SE 15th Ave

S Ponderosa St

S Redwood St

Redwood Ln

S Ivy St



900 ft

Google Earth







Appendix C: Precipitation Data

WETS Table

WETS Station: OREGON
CITY, ORRequested years: 1971 -
2020

Month	Avg Max Temp	Avg Min Temp	Avg Mean Temp	Avg Precip	30% chance precip less than	30% chance precip more than	Avg number days precip 0.10 or more	Avg Snowfall
Jan	47.8	35.9	41.9	6.27	4.07	7.54	12	0.5
Feb	52.2	37.1	44.6	4.76	3.22	5.68	11	0.9
Mar	57.5	39.5	48.5	5.16	3.59	6.13	12	0.1
Apr	63.1	42.6	52.9	3.57	2.54	4.22	9	0.0
May	70.2	47.8	59.0	2.39	1.44	2.90	7	0.0
Jun	75.9	52.4	64.2	1.68	1.01	2.04	4	0.0
Jul	82.9	56.3	69.6	0.63	0.25	0.72	2	0.0
Aug	83.1	56.3	69.7	0.87	0.25	0.92	2	0.0
Sep	77.5	52.4	64.9	1.81	0.87	2.16	4	0.0
Oct	65.3	45.9	55.6	3.65	2.05	4.45	7	0.0
Nov	53.2	40.0	46.6	6.47	4.41	7.72	12	0.1
Dec	46.9	35.8	41.4	7.26	5.03	8.63	13	0.8
Annual:					40.06	49.39		
Average	64.6	45.2	54.9	-	-	-	-	-
Total	-	-	-	44.51			95	2.3

GROWING SEASON DATES

Years with missing data:	24 deg = 17	28 deg = 16	32 deg = 16
Years with no occurrence:	24 deg = 8	28 deg = 0	32 deg = 0
Data years used:	24 deg = 33	28 deg = 34	32 deg = 34
Probability	24 F or higher	28 F or higher	32 F or higher
50 percent *	1/16 to 1/11: 360 days	2/13 to 12/6: 296 days	3/20 to 11/12: 237 days
70 percent *	12/27 to 2/1: 401 days	2/6 to 12/13: 310 days	3/11 to 11/21: 255 days

* Percent chance of the
growing season occurring
between the Beginning and
Ending dates.

STATS TABLE - total
precipitation (inches)

Yr	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annl
1911											3.49	4.82	8.31
1912	9.10	5.27	2.15	2.89	2.17	4.12	0.61	5.16	1. 26	4.19	6.71	7.11	50. 74
1913	8.18	1.28	5.79	4.11	2.36	4.23	0.67	0.74	3. 01	4.50	7.50	3.79	46. 16
1914	12.79	5.07	4.07	4.26	2.11	2.55	0.17	T	3. 85	4.50	5.07	3.16	47. 60
1915	6.74	4.40	2.83	2.11	2.78	1.64	1.34	T	0. 67	2.71	M11. 84	10. 24	47. 30
1916	6.44	11.42	12.06	4.21	3.09	1.86	2.90	0.26	1. 95	1.64	8.18	4.40	58. 41
1917	4.21	3.72	8.22	6.97	3.67	1.48	0.01	0.00	2. 24	0.03	4.23	18. 71	53. 49
1918	6.40	8.06	5.50	1.22	1.16	0.01	0.67	0.74	0. 38	5.07	5.06	4.99	39. 26
1919	10.91	8.96	6.01	4.42	2.56	1.04	0.06	0.05	3.	1.73	9.73	6.79	56.

									91				17
1920	5.84	0.40	4.36	5.61	1.25	3.03	1.18	1.39	5.76	5.01	7.18	9.79	50.80
1921	8.92	7.67	5.34	2.17	2.06	1.50	0.03	0.16	2.89	3.32	12.12	3.32	49.50
1922	4.04	4.24	7.83	2.94	1.24	0.23	0.00	2.26	1.86	5.03	2.66	9.87	42.20
1923	13.00	2.55	3.14	2.10	1.68					0.38	4.77	7.00	34.62
1924	3.27	5.87	1.93	1.24						6.58	8.29	5.10	32.28
1925	8.80	8.87	2.94	3.81						0.05	5.71	5.55	35.73
1926	3.46		1.01	1.50						5.01	9.93	5.39	26.30
1927	8.87	8.11	3.65	1.50						4.47	10.19	2.86	39.66
1928	5.63	1.76	8.96	6.00						1.92	6.26	8.72	39.25
1929	3.50	1.24	3.27	4.37						1.29	0.70	11.34	25.71
1930	4.40	6.81	2.07	3.12						2.49	3.05	3.13	25.07
1931	M3.29	3.07	6.80	4.50						5.42	8.22	9.15	40.45
1932	6.41	M3.63	8.25	3.81						4.83	9.41	6.82	43.16
1933	8.48	4.49	6.23	1.01									20.21
1934													
1935													
1936													
1937													
1938													
1939													
1940													
1941													
1942													
1943													
1944													
1945													
1946													
1947													
1948	M0.17	7.57	4.70	4.27	4.73	1.15	0.91	2.07	3.46	2.70	8.46	M10.26	50.45
1949	1.48	13.09	3.34	1.16	2.69	1.25	0.94	0.22	2.60	3.17	6.92	6.50	43.36
1950	11.44	M6.97	M6.29	3.13	1.09	2.05	1.35	0.45	2.26	10.34	12.70	7.48	65.55
1951	10.50	5.93	5.63	1.06	2.58	0.09	0.16	0.34	3.71	5.55	6.25	7.29	49.09
1952	6.20	4.72	4.51	1.75	0.89	3.30	T	0.09	0.42	0.87	1.32	7.70	31.77
1953	16.77	4.76	4.96	2.52	M4.15	1.50	0.04	2.53	1.40	3.39	7.46	9.04	58.52
1954	11.25	5.06	3.46	3.88	2.17	3.76	0.69	2.18	1.01	3.91	5.61	6.49	49.47
1955	3.02	3.62	5.32	6.30	1.45	1.37	1.39	0.00	3.46	7.68	9.71	11.20	54.52
1956	14.25	4.44	7.61	0.68	2.30	1.99	0.02	3.57	1.67	7.69	1.81	4.53	50.56
1957	3.26	4.81	9.43	1.66	3.10	1.96	M0.43	0.37	0.68	3.97	4.02	M10.60	44.28
1958	9.43	6.93	2.67	5.38	0.61	3.26	0.00	0.04	1.40	1.73	8.21	7.12	46.78

1959	10.41	5.75	5.07	1.65	3.76	2.00	0.83	0.17	3.81	4.17	3.34	3.86	44.82
1960	4.91	4.94	6.64	4.09	5.80	0.64	T	1.33	1.20	3.49	12.68	4.18	49.90
1961	5.22	11.74	7.01	3.47	4.14	0.60	0.57	0.85	0.84	4.04	6.01	6.65	51.14
1962	2.13	4.33	5.88	4.05	3.62	1.15	0.06	1.37	2.43	4.36	11.78	3.00	44.16
1963	1.96	4.99	6.33	5.06	4.36	1.74	1.30	0.54	1.46	3.68	7.73	4.22	43.37
1964	13.64	1.22	4.43	1.85	1.07	2.90	0.76	0.95	1.72	1.22	9.65	14.78	54.19
1965	10.67	1.99	1.47	3.42	1.91	0.75	0.24	1.50	0.03	2.54	7.28	8.87	40.67
1966	9.75	2.19	6.43	1.29	1.31	1.67	1.26	0.31	1.72	3.32	6.60	8.29	44.14
1967	8.65	2.76	6.08	3.54	2.52	1.17	0.00	0.00	0.81	6.36	2.74	6.24	40.87
1968	5.53	8.87	3.60	1.95	3.23	3.44	0.50	4.95	3.83	7.09	7.89	14.56	65.44
1969	10.47	3.92	2.99	9.44	2.23	4.48	0.09	0.11	4.50	5.00	3.77	9.15	56.15
1970	14.05	6.03	3.01	3.76	1.81	0.69	0.09	T	2.15	3.59	8.69	9.36	53.23
1971	10.08	4.50	6.27	4.33	2.41	3.16	0.37	1.50	3.79	4.37	7.66	10.25	58.69
1972	9.17	6.71	6.53	4.81	2.87	0.73	0.50	0.71	4.41	1.04	6.47	9.79	53.74
1973	5.90	2.34	4.00	1.79	1.62	2.23	0.08	1.40	3.18	4.00	14.21	11.93	52.68
1974	9.57	6.70	8.04	2.81	2.63	1.18	2.82	0.06	0.40	2.44	7.21	6.87	50.73
1975	8.28	5.51	5.67	2.44	1.93	2.12	0.73	3.31	T	6.25	5.53	7.79	49.56
1976	6.33	8.11	3.64	3.55	2.12	0.67	0.87	2.30	1.25	1.20	0.93	1.69	32.66
1977	1.65	3.52	4.20	0.77	4.31	1.41	0.68	3.01	3.41	2.92	7.17	11.49	44.54
1978	5.96	4.53	1.88	5.84	4.45	1.71	1.53	2.36	2.88	0.61	4.73	3.27	39.75
1979	2.90	8.99	3.30	3.94	2.49	0.70	0.52	0.98	3.14	5.70	3.75	7.73	44.14
1980	11.38	4.38	3.71	3.91	1.30	3.79	0.18	0.22	1.65	1.56	7.60	12.61	52.29
1981	1.84	4.51	3.13	2.55	1.83	4.52	0.28	T	2.84	4.79	5.49	11.42	43.20
1982	7.76	M8.22	5.18	4.37	1.66	1.05	0.22	1.27	3.76	4.25	5.42	10.39	53.55
1983	8.70	8.93	7.87	2.50	2.11		4.24	2.57	0.53	2.16	9.82	6.78	56.21
1984	3.29	5.53		3.82	5.19	4.60	0.00	0.03		6.24	12.34	4.27	45.31
1985	0.46	3.64	4.39	1.38	0.93	M2.51	0.43	0.52	2.65	3.59	6.47	3.05	30.02
1986	M6.56	7.99	3.19	2.40	2.89	0.57	1.92	M0.00	M0.93	2.08	6.93		35.46
1987	7.92	4.44	6.00	2.71	M2.11	M0.49	1.62	0.23	0.84	0.29	2.25	10.77	39.67
1988	9.17	2.04	4.91	5.85	M3.58	1.94	0.59	0.08	1.51	0.18	11.24	3.43	44.52
1989	5.18	3.18	7.08	2.02	M2.23	1.05	0.58	1.45	1.10	2.25	3.69	3.98	33.79
1990	9.65	4.58	2.78	2.59	1.92	2.46	0.48	1.00	0.47	5.94	4.94	3.31	40.12
1991	3.50	4.26	3.71	4.63	4.40	2.32	0.06	1.61	0.15	2.98	7.65	5.99	41.26
1992	5.24	4.48	1.12	5.10	0.16	0.41	0.26	0.76	1.86	4.19	4.46	6.51	34.55

1993	3.74	1.11	5.24	6.15	4.24	1.73	2.23	0.23	T	1.43	1.91	6.48	34.49
1994	5.38	6.33	4.12	2.14	1.71	1.53	0.08	T	1.10	7.22	8.74	6.62	44.97
1995	7.61	5.44	4.23	3.88	1.54	1.97	0.76	1.62	2.93	4.82	11.00	8.36	54.16
1996	9.17	12.05	3.86	5.63	5.00	0.91	0.63	0.11	2.25	5.33	9.96	16.13	71.03
1997	8.45	2.20	8.63	4.91	2.37	2.38	1.01	1.54	4.02	M5.70	3.97	3.47	48.65
1998	M8.91	4.86	4.68	1.19	4.99	1.03	0.43	0.02	1.13	M4.21	11.32	9.74	52.51
1999	9.14	10.01	5.60	3.43	3.41	1.78	0.20	0.84	0.19	M2.70		M5.01	42.31
2000	M4.86	M6.29	3.08	M2.26	M3.25	M1.41	M0.46	0.02	M0.48	M3.88	M2.50	M2.98	31.47
2001	M1.25	M1.33	M5.02	M2.62	1.60	M1.61	M0.73	1.05	M0.80	M2.85	M6.52	M9.54	34.92
2002	M8.83	3.96	M5.55	M3.58	M1.50	M2.09	0.37	0.29	M0.49	0.47	M2.81	M10.18	40.12
2003	M7.69	M3.86	M7.85	5.58	0.52	0.70	0.00		1.02	3.02	M6.20	9.30	45.74
2004	M5.98	3.33		1.74	2.38	2.15	0.15	3.20	2.27	5.62	1.89	4.35	33.06
2005	M2.15	0.78	M5.43	M2.88	M4.03	M2.06	0.57	MT	M1.58	M3.19	M6.73	9.91	39.31
2006	M13.20	M2.60	M3.70	6.28		1.01	M0.08	M0.00	M1.25	M1.59	M10.61	M1.70	42.02
2007	M1.01	M2.13	M1.43	M1.39	0.61	M0.27	M0.32	T	0.32	M1.82	M3.80	M6.95	20.05
2008	M6.23	M3.08	M6.13	M2.12		M0.40		M1.53	M0.25		M7.13	M3.28	30.15
2009	6.86	M3.06	4.88	1.38	0.98	1.05	M0.17	0.69	1.60	M2.74	M6.35	M5.05	34.81
2010	M5.39	3.65	M5.06	M3.49	M2.85	M2.20	0.22	0.17	M2.24	M5.73	7.91	11.43	50.34
2011	5.35	5.17	M8.25	5.58	3.32	1.48	1.10	MT	1.04		9.14	M4.30	44.73
2012	M9.24	M3.11	M9.43	4.84	M3.16	M3.54	M0.79	MT	0.09	M7.92	M9.00	9.74	60.86
2013	M3.56	2.48	M1.95		M2.69	0.12	0.00		M5.56	1.05	M3.94	M2.08	23.43
2014	M3.21	M3.83	M9.02	3.93	2.59	1.33	0.91	M0.77	1.56	M6.86	3.39	M5.08	42.48
2015	M3.28	M3.99	5.52	2.35	1.00	0.32	0.26	0.80	0.96	M4.31	7.50	14.15	44.44
2016	M7.35	M3.43	5.47	3.45	1.12	1.49	0.43	0.10	0.82	M11.24	M7.56	5.98	48.44
2017	M3.75	9.17	M18.65	5.16	1.29	M1.38	0.00	0.23	3.22	6.51	7.72	4.18	61.26
2018	6.98	2.85	4.32	7.08	0.12	1.73	0.00	0.05	0.52	2.85	3.99	7.26	37.75
2019	4.43	M8.12	2.03	4.67	1.19	0.80	0.23	M0.46	M3.07	2.70	1.57	3.68	32.95
2020	9.83	2.45	M2.76	1.42	3.04	2.80	M0.02	0.14	M5.00	2.95	7.82	9.42	47.65
2021	9.71	M5.32	M3.09	M0.18	2.29	1.38	M0.00						21.97

Notes: Data missing in any month have an "M" flag. A "T" indicates a trace of precipitation.

Data missing for all days in a month or year is blank.

Creation date: 2021-07-15

Climatological Data for OREGON CITY, OR - April 2021

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2021-04-01	69	40	54.5	15	5	0.00	0.0	0
2021-04-02	67	38	52.5	13	3	0.00	0.0	0
2021-04-03	67	40	53.5	14	4	0.00	0.0	0
2021-04-04	66	45	55.5	16	6	0.00	0.0	0
2021-04-05	59	34	46.5	7	0	0.00	0.0	0
2021-04-06	65	36	50.5	11	1	0.00	0.0	0
2021-04-07	64	39	51.5	12	2	0.00	0.0	0
2021-04-08	54	38	46.0	6	0	0.01	0.0	0
2021-04-09	59	33	46.0	6	0	0.00	0.0	0
2021-04-10	59	42	50.5	11	1	0.02	0.0	0
2021-04-11	58	31	44.5	5	0	0.00	0.0	0
2021-04-12	65	37	51.0	11	1	0.00	0.0	0
2021-04-13	64	46	55.0	15	5	0.00	0.0	0
2021-04-14	69	42	55.5	16	6	0.00	0.0	0
2021-04-15	76	40	58.0	18	8	0.00	0.0	0
2021-04-16	76	40	58.0	18	8	0.00	0.0	0
2021-04-17	85	47	66.0	26	16	0.00	0.0	0
2021-04-18	83	45	64.0	24	14	0.00	0.0	0
2021-04-19	M	M	M	M	M	0.00	0.0	0
2021-04-20	M	M	M	M	M	0.00	0.0	0
2021-04-21	76	44	60.0	20	10	0.00	0.0	0
2021-04-22	M	M	M	M	M	0.00	0.0	0
2021-04-23	67	43	55.0	15	5	0.00	0.0	0
2021-04-24	M	M	M	M	M	S	0.0	0
2021-04-25	61	45	53.0	13	3	0.15A	0.0	0
2021-04-26	61	46	53.5	14	4	0.00	0.0	0
2021-04-27	66	43	54.5	15	5	0.00	0.0	0
2021-04-28	65	47	56.0	16	6	0.00	0.0	0
2021-04-29	M	M	M	M	M	M	0.0	0
2021-04-30	M	M	M	M	M	M	0.0	0
Average(Sum)	66.7	40.9	53.8	337	113	0.18	0.0	0.0

Climatological Data for DREGON CITY, OR - May 2021

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2021-05-01	65	52	58.5	19	9	0.22	0.0	0
2021-05-02	57	46	51.5	12	2	0.22	0.0	0
2021-05-03	58	46	52.0	12	2	0.02	0.0	0
2021-05-04	68	53	60.5	21	11	0.09	0.0	0
2021-05-05	81	46	63.5	24	14	0.00	0.0	0
2021-05-06	80	51	65.5	26	16	0.06	0.0	0
2021-05-07	61	45	53.0	13	3	0.00	0.0	0
2021-05-08	60	41	50.5	11	1	0.00	0.0	0
2021-05-09	64	50	57.0	17	7	0.00	0.0	0
2021-05-10	69	46	57.5	18	8	0.00	0.0	0
2021-05-11	74	45	59.5	20	10	0.00	0.0	0
2021-05-12	M	M	M	M	M	0.00	0.0	0
2021-05-13	79	57	68.0	28	18	0.00	0.0	0
2021-05-14	79	51	65.0	25	15	0.00	0.0	0
2021-05-15	79	49	64.0	24	14	0.00	0.0	0
2021-05-16	81	51	66.0	26	16	0.00	0.0	0
2021-05-17	82	51	66.5	27	17	0.00	0.0	0
2021-05-18	63	41	52.0	12	2	0.00	0.0	0
2021-05-19	62	43	52.5	13	3	0.08	0.0	0
2021-05-20	59	43	51.0	11	1	0.11	0.0	0
2021-05-21	M	M	M	M	M	S	0.0	0
2021-05-22	67	44	55.5	16	6	0.15A	0.0	0
2021-05-23	67	49	58.0	18	8	0.00	0.0	0
2021-05-24	65	49	57.0	17	7	0.39	0.0	0
2021-05-25	62	53	57.5	18	8	0.63	0.0	0
2021-05-26	72	49	60.5	21	11	0.00	0.0	0
2021-05-27	72	49	60.5	21	11	0.32	0.0	0
2021-05-28	67	50	58.5	19	9	0.00	0.0	0
2021-05-29	81	47	64.0	24	14	0.00	0.0	0
2021-05-30	83	54	68.5	29	19	0.00	0.0	0
2021-05-31	85	54	69.5	30	20	0.00	0.0	0
Average/Sum	70.4	48.4	59.4	572	282	2.29	0.0	0.0

Climatological Data for DREGON CITY, OR - June 2021

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2021-06-01	94	61	77.5	38	28	0.00	0.0	0
2021-06-02	95	64	79.5	40	30	0.00	0.0	0
2021-06-03	89	55	72.0	32	22	0.00	0.0	0
2021-06-04	M	M	M	M	M	0.00	0.0	0
2021-06-05	78	55	66.5	27	17	0.01	0.0	0
2021-06-06	64	48	56.0	16	6	0.08	0.0	0
2021-06-07	65	48	56.5	17	7	0.03	0.0	0
2021-06-08	67	50	58.5	19	9	0.00	0.0	0
2021-06-09	67	45	56.0	16	6	0.12	0.0	0
2021-06-10	68	41	54.5	15	5	0.00	0.0	0
2021-06-11	67	54	60.5	21	11	0.07	0.0	0
2021-06-12	76	52	64.0	24	14	0.02	0.0	0
2021-06-13	78	61	69.5	30	20	0.83	0.0	0
2021-06-14	71	59	65.0	25	15	0.22	0.0	0
2021-06-15	72	54	63.0	23	13	0.00	0.0	0
2021-06-16	78	50	64.0	24	14	0.00	0.0	0
2021-06-17	84	52	68.0	28	18	0.00	0.0	0
2021-06-18	83	55	69.0	29	19	0.00	0.0	0
2021-06-19	81	48	64.5	25	15	0.00	0.0	0
2021-06-20	93	55	74.0	34	24	0.00	0.0	0
2021-06-21	94	65	79.5	40	30	0.00	0.0	0
2021-06-22	94	60	77.0	37	27	0.00	0.0	0
2021-06-23	M	M	M	M	M	0.00	0.0	0
2021-06-24	M	M	M	M	M	0.00	0.0	0
2021-06-25	93	64	78.5	39	29	0.00	0.0	0
2021-06-26	107	68	87.5	48	38	0.00	0.0	0
2021-06-27	111	85	98.0	58	48	0.00	0.0	0
2021-06-28	114	80	97.0	57	47	0.00	0.0	0
2021-06-29	92	65	78.5	39	29	0.00	0.0	0
2021-06-30	M	M	M	M	M	0.00	0.0	0
Average/Sum	83.7	57.5	70.6	801	541	1.38	0.0	0.0

Climatological Data for OREGON CITY, OR - July 2021

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2021-07-01	76	63	69.5	30	20	0.00	M	M
2021-07-02	83	63	73.0	33	23	0.00	M	M
2021-07-03	85	61	73.0	33	23	0.00	M	M
2021-07-04	86	58	72.0	32	22	0.00	M	M
2021-07-05	88	59	73.5	34	24	0.00	M	M
2021-07-06	88	58	73.0	33	23	0.00	M	M
2021-07-07	89	59	74.0	34	24	0.00	M	M
2021-07-08	78	56	67.0	27	17	0.00	M	M
2021-07-09	87	70	78.5	39	29	0.00	M	M
2021-07-10	87	61	74.0	34	24	0.00	M	M
2021-07-11	87	49	68.0	28	18	0.00	M	M
2021-07-12	85	57	71.0	31	21	0.00	M	M
2021-07-13	85	56	70.5	31	21	0.00	M	M
2021-07-14	85	58	71.5	32	22	0.00	M	M
2021-07-15	M	M	M	M	M	M	M	M
2021-07-16	M	M	M	M	M	M	M	M
2021-07-17	M	M	M	M	M	M	M	M
2021-07-18	M	M	M	M	M	M	M	M
2021-07-19	M	M	M	M	M	M	M	M
2021-07-20	M	M	M	M	M	M	M	M
2021-07-21	M	M	M	M	M	M	M	M
2021-07-22	M	M	M	M	M	M	M	M
2021-07-23	M	M	M	M	M	M	M	M
2021-07-24	M	M	M	M	M	M	M	M
2021-07-25	M	M	M	M	M	M	M	M
2021-07-26	M	M	M	M	M	M	M	M
2021-07-27	M	M	M	M	M	M	M	M
2021-07-28	M	M	M	M	M	M	M	M
2021-07-29	M	M	M	M	M	M	M	M
2021-07-30	M	M	M	M	M	M	M	M
2021-07-31	M	M	M	M	M	M	M	M
Average(Sum)	84.9	59.1	72.0	451	311	0.00	M	M

Appendix D: Wetland Determination Data Forms

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Tofte Farms City/County: Canby, Clackamas County Sampling Date: 7/15/2021
 Applicant/Owner: Pahlisch Homes, INC. State: OR Sampling Point: 1
 Investigator(s): Lex Francis, Sonya Templeton Section, Township, Range: Sec. 4, T4S., R1E.
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): None Slope (%): <3%
 Subregion (LRR): A. Northwest Forests and Coast Lat: 45.24752045N Long: -122.68284574W Datum: _____
 Soil Map Unit Name: (053A) Latourell Loam, 0 - 3 Percent slopes; Non-Hydric NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X (If no, explain in Remarks)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No _____	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present?	Yes _____	No <u>X</u>	
Wetland Hydrology Present?	Yes _____	No <u>X</u>	

Precipitation:
 According to the AgACIS Oregon City weather station, 0.00 inches of rainfall was received on the day of the site visit and 0.00 inches within the two weeks prior.
 Conditions are drier than normal.

Remarks:
 Plot located in low topographic area near off-site inundation pattern.

VEGETATION

Tree Stratum (Plot Size: 30' r or _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
0% = Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>75</u> x 3 = <u>225</u> FACU species <u>10</u> x 4 = <u>40</u> UPL species <u>3</u> x 5 = <u>15</u> Column Totals: <u>88</u> (A) <u>280</u> (B) Prevalence Index = B/A = <u>3.18</u>
Sapling/Shrub Stratum (Plot Size: 10' r or _____) 1. <u>Rubus armeniacus</u> 5% Yes FAC 2. _____ 3. _____ 4. _____ 5. _____ 5% = Total Cover				
Herb Stratum (Plot Size: 5' r or _____) 1. <u>Holcus lanatus</u> 40% Yes FAC 2. <u>Schedonorus arundinaceus</u> 20% Yes FAC 3. <u>Anthoxanthum odoratum</u> 10% No FACU 4. <u>Lolium perenne</u> 10% No FAC 5. <u>Sonchus oleraceus</u> 3% No UPL 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 83% = Total Cover				
Woody Vine Stratum (Plot Size: 10' r or _____) 1. _____ 2. _____ 0% = Total Cover				
% Bare Ground in Herb Stratum <u>17%</u>				

Hydrophytic Vegetation Indicators:
 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
 3 - Prevalence Index is ≤3.0¹
 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
 5 - Wetland Non-Vascular Plants¹
 Problematic Hydrophytic Vegetation (Explain)¹
¹Indicators of hydric soil and wetland hydrology must be present.

**Hydrophytic
Vegetation
Present?** Yes X No _____

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Tofte Farms City/County: Canby, Clackamas County Sampling Date: 7/15/2021
 Applicant/Owner: Pahlisch Homes, INC. State: OR Sampling Point: 2
 Investigator(s): Lex Francis, Sonya Templeton Section, Township, Range: Sec. 4, T4S., R1E.
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): None Slope (%): <3%
 Subregion (LRR): A. Northwest Forests and Coast Lat: 45.24753052N Long: -122.68406375W Datum:
 Soil Map Unit Name: (053A) Latourell Loam, 0 - 3 Percent slopes; Non-Hydric NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No X (If no, explain in Remarks)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No <u></u>	Is the Sampled Area within a Wetland? Yes <u></u> No <u>X</u>
Hydric Soil Present?	Yes <u></u>	No <u>X</u>	
Wetland Hydrology Present?	Yes <u></u>	No <u>X</u>	

Precipitation:

According to the AgACIS Oregon City weather station, 0.00 inches of rainfall was received on the day of the site visit and 0.00 inches within the two weeks prior. Conditions are drier than normal.

Remarks:

Plot located approximately 6" higher in elevation than Plot 1 adjacent Balsam Poplar.

VEGETATION

Tree Stratum (Plot Size: 30' r or)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)	
1. <u></u>					Prevalence Index worksheet: Total % Cover of: <u></u> Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>95</u> x 3 = <u>285</u> FACU species <u>5</u> x 4 = <u>20</u> UPL species <u>1</u> x 5 = <u>5</u> Column Totals: <u>101</u> (A) <u>310</u> (B) Prevalence Index = B/A = <u>3.07</u>
2. <u></u>					
3. <u></u>					
4. <u></u>					
0% = Total Cover					
Sapling/Shrub Stratum (Plot Size: 10' r or)					
1. <u>Rubus armeniacus</u>	10%	Yes	FAC	Hydrophytic Vegetation Indicators: 1 - Rapid Test for Hydrophytic Vegetation X 2 - Dominance Test is >50% 3 - Prevalence Index is ≤3.0 ¹ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) 5 - Wetland Non-Vascular Plants ¹ Problematic Hydrophytic Vegetation (Explain) ¹ ¹ Indicators of hydric soil and wetland hydrology must be present.	
2. <u>Populus balsamifera</u>	5%	Yes	FAC		
3. <u></u>					
4. <u></u>					
5. <u></u>					
15% = Total Cover					
Herb Stratum (Plot Size: 5' r or)					
1. <u>Schedonorus arundinaceus</u>	60%	Yes	FAC		
2. <u>Holcus lanatus</u>	10%	No	FAC		
3. <u>Lolium perenne</u>	10%	No	FAC		
4. <u>Anthoxanthum odoratum</u>	5%	No	FACU		
5. <u>Sonchus oleraceus</u>	1%	No	UPL		
6. <u></u>					
7. <u></u>					
8. <u></u>					
9. <u></u>					
10. <u></u>					
11. <u></u>					
86% = Total Cover					
Woody Vine Stratum (Plot Size: 10' r or)					
1. <u></u>				Hydrophytic Vegetation Present? Yes <u>X</u> No <u></u>	
2. <u></u>					
0% = Total Cover					
% Bare Ground in Herb Stratum	14%				

Remarks:

50 SACE Western Mountains, Valleys and Coast - Version 2.0

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Tofte Farms City/County: Canby, Clackamas County Sampling Date: 7/15/2021
 Applicant/Owner: Pahlisch Homes, INC. State: OR Sampling Point: 3
 Investigator(s): Lex Francis, Sonya Templeton Section, Township, Range: Sec. 4, T4S., R1E.
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): None Slope (%): <3%
 Subregion (LRR): A. Northwest Forests and Coast Lat: 45.24753701N Long: -122.68520295W Datum: _____
 Soil Map Unit Name: (053A) Latourell Loam, 0 - 3 Percent slopes; Non-Hydric NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X (If no, explain in Remarks)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present?	Yes _____	No <u>X</u>	
Wetland Hydrology Present?	Yes _____	No <u>X</u>	

Precipitation:

According to the AgACIS Oregon City weather station, 0.00 inches of rainfall was received on the day of the site visit and 0.00 inches within the two weeks prior. Conditions are drier than normal.

Remarks:

Plot located in approximately the same elevation as Plot 1.

VEGETATION

Tree Stratum (Plot Size: 30' r or _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>50%</u> (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
0% = Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>1</u> x 2 = <u>2</u> FAC species <u>31</u> x 3 = <u>93</u> FACU species <u>65</u> x 4 = <u>260</u> UPL species <u>5</u> x 5 = <u>25</u> Column Totals: <u>102</u> (A) <u>380</u> (B) Prevalence Index = B/A = <u>3.73</u>
Sapling/Shrub Stratum (Plot Size: 10' r or _____) 1. <u>Rubus armeniacus</u> 3% No FAC 2. <u>Fraxinus latifolia</u> 1% No FACW 3. _____ 4. _____ 5. _____ 4% = Total Cover				
Herb Stratum (Plot Size: 5' r or _____) 1. <u>Anthoxanthum odoratum</u> 65% Yes FACU 2. <u>Lolium perenne</u> 20% Yes FAC 3. <u>Bromus species</u> 5% No FAC* 4. <u>Sonchus oleraceus</u> 5% No UPL 5. <u>Cirsium arvense</u> 3% No FAC 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 98% = Total Cover				
Woody Vine Stratum (Plot Size: 10' r or _____) 1. _____ 2. _____ 0% = Total Cover				
% Bare Ground in Herb Stratum <u>2%</u>				

Remarks:

*Assumed FAC

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
 - 2 - Dominance Test is >50%
 - 3 - Prevalence Index is ≤3.0¹
 - 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
 - 5 - Wetland Non-Vascular Plants¹
- Problematic Hydrophytic Vegetation (Explain)¹
- ¹Indicators of hydric soil and wetland hydrology must be present.

Hydrophytic

Vegetation Present? Yes _____ No X

Appendix E: Site Photographs

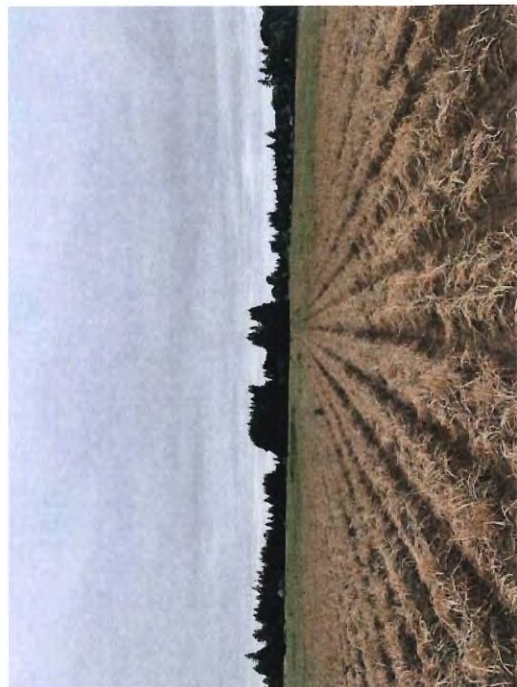


Photo A. General site conditions oriented west.



Photo B. View north from Plot 1.



Photo C. View of Plot 3 oriented south.



Photo D. View facing northwest of upland field.

**Exhibit E (UPDATED):
Wetland Determination Report**

Tofte Farms Clackamas County, Oregon Wetland Determination Report

Date: July 2021

Prepared for: Pahlisch Homes, Inc.
15333 Sequoia Parkway, Suite 190
Portland, OR 97224

Prepared by: AKS Engineering & Forestry, LLC
Lex Francis, Natural Resource Specialist
503.563.6151 Ext. 182 | francisl@aks-eng.com
Sonya Templeton, Natural Resource Specialist
503.563.6151 Ext. 293 | templetons@aks-eng.com

Study Area: Clackamas County Assessor's Map 4 1E 03,
Portions of Tax Lot 2300 and Map 4 1E 04D, Tax Lot
1200
Clackamas County, Oregon

AKS Job Number: 8659



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

Table of Contents

Introduction.....	2
A. Landscape Setting and Land Use	2
B. Site Alterations	2
C. Precipitation Data and Analysis.....	3
D. Methods	3
E. Description of All Wetlands and Other Non-Wetland Waters	4
Wetlands	4
Upland.....	4
F. Deviation from NWI	4
G. Mapping Method.....	4
H. Additional Information	4
I. Summary of Results and Conclusions	4
J. Required Disclaimer.....	4
K. List of Preparers	5
Literature Cited and Referenced	6

Tables

Table 1: Precipitation Data	3
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Appendices

Appendix A: Maps

- Figure 1: USGS Vicinity Map
- Figure 2A-2B: County Assessor's Map
- Figure 3: NRCS Soils Map
- Figure 4: National Wetland Inventory (NWI) Map
- Figure 5A-5B: Wetland Determination Map

Appendix B: Google Earth Aerial Images

Appendix C: Precipitation Data

Appendix D: Wetland Determination Data Forms

Appendix E: Site Representative Photographs

Introduction

This report was prepared by AKS Engineering and Forestry, LLC (AKS) in accordance with Oregon Administrative Rules (OAR) 141-090-0030 and OAR-141-090-0035 (1-17) and describes the results of a wetland determination conducted on portions of Tax Lot 2300 of Clackamas County Assessor's Map 4 1E 03 and Tax Lot 1200 of Map 4 1E 04D, located south of SE 17th Avenue and SE 16th Avenue and east of S Ivy Street in Clackamas County, Oregon (Figures 1 and 2 in Appendix A; referred to as the study area). The study area for the wetland determination is ±40 acres. The area of mention is shown in Figures 1 through 5 in Appendix A.

AKS determined wetland conditions were not present in the study area. The study area was reviewed via aerial imagery in advance of the site visit to determine any potential inundation patterns. The entire study area was traversed, and three sample plots were taken which confirmed upland conditions on site.

A. Landscape Setting and Land Use

The study area is zoned as Exclusive Farm Use District (EFU) within Clackamas County and consists of agricultural fields actively-farmed for garlic which border the Molalla River off site to the south. The adjacent off-site land use consists of agricultural fields to the south and east. A subdivision is present immediately off site to the north and is zoned within the City of Canby as R-1, low density residential.

The general topography in the study area consists of a relatively flat (less than 5 percent slopes) graded terrace. The southern portion of the study area marks the bluff of a cliff dropping off to the Molalla River off site. The site was being actively farmed at the time of the July 15, 2021 site visit, having rows of garlic planted throughout. The remaining unplanted vegetation in the study area was dominated by common velvet grass (*Holcus lanatus*; FAC), tall false rye grass (*Schedonorus arundinaceus*; FAC), and large sweet vernal grass (*Anthoxanthum odoratum*; FACU) with lesser amounts of common upland weeds.

According to the Natural Resources Conservation Service (NRCS) Clackamas County Area Soil Survey Map (Figure 3 in Appendix A), the following soil units are mapped within the study area:

- Latourell Loam, (Unit 53A), 0 to 3 percent slopes – Non-Hydric
- Xerochrepts and Haploxerolls, (Unit 92F), very steep – Non-Hydric

B. Site Alterations

Aerial images were obtained from Google Earth dated from July 2000 through May 2019 and are included in Appendix B. According to the aerials, the site was in agricultural use prior to July 2000. The subdivision to the north expanded between July 2000 and July 2005 with the construction of SE 17th Avenue taking place in 2003. Sometime around July 2008, SE 16th Avenue was constructed, and the subdivision development was completed between 2015 and 2016.

Potential subtle saturation signatures are present on aerials dating from June 2006 through May 2019, with saturation originating at the southernmost edge the study area and extending off-site to the south. The NRCS soils survey map does not show hydric soils mapped on site.

Our study determined no wetlands or waters were present and the off-site inundation signatures show no connection to wetlands or waters from within the study area.

C. Precipitation Data and Analysis

Observed precipitation data were obtained from the Oregon City, Oregon weather station via the National Oceanic and Atmospheric Administration (NOAA) Applied Climate Information System (ACIS). The closest WETS (Climate Analysis for Wetlands Tables) station to the project site is the Oregon City station. From this report, the site received 0.00 inches of rainfall the day of the site visit and 0.00 inches for the two weeks prior to the July 15, 2021 site visit. Observed water year-to-date (starting October 1, 2020) was 42.56 inches, which was 0.72 inches above normal. Table 1 shows antecedent rainfall according to the WETS Oregon City station for the three months prior to the July 15, 2021 site visit (raw data included in Appendix C):

Table 1: Precipitation Data

Prior Months	Observed Precipitation (Inches)	Average WETS Precipitation (Inches)	30% Chance Will Have		Condition Dry, Wet, Normal	Condition Value (1=dry, 2=normal, 3=wet)	Month Weight	Multiply Previous Two Columns
			Less Than	More Than				
Jun. 2021	1.38	1.68	1.01	2.04	Dry	1	3	3
May. 2021	2.29	2.39	1.44	2.90	Normal	2	2	4
Apr. 2021	0.18	3.57	2.54	4.22	Dry	1	1	1
Sum								8
								Dry
Rainfall of prior period was: drier than normal (sum is 6-9), normal (sum is 10-14), wetter than normal (sum is 15-18)								

According to the WETS data, monthly observed precipitation for the Oregon City area was within the drier-than-normal range preceding the site visit.

According to the Portland WETS data, the growing season is between January 16 to January 11. The site visit was conducted within the WETS growing season, which was determined by observation of multiple non-evergreen plant species showing evidence of woody bud burst and emergence of herbaceous plants from the ground.

D. Methods

The methodology used to determine the presence of wetlands followed the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)* (Wakeley et al., 2010). The *National Wetland Plant List 2018* (USACE, 2018) was used to assign wetland indicator status for the appropriate region. Field work was conducted on July 15, 2021 by AKS Natural Resource Specialists Lex Francis and Sonya Templeton. Soils, vegetation, and indicators of hydrology were recorded at three sample plot locations on standardized wetland determination data forms (Appendix D) to document site conditions.

To determine the presence of wetlands, the sample plots were taken at the lowest topographic elevation nearest the identified off-site inundation patterns, or within an area of suspect vegetation. Each plot yielded insufficient indicators to prove the presence of wetlands.

Representative ground-level site photographs are included in Appendix E. References cited and literature used are listed at the end of this report.



E. Description of All Wetlands and Other Non-Wetland Waters

Wetlands

No wetlands were determined to be present in the study area.

Upland

Plots 1 and 3 are located nearest off-site potential inundation patterns identified on Google Earth historical aeriels. The vegetation community in Plots 1 and 3 was dominated by common velvet grass, tall false rye grass, large sweet vernal grass, and perennial rye grass (*Lolium Perenne*; FAC). Soils were described as a silt loam texture, with a high chroma (chroma 3 or higher), and no redoximorphic features were observed. The Plots lacked indicators of wetland hydrology.

Plot 2 is located near a balsam poplar sapling (*Populus balsamifera*; FAC) and nearest an off-site potential inundation pattern seen on the Google Earth aerial imagery. The vegetation in this plot was dominated by Himalayan blackberry (*Rubus armeniacus*; FAC), balsam poplar, and tall false rye grass. Soils were of high chroma throughout and had a silt loam texture. No hydric soils or indicators of wetland hydrology were observed.

While vegetation met the hydrophytic wetland indicator for Plots 1 and 2, neither soils nor hydrology met wetland requirements in any of the plots; therefore, this area was determined to be upland.

F. Deviation from NWI

The study area is not mapped on an Oregon Department of State Lands (DSL) approved Local Wetland Inventory (LWI) map. No wetlands or waters were mapped on or near the study area based on the US Fish and Wildlife Service National Wetland Inventory (NWI) map, included as Figure 4 in Appendix A. AKS concurs with the current NWI map.

G. Mapping Method

Sample Plots 1, 2, and 3 were GPS mapped by AKS using a handheld Trimble Geo 7X with submeter accuracy. The determination map is included as Figure 5A-5B in Appendix A.

H. Additional Information

No additional information.

I. Summary of Results and Conclusions

Three sample plot locations were taken at the lowest topographic setting or adjacent to potential saturation signatures visible on aerial imagery to determine site conditions and presence of wetlands. Precipitation for this time of year was within the drier-than-normal range; however, it did not pose naturally problematic circumstances. There were no indicators of hydric soil or wetland hydrology at the sample plots, therefore, no potentially jurisdictional wetlands or water were documented in the study area.

J. Required Disclaimer

This report documents the investigation, best professional judgment, and conclusions of the investigator. It is correct and complete to the best of our knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk, unless it has been reviewed and



approved in writing by the Oregon Department of State Lands in accordance with Oregon Administrative Rules (OAR) 141-090-0005 through 141-090-0055.

K. List of Preparers



Lex Francis
Natural Resource Specialist
Field Work, Report Preparation



Sonya Templeton
Natural Resource Specialist
Fieldwork, Report QA/QC

Literature Cited and Referenced

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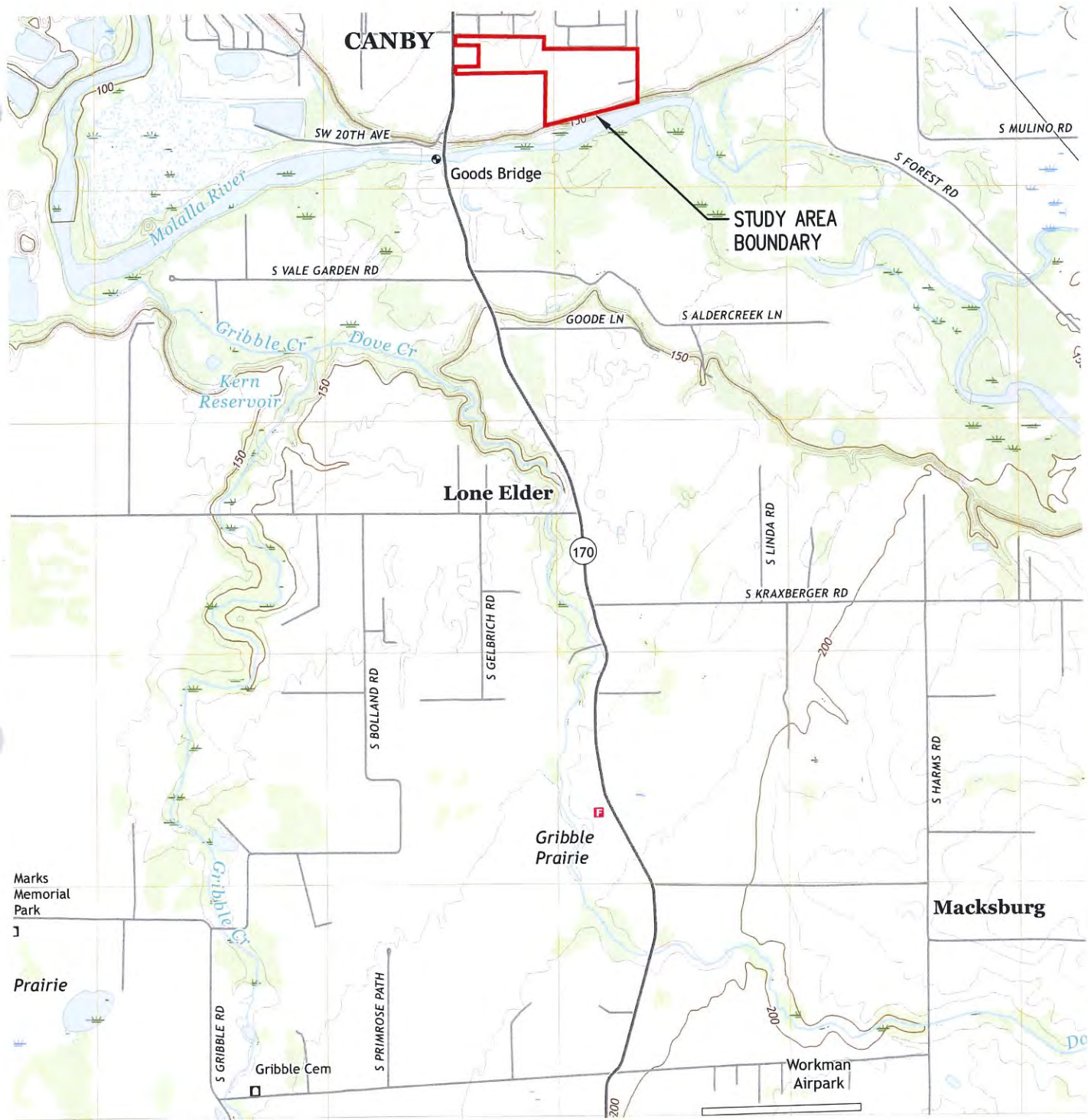
Vasilas, L.M., G.W. Hurt, and C.V. Noble, eds. 2010. *Field Indicators of Hydric Soils in the United States: A Guide for Identifying and Delineating Hydric Soils* (Version 7.0). Washington (DC): US Department of Agriculture Natural Resources Conservation Service. Available at: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1046970.pdf. [Accessed July 2021].

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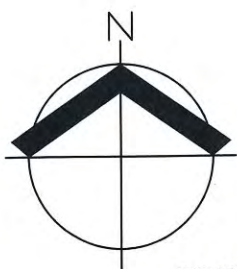
Wakeley, J.S., R.W. Lichvar, and C.V. Noble, eds. 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region* (Version 2.0). ERDC/EL TR-10-3. Vicksburg (MS): US Army Engineer Research and Development Center, US Army Corps of Engineers. [Accessed July 2021].

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Appendix A: Maps



USGS 7.5' TOPOGRAPHIC SERIES
QUADRANGLE: YODER, OR (2020)



SCALE: 1" = 2000 FEET



**USGS VICINITY MAP
TOFTE FARMS WETLAND DETERMINATION REPORT**

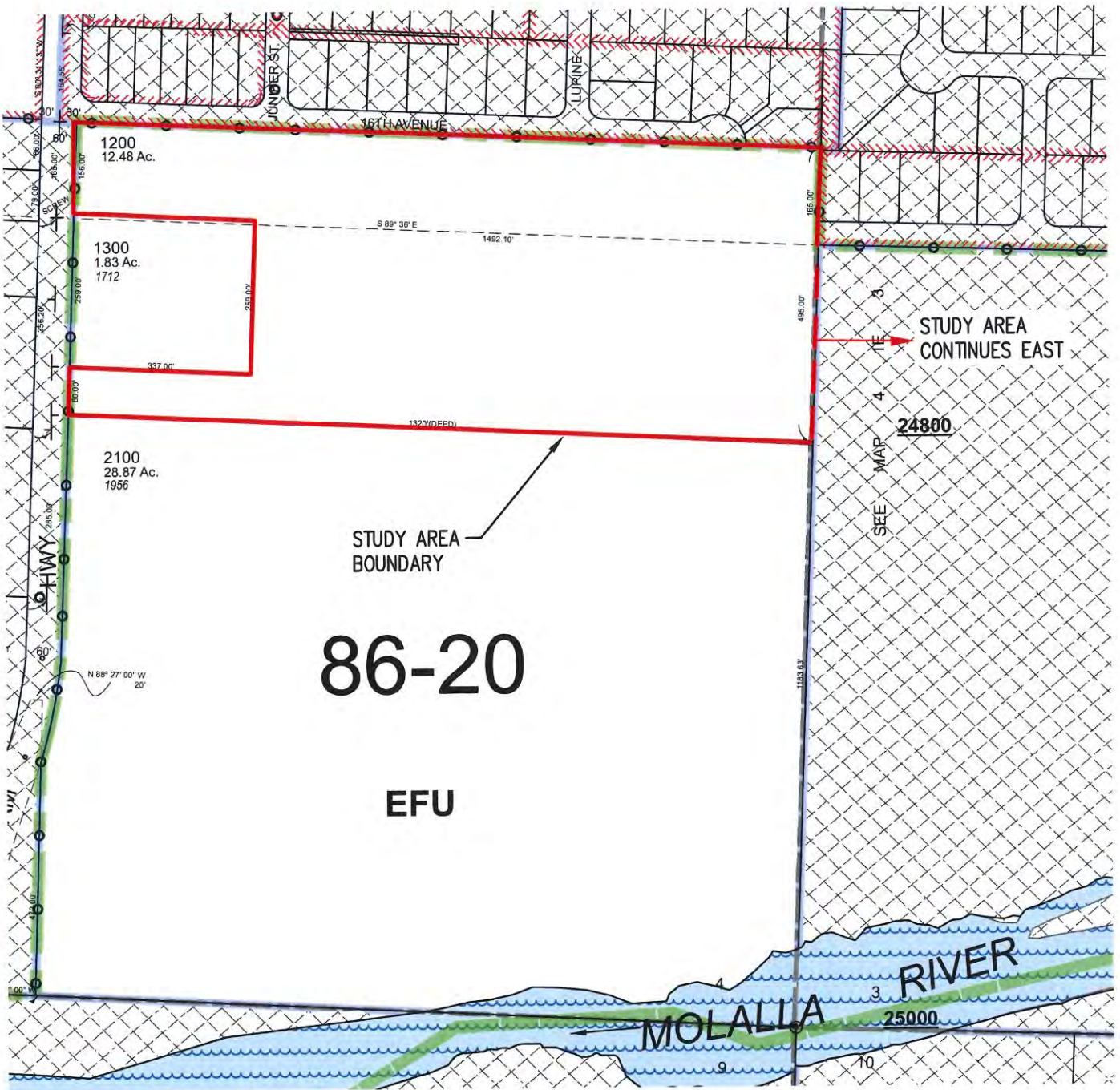
AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



DATE: 07/16/2021

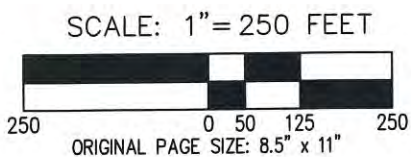
FIGURE
1

DRWN: MVH
CHKD: SKT
AKS JOB:
8659



CLACKAMAS COUNTY
TAX LOT 1200
TAX MAP 4 4S 1E

DATE: 07/16/2021



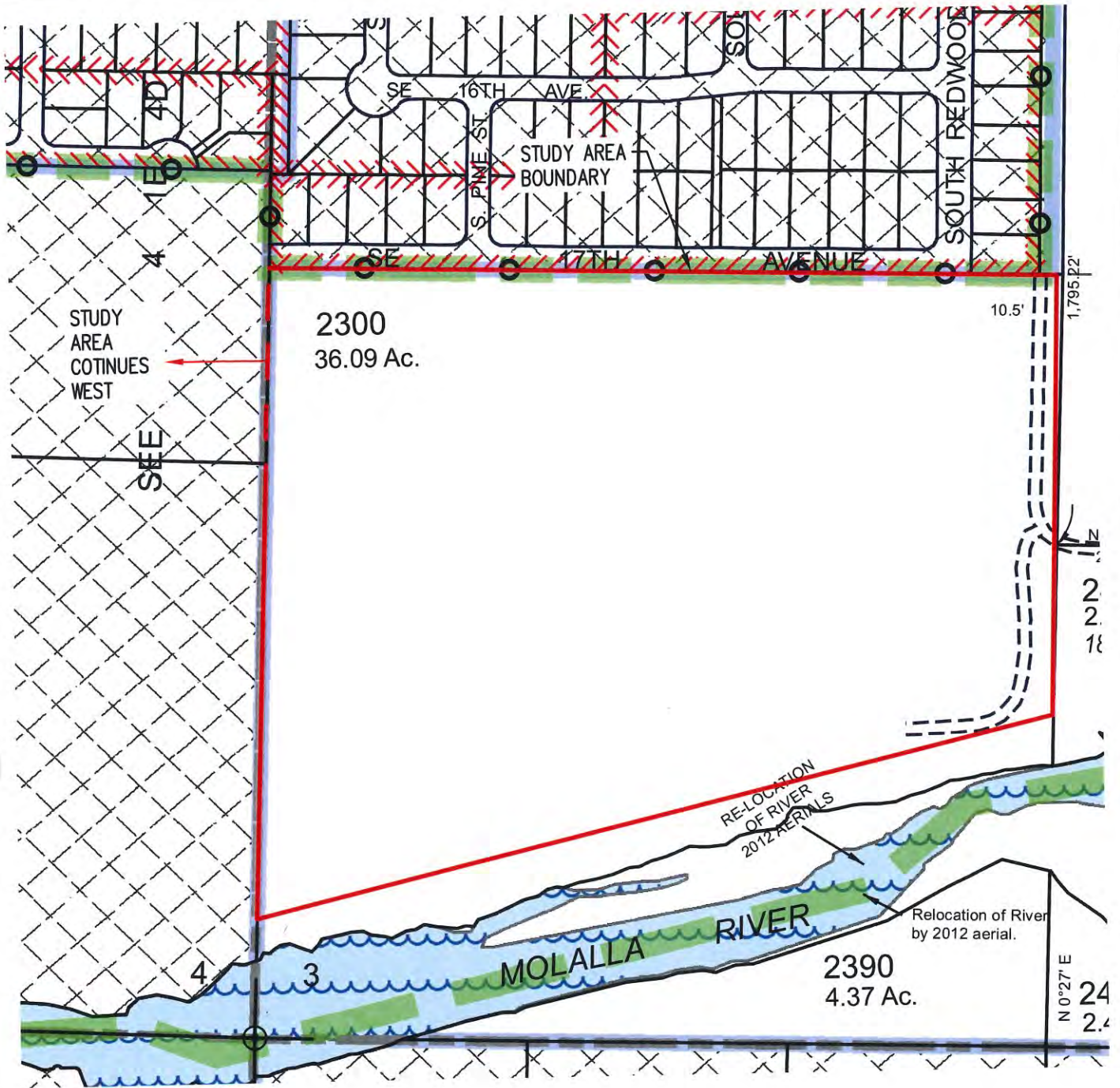
TAX MAP (MAP 4 4S 1E)
TOFTE FARMS WETLAND DETERMINATION REPORT

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151



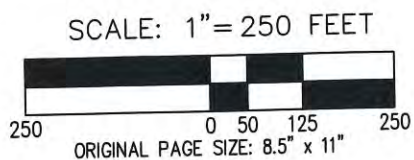
FIGURE
2A

DRWN: MVH
CHKD: SKT
AKS JOB:
8659



CLACKAMAS COUNTY
PORTION OF TAX LOT 2300
TAX MAP 3 4S 1E

DATE: 07/16/2021

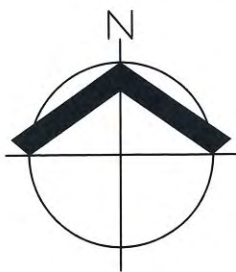


TAX MAP (MAP 3 4S 1E)		FIGURE
TOFTE FARMS WETLAND DETERMINATION REPORT		2B
AKS ENGINEERING & FORESTRY, LLC		DRWN: MVH
12965 SW HERMAN RD, STE 100		CHKD: SKT
TUALATIN, OR 97062		AKS JOB:
503.563.6151 WWW.AKS-ENG.COM		8659



MAP UNIT SYMBOL	MAP UNIT NAME
53A	LATOURELL LOAM, 0% TO 3% SLOPES; NON-HYDRIC
92F	XEROCHREPTS & HAPLOXEROLLS, VERY STEEP; NON-HYDRIC

NRCS WEB SOIL SURVEY FOR
CLACKAMAS COUNTY



SCALE: 1" = 500 FEET



ORIGINAL PAGE SIZE: 8.5" x 11"

DATE: 07/16/2021

NRCS SOIL SURVEY MAP
TOFTE FARMS WETLAND DETERMINATION REPORT

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151



FIGURE
3

DRWN: MVH
CHKD: SKT
AKS JOB:
8659



GEO PACIFIC

Real-World Geotechnical Solutions
Investigation • Design • Construction Support

EXPLORATION LOGS



14835 SW 72nd Avenue
Portland, Oregon 97224
Tel: (503) 598-8445 Fax: (503) 941-9281

BORING LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Boring No. **B-1**

Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
0						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown, very moist, fine roots extending to 10 inches bgs.
5		71	16.0	15.7		SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
10		49	21.0	5.5		Silty GRAVEL with Sand (GM), gray, dense, moist, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches. AASHTO Soil Classification=A-1-b, non-plastic.
15		19	14.8	8.4		Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, dense, moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, and medium sized sand grains, silty matrix.
20		22	11.6	7.5		Silty Sand with GRAVEL (SM), brown to gray, medium dense, very moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, silty matrix. AASHTO Soil Classification=A-1-a, non-plastic.
25		20	7.7	8.1		Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray to multicolored, medium to coarse sand, medium dense, very moist, non-plastic. AASHTO Soil Classification=A-1-a, non-plastic.
30		19	16.7	11.4		Silty SAND (SM), brown to gray, medium dense, moist, medium sized sand. AASHTO Soil Classification=A-1-b, non-plastic.
35		12	8.7	15.0		Poorly Graded SAND with SILT (SP-SM), brown to gray, medium dense, moist, medium sized sand. AASHTO Soil Classification=A-1-b, non-plastic.
40		48	12.0	5.9		Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray to multicolored, medium to coarse sand, dense, very moist, non-plastic. AASHTO Soil Classification=A-1-a, non-plastic.

LEGEND



Bag Sample



Split-Spoon



Shelby Tube Sample



Static Water Table at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/16/2021

Logged By: B. Cook

Surface Elevation: 180 Feet













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BORING LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Boring No. **B-1**

Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
45		24	17.2	6.9		Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray to multicolored, medium to coarse sand, dense, very moist, non-plastic.
50						Poorly Graded GRAVEL with Silt and Sand (GP-GM), brown, dense, very moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, and medium sized sand grains, silty matrix.
55						Silty SAND with Gravel (SM), brown to gray, medium dense, moist, medium sized sand, subrounded to subangular gravel sized aggregate. AASHTO Soil Classification=A-1-b, non-plastic.
60		12	16.8	6.5		Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches. AASHTO Soil Classification=A-1-b, non-plastic.
65						Groundwater encountered at -65 feet bgs.
70		80	21.8	8.7		Silty GRAVEL with Sand (GM), gray, dense, wet, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches. AASHTO Soil Classification=A-1-b, non-plastic.
75						
80		96	21.4	13.9		Soil boring terminated at -81.5 feet bgs. Groundwater seepage encountered at 65 feet bgs. Drill rig: Western States Drilling, Sonic Drill Rig, Tracked, 6 Inch Casing Adv.

LEGEND



Bag Sample



Split-Spoon



Shelby Tube Sample



Static Water Table at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/16/2021

Logged By: B. Cook

Surface Elevation: 180 Feet



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BORING LOG

Project: Tofte Farms No. 7 Canby, Oregon	Project No. 20-5548	Boring No. B-2
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Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
						<p>TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown, very moist, fine roots extending to 10 inches bgs.</p> <p>SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.</p> <p>Silty GRAVEL with Sand (GM), gray, dense, moist, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches.</p> <p>Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense to dense, moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, and medium sized sand grains, silty matrix.</p> <p>Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray to multicolored, medium to coarse sand, medium dense, very moist, non-plastic.</p> <p>Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray to multicolored, medium to coarse sand, medium dense to dense, very moist, non-plastic.</p>
5		53				
10		33				
15		38				
20		10				
25		36				
30		40				
35		32				
40		13				

LEGEND



100 to 1,000 g
Bag Sample



Split-Spoon



Shelby Tube Sample



Static Water Table at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/17/2021

Logged By: B. Cook

Surface Elevation: 183 Feet












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BORING LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Boring No. **B-2**

Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
45		78				Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray to multicolored, medium to coarse sand, dense, very moist, non-plastic.
50						
55						
60		58				Silty GRAVEL with Sand (GM), gray, dense, wet, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches.
63						Groundwater encountered at -63 feet bgs.
65		71				
70						
75						
80		85				Soil boring terminated at -81.5 feet bgs. Groundwater seepage encountered at 63 feet bgs. Drill rig: Western States Drilling, Sonic Drill Rig, Tracked, 6 Inch Casing Adv.

LEGEND



Bag Sample



Split-Spoon



Shelby Tube Sample



Static Water Table at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/17/2021

Logged By: B. Cook

Surface Elevation: 183 Feet











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BORING LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Boring No. **B-3**

Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
5		45				TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown, very moist, fine roots extending to 10 inches bgs.
10		36				SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
15		14				Silty GRAVEL with Sand (GM), gray, dense, moist, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches.
20		19				
25		11				
30		87				Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense, moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, and medium sized sand grains, silty matrix.
35		35				
40		7				Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray to multicolored, medium to coarse sand, medium dense to dense, very moist, non-plastic.

LEGEND



Bag Sample



Split-Spoon



Shelby Tube Sample



Static Water Table at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/18/2021

Logged By: B. Cook

Surface Elevation: 184 Feet












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BORING LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Boring No. **B-3**

Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
45		26				Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray to multicolored, medium to coarse sand, medium dense to dense, very moist, non-plastic.
50						
55						
60		60				
65						
65						Groundwater encountered at -65 feet bgs.
70		84				Silty GRAVEL with Sand (GM), gray, dense, wet, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches.
75						
80		32				Soil boring terminated at -81.5 feet bgs. Groundwater seepage encountered at 65 feet bgs. Drill rig: Western States Drilling, Sonic Drill Rig, Tracked, 6 Inch Casing Adv.

LEGEND



100 to 1,000 g



Split-Spoon



Shelby Tube Sample



Static Water Table at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/18/2021

Logged By: B. Cook

Surface Elevation: 184 Feet







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BORING LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Boring No. **B-4**

Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
5		40.6	11.9			<p>TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown, <u>very moist, fine roots extending to 10 inches bgs.</u></p> <p>SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.</p> <p>Silty GRAVEL with Sand (GM), gray, dense, moist, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches.</p> <p>AASHTO Soil Classification=A-4(0), non-plastic.</p>
10						
15						
20		0.1	10.2			<p>Poorly Graded GRAVEL with Sand (GP), gray, dense, moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, and medium sized sand grains, silty matrix.</p> <p>AASHTO Soil Classification=A-1-a, non-plastic.</p>
25		14.5	6.8			<p>Silty GRAVEL with Sand (GM), brown to gray, medium dense, very moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt.</p> <p>AASHTO Soil Classification=A-1-a, A-1-b non-plastic.</p>
30		19.3	7.7			
35						<p>Soil boring terminated at -30.0 feet bgs.</p> <p>No groundwater seepage encountered.</p> <p>Drill rig: Western States Drilling, Sonic Drill Rig, Tracked, 6 Inch Casing Adv.</p> <p>Infiltration Test IT-1, -5 feet bgs, Infiltration rate = 0.3 inches per hour</p> <p>Infiltration Test IT-2, -20 feet bgs, Infiltration rate = 1.2 inches per hour</p> <p>Infiltration Test IT-3, -25 feet bgs, Infiltration rate = 150 inches per hour</p> <p>Infiltration Test IT-4, -30 feet bgs, Infiltration rate = 0.25 inches per hour</p>
40						

LEGEND



Bag Sample



Split-Spoon



Shelby Tube Sample



Static Water Table at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/19/2021

Logged By: B. Cook

Surface Elevation: 183 Feet







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BORING LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Boring No. **B-5**

Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown, very moist, fine roots extending to 10 inches bgs.
						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
5			35.0	19.2		Silty Clayey SAND (SC-SM), gray, dense, moist, containing subrounded gravel to boulder sized rock, silty matrix. Boulders up to 24 inches. AASHTO Soil Classification=A-2-4(0), Liquid Limit=26.7, Plasticity Index=5.1
10			11.9	6.9		Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, dense, very moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, and medium sized sand grains. AASHTO Soil Classification=A-1-a, non-plastic.
15						
20						Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, dense, moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, and medium sized sand grains, silty matrix.
25			18.0	5.9		AASHTO Soil Classification=A-1-b, non-plastic.
30			14.9	7.3		AASHTO Soil Classification=A-1-a, non-plastic.
35						Soil boring terminated at -30.0 feet bgs. No groundwater seepage encountered. Drill rig: Western States Drilling, Sonic Drill Rig, Tracked, 6 Inch Casing Adv. Infiltration Test IT-5, -5 feet bgs, Infiltration rate = 0.75 inches per hour Infiltration Test IT-6, -10 feet bgs, Infiltration rate = 0.25 inches per hour Infiltration Test IT-7, -25 feet bgs, Infiltration rate = 9 inches per hour Infiltration Test IT-8, -30 feet bgs, Infiltration rate = 15 inches per hour
40						

LEGEND



Bag Sample



Split-Spoon



Shelby Tube Sample



Static Water Table
at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/19/2021

Logged By: B. Cook

Surface Elevation: 182 Feet







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BORING LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Boring No. **B-6**

Depth (ft)	Sample Type	N-Value	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
5			51.1	16.3		TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown, very moist, fine roots extending to 10 inches bgs. Sandy SILT with Gravel (ML), brown, very stiff, damp to moist, low plasticity. AASHTO Soil Classification=A-4(1), non-plastic.
10			22.9	11.7		Silty GRAVEL with Sand (GM), gray, dense, moist, containing subrounded gravel, cobbles, and boulders, vesicular basalt, and medium sized sand grains, silty matrix. AASHTO Soil Classification=A-1-b, non-plastic.
25			15.7	6.4		AASHTO Soil Classification=A-1-b, non-plastic.
30			16.3	9.4		AASHTO Soil Classification=A-1-b, non-plastic.
35						Soil boring terminated at -30.0 feet bgs. No groundwater seepage encountered. Drill rig: Western States Drilling, Sonic Drill Rig, Tracked, 6 Inch Casing Adv. Infiltration Test IT-9, -5 feet bgs, Infiltration rate = 2.4 inches per hour Infiltration Test IT-10, -10 feet bgs, Infiltration rate = 0 inches per hour Infiltration Test IT-11, -25 feet bgs, Infiltration rate = 3.6 inches per hour Infiltration Test IT-12, -30 feet bgs, Infiltration rate = >250 inches per hour

LEGEND



Bag Sample



Split-Spoon



Shelby Tube Sample



Static Water Table at Drilling



Static Water Table



Water Bearing Zone

Date Drilled: 3/22/2021

Logged By: B. Cook

Surface Elevation: 180 Feet






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TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-1**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 8 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0			71.2	21.0		AASHTO Classification= A-6(9), Liquid Limit=39, Plasticity Index=13
4	4.5						Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches.
5							
6				29.0	13.6		AASHTO Classification= A-2-4(0), Liquid Limit=30, Plasticity Index=6
7							
8							Hard digging conditions.
9				15.4	11.9		AASHTO Classification= A-1-a, Non Plastic.
10							Test pit terminated at 10 feet bgs. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.
11							
12							
13							
14							
15							
16							
17							

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 181 Feet



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TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-2**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 8 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 36 inches.
4	4.5						
5							
6							Hard digging conditions.
7							Test pit terminated at 7 feet bgs due to practical refusal on boulders. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 180 Feet



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TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-3**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 8 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						
4	4.5						
5							Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches.
6							
7							
8							
9							
10							Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense, moist, containing subrounded gravel to cobble sized vesicular basalt, and medium sized sand grains, silty matrix.
11							
12							
13							
14							
15							
16							AASHTO Classification= A-1-a, Non Plastic.
17				7.1	10.7		Test pit terminated at 18 feet bgs. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 180 Feet



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TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-4**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 6 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						
4	4.5						Silty GRAVEL with Sand (GM), gray, medium dense to dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches.
5							
6							Hard digging conditions.
7							
8							
9							
10							
11							Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense, moist, containing subrounded gravel, vesicular basalt, and medium sized sand grains, trace silt content.
12							
13							
14							
15							
16							
17							Test pit terminated at 18 feet bgs. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 182 Feet



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TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-5**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 8 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						
4	4.5						Silty GRAVEL with Sand (GM), gray, medium dense to dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches.
5							
6							Hard digging conditions.
7							
8							Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense, moist, containing subrounded gravel, vesicular basalt, and medium sized sand grains, trace silt content.
9							
10							
11							
12							
13							
14							
15							
16							
17							Test pit terminated at 18 feet bgs. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 184 Feet



14835 SW 72nd Avenue
Portland, Oregon 97224
Tel: (503) 598-8445 Fax: (503) 941-9281

TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-6**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 8 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.5						Silty GRAVEL with Sand (GM), gray, medium dense to dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches.
4							Hard digging conditions.
5							
6							
7							
8							Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, loose to medium dense, moist, containing subrounded gravel, vesicular basalt, and medium sized sand grains, trace silt content.
9							
10							
11							Easy digging conditions.
12							
13							
14							
15							
16							
17							Test pit terminated at 18 feet bgs. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020
Logged By: B. Cook
Surface Elevation: 184 Feet



14835 SW 72nd Avenue
Portland, Oregon 97224
Tel: (503) 598-8445 Fax: (503) 941-9281

TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-7**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 10 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						
4	4.5						Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches. Hard digging conditions.
5							
6							
7							
8							
9							Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense, moist, containing subrounded gravel, vesicular basalt, and medium sized sand grains, trace silt content.
10							Test pit terminated at 10 feet bgs. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.
11							
12							
13							
14							
15							
16							
17							

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 183 Feet



14835 SW 72nd Avenue
Portland, Oregon 97224
Tel: (503) 598-8445 Fax: (503) 941-9281

TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-8**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 10 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches.
4	4.5						Hard digging conditions.
5							
6							
7							
8							Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense, moist, containing subrounded gravel, vesicular basalt, and medium sized sand grains, trace silt content.
9							Test pit terminated at 9 feet bgs.
10							No groundwater seepage observed.
11							Excavator: Case 580 Extendahoe with rock teeth.
12							
13							*Excavation hit a 6 inch water main. 6 inch white pvc.
14							Pipe located at 3.5 feet bgs. Broken length = 43 inches.
15							Pipe repaired with compression coupler and new pipe.
16							
17							

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020
Logged By: B. Cook
Surface Elevation: 183 Feet



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Portland, Oregon 97224
Tel: (503) 598-8445 Fax: (503) 941-9281

TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-9**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 8 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						
4	4.5						Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches. Hard digging conditions.
5							Test pit terminated at 5 feet bgs due to practical refusal on boulders. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 183 Feet



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Portland, Oregon 97224
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TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-10**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 8 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches.
4	4.5						Hard digging conditions.
5							Test pit terminated at 5 feet bgs due to practical refusal on boulders.
6							No groundwater seepage observed.
7							Excavator: Case 580 Extendahoe with rock teeth.
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 180 Feet





14835 SW 72nd Avenue
Portland, Oregon 97224
Tel: (503) 598-8445 Fax: (503) 941-9281

TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-11**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 10 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						
4	4.5						Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches. Hard digging conditions.
5							
6							
7							
8							
9							Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense, moist, containing subrounded gravel, vesicular basalt, and medium sized sand grains, trace silt content. Easy digging conditions.
10							Test pit terminated at 10 feet bgs. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.
11							
12							
13							
14							
15							
16							
17							

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

Logged By: B. Cook

Surface Elevation: 181 Feet



14835 SW 72nd Avenue
Portland, Oregon 97224
Tel: (503) 598-8445 Fax: (503) 941-9281

TEST PIT LOG

Project: Tofte Farms No. 7
Canby, Oregon

Project No. 20-5548

Test Pit No. **TP-12**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Torvane Shear (tons/ft ²)	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic Sandy SILT (OL-ML), dark brown very moist, fine roots extending to 10 inches bgs.
2	3.5						SILT with Sand (ML), brown, very stiff, damp to moist, low plasticity.
3	4.0						
4	4.5						Silty GRAVEL with Sand (GM), gray, medium dense, moist, containing subrounded gravel to boulder sized rock. Boulders up to 24 inches. Hard digging conditions.
5							
6							
7							
8							Poorly Graded GRAVEL with Silt and Sand (GP-GM), gray, medium dense, moist, containing subrounded gravel, vesicular basalt, and medium sized sand grains, trace silt content.
9							Easy digging conditions.
10							Test pit terminated at 10 feet bgs. No groundwater seepage observed. Excavator: Case 580 Extendahoe with rock teeth.
11							
12							
13							
14							
15							
16							
17							

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 7/14/2020

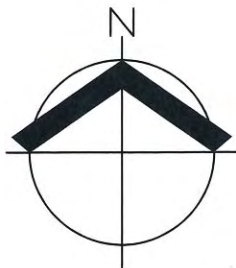
Logged By: B. Cook

Surface Elevation: 181 Feet



Wetlands					
	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

US FISH & WILDLIFE SERVICE
NATIONAL WETLANDS INVENTORY



SCALE: 1" = 500 FEET



DATE: 07/16/2021

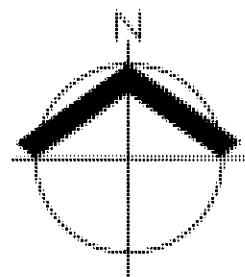
**NATIONAL WETLANDS INVENTORY MAP
TOFTE FARMS WETLAND DETERMINATION REPORT**

**FIGURE
4**

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



DRWN: MVH
CHKD: SKT
AKS JOB:
8659



SCALE: 1"=200 FEET

ORIGINAL PAGE SIZE: 11" x 17"

LEGEND



PHOTO LOCATION & ORIENTATION
PLOT LOCATIONS DOCUMENTED BY AKS ENGINEERING & FORESTRY, LLC (AKS) ON JULY 15, 2021 AND WERE LOCATED USING A TRIMBLE GEO 7X HANDHELD GPS RECEIVER WITH 3-METER ACCURACY.

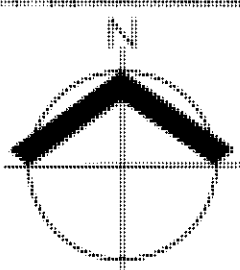
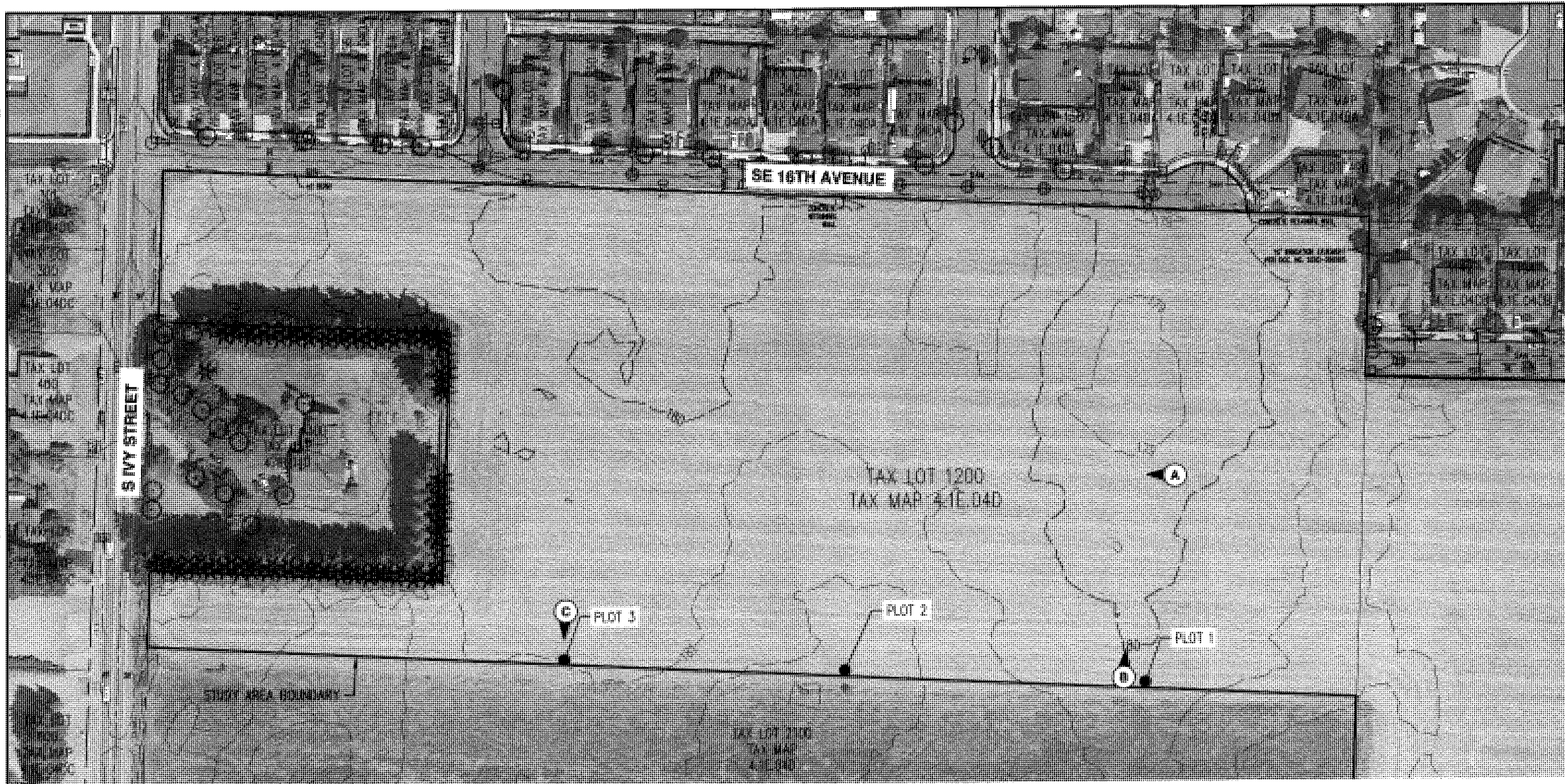
1-FOOT INTERVAL GROUND CONTOURS AND EXISTING CONDITIONS DERIVED FROM AKS PROFESSIONAL LAND SURVEY. STUDY AREA WAS HAND-MAPPED IN AUTOCAD, 1:50 FT.

GOOGLE EARTH AERIAL IMAGE
AUGUST 2020

DATE: 07/22/2021

WETLAND DETERMINATION OVERVIEW MAP		FIGURE
TOPTF FARMS WETLAND DETERMINATION REPORT		5A
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DATE: 07/22/2021 CHG: 541 AKS JOB: 8859





SCALE: 1"=100 FEET
 ORIGINAL PAGE SIZE: 11" x 17"

LEGEND



PHOTO LOCATION & ORIENTATION
 PLOT LOCATIONS DOCUMENTED BY AKS ENGINEERING & FORESTRY, LLC (AKS) ON JULY 15, 2021 AND WERE LOCATED USING A TRIMBLE GEO 7X HANDHELD GPS RECEIVER WITH SUB-METER ACCURACY.

1-FOOT INTERVAL GROUND CONTOURS AND EXISTING CONDITIONS DERIVED FROM AKS PROFESSIONAL LAND SURVEY. STUDY AREA WAS HAND-MAPPED IN AUTOCAD, ±5FT.

GOOGLE EARTH AERIAL IMAGE
 AUGUST 2020

DATE: 07/22/2021

WETLAND DETERMINATION MAP		FIGURE
TOFTE FARMS WETLAND DETERMINATION REPORT		5B
AKS ENGINEERING & FORESTRY, LLC		DATE: 5/1
12965 SW HERMAN RD, STE 100		AKS JOB: 0659
TUALATIN, OR 97062		
503.563.4151 WWW.AKS-ENG.COM		





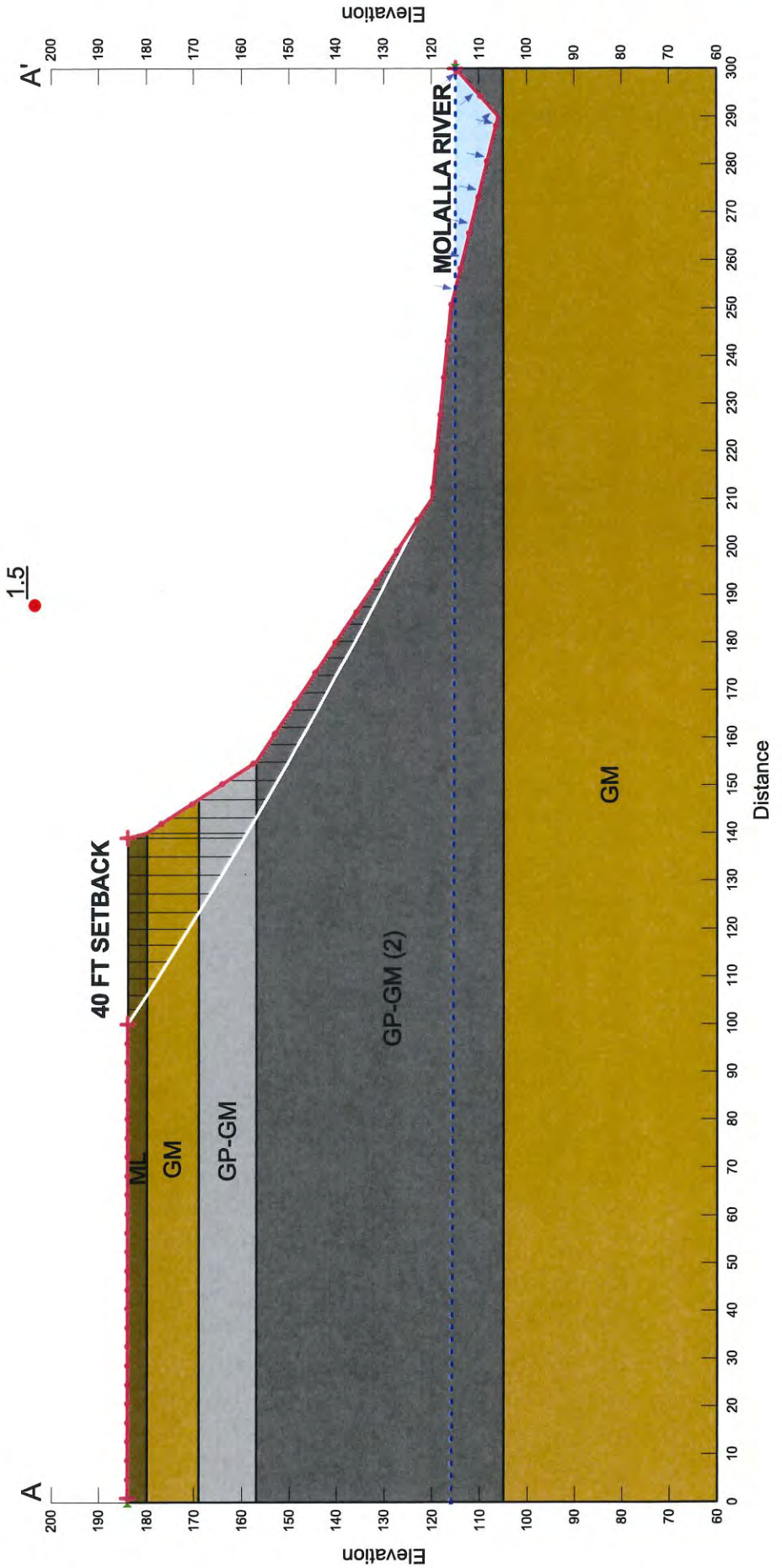
Real-World Geotechnical Solutions
Investigation • Design • Construction Support

SLOPE STABILITY CROSS-SECTIONS

20-5548, Tofte Farms No. 7 Geologic Cross-Section A to A' Existing Condition-Static

Static Factor of Safety: 1.5

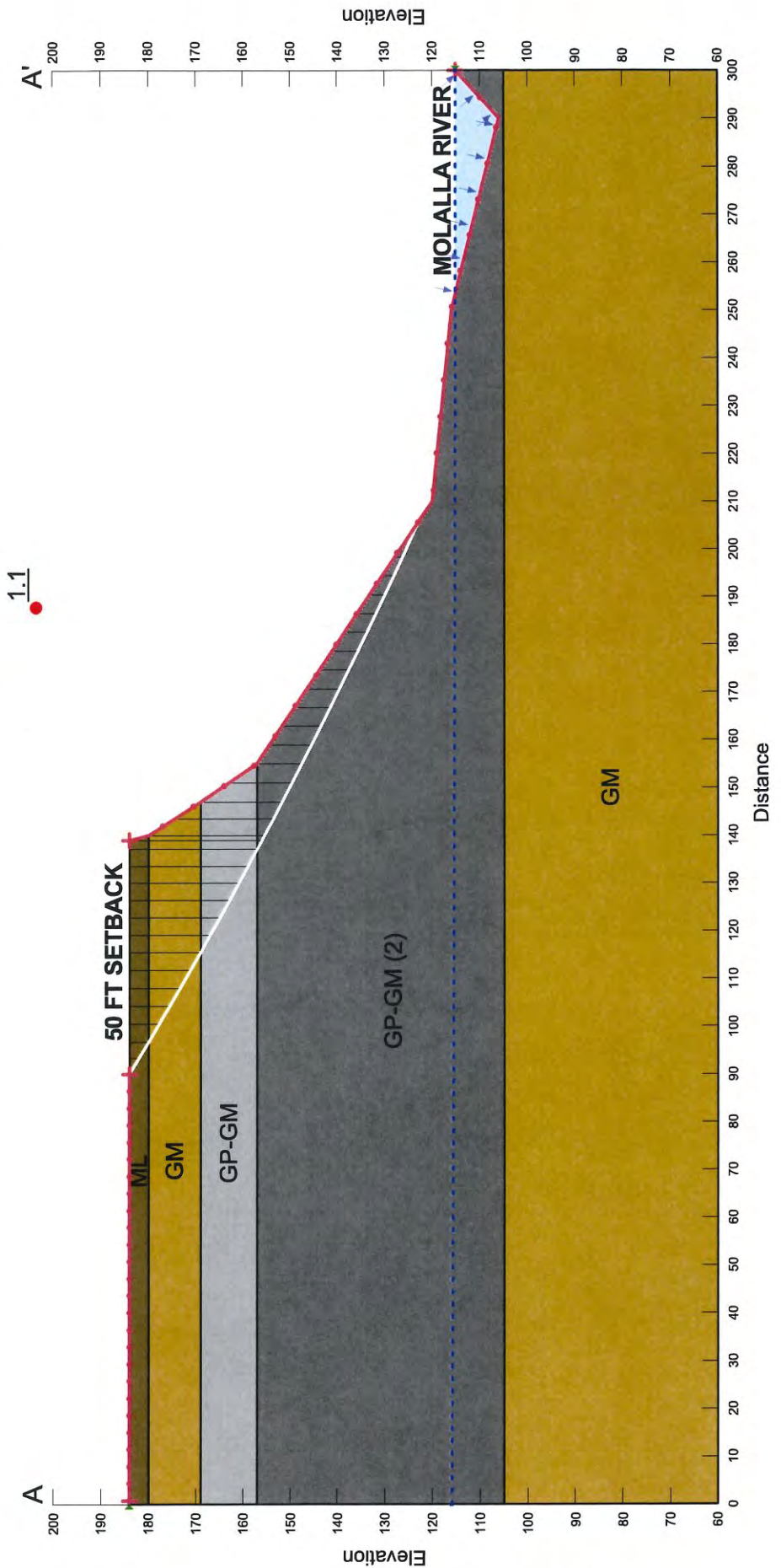
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 **Geologic Cross-Section A to A'** **Existing Condition-Seismic**

Pseudostatic Factor of Safety: 1.1
 PGAm = 0.369g (1/2 PGAm = 0.18g)

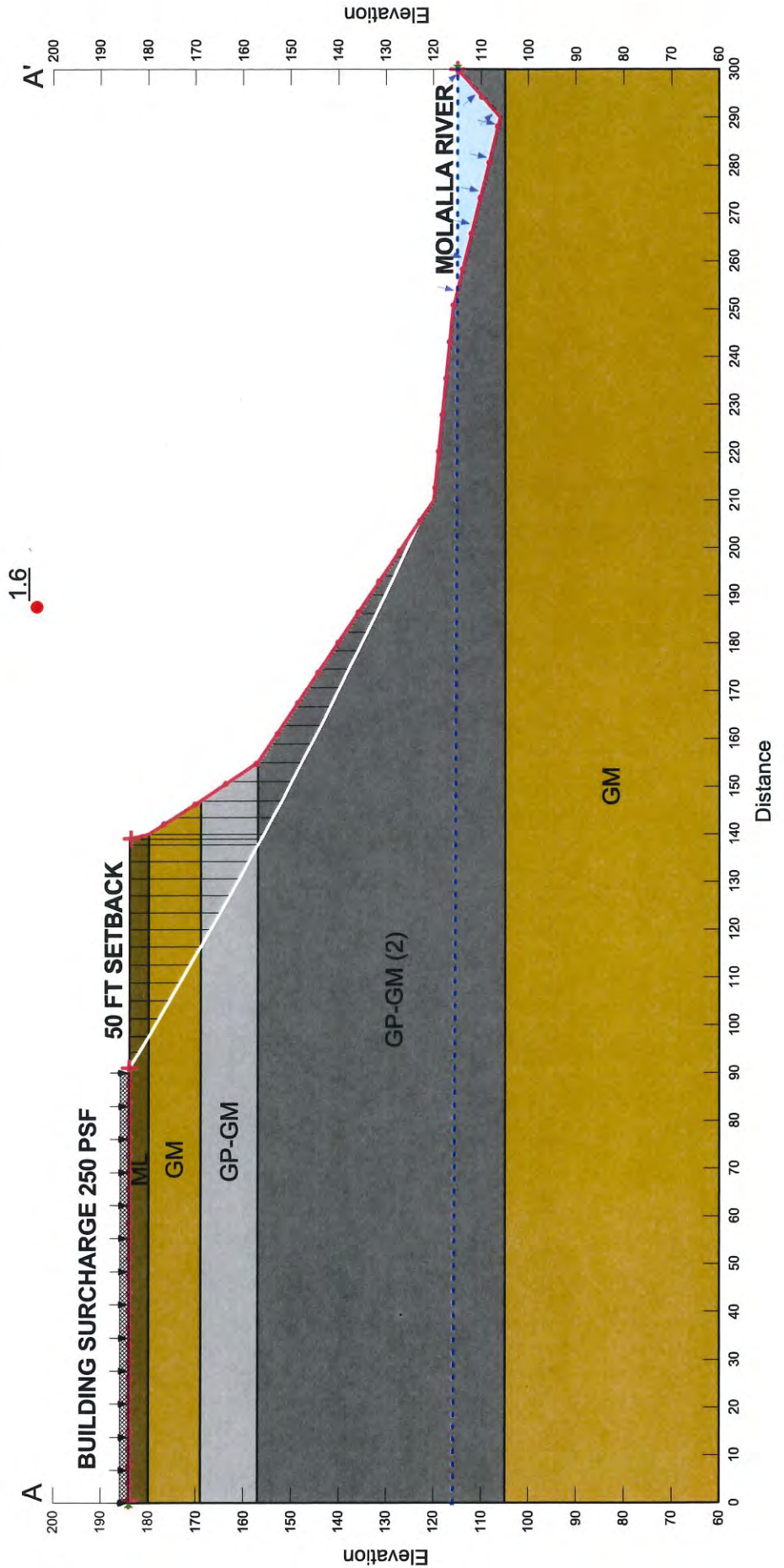
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 Geologic Cross-Section A to A' Post Construction-Static

Static Factor of Safety: 1.6

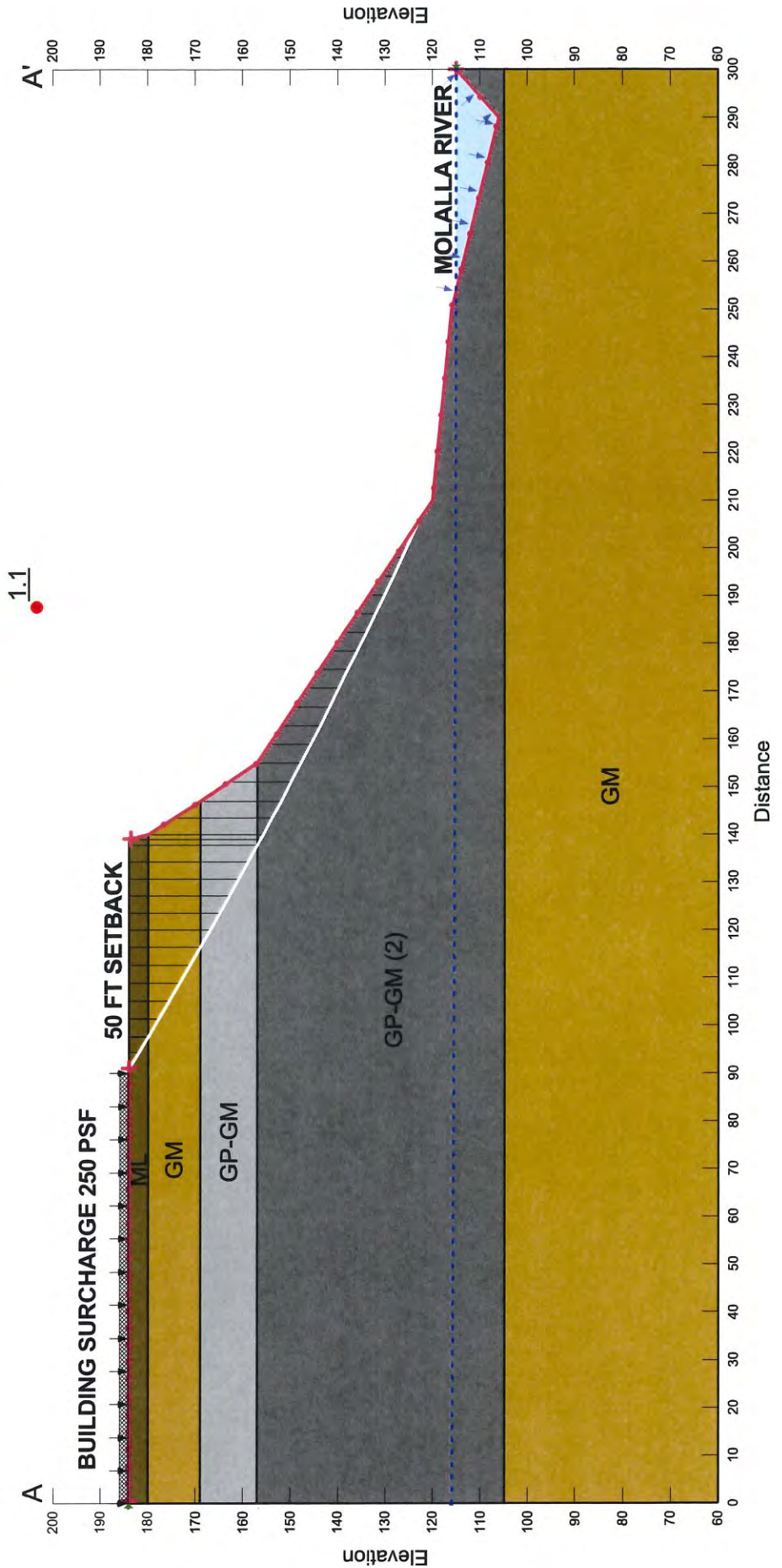
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 **Geologic Cross-Section A to A'** **Post Construction-Seismic**

Pseudostatic Factor of Safety: 1.1
 PGAm = 0.369g (1/2 PGAm = 0.18g)

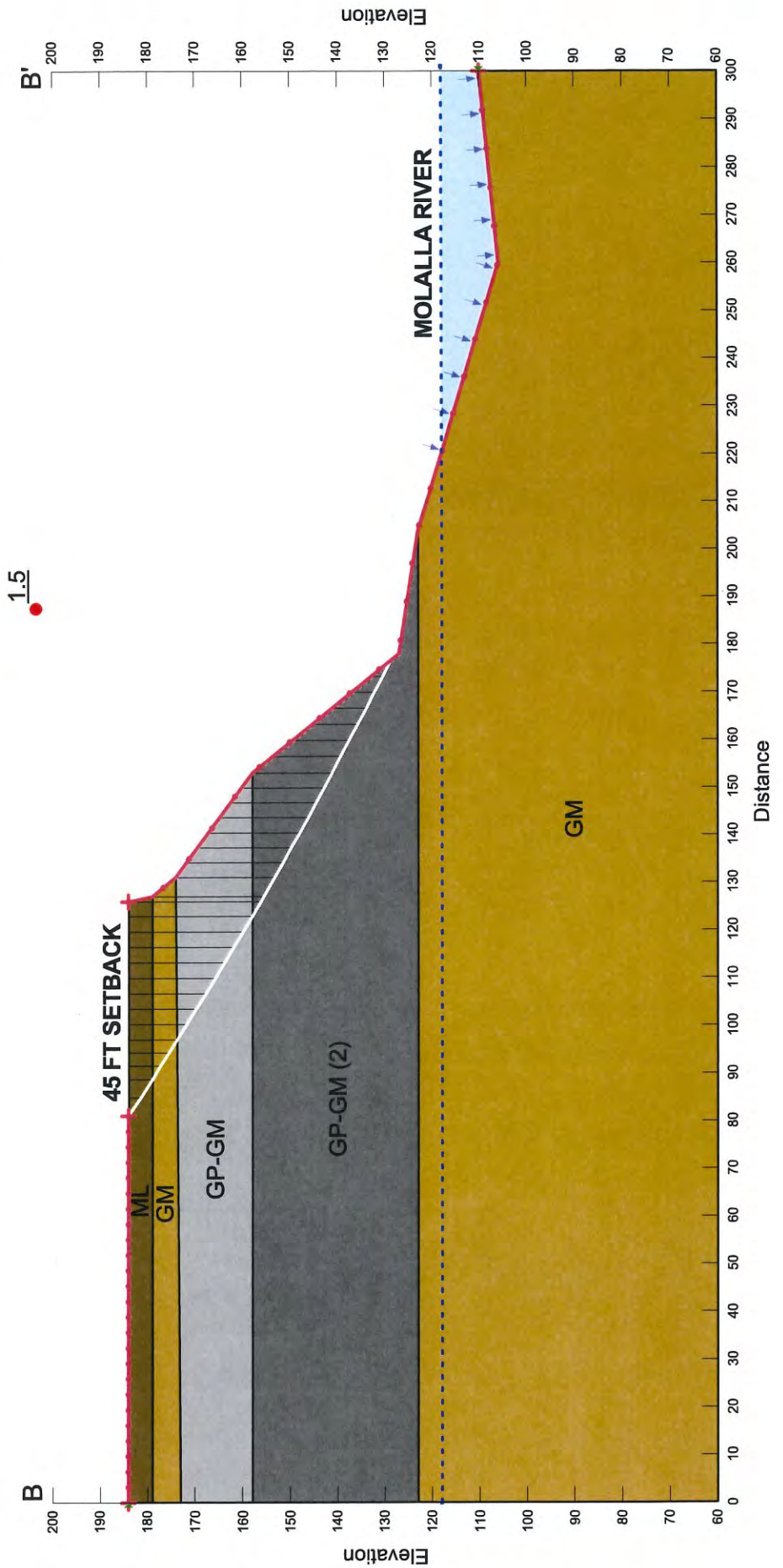
Color	Name	Model	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 Geologic Cross-Section B to B' Existing Condition-Static

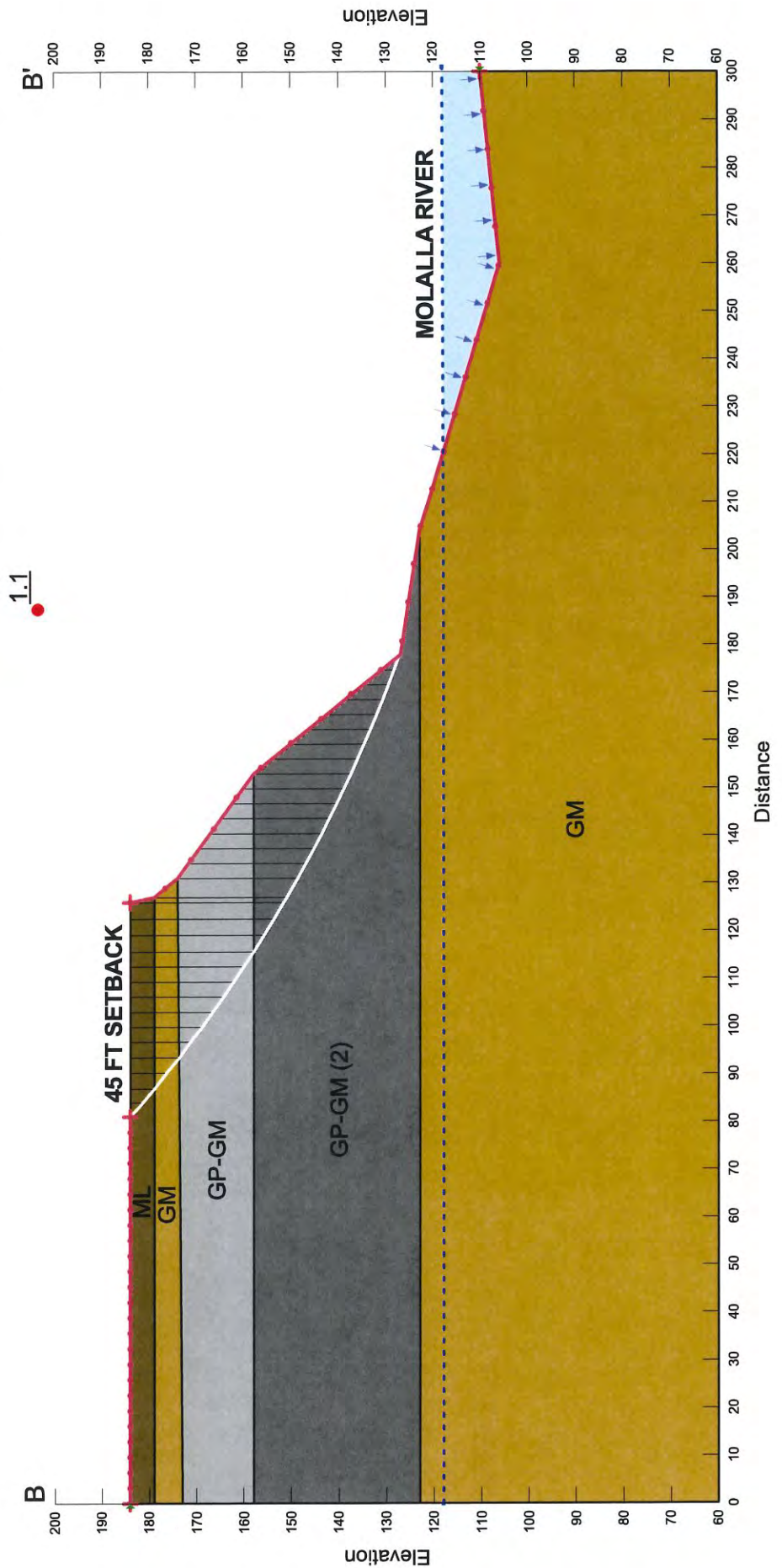
Static Factor of Safety: 1.5

Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7
Geologic Cross-Section B to B'
Existing Condition-Seismic
Pseudostatic Factor of Safety: 1.1
PGAm = 0.369g (1/2 PGAm = 0.18g)

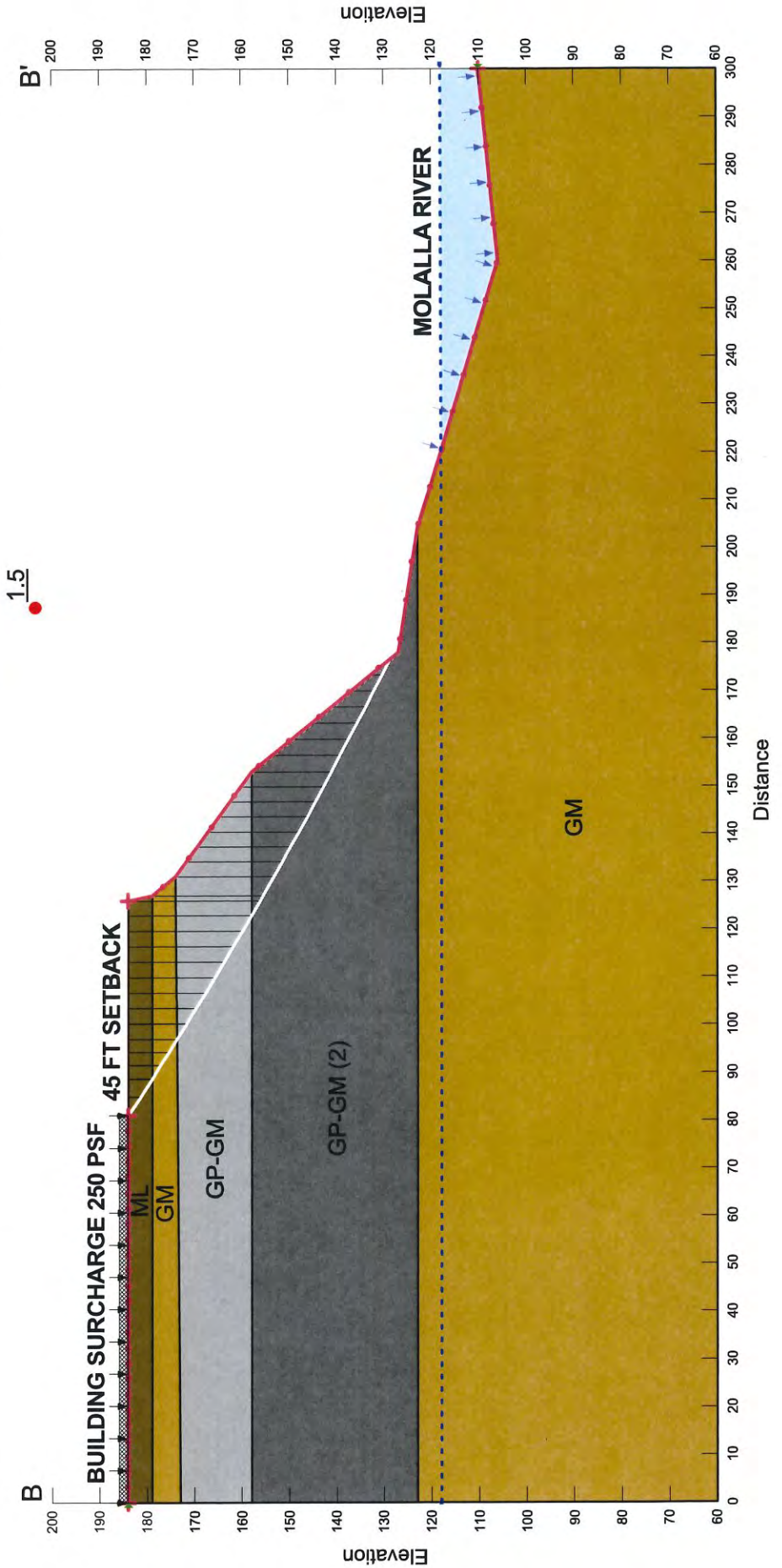
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 Geologic Cross-Section B to B' Post Construction-Static

Static Factor of Safety: 1.5

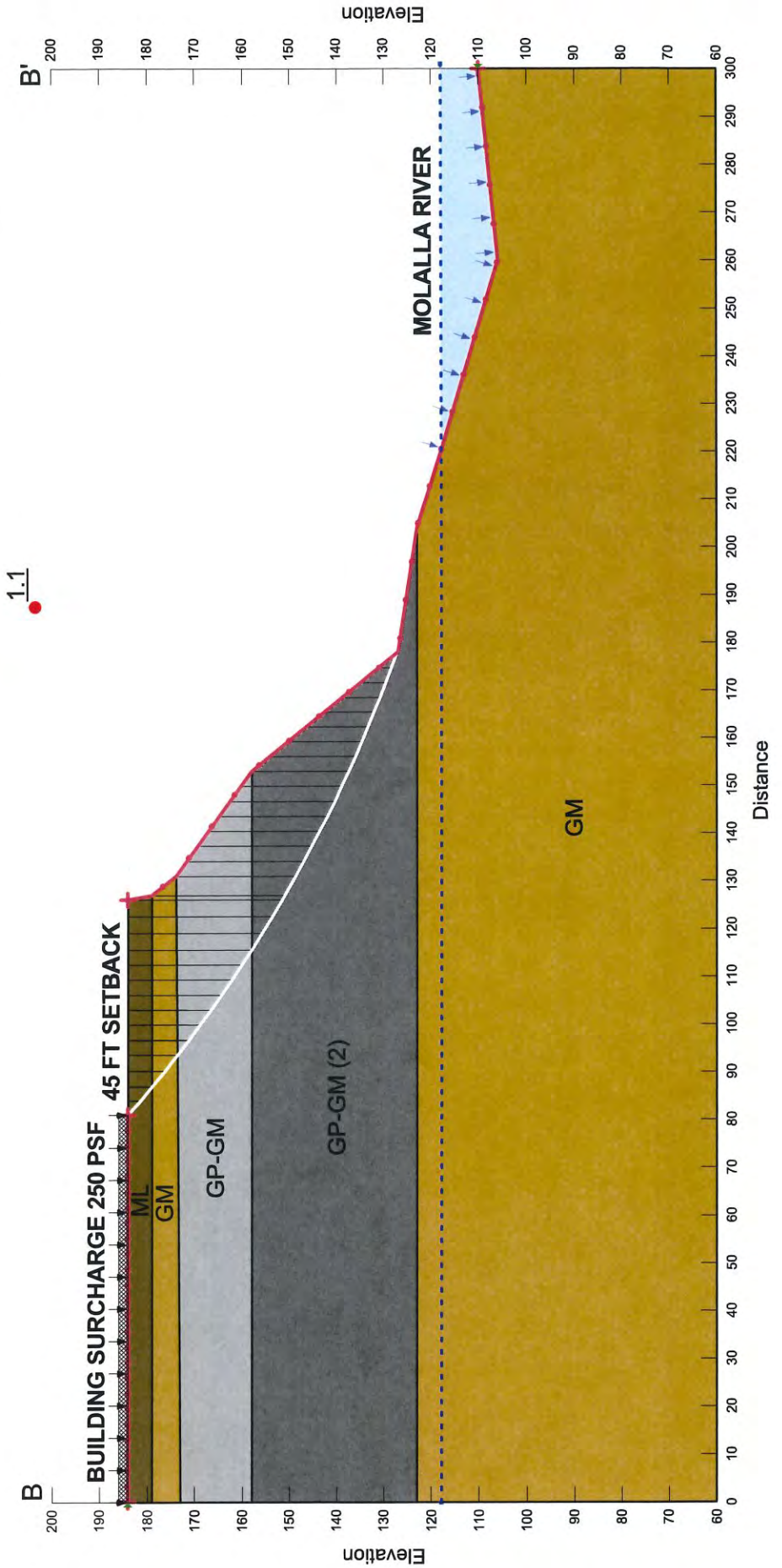
Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 Geologic Cross-Section B to B' Post Construction-Seismic

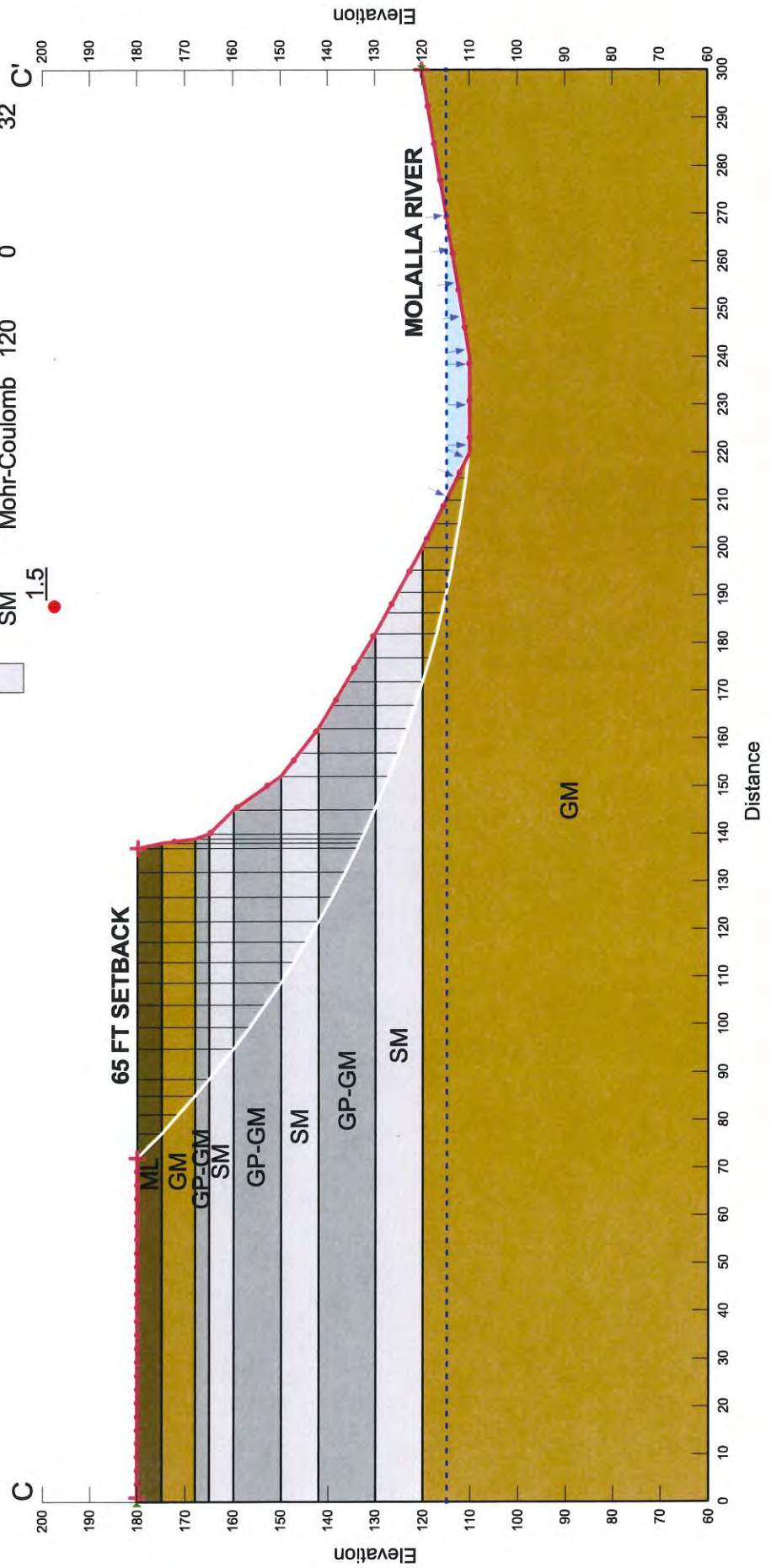
Pseudostatic Factor of Safety: 1.1
PGAm = 0.369g (1/2 PGAm = 0.18g)

Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	GP-GM (2)	Mohr-Coulomb	140	0	42
	ML	Mohr-Coulomb	120	200	28



20-5548, Tofte Farms No. 7 Geologic Cross-Section C to C' Existing Condition-Static

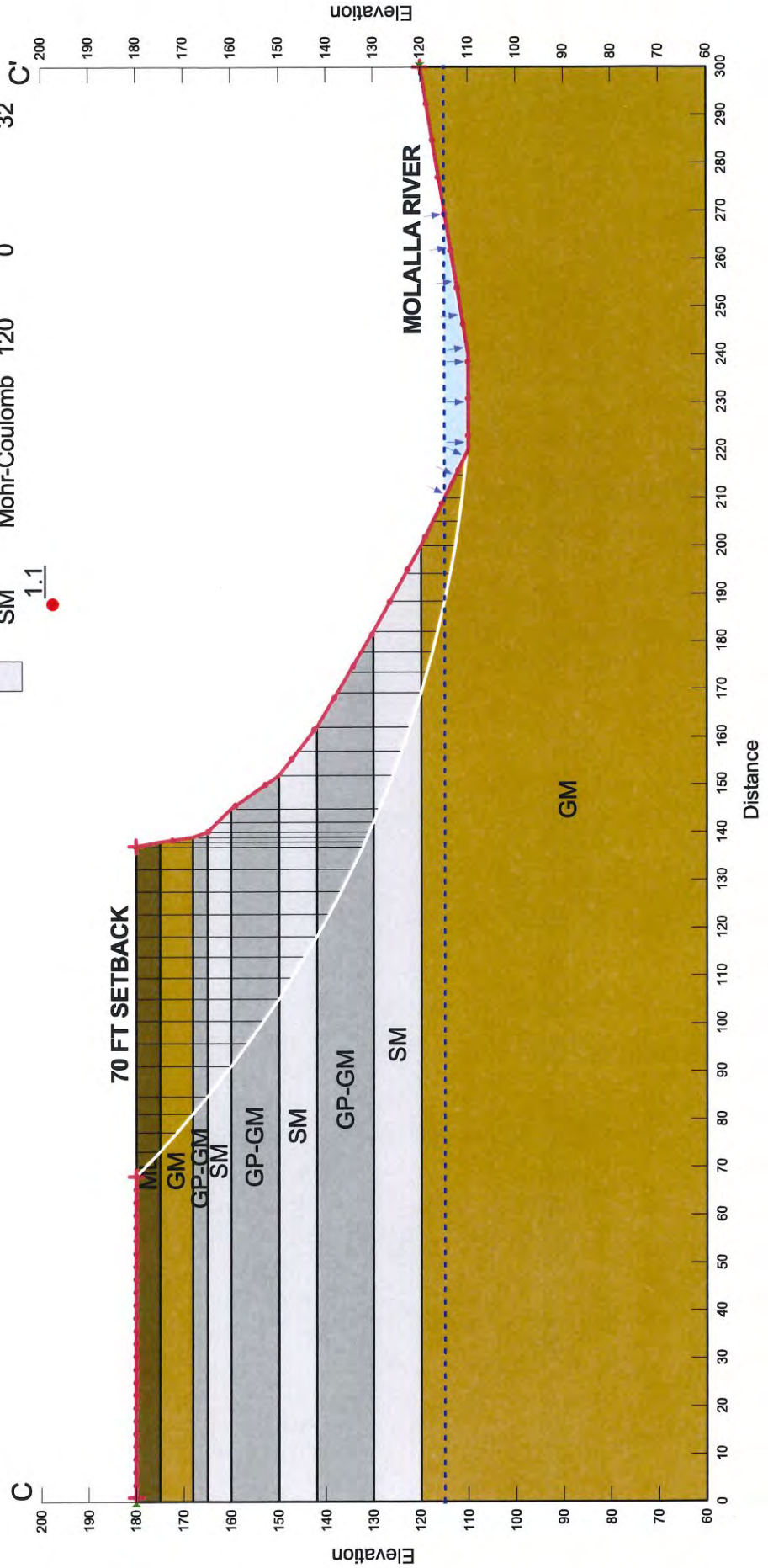
Static Factor of Safety: 1.5



20-5548, Tofte Farms No. 7 Geologic Cross-Section C to C' Existing Condition-Seismic

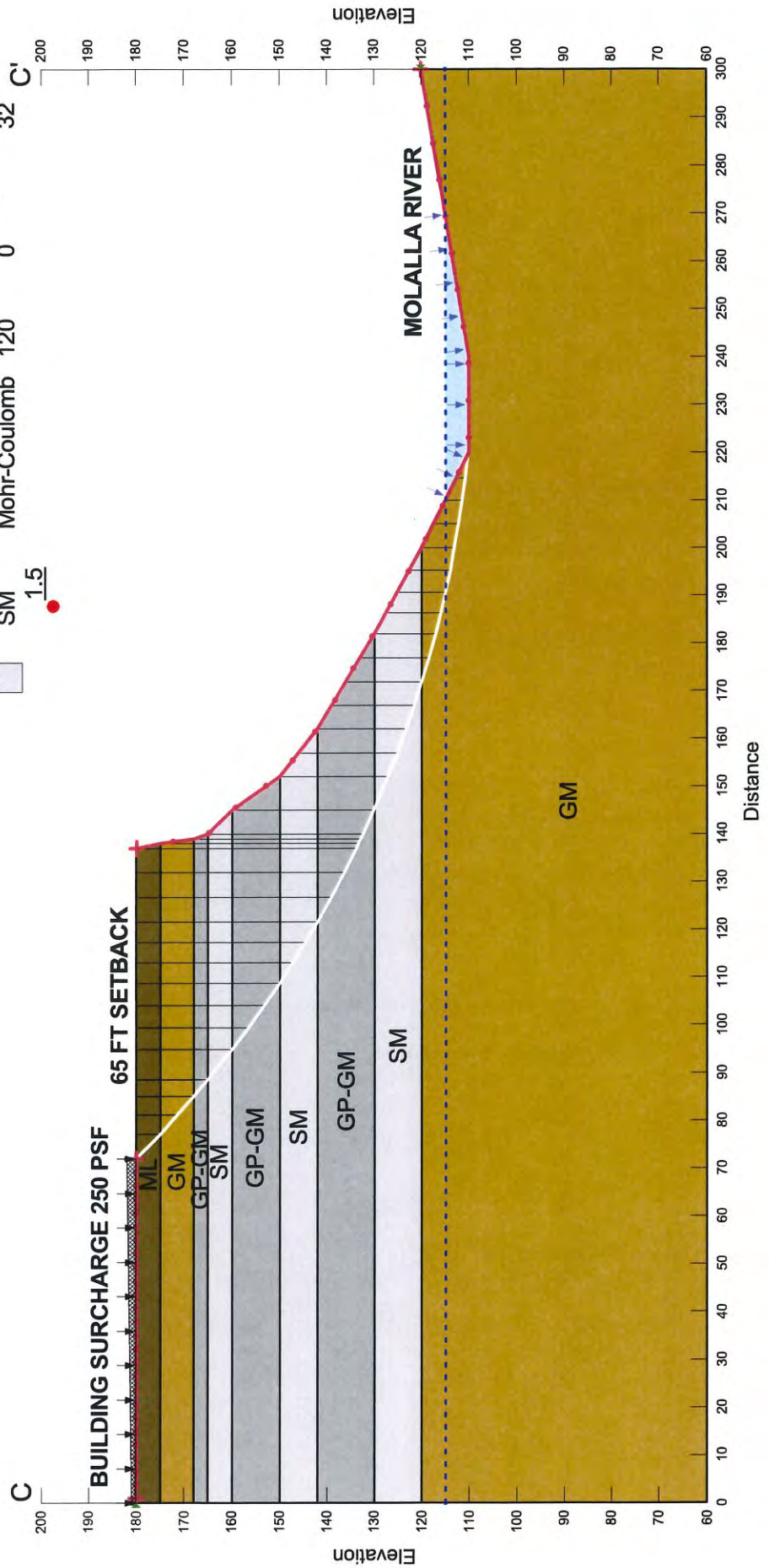
Pseudostatic Factor of Safety: 1.1
PGAm = 0.369g (1/2 PGAm = 0.18g)

Color	Name	Model	Unit Weight (pcf)	Cohesion (psf)	Phi (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	ML	Mohr-Coulomb	120	200	28
	SM	Mohr-Coulomb	120	0	32



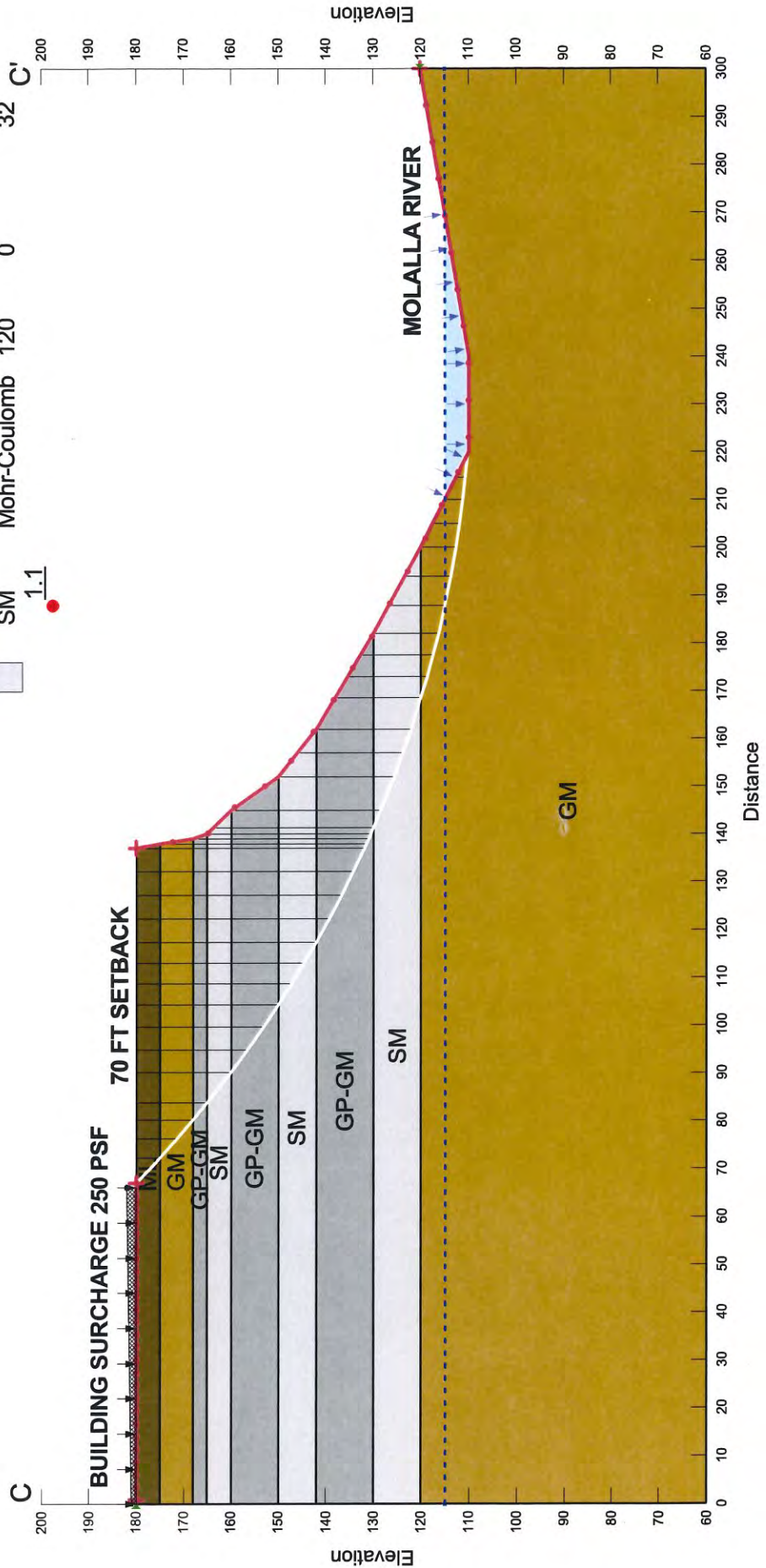
20-5548, Tofte Farms No. 7 Geologic Cross-Section C to C' Post Construction-Static

Static Factor of Safety: 1.5



20-5548, Tofte Farms No. 7 Geologic Cross-Section C to C' Post Construction-Seismic Pseudostatic Factor of Safety: 1.1 PGAm = 0.369g (1/2 PGAm = 0.18g)

Color	Name	Model	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	GM	Mohr-Coulomb	125	100	36
	GP-GM	Mohr-Coulomb	130	50	38
	ML	Mohr-Coulomb	120	200	28
	SM	Mohr-Coulomb	120	0	32

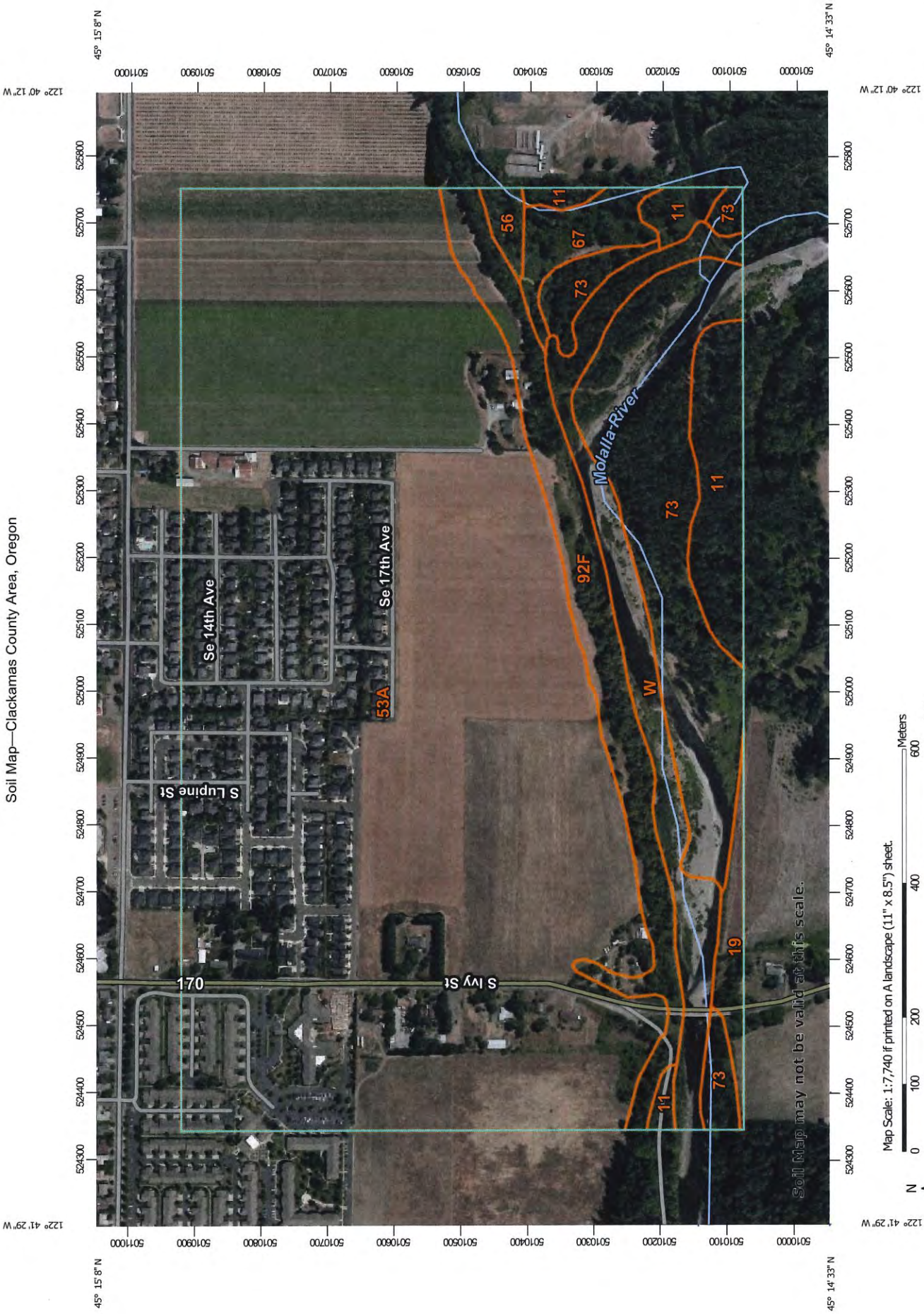


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SITE RESEARCH

Soil Map—Clackamas County Area, Oregon



Map Scale: 1:7,740 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

MAP LEGEND

Area of Interest (AOI)	
	Area of Interest (AOI)
Soils	
	Soil Map Unit Polygons
	Soil Map Unit Lines
	Soil Map Unit Points
Special Point Features	
	Blowout
	Borrow Pit
	Clay Spot
	Closed Depression
	Gravel Pit
	Gravelly Spot
	Landfill
	Lava Flow
	Marsh or swamp
	Mine or Quarry
	Miscellaneous Water
	Perennial Water
	Rock Outcrop
	Saline Spot
	Sandy Spot
	Severely Eroded Spot
	Sinkhole
	Slide or Slip
	Sodic Spot
Water Features	
	Streams and Canals
Transportation	
	Rails
	Interstate Highways
	US Routes
	Major Roads
	Local Roads
Background	
	Aerial Photography
Spoil Area	
	Spoil Area
	Stony Spot
	Very Stony Spot
	Wet Spot
	Other
	Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clackamas County Area, Oregon
Survey Area Data: Version 16, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 1, 2019—Sep 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
11	Camas gravelly sandy loam	11.9	4.0%
19	Cloquato silt loam	3.3	1.1%
53A	Latourell loam, 0 to 3 percent slopes	206.1	69.8%
56	McBee silty clay loam	1.4	0.5%
67	Newberg fine sandy loam	4.8	1.6%
73	Riverwash	32.4	11.0%
92F	Xerochrepts and Haploxerolls, very steep	19.3	6.5%
W	Water	16.1	5.5%
Totals for Area of Interest		295.4	100.0%





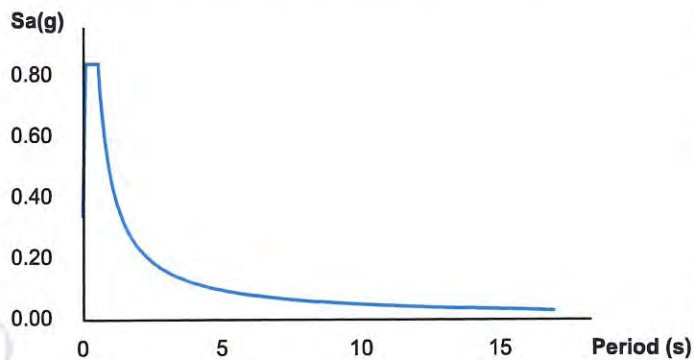
Hazards by Location

Search Information

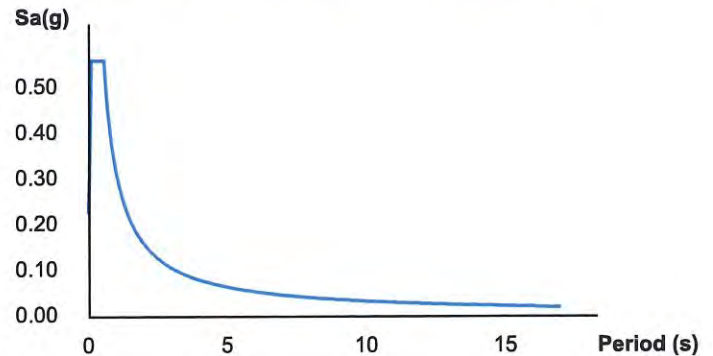
Coordinates: 45.246545, -122.3678885
Elevation: 746 ft
Timestamp: 2021-03-23T22:52:26.873Z
Hazard Type: Seismic
Reference Document: ASCE7-16
Risk Category: II
Site Class: C



MCER Horizontal Response Spectrum



Design Horizontal Response Spectrum



Basic Parameters

Name	Value	Description
S_S	0.683	MCE _R ground motion (period=0.2s)
S_1	0.316	MCE _R ground motion (period=1.0s)
S_{MS}	0.838	Site-modified spectral acceleration value
S_{M1}	0.474	Site-modified spectral acceleration value
S_{DS}	0.559	Numeric seismic design value at 0.2s SA
S_{D1}	0.316	Numeric seismic design value at 1.0s SA

Additional Information

Name	Value	Description
SDC	D	Seismic design category
F_a	1.227	Site amplification factor at 0.2s
F_v	1.5	Site amplification factor at 1.0s
CR_S	0.89	Coefficient of risk (0.2s)

CR ₁	0.873	Coefficient of risk (1.0s)
PGA	0.308	MCE _G peak ground acceleration
F _{PGA}	1.2	Site amplification factor at PGA
PGA _M	0.369	Site modified peak ground acceleration
T _L	16	Long-period transition period (s)
SsRT	0.683	Probabilistic risk-targeted ground motion (0.2s)
SsUH	0.768	Factored uniform-hazard spectral acceleration (2% probability of exceedance in 50 years)
SsD	1.5	Factored deterministic acceleration value (0.2s)
S1RT	0.316	Probabilistic risk-targeted ground motion (1.0s)
S1UH	0.362	Factored uniform-hazard spectral acceleration (2% probability of exceedance in 50 years)
S1D	0.6	Factored deterministic acceleration value (1.0s)
PGAd	0.5	Factored deterministic acceleration value (PGA)

The results indicated here DO NOT reflect any state or local amendments to the values or any delineation lines made during the building code adoption process. Users should confirm any output obtained from this tool with the local Authority Having Jurisdiction before proceeding with design.

Disclaimer

Hazard loads are provided by the U.S. Geological Survey [Seismic Design Web Services](#).

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PHOTOGRAPHIC LOG



**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Aerial Photograph, Facing Northwest



Aerial Photograph, Facing West

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Steep River Bank, Southeastern Corner of Site, Facing West



Steep Slope Area, Molalla River Below, Facing East

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Shallow Landslide Area, Southeastern Portion of Site, Facing West



Shallow Landslide Area, Southeastern Portion of Site, Facing West

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Steep Slope Area, South Central Portion of Site, Facing West



Switchback, Water Main Installed from River, Steep Cut



**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Bottom of Switchback Area, 15-20 Foot Vertical Cliff Below



Southwestern Edge of Site, Steep Slope Area, Facing East

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Majority of Site is Flat Open Farm Fields



Site Facing North

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Site Facing Northwest



Backhoe Test Pits

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Sand, Gravel, Cobbles, and Boulders



Farm Fields

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Typical Soil Profile Encountered in Test Pits

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Sonic Drill Rig Soil Borings



Sonic Drill Rig Soil Borings, SPT Testing

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PHOTOGRAPHIC LOG**



Sonic Drill Rig

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PHOTOGRAPHIC LOG**



Conducting Infiltration Testing Inside 6-Inch Sonic Casing



Conducting Infiltration Testing Inside 6-Inch Sonic Casing

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GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Conducting Infiltration Testing Inside 6-Inch Sonic Casing

**TOFTE FARMS NO.7
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PHOTOGRAPHIC LOG**



Soil Sampling



Soil Sampling

**TOFTE FARMS NO.7
GEOTECHNICAL INVESTIGATION
PHOTOGRAPHIC LOG**



Soil Sampling



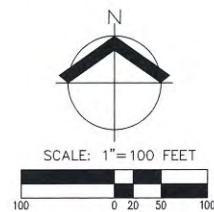
Soil Sampling

Exhibit G (*UPDATED*):
Preliminary Existing Conditions Plan

Exhibit G (*UPDATED*): Preliminary Existing Conditions Plan

NOTES:

1. FLOODWAY, FLOOD ZONE, AND CROSS SECTION LINES AND INFORMATION ARE BASED ON FEMA'S NFHL GIS INFORMATION AND ARE CONSIDERED APPROXIMATE. THE CURRENT FLOOD INSURANCE RATE MAPS FOR THIS ARE MAP NUMBERS 4100SC 05100 AND 4100SC 05050, AND BOTH HAVE EFFECTIVE DATES OF JUNE 17, 2008.
2. CONTOURS ARE SHOWN AT 2.00 FOOT INTERVALS AND ARE BASED ON LIDAR DATA PROVIDED BY OTHERS. CONTOURS ARE BASED ON THE NAVD 88 DATUM.
3. THE TOP OF BLUFF ELEVATION IS ROUGHLY 180 FEET, THE 100-YEAR FLOODPLAIN ELEVATION PER CROSS SECTION Q, IS 129.2. CROSS SECTION R, WHICH IS TO THE EAST/SOUTHEAST ABOUT 1000 FEET UP RIVER HAS AN ELEVATION OF 129.7. A CONSERVATIVE 130.0 FLOODPLAIN ELEVATION LINE IS SHOWN.

**PRELIMINARY EXISTING
CONDITIONS PLAN**

DESIGNED BY:
DRAWN BY: KLH/MSK
MANAGED BY:
CHECKED BY: MSK
DATE: 07/27/2021

PRELIMINARY

REVISIONS

JOB NUMBER
8659

SHEET
EX



8659 CONCEPT PLAN.DWG

DATE: 07/22/2021 AKS JOB: 8659

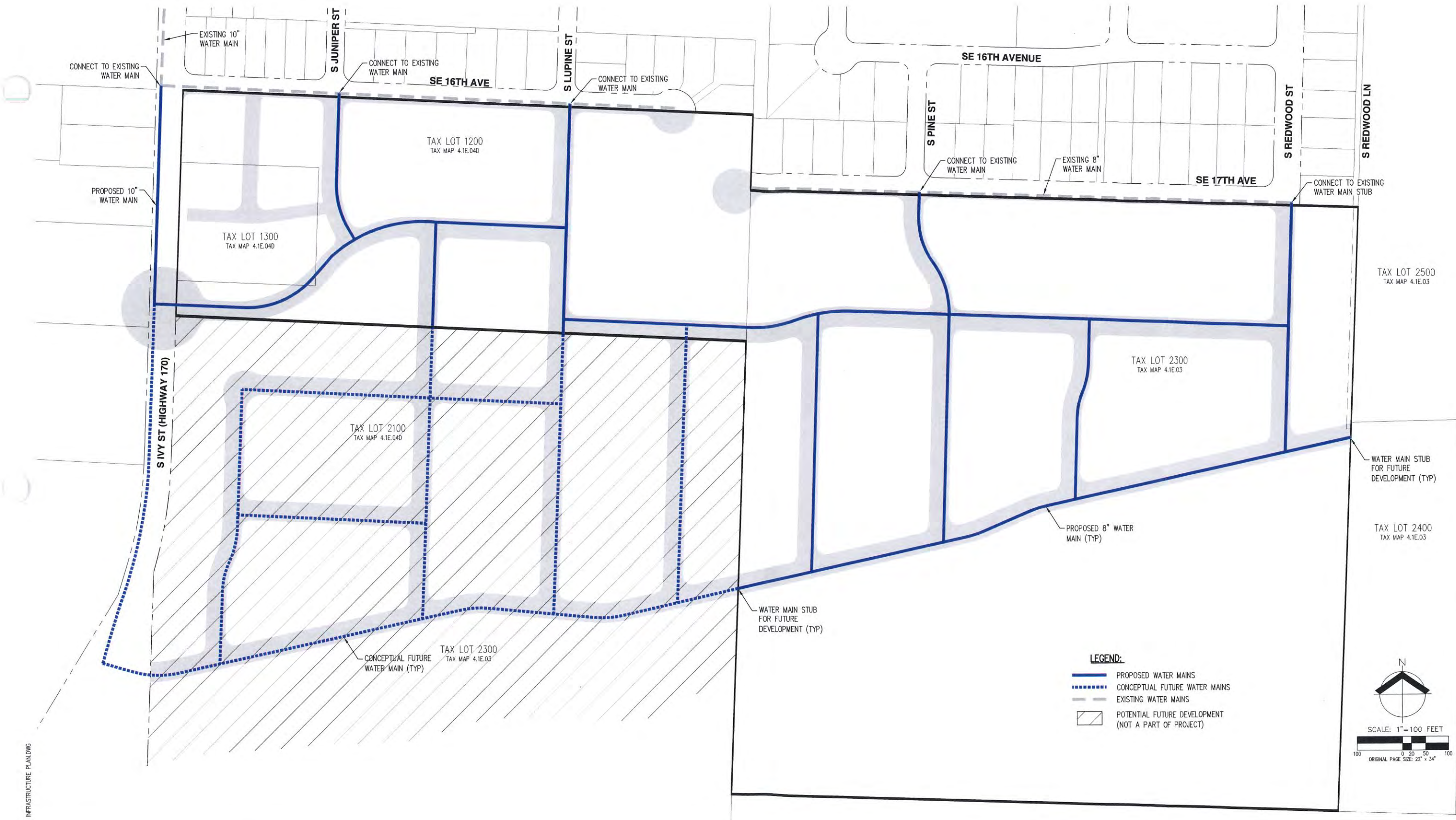
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DEVELOPMENT CONCEPT PLAN TOFTE PROPERTY

CANBY, OREGON



8659 INFRASTRUCTURE PLAN.DWG

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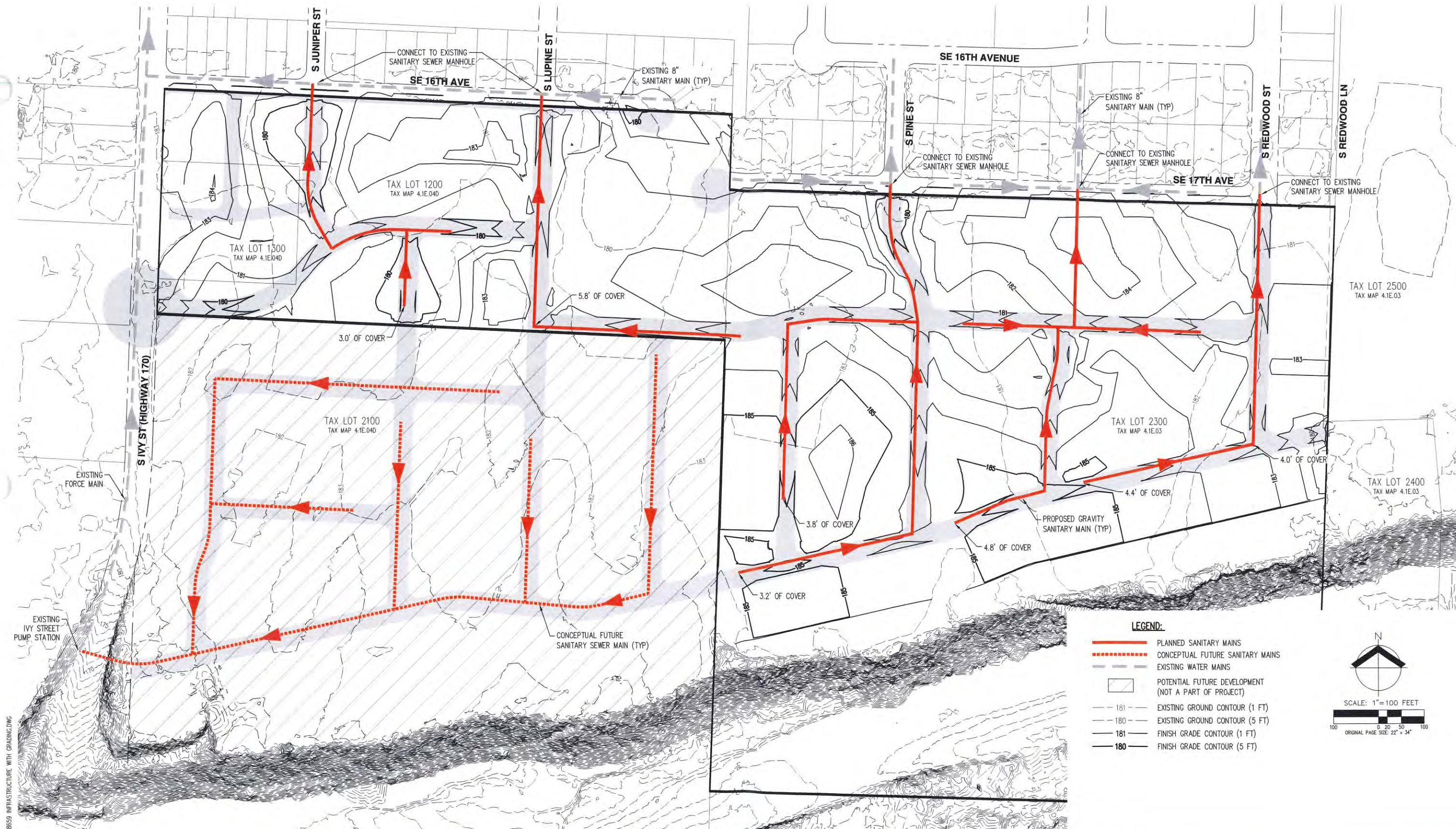
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CONCEPTUAL WATER INFRASTRUCTURE PLAN

TOFTE PROPERTY

CANBY, OREGON



DATE: 07/09/2021 AKS JOB: 8659

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CONCEPTUAL SANITARY INFRASTRUCTURE PLAN WITH GRADING TOFTE PROPERTY CANBY, OREGON City Council Packet - Page 421 of 571

FIGURE 2



8659 INFRASTRUCTURE PLANDWG

DATE: 07/27/2021 AKS JOB: 8659

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CONCEPTUAL STORMWATER INFRASTRUCTURE PLAN **TOFTE PROPERTY**

CANBY, OREGON

Tofte Farms Clackamas County, Oregon Wetland Determination Report

Date: July 2021

Prepared for: Pahlisch Homes, Inc.
15333 Sequoia Parkway, Suite 190
Portland, OR 97224

Prepared by: AKS Engineering & Forestry, LLC
Lex Francis, Natural Resource Specialist
503.563.6151 Ext. 182 | francisl@aks-eng.com
Sonya Templeton, Natural Resource Specialist
503.563.6151 Ext. 293 | templetons@aks-eng.com

Study Area: Clackamas County Assessor's Map 4 1E 03,
Portions of Tax Lot 2300 and Map 4 1E 04D, Tax Lot
1200
Clackamas County, Oregon

AKS Job Number: 8659



12965 SW Herman Road, Suite 100
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Table of Contents

Introduction.....	2
A. Landscape Setting and Land Use	2
B. Site Alterations	2
C. Precipitation Data and Analysis.....	3
D. Methods	3
E. Description of All Wetlands and Other Non-Wetland Waters	4
Wetlands	4
Upland.....	4
F. Deviation from NWI	4
G. Mapping Method.....	4
H. Additional Information	4
I. Summary of Results and Conclusions	4
J. Required Disclaimer.....	4
K. List of Preparers	5
Literature Cited and Referenced	6

Tables

Table 1: Precipitation Data	3
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Appendices

Appendix A: Maps

- Figure 1: USGS Vicinity Map
- Figure 2A-2B: County Assessor's Map
- Figure 3: NRCS Soils Map
- Figure 4: National Wetland Inventory (NWI) Map
- Figure 5A-5B: Wetland Determination Map

Appendix B: Google Earth Aerial Images

Appendix C: Precipitation Data

Appendix D: Wetland Determination Data Forms

Appendix E: Site Representative Photographs

Introduction

This report was prepared by AKS Engineering and Forestry, LLC (AKS) in accordance with Oregon Administrative Rules (OAR) 141-090-0030 and OAR-141-090-0035 (1-17) and describes the results of a wetland determination conducted on portions of Tax Lot 2300 of Clackamas County Assessor's Map 4 1E 03 and Tax Lot 1200 of Map 4 1E 04D, located south of SE 17th Avenue and SE 16th Avenue and east of S Ivy Street in Clackamas County, Oregon (Figures 1 and 2 in Appendix A; referred to as the study area). The study area for the wetland determination is ±40 acres. The area of mention is shown in Figures 1 through 5 in Appendix A.

AKS determined wetland conditions were not present in the study area. The study area was reviewed via aerial imagery in advance of the site visit to determine any potential inundation patterns. The entire study area was traversed, and three sample plots were taken which confirmed upland conditions on site.

A. Landscape Setting and Land Use

The study area is zoned as Exclusive Farm Use District (EFU) within Clackamas County and consists of agricultural fields actively-farmed for garlic which border the Molalla River off site to the south. The adjacent off-site land use consists of agricultural fields to the south and east. A subdivision is present immediately off site to the north and is zoned within the City of Canby as R-1, low density residential.

The general topography in the study area consists of a relatively flat (less than 5 percent slopes) graded terrace. The southern portion of the study area marks the bluff of a cliff dropping off to the Molalla River off site. The site was being actively farmed at the time of the July 15, 2021 site visit, having rows of garlic planted throughout. The remaining unplanted vegetation in the study area was dominated by common velvet grass (*Holcus lanatus*; FAC), tall false rye grass (*Schedonorus arundinaceus*; FAC), and large sweet vernal grass (*Anthoxanthum odoratum*; FACU) with lesser amounts of common upland weeds.

According to the Natural Resources Conservation Service (NRCS) Clackamas County Area Soil Survey Map (Figure 3 in Appendix A), the following soil units are mapped within the study area:

- Latourell Loam, (Unit 53A), 0 to 3 percent slopes – Non-Hydric
- Xerochrepts and Haploxerolls, (Unit 92F), very steep – Non-Hydric

B. Site Alterations

Aerial images were obtained from Google Earth dated from July 2000 through May 2019 and are included in Appendix B. According to the aerials, the site was in agricultural use prior to July 2000. The subdivision to the north expanded between July 2000 and July 2005 with the construction of SE 17th Avenue taking place in 2003. Sometime around July 2008, SE 16th Avenue was constructed, and the subdivision development was completed between 2015 and 2016.

Potential subtle saturation signatures are present on aerials dating from June 2006 through May 2019, with saturation originating at the southernmost edge the study area and extending off-site to the south. The NRCS soils survey map does not show hydric soils mapped on site.

Our study determined no wetlands or waters were present and the off-site inundation signatures show no connection to wetlands or waters from within the study area.

C. Precipitation Data and Analysis

Observed precipitation data were obtained from the Oregon City, Oregon weather station via the National Oceanic and Atmospheric Administration (NOAA) Applied Climate Information System (ACIS). The closest WETS (Climate Analysis for Wetlands Tables) station to the project site is the Oregon City station. From this report, the site received 0.00 inches of rainfall the day of the site visit and 0.00 inches for the two weeks prior to the July 15, 2021 site visit. Observed water year-to-date (starting October 1, 2020) was 42.56 inches, which was 0.72 inches above normal. Table 1 shows antecedent rainfall according to the WETS Oregon City station for the three months prior to the July 15, 2021 site visit (raw data included in Appendix C):

Table 1: Precipitation Data

Prior Months	Observed Precipitation (Inches)	Average WETS Precipitation (Inches)	30% Chance Will Have		Condition Dry, Wet, Normal	Condition Value (1=dry, 2=normal, 3=wet)	Month Weight	Multiply Previous Two Columns
			Less Than	More Than				
Jun. 2021	1.38	1.68	1.01	2.04	Dry	1	3	3
May. 2021	2.29	2.39	1.44	2.90	Normal	2	2	4
Apr. 2021	0.18	3.57	2.54	4.22	Dry	1	1	1
Sum								8
								Dry
Rainfall of prior period was: drier than normal (sum is 6-9), normal (sum is 10-14), wetter than normal (sum is 15-18)								

According to the WETS data, monthly observed precipitation for the Oregon City area was within the drier-than-normal range preceding the site visit.

According to the Portland WETS data, the growing season is between January 16 to January 11. The site visit was conducted within the WETS growing season, which was determined by observation of multiple non-evergreen plant species showing evidence of woody bud burst and emergence of herbaceous plants from the ground.

D. Methods

The methodology used to determine the presence of wetlands followed the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)* (Wakeley et al., 2010). The *National Wetland Plant List 2018* (USACE, 2018) was used to assign wetland indicator status for the appropriate region. Field work was conducted on July 15, 2021 by AKS Natural Resource Specialists Lex Francis and Sonya Templeton. Soils, vegetation, and indicators of hydrology were recorded at three sample plot locations on standardized wetland determination data forms (Appendix D) to document site conditions.

To determine the presence of wetlands, the sample plots were taken at the lowest topographic elevation nearest the identified off-site inundation patterns, or within an area of suspect vegetation. Each plot yielded insufficient indicators to prove the presence of wetlands.

Representative ground-level site photographs are included in Appendix E. References cited and literature used are listed at the end of this report.



E. Description of All Wetlands and Other Non-Wetland Waters

Wetlands

No wetlands were determined to be present in the study area.

Upland

Plots 1 and 3 are located nearest off-site potential inundation patterns identified on Google Earth historical aeriels. The vegetation community in Plots 1 and 3 was dominated by common velvet grass, tall false rye grass, large sweet vernal grass, and perennial rye grass (*Lolium Perenne*; FAC). Soils were described as a silt loam texture, with a high chroma (chroma 3 or higher), and no redoximorphic features were observed. The Plots lacked indicators of wetland hydrology.

Plot 2 is located near a balsam poplar sapling (*Populus balsamifera*; FAC) and nearest an off-site potential inundation pattern seen on the Google Earth aerial imagery. The vegetation in this plot was dominated by Himalayan blackberry (*Rubus armeniacus*; FAC), balsam poplar, and tall false rye grass. Soils were of high chroma throughout and had a silt loam texture. No hydric soils or indicators of wetland hydrology were observed.

While vegetation met the hydrophytic wetland indicator for Plots 1 and 2, neither soils nor hydrology met wetland requirements in any of the plots; therefore, this area was determined to be upland.

F. Deviation from NWI

The study area is not mapped on an Oregon Department of State Lands (DSL) approved Local Wetland Inventory (LWI) map. No wetlands or waters were mapped on or near the study area based on the US Fish and Wildlife Service National Wetland Inventory (NWI) map, included as Figure 4 in Appendix A. AKS concurs with the current NWI map.

G. Mapping Method

Sample Plots 1, 2, and 3 were GPS mapped by AKS using a handheld Trimble Geo 7X with submeter accuracy. The determination map is included as Figure 5A-5B in Appendix A.

H. Additional Information

No additional information.

I. Summary of Results and Conclusions

Three sample plot locations were taken at the lowest topographic setting or adjacent to potential saturation signatures visible on aerial imagery to determine site conditions and presence of wetlands. Precipitation for this time of year was within the drier-than-normal range; however, it did not pose naturally problematic circumstances. There were no indicators of hydric soil or wetland hydrology at the sample plots, therefore, no potentially jurisdictional wetlands or water were documented in the study area.

J. Required Disclaimer

This report documents the investigation, best professional judgment, and conclusions of the investigator. It is correct and complete to the best of our knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk, unless it has been reviewed and

approved in writing by the Oregon Department of State Lands in accordance with Oregon Administrative Rules (OAR) 141-090-0005 through 141-090-0055.

K. List of Preparers



Lex Francis
Natural Resource Specialist
Field Work, Report Preparation



Sonya Templeton
Natural Resource Specialist
Fieldwork, Report QA/QC

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Exhibit D:
Legal Description & Map of Affected Territory



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AKS Job #8659

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

EXHIBIT A

City of Canby Annexation

A tract of land located in the Southwest One-Quarter of Section 3, the Northeast One-Quarter of Section 4, and the Southeast One-Quarter of Section 4, Township 4 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the southwest corner of the plat of "Tofte Farms No. 4", also being on the southerly right-of-way line of SE 17th Avenue (20.00 feet from centerline) and the City of Canby city limits line; thence along said southerly right-of-way line and along said city limits line, South 88°14'35" East 1338.14 feet to the east line of the Southwest One-Quarter of the Southwest One-Quarter of said Section 3 and the Urban Growth Boundary line; thence leaving said city limits line and along said east line and the Urban Growth Boundary line, South 02°12'27" West 747.37 feet to the bluff line above the Molalla River; thence along said bluff line and continuing along said Urban Growth Boundary line, South 53°58'19" West 24.68 feet; thence continuing along said bluff line and continuing along said Urban Growth Boundary line, South 71°11'47" West 68.53 feet; thence South 75°44'05" West 206.36 feet; thence South 80°33'57" West 89.57 feet; thence North 63°30'17" West 27.56 feet; thence South 80°55'51" West 121.20 feet; thence South 85°28'52" West 69.30 feet; thence South 75°37'52" West 60.93 feet; thence South 78°50'11" West 92.16 feet; thence South 69°27'03" West 75.81 feet; thence South 66°28'24" West 109.14 feet; thence South 71°31'23" West 55.33 feet; thence South 87°47'54" West 128.12 feet; thence South 82°34'09" West 146.78 feet; thence South 80°54'28" West 115.99 feet to the west line of the Southwest One-Quarter of said Section 3; thence along said west line and leaving said Urban Growth Boundary line, North 02°05'46" East 734.71 feet to the northerly line of Document Number 2016-080178; thence along said northerly line, North 87°20'55" West 1257.94 feet to the easterly right-of-way line of S Ivy Street (30.00 feet from centerline) and the City of Canby city limits line; thence along said easterly right-of-way line and said city limits line, North 02°02'31" East 494.26 feet to the southerly right-of-way line of SE 16th Ave (variable width right-of-way); thence along said southerly right-of-way line and continuing along said city limits line, South 87°26'37" East 1258.39 feet to the west line of the plat of "Tofte Farms"; thence along said west line and the west line of the plat of "Tofte Farms No. 4" and continuing along said city limits line, South 02°05'46" West 165.19 feet to the Point of Beginning.

The above described tract contains 42.5 acres, more or less.

04/16/2021

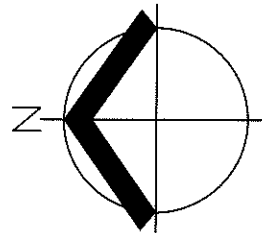
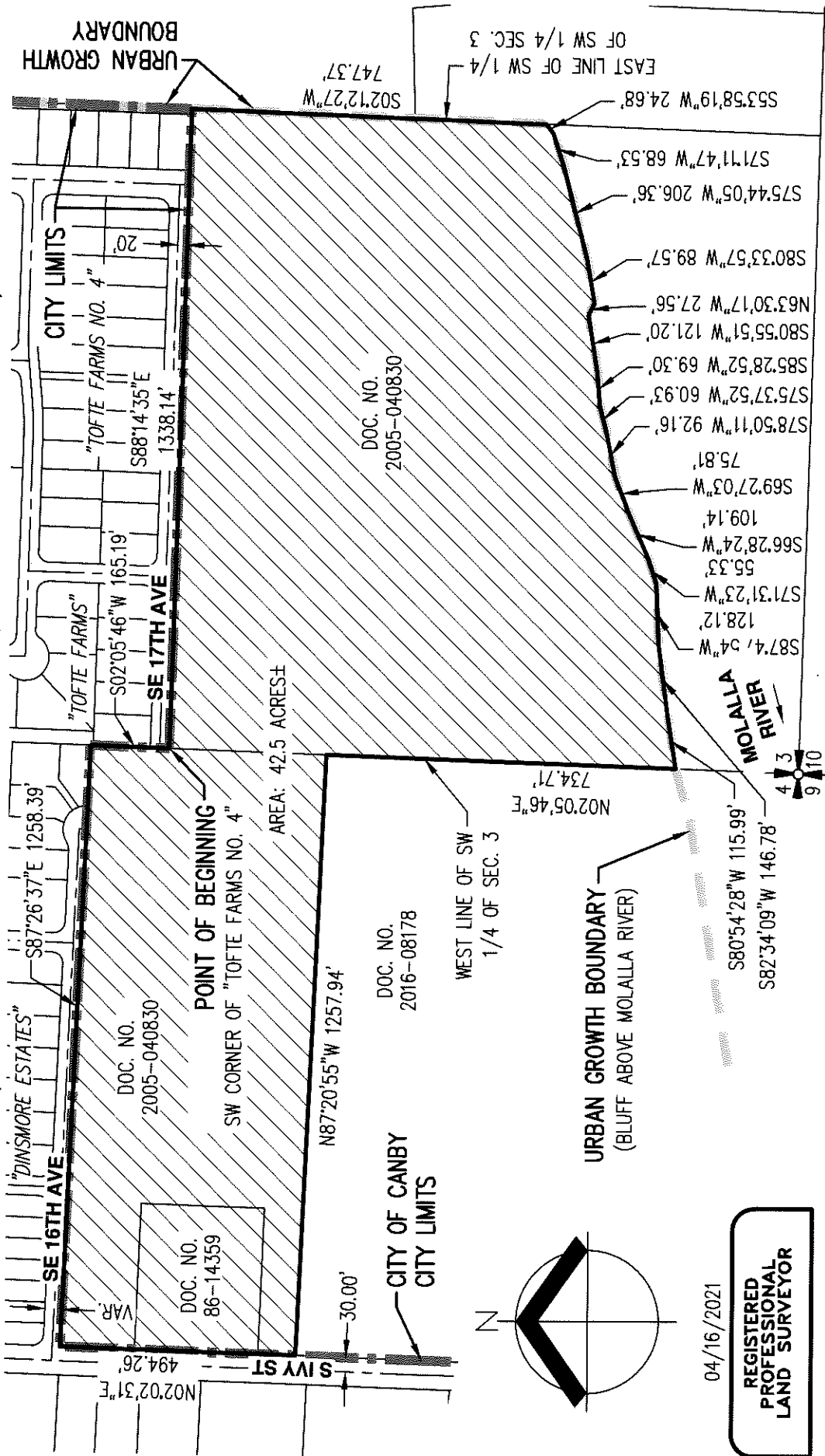
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEW: 6/30/21

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SW 1/4 OF SEC. 3, THE NE 1/4 OF SEC. 4, AND THE SE 1/4 OF SEC. 4, T4S, R1E, W.M., CLACKAMAS COUNTY, OREGON



04/16/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael S. Kalina

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS
RENEW: 6/30/21

SCALE: 1" = 300 FEET




EXHIBIT B	TOFTE FARMS CITY OF CANBY ANNEXATION MAP	
	AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	
		DRAWN: MHJ CHKD: MSK AKS JOB: 8659

Exhibit E: Clackamas County Assessor's Maps

$1'' = 400'$

Cancelled Taxlots

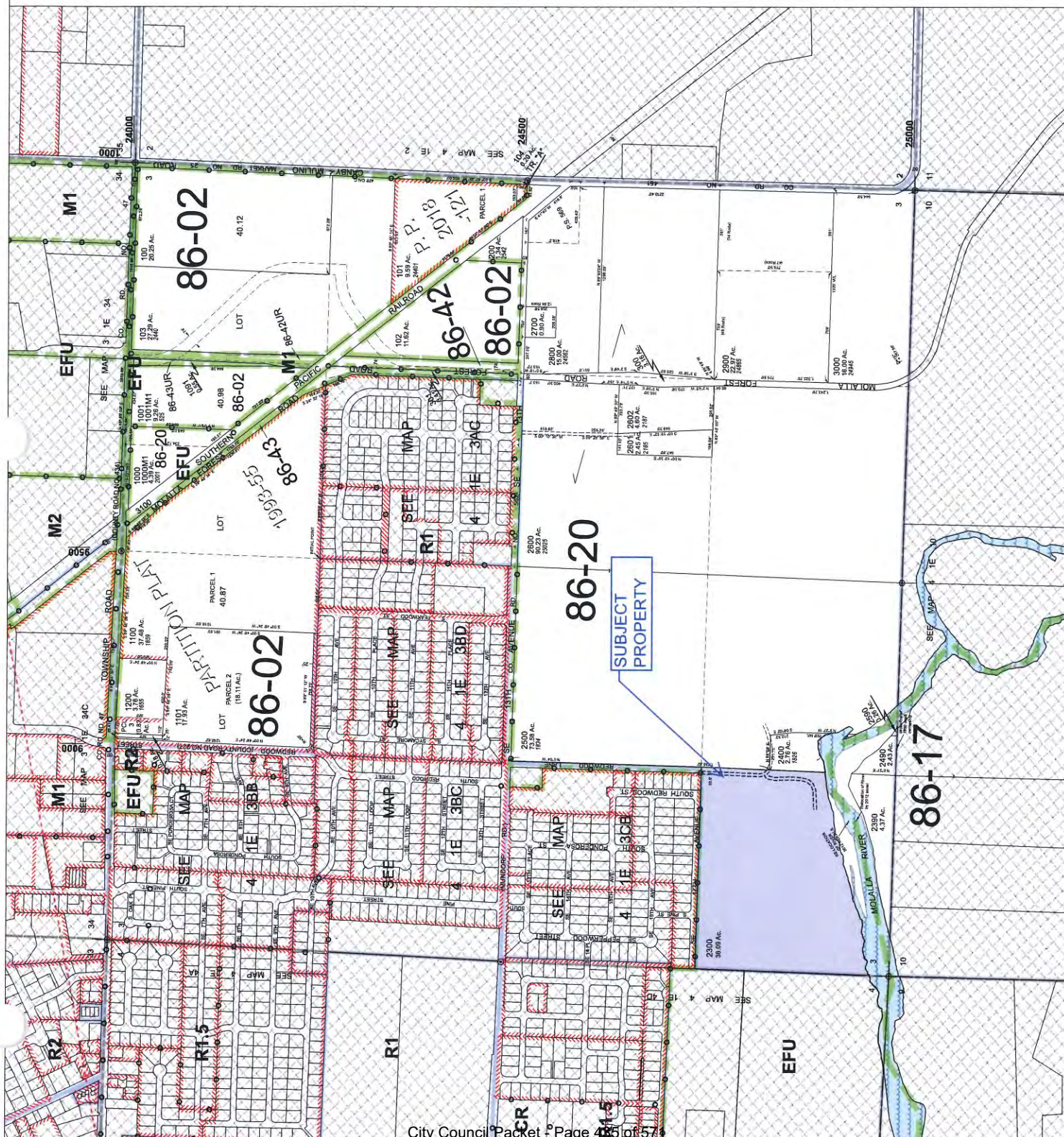
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500	1301
700	1400
401	1500
600	1600
800	1700
	1701
	1801
	180
	1190
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	1900
	2001
	2100
	2200
	290
	2000
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	2003
	1290
	193
	192
	900

-



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

Journal of

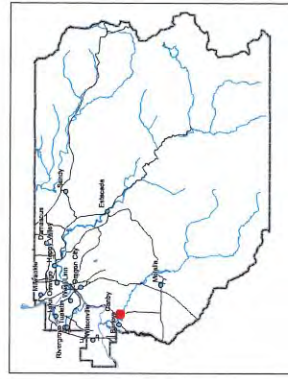


S.E. 1/4 SEC. 4 T.4S. R.1E. W.M.
CLACKAMAS COUNTY
1" = 200'

Cancelled Taxlots

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1200
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1400
1500
1600
1700
1800
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10000

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 176th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

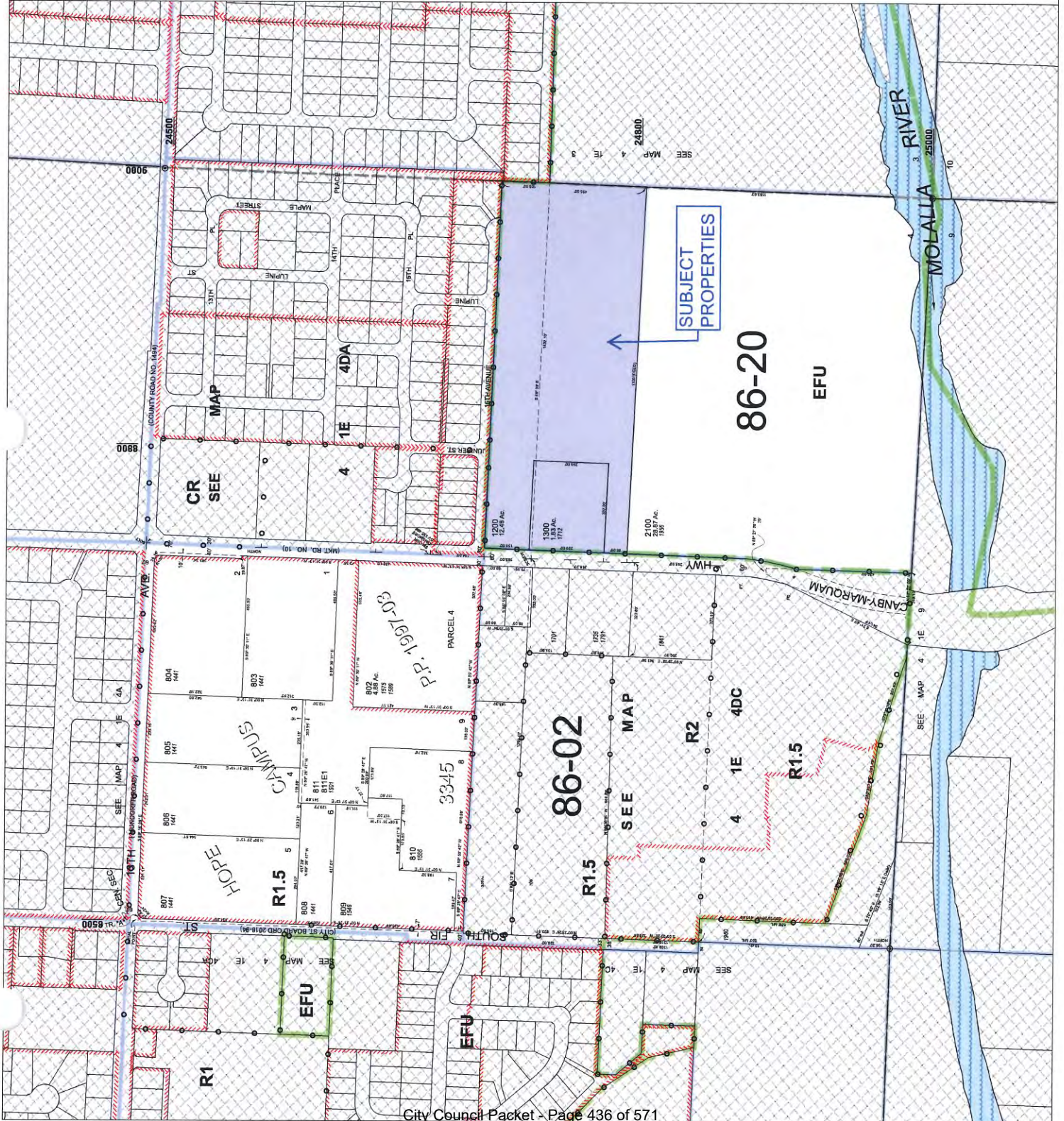
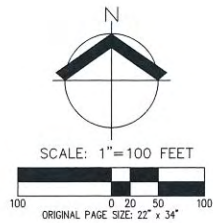


Exhibit F:
Tofte Property—Comprehensive Plan Map Overlay



S IVY ST (HIGHWAY 170)

S JUNIPER ST

S LUPINE ST

S PINE ST

S REDWOOD ST

S REDWOOD LN

SE 16TH AVE

SE 16TH AVENUE

SE 17TH AVE

TAX LOT 1300
TAX MAP 4.1E.04D

TAX LOT 1200
TAX MAP 4.1E.04D

"TOFTE FARMS"
NO. 4"

"TOFTE FARMS"

TAX LOT 2300
TAX MAP 4.1E.03

TAX LOT 2100
TAX MAP 4.1E.04D

TAX LOT 2500
TAX MAP 4.1E.03

TAX LOT 2400
TAX MAP 4.1E.03

CITY OF CANBY ZONING DISTRICT	AREA (GROSS ACRES)
R-1.5 MEDIUM DENSITY RESIDENTIAL	± 2.90
R-1 LOW DENSITY RESIDENTIAL	± 39.56
TOTAL	± 42.46

100.00'
RIPARIAN
SETBACK

MOLALLA RIVER

ORDINARY HIGH
WATER MARK (ODHM)
SURVEYED TOP OF BANK

8659 LU ZONE.DWG

DATE: 04/28/2021 AKS JOB: 8659
AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM



ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE

CITY OF CANBY COMPREHENSIVE PLAN MAP OVERLAY TOFTE PROPERTY

CANBY, OREGON

MAY 6, 2021

Erik Forsell and Laney Fouse
City of Canby
222 NE 2nd Ave., PO Box 930
Canby, OR, 97013

SUBJECT: SCOPE OF WORK – CANBY TOFTE SOUTH SUBDIVISION TRAFFIC STUDY

This document outlines the scope of services required to evaluate the transportation impacts associated with the proposed Canby Tofte South Subdivision located south of SE 16th Avenue/SE 17th Avenue between S. Ivy Street and S. Redwood Street in Canby, Oregon. The proposed site will consist of 158 single-family housing units in three phases¹.

TASK 1: EXISTING CONDITIONS ANALYSIS

An existing conditions analysis will document the existing transportation conditions within the project study area. A description of the surrounding transportation network will be provided including functional classification of roadways, roadway cross-sections, posted speed limits, parking, and pedestrian/bicycle/transit facilities.

The study intersections will be reviewed to determine the existing geometry, traffic control, and operations during the peak hours. Existing intersection operating conditions will be analyzed to establish the current peak hour performance. The critical peak periods for this evaluation will be the weekday morning (7:00 to 9:00 am) and evening (4:00 to 6:00 pm). This is the time during a typical weekday when the study area street system would be expected to experience the highest vehicle volume and the site would generate significant traffic. The following intersection will be evaluated:

1. SE 13th Avenue / S. Ivy Street
2. SE 13th Avenue / S. Redwood Street

Historical count data will be obtained and utilized. No new count data will be collected. A growth rate will be applied to the older count data to reflect 2020 volumes.

¹ Tofte South Subdivision site plan, November 2019, Westlake Consultants.

Preliminary trip generation and distribution estimates indicate that trip levels would not trigger analysis to be conducted at any other intersections based on the City intersection analysis evaluation guidelines and coordination with ODOT and Clackamas County.

Collision records at the study intersections over the previous three years will be reviewed and summarized in a table to determine if there are any safety related concerns within the project area.

TASK 2: PROJECT TRIP GENERATION/ TRIP DISTRIBUTION

The amount of new vehicle trips generated by the proposed development will be estimated using trip generation estimates published in the ITE Trip Generation Manual for similar land use type². All vehicle trips associated with the proposed project will be treated as new vehicle trips to the existing transportation network. Trip generation estimates for each phase of the proposed development will be provided for the a.m. and p.m. peak hours, as well as daily trips.

The distribution of site vehicle traffic will be based on the City of Canby Travel Forecast Tool and input from the project team. The project trip distribution will be shown on a study area figure.

TASK 3: SITE ACCESS AND CIRCULATION REVIEW

Access to the site is proposed via an approach to S. Ivy Street (classified as an arterial roadway) and connections to existing local streets to the north including S. Juniper Street, S. Lupine Street, S. Pine Street and S. Redwood Street.

Since, the proposed development is proposing new accesses, intersection sight distance and access spacing will be evaluated. This task will also include a review of on-site circulation for motor vehicles, pedestrians, and bicyclists.

TASK 4: TRANSPORTATION IMPACT ANALYSIS

A transportation impact analysis for the proposed project will be conducted in accordance to the City's requirements³. The new vehicle trips generated by the proposed project will be added onto the existing traffic volumes to identify the expected traffic operating conditions once the project is built and fully operational for each phase. The traffic conditions will be evaluated at the same study intersections as was considered in the Existing Conditions Analysis (Task 1) in addition to proposed site access point at the SE 18th Avenue / S. Ivy Street intersection. In addition, any significant approved but not fully occupied projects in the study area will be added as background traffic (based on information provided by the city). The following scenarios will be evaluated:

- Phase 1 Background Conditions (Year of Opening for Phase 1, without the Project Phase 1)
- Phase 1 Project Conditions (Year of Opening for Phase 1, with the Project Phase 1)

² Trip Generation Manual, Institute of Transportation Engineers, 10th Edition.

³ City of Canby Transportation System Plan, Chapter 10: Implementation Plan, December 2010.

- Phase 2 Background Conditions (Year of Opening for Phase 2, without the Project Phase 2)
- Phase 2 Project Conditions (Year of Opening for Phase 2, with the Project Phase 2)
- Phase 3 Background Conditions (Year of Opening for Phase 3, without the Project Phase 3)
- Phase 3 Project Conditions (Year of Opening for Phase 3, with the Project Phase 3)

Street facilities and intersections that are shown to fall below the minimum acceptable operating thresholds will be identified for possible mitigation measures. Typical mitigation measures can include traffic control strategies, access management plans, widening for turn lanes at intersections and roadway widening. Transportation performance criteria will consider agency standards where applicable. This task includes coordination with impacted agencies on project issues and solutions.

The traffic volumes resulting from the proposed project on S. Ivy Street will be compared to existing traffic volumes (daily and peak hour) as well as the projected volumes from the City's Transportation System Plan (TSP) to provide an evaluation of growth on the roadway compared to planned conditions. Planned improvements in the City's CIP and TSP in the area will also be summarized to describe long-range transportation solutions to serve growth in the study area.

In addition, it appears that the project will trigger the need for a Neighborhood Through-Trip Study⁴ along existing local streets between the proposed site and SE 13th Avenue. Any local street where the proposed project is expected to add more than 30 through-vehicles in a peak hour or 300 through-vehicle per day should be included in the study.

TASK 5: DOCUMENTATION

The findings and recommendations of this transportation impact analysis will be presented in a Draft Report that will be submitted to the city (one electronic copy). The report will document data collection, analysis procedure, results, and mitigation measures (if necessary) for the proposed project traffic. A technical appendix that supports calculations will accompany the report. After the agency reviews of the Draft Report are complete and one-set of unified, non-contradictory comments are provided, a Final Report will be prepared and stamped by an Oregon Registered Professional Engineer (one electronic copy).

⁴ City of Canby Transportation System Plan, Chapter 10: Implementation Plan, December 2010.

BUDGET

In consideration of the performance of these services, DKS Associates will be compensated on a time and materials basis in accordance with the hourly billing rates set forth in the attached fee schedule, subject to revision December 31, 2021, for a maximum fee of \$11,800. This fee is based upon the scope of services and level of effort presented above.

If the applicant chooses to utilize another consultant to complete this task, our assistance with trip distribution (using the Canby TSP Travel Forecast Tool) and review with written response of the applicant's submittal would be approximately \$2,600.

If you have any questions, please feel free to call or email.

TRANSPORTATION PLANNING RULE ANALYSIS

DATE: May 11th, 2021

TO: Bryan Brown | City of Canby

FROM: Jacob Shelton
Kevin Chewuk, PTP

SUBJECT: Canby Tofte South Annexation – Transportation Planning Rule Project #11010-114
(TPR) Analysis

This memorandum summarizes how the requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), are met for a proposed annexation on SE 16th Avenue and SE 17th Avenue, just east of S Ivy Street (Hwy 170), in Canby, Oregon. The following section describes the consistency of the annexation request (and corresponding rezone) with both the City's Comprehensive Plan and Transportation System Plan.

TRANSPORTATION PLANNING RULE FINDINGS

The proposed annexations are located inside Canby's Urban Growth Boundary (UGB) in unincorporated Clackamas County. They are located at 371 SE 13th Avenue/ 0 S Ivy Street (Adj, to 1712 S Ivy Street). It is currently designated Clackamas County EFU zoning. The City's comprehensive plan designation is LDR (Low Density Residential) and MDR (Medium Density Residential) and the proposed zoning is a combination of R 1.0 (Low Density Residential) and R 1.5 (Medium Density Residential). The proposed zoning is consistent with the City's adopted Comprehensive Plan designation.

The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant impact on the surrounding transportation system beyond currently allowed uses. The TPR allows a change in land use zoning in the event that a zone change would make the designation consistent with both the Comprehensive Plan and the Transportation System Plan. The allowance (found in Section 9) was added to the TPR in December 2011 and fits the circumstances of the project parcel. Specifically, section 9 states:

Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

- a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

Response: The proposed annexation, and associated proposed zoning, are consistent with the City's Comprehensive Plan.

- b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP;

Response: The City of Canby has adopted the Transportation System Plan (2010) and the proposed zoning is consistent with the TSP.

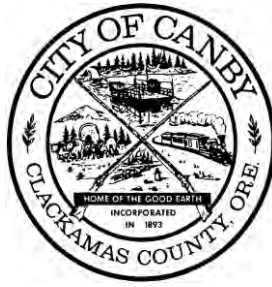
- c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area

Response: This subsection applies if the area was added to the urban growth boundary (UGB). Since the parcels are already within the UGB, provisions from subsection (c) would not apply.

Based on the discussion above, all three criteria are satisfied; therefore, the proposed rezone will not have a significant effect on the transportation system. The proposed rezoning is consistent with the existing comprehensive plan map designation, as summarized in Table 1. Additionally, the transportation assessment performed as part of the City's TSP accounts for the proposed uses related to annexation of the property, therefore the proposed rezoning is consistent with the acknowledged transportation system plan.

TABLE 1: PROPOSED ANNEXATION AT 371 SE 13TH AVENUE/ O S IVY STREET

TAX LOTS	LOT SIZE (ACRES)	CLACKAMAS COUNTY ZONING	CITY OF CANBY ZONING	CITY OF CANBY COMPREHENSIVE PLAN LAND USE
4 1E 04D 01200	1.83 acres	EFU (Exclusive Farm Use District)	R-1.5 (Medium Density Residential)	MDR (Medium Density Residential)
4 1E 04D 01300	12.48 acres	EFU (Exclusive Farm Use District)	R-1.0 (Low Density Residential)	LDR (Medium Density Residential)
4 1E 03 02300	36.09 acres	EFU (Exclusive Farm Use District)	R-1.0 (Low Density Residential)	LDR (Medium Density Residential)



Pre-Application Conference

Pre-Application Conference Notes – PRA 21-06, Tofte Farms – April 19, 2021 (via Zoom)

Prepared by Erik Forsell, Associate Planner

This document is an informational supplement to the pre-application meeting. It does not imply nor grant land use approval as defined by ORS. The discussion in this document is a summary of general discussion and may not account for all details discussed.

PARTICIPANTS

City of Canby:

- Jerry Nelzen, Public Works Director; nelzenj@canbyoregon.gov
- Hassan Ibrahim, PE, Consulting Engineer, Curran-McLeod; hai@curran-mcleod.com
- Erik Forsell, Associate Planner; ForselleE@canbyoregon.gov
- Ryan Potter, AICP, Senior Planner; PotterR@canbyoregon.gov
- Don Hardy, Planning Director; HardyD@canbyoregon.gov

Applicant Team:

- Mimi Doukas; doukasm@aks-eng.com
- Marie Holladay; holladaym@aks-eng.com
- Michael Robinson;
- Paul Selke selkep@aks-eng.com
- Mike Morse morsem@aks-eng.com
- Pahlisch Representatives

DISCUSSION

Mimi Doukas, AKS

- Mimi provided a general overview of the project: discussed layout, street connectivity, zoning and overall concept of the project. Discussed the breaking up of the R-1 and R-1.5 between N. Juniper Street.
- You would suggest that the DCP could be a little more vague and not necessarily dive into the exceptions at the DCP level? (Don) You have some options; one route could be via DCP or to go through the PUD process.
- We are concerned with some of the strict writing of the code: block length, coverage requirements, frontage requirements and want some clarification. We would like to stay with a straight subdivision and are hoping that we can get this processed in that manner.
- Still have issues with the alternative lot layout standards. We have lots that are substantially larger than required in the zone. (Erik) Yes the 10% threshold is pretty hard line not sure if the mechanism to modify with the PUD or variance. A big component of the lot area averaging is that the open space area is interconnected, continuous and consolidated. It doesn't look exactly like that from this preliminary plat. Previous iterations of this project showed more of that

interconnectedness and consolidation. Regarding the 10% lot area threshold for alternative lot layout, to move the 10% threshold looks like it could be modified through alternative lot layout in combination with the PUD. This needs to demonstrate a public interest that is not already being received as part of a relatively straightforward subdivision.

- Both the PUD / Alternative Lot Layout are really focusing on the open space amenities. The alternative lot layout really speaks to built in density bonus with the lot area average. (Mimi) We agree that we are not asking for a density bonus here and providing improved open space we are looking to navigate the 10% exception to the lot areas. Do we pursue a variance? (Erik) Not sure, the variance can be difficult to justify with a greenfield type development like this instance.
- Code speaks to voter approved annexation process? (Don/Erik) Correct, that was changed in state law, not applicable to this project because of contiguity with existing annexed property. Could still apply for not contiguous annexed properties.
- Questions about the traffic report, applicant paid DKS for traffic study? (Mike) Spoke with DKS on project and confirmed that the project scope was there. (Mimi) We want to have the study done at maximum density?
- What is the name of the street on, google It says 18th on plat it says 17th? (Erik) Yes, that is SE 17th avenue?
- Head in parking is something allowed? (Ryan) We do have a standard that only 4-spaces could be allowed for maximum head in spacing about public parking. (Erik) I think your point about demonstrating parking and maybe even some visuals are going to be useful for staff to use for parking findings.

Don Hardy, City of Canby

- Discussed the sequencing of application submittals and background work on a Development Agreement between Canby and the applicant regarding timelines for submittals, general sequencing and other agreements. Indicated that the City wants the annexation, DCP and zone change to be approved through the Planning Commission before the submittal of a subdivision. Also indicated we will request a waiver to the ORS requirements for timelines on action for subdivision application.
- We are not really seeing the DCP as a strong vehicle for varying the development code. Frontage, parking lot dimensions are concerning especially in the NW section.
- We are looking at lot sizes, frontages, coverages that don't meet the code and how they need to be varied or otherwise allowed. We also have concern over the area around the Molalla River.
- The DCP may not be the best mechanism for exceptions; you could wade into these items to some extent but not to the extent that the DCP becomes the PUD itself. This should be a potential to evaluate broad concepts of the design.
- Some of the items of contention are more difficult the parking and lot frontage in the Northwest and the coverage areas are going to be difficult.
- Regarding the neighborhood meeting, we recommend being cautious about characterizing the first meeting. It needs to be framed as a DCP/Annexation/Zone Change first with the 2nd meeting being a subdivision.
- Timelines: Ordinance requires 2 council meetings with a 35-day DLCD noticing procedure; final decision is the 2nd reading of the ordinance.

Hassan Ibrahim, Consulting City Engineer

- Street Transportation / Circulation (Q #s 15, 16, 17)
 - Ivy Street is an arterial with a 60-foot wide ROW existing and should be adequate for ½ street improvements. Needs 23' from centerline to curb line.
 - 6' wide sidewalk if 5' sidewalk is present will match with existing.
 - Roundabout radius should be centerline of intersection at 92'. Does not need to be built at this time. Hope Village will dedicate ¼ of NW corner. NE corner will be Tofte ¼ dedication.
 - Roundabout is not in TSP or SDC calculations. Dedication reimbursement is up to City Council or Planning. Although, the plan is definitely to construct roundabout.
- (Q 18) Angle of 76 degrees, we strive to 90 degree angles into interior streets, city standards allow reduction down to 75 degrees. If there is a way to make them as close to 90 degrees that is the preferred route.
- Minimum centerline radius is 165' If can't meet the tangent and centerline radii would rather compromise the centerline radius than the tangent. Hopefully nothing less than 100' centerline radius.
- (Paul) Streets will be 34' wide curb to curb, 44' ROW? Correct.
- (Paul) Sidewalks will all be in the PUE? (Erik) It starts to create issues with setbacks in the future, garage setbacks are 19' from rear of sidewalk. (Jerry) Canby Utility will also need to weigh in on the concept; this is a Planning and Canby Utility issues. (Erik) If the entire sidewalk is within the PUE on the property, the sidewalk and associated curb will count against the total impervious area calculations.
- Hassan would like to see curb and gutter and catch inlets. Standard details for those improvements are on the City website.
- Hassan mentioned the fire district standards and request a 26' clear path. The Fire Departments regulations are not consistent with City Standards regarding public parking on both sides of the streets. City has ultimate authority over the parking standards.-(Erik) City has incorporated Fire District Standards by reference in our code. Regardless coordination between Canby Fire District, City Engineer and Planning will be required for final design of street sections and widths.
- (Q19) 150' long on cul-de-sac street separation requirements. The measurement for the separation from the intersection from the local street appears to be 137' from intersection. Will need to address why the applicant cannot meet the requirement. The turning radius needs to be 54' from centerline. Section 2.2.06 PW Department.
- Hassan mentioned he understood that the City was no longer accepting dedications of parkland. (Erik) A complicated issue. The Emerald Necklace is not really a negotiable item. (Don) The code has not changed that the developer has to contribute, understand that there is a desire for developers to contribute to SDCs. There is some negotiation on value of dedication versus SDCs. (Jerry) The Parks and Recreation team wants to be involved. (Don)
- (Erik) We will need to coordinate with other agencies such as Park's Advisory Committee (PAC) as appropriate – Parks PAC is an advisory group. Planning in consultation with other groups will have final authority on the acceptance of park land dedication. Any proposed parkland dedications need data and assumptions such as amenities, LOS, type of park, proposed users etc.
- Pedestrian paths need to be paved full width and striped. We don't want any planter strips along either side. It becomes an issue with maintenance. (Mimi) Mentioned that Palisch Homes builds a strong relationship with HOA and HOA management. They manage many private open

spaces areas. Pahlisch may be an HOA maintained facility. They are able to maintain the open spaces and would like to have some of them maintained. (Hassan) If HOA maintains the pedestrian tracts, Public Works is OK with them being landscaped.

- (Q 23) Canby Utility requires 12-foot wide PUEs.
- (Q 24) This area judging by the west side, percolates well for infiltration. We use UICs and drywells and we are permitted under statewide DEQ permitting. We are covered under that permit. Anything private you will need to connect them together so that they are as homogeneous as possible.
- (Q 25) Sanitary sewer all laterals are 6" with a cleanout in the sidewalk. City has details on those. City's policy where there is a potential where we can take a sanitary to an existing gravity sewer. If that's not possible, we will go to pumping.
- The pump station can take the flow from this development it is sized to take that flow.
- Question for SDCs for off-street part of the sewer. Developer could pay for half the cost and has the sewer on the back of the property or could form an AFD to recover the offsite costs. There is a process in the City to do this.
- Is there a master plan 'shadow plat' with connections to neighboring properties? (Mimi) We haven't fully shadowed it out but we are providing good connections neighboring properties. (Don) We discussed this and would like to see a shadow plat.

Erik Forsell, City of Canby

- Will provide contacts with for Canby Fire District and Canby Utility.
- Canby Fire District is not part of the City government structure.
- There are multiple land use applications here tracking at the same time. DCP, Annexation, Zone Change. Some of the DCP components are discretionary and may change the subdivision exact design. Can't predict the future of the Planning Commission and City Council. (Mimi) How much discretion does the Planning Commission and City Council over the DCP? (Erik) Staff work from the code but there are some outside components, political, appeals or other factors. (Don) Sequencing is important here, we are essentially building a 'box' that describes the general concept of the entire subdivision. Exceptions to the standards would be found more in the subdivision and PUD/alternative lot layout standards.
- Lot coverage 60% for R-1 zones but does allow 70% for R-1.5 zones. (Mimi) Does lot coverage contain just building footprint? (Erik) It includes improvements, sidewalks and lot areas. So for R-1 zones it looks like some these lots are not going to meet the impervious area percentage requirements. The other thing that happens here is people generally want accessory structures, with maxed out lots we have to get into the conversation of telling a lot of people no because the lots have been maxed out. We do allow people to provide LID techniques so as pervious concrete, asphalts, raingardens and other ways to reduce in theory the impervious coverage.
- PUDs are mushy code. We haven't used them a ton in Canby recently. PUDs are really intended to provide as part of the process consolidated, interconnected open space areas with LID techniques and clustering of uses. It really was a more effective tool for projects like condominiums (Hope Village) was an example.
- Do you have a topo (Paul) We don't have a survey of OHW, just top of bank. (Erik/Don) We will also need delineated upbank wetland area, floodplain, existing conditions, and tree survey. (Don) The line for riparian setback and we will need the delineated upland wetland area. Basically, we are wanting to build our information so we have the scientific supporting data

related to the positioning of the trail, Geotech requirements, riparian setback area and any future engagement with interested public in the future.

- The reasoning for choosing 100' setback for riparian area for non-annexed properties and 75' for annexed properties? The Geotech standards are part of the applicant's city engineer and are not part of the city code standards.
- Where did the 50' setback for the Geotech recommendation come from? (Paul) That was the seismic and structural setback recommendation that came back from the Geotech engineering report.
- No bank stabilization on the downslope? (Paul) No large gravels, rocks and present; Geotech should clear this up.
- Setbacks question (Mimi) Primarily interested in a 7' variance. (Don / Erik) This is something that the Council is not favorable on, this will be a hard sell. We have a different project going now asking for a blanket variance and that is something we will likely be recommending denial. The PUD may be a better vehicle. (Don) There is some consistency related to the more leeway with coverage, area and variances that the feel is more R-2 than actually R-1.

Paul Selke, Applicant Team Engineer

- Confirm that tangent is from the projection of the curbline? (Hassan) Correct.
- Lots on bluff can we put private water into a public system, do we still need to go through DEQ? (Hassan/Jerry) Sometimes you can use weepholes onto the street and once it goes on the street it becomes public water. It may need to be some of the lots across the street. Water needs to be far away from the geotech zone.
- Would you prefer weepholes as opposed to a public storm system with laterals to the lines? (Jerry) Yes. As long as weepholes go to curb and gutter or a 4" line to the house it will be maintained by Canby. (Jerry) We are not going to allow piping stormwater unless you can prove that you don't have the grade to use weepholes.
- If we have a private dry well system can we have a weephole for an overflow? (Jerry) If you build it to our design. The ground conditions should not be a problem unless the geotech indicates something different. If you have grade issues, look into taking your foundation drain into an infiltration system.
- Driveways drain to the street? (Hassan) Not technically, but the public system needs to account for it.
- When we can submit the 1200-C? (Erik) You could send them to me along with the construction drawings after the subdivision is final.

Jerry Nelzen, City of Canby Public Works

- A power vault was placed in the wrong place. Applicant will need to coordinate with Canby Utility on the power vault relocation. The benefit is applicant will not need to extend power from 16th but the vault will need to be moved over onto Tofte site.
- Street Lighting. Right now Canby Utility does not have anyone doing street light designs. We would like to see them on the plans and we will adjust them. We use a 24' post with a 39 watt LED Cobra Head light with 150' stagger centered on property lines. On Ivy it will be a 34' post with a 84 watt LED Light.
- The sewer concerns me, the depth of it. At one time we talked about a private pump station. We want to be involved with that.

- Public Works would like for the applicant to handle the street trees on this one and let the applicant take on the street tree process and Public Works review the project. (Don) Timing will be on the applicant to address the street tree placement.
- Dimensions of tract C? (Paul) 200' x 180'.
- What will happen with the roundabout area until build out? They would build out the road to ½ street standards rather than having a 'dead zone' area.
- What are the dimensions of Tract 'C' ? (Paul)

Michael Robinson, Applicant's Attorney

- Wanted to confirm that the vault will need to be moved outside of the ROW area as part of the power provision. (Jerry confirmed and indicated moving to the other site of the public ROW will work).
- 16.84.040(A)(1)(b) (Annexation) Properties shown the DCP area on the annexation and development map? (Erik) Yes it is. Wanted to ask about discussion on exceptions, what would you say on how that component works? (Don) There is an opportunity to allow for exceptions on the DCP. The burden of proof must demonstrate compatibility with physical, aesthetic, social and environmental standards and proposed mitigation efforts in line with these standards. We believe the zoning code is the implementation method. (Erik) A more specific example of exceptions through the DCP were density bonuses through the dedication park land in the N. Redwood DCP area. (Mimi) What kind of exception if any should be proposed with the DCP or should it be done through a PUD? There are some lots we have that meet the averaging requirements but are exceeding the maximum amounts. Is this kicking us over to a PUD or should this be included as a DCP? (Don) It doesn't really have a bright line. Some considerations are: where are people going to park? What is the minimum frontage requirements? What are the deviations for those? Parking is a huge issue. There was a recent denial focused solely on parking requirements and perceptions.
- Lot coverage standard in the two zones is there a definition of what is included in the lot coverage zones? (Erik) It includes all covered areas and structures on the property.
- Are Canby schools operating in person right now? (Don) I believe they are operating on a hybrid model.

Marie Holladay, AKS

- TSP calls out a trail section but no real design requirements.
- Related to the noticing requirements? (Ryan / Erik) We have been sending notice to each unit not necessarily with our names. (Marie) How does the applicant go about doing that? (Ryan / Erik) We will need to notice the individual occupants.

Mike Robinson, Applicant's Attorney

- Wanted to confirm that the vault will need to be moved outside of the ROW area as part of the power provision. (Jerry confirmed and indicated moving to the other site of the public ROW will work).

Pahlisch Homes, Applicant

- Would want to maintain and build trails themselves.
- Would want to dedicate the Emerald Necklace Trail in exchange for SDC credits on parks. (Jerry) You will design and build the parks? (Pahlisch Homes) Yes, we generally do that with our

development projects. (Don) We need to understand better the balance of what would be built and dedicated and what SDC valuation would be creditable.

General Commentary Follow-Up from Staff

Development Concept Plan

- The DCP is the planning document that discusses the high-level planning concepts around environmental, aesthetic, social and physical effects. How the proposed land will accommodate and benefit these characteristics and be an asset for the City. The DCP is also intended to allow for public participation in the annexation process so that the public can see what the overall concept is for the area to be annexed.
- The DCP should include overall plans for utility, road, interconnectivity, pedestrian and other general layouts of the project area. The DCP is the planning document framework for why bringing this land into the city can be accommodated by existing public services but that the potential proposed development will be compatible with surrounding area and the City as a whole.
- A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. The DCP needs to address and plan for the utilities, circulation, street infrastructure, open space, parks and other information as appropriate.
 - There should be data based findings and assumptions about the DCP area that demonstrate the need for additional land zoned R-1 and R-1.5
- The DCP should include a housing analysis, identifying the amount of vacant land (R-1 and R-1.5) that is currently inside the city limits.
 - This should include a consumption rate.
 - A demonstration of the 3-year supply of residential land.

Regarding Molalla River Bank Area

- As soon as you are able can we get copies of the mapping / surveying done. Specifically, floodplain, existing conditions, topography, and any delineated wetland areas.

Commentary on Parks Board and Acceptance of Dedicated Park Land

This will be an ongoing process which will require staff to better understand the desires and perceptions of public works / park staff and the parks community advisory board. We are also in the process of updating our master parks plan – which may have some effect, depending on timing on dedications.

At this time, our suggestion is for you to invite the Parks Board members into the neighborhood meeting and begin a discussion with them at that level. We believe the optics on this are important and a sounding board scenario with the neighborhood meeting should produce some good feedback and discussion.

Evaluation on the acceptance of parkland dedication will be made on a basis of:

- Need

- Accessibility
- Amenities
- Parking
- Balance between SDC funding and desire for acceptance of additional park land

As we discussed in the meeting, we will need to determine appropriate SDC creditable calculations for the process. We will begin by opening a discussion with the Parks Board on the overall project to gauge the park dedication process. Ultimately, the acceptance or refusal of parkland dedication is a Planning Commission / Director decision.

Setbacks / Impervious Percentages and Lot Frontage

- These standards are rigid. Of the three, impervious percentages can be mitigated through LID techniques and pervious surfacing outside of direct code application like a variance or PUD. Any large scale LID proposals will need to be backed by engineering and perhaps CC&Rs and plat notes so that there is an understanding these will be maintained in perpetuity. The City doesn't want to play the role of enforcer when someone wants to build an accessory structure or repave their driveway and are unable to do so because of a 'pervious' driveway used to address the impervious percentage requirements.
- We understand that the Council is generally not supportive of 'blanket variances' and that there really needs to be extraordinary and unusual circumstances that effect the property and development to justify the variance to setbacks and lot frontage.

Lot Area Exceptions for R-1 Zone 16.16.030(B)

Regarding our discussion about the 10% threshold for lot are exceptions. A 10% allowance is built into the code through the development standards of the zone.

- If More than 10% of the lots are outside the minimum and maximum lot area of 16.16.030(A) a public benefit must be demonstrated by the applicant. It will be up to the applicant to demonstrate sufficiently that there is a public benefit for the Planning Commission to grant the exception. Public Benefit is not a defined term in our code – so there is significant discretion past the 10% allowance.
- No lot shall be less than 6,000 square feet unless the lot averaging of 16.64.040 is used. As I mentioned in the preapp, the Alternative Lot layout found in 16.64.040 allows flexibility but the focus is on accommodating dedicated interconnected open space or natural areas. It isn't a free pass for alteration of setbacks and lot area requirements without providing that dedicated, interconnected open space are or natural areas. We believe the burden will again be on the applicant to demonstrate that those aspects are being provided for in order to pursue the added flexibility of the lot averaging standards in 16.64.040.

PUD

- The PUD Exception criteria is the largest 'blanket' code criteria that allows for deviation for standards. **16.76.040 Exceptions.** In considering a proposed planned unit development project, the approval thereof may involve modifications in the regulations, requirements and standards of the zoning district in which the project is located so as to appropriately apply such

regulations, requirements and standards to the development. Modification of the lot size, lot width and yard setback requirements may be approved by the commission at the time of the approval of the tentative subdivision.

- The PUD standards have not been used frequently in the City. The way the code reads is that they are mostly intended to accommodate cottage clustering, unique multifamily projects or similar types of development rather than a broad tool for subdivisions. The code is squishy and has a focus similar to the alternative lot layout on provisions for protecting and maintaining quality open space areas.

Exhibit J: Neighborhood Meeting Documentation

June 3, 2021



**Re: Neighborhood Meeting Minutes
Tofte Annexation, Development Concept Plan, and Zone Change
City of Canby File No. PRA 21-06**

Meeting Date: May 25, 2021

Time: 6:00 p.m.

Location: Virtual Meeting was held via Zoom Webinar

The applicant conducted a neighborhood meeting in accordance with applicable City regulations to discuss an annexation, development concept plan (DCP), and zone change application(s) for a property south of the Canby City Limits. This meeting was held via a Zoom Webinar in accordance with the City's Neighborhood Meeting Guidelines. Marie Holladay, Paul Sellke, and Mimi Doukas from AKS Engineering & Forestry, LLC and Mike Morse, Ana Bozich, Dan Pahlisch, and Cory Bittner from Pahlisch Homes were present, as well as approximately 29 other interested neighbors/other attendees. The meeting began with a brief presentation which included an overview of the project and details about the planned project. The planned land use application and a general process of the land use application process was described.

Following the introduction of the project, neighbors asked questions and/or provided general comments about the project. Additionally, prior to the meeting, there were some questions asked by neighbors. Below is a summary of the questions asked and responses provided:

Item	Question	Response Provided at Meeting
1	Will park land extend to the cliff/bluff edge? What are the green arrows along the parkland?	Yes, the green area shown on the presentation slide is open/natural space to accommodate the Emerald Necklace Conceptual Trail shown in the City's Comprehensive Plan. This area is planned to be preserved as a trail/viewshed to the Molalla River. The green arrows shown on the presentation slide are potential accessways/connections which will allow pedestrian and bicycle movement from the future residential street network to the proposed trail/green space.
2	What is the minimum setback to the Molalla River? Is it 100 feet from the river?	The minimum setback to the Molalla River is 100 feet. As shown on the preliminary plans, the subject site plans to provide well over 100 feet from the body of water, due to the existing topography and location of the bluff.
3	Will homes be along the park land?	Yes, homes are proposed along the park land in the northwest/central area of the site, as well as along the conceptual trail.
4	Will there be a fence along the bluff of the river? Will there be a pathway down (the cliff) to the river? It is quite steep/dangerous in this area.	Trail improvements will be discussed and vetted with the Canby Parks Department. Fencing will be determined through that design process. The conceptual trail is along the Molalla River bluff and

		there are no plans to create/extend a trail down to the river (body of water).
5	Will 16 th /Lupine be the main entrance to the subdivision?	No. The primary entry to the development is anticipated to be located on S Ivy Street, the curved road shown on the presentation slide. This is a desired area for monumentation, signage, and entry to the park facility.
6	Will this development plant more trees along the bluff/river for stabilization?	The project plans to limit grading activity and ground disturbance based on the preliminary geotechnical analysis and recommendation. At this time, plans for tree placement is unknown.
7	Will the home on Tax Lot 1300 remain?	Tax Lot 1300 is involved in the Annexation, DCP, and Zone Change applications. The existing home is planned to be removed/demolished upon redevelopment.
8	Why is there a roundabout shown? Will there be an entrance off Ivy Street to this development in the meantime?	There is a roundabout conceptually shown per the City's transportation plans. The right-of-way will be dedicated with this project to accommodate for a future roundabout to be built. However, this project is only one quadrant (1/4) of the intersection and the City will need to acquire the remaining land/funds necessary to complete the improvement. Yes, the primary entrance to the subject site is planned from S Ivy Street. This will likely be a "T" intersection improvement until the potential/future roundabout is constructed.
10	Where does the trail (Emerald Necklace Conceptual Trail) along the river end on the east side of the property?	The trail is planned to wind along the south property line, as shown on the Emerald Necklace Conceptual Trail within the Canby's Comprehensive Plan. The trail design is still undetermined, but the physical trail improvement will likely loop back into the subdivision (i.e. not terminate at the east property boundary) to avoid pedestrian movement/trespassing onto adjacent private properties.
11	Will 16 th Avenue be widened to a regular size street section? Currently cars park halfway on the street/halfway in the adjacent field.	Yes, SE 16 th Avenue will be widened to the standard local typical section per City requirements. Currently, SE 16 th Avenue appears "non-standard" because it is a 3/4 street improvement. The remaining street area will be constructed along the north property line, allowing safe parking on both sides of future SE 16 th Avenue.
12	Assuming development is approved, which area will be built first?	Initially, development may begin along SE 16 th /17 th Avenues due to existing infrastructure extensions (water, sewer, street stubs, etc.) and then work from the west property line (along Ivy Street) towards the east property boundary. However, the phasing design

		will be determined through the subsequent subdivision application process.
13	There is an osprey perch with a breeding pair along 17 th Avenue. How will this project address the impact to the nest?	Pahlisch Homes knows about the nest and will be working with a professional environmentalist to move the osprey nest without disturbing it and relocate it in an appropriate spot.
14	Will 17 th Avenue/Ivy Street be implemented initially as a T intersection?	Yes, a "T" intersection will be constructed initially, until the future roundabout right-of-way is acquired. As mentioned previously, this project plans to dedicate the subject site's portion of right-of-way required to accommodate the future roundabout.
15	What is the brown area of land northwest of the roundabout (shown on the presentation slide)?	The brown area shown on the screen is land/area that is not involved in the project. It is brown because it is zoned Residential Commercial (RC) on the City's Zoning Map.
16	Can a 4-way stop at 16 th /17 th be provided instead of two cul-de-sac bulbs?	The preliminary design of the two cul-de-sac bulbs in close proximity to each other in the north portion of the site is primarily for traffic calming purposes to avoid a "racetrack" effect made by adjoining lengthy, straight streets. Additionally, there are existing street patterns and standards which dictate the internal transportation network. For instance, blocks cannot exceed 450 feet without additional connectivity features. The design of this transportation feature is dependent upon the local trips (generated by future homes) and analyzed within a future traffic report.
15	When will construction begin?	It is estimated that it be approximately 6 months for the necessary land use and engineering approvals. Based on that, construction is estimated to start in Summer 2022 and potential home construction by Christmas 2022.

The meeting concluded at approximately 7:15 p.m.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



Mimi Doukas – AICP, RLA, Associate

12965 SW Herman Road, Suite 100

Tualatin, OR 97062

503-563-6151 | DoukasM@aks-eng.com



Tofte Annexation, DCP, and Zone Change | City of Canby
Neighborhood Meeting Notes

Page 3

Tofte Annexation, Development Concept Plan, and Zone Change Neighborhood Meeting

ATTENDEE REPORT

Report Generated: 6/3/2021 13:40

Topic	Webinar ID	Actual Start Time	Actual Duration (mir # Registered)	Total Users
Tofte Neighborhood Meeting	865 9695 4835	5/25/2021 17:40	91	16
				29

HOST DETAILS

User Name	Email	Join Time	Leave Time	Time in Session (minutes)
Mimi Doukas	mimid@aks-eng.com	5/25/2021 17:40	5/25/2021 19:11	91

PANELIST DETAILS

User Name	Email	Join Time	Leave Time
Dan Pahlisch	danp@pahlisch.com	5/25/2021 18:04	5/25/2021 19:11
Cory Bittner (Dan Pahlisch)	danp@pahlisch.com	5/25/2021 18:10	5/25/2021 19:11
Marie Holladay	holladaym@aks-eng.com	5/25/2021 17:46	5/25/2021 19:11
Mike Morse	mikem@pahlisch.com	5/25/2021 17:52	5/25/2021 19:11
Paul Sellke	sellkep@aks-eng.com	5/25/2021 18:01	5/25/2021 19:11
Ana Bozich	anab@pahlisch.com	5/25/2021 17:43	5/25/2021 19:11

ATTENDEE DETAILS

User Name	First Name	Last Name	Email	Registration Time	Join Time
Alex Polgar	Alex	Polgar	raglop56@outlook.co	5/17/2021 10:23	5/25/2021 18:00
Brian Hutchins	Brian	Hutchins	bhutchins@msn.com	5/18/2021 8:36	5/25/2021 18:00
jimgadberry@yahoo.com	jimgadberry@yahoo.com		jimgadberry@yahoo.	5/23/2021 11:02	5/25/2021 18:03
Steve Saltmarsh	Steve	Saltmarsh	steve.saltmarsh@ore	5/24/2021 14:22	5/25/2021 18:00
Gene Bruno	Gene	Bruno	drgenebruno@gmail	5/16/2021 14:13	5/25/2021 18:09
Shannon Covington-Hemrich	Shannon	Covington-Hemrich	shannon.covington@	5/25/2021 17:41	5/25/2021 18:01
Jerry Jones	Jerry	Jones	jerryjones@columbia	5/25/2021 18:15	5/25/2021 18:15
Kamal Salem	Kamal	Salem	kamal@westsidedry	5/22/2021 16:14	5/25/2021 18:00
Kevin Czerwinski	Kevin	Czerwinski	kczerwin@gmail.com	5/25/2021 18:02	5/25/2021 18:02
Bill Perry	Bill	Perry	bill@bpsoregon.com	5/18/2021 10:56	5/25/2021 18:09
Jim Bernklau	Jim	Bernklau	jd.bernklau@gmail.c	5/14/2021 17:52	5/25/2021 18:00

Attended Via Phone

Attended Via Phone	Join Time
18502120443	5/25/2021 18:10
15416684628	5/25/2021 18:02
15034072578	5/25/2021 18:00

The meeting will start shortly...

Visit

If you haven't already, please visit

<https://www.aks-eng.com/tofte-farms/>

to register for this event.

Call

If you are having audio difficulties, please call

+1-253-215-8782

Zoom ID **865 9695 4835**, Password **6151**

OR one of the telephone numbers listed on the Virtual Meeting Instructions sheet at the above website.

Submit

During the Question/Answer period, you can also **"Raise Your Hand"** to be called on to provide your questions and comments.

You can submit questions by typing them into the **Group Chat Box** – they will go directly to the Meeting Moderator. Questions will be answered after the presentation.

Tofte Properties

Annexation, Development Concept Plan & Zone Change

City of Canby

Virtual Neighborhood Meeting Webinar

May 25, 2021 at 6:00 pm



Meeting Format – Zoom Webinar

Audio Help

- Meeting attendees will be muted throughout the presentation.
- Make sure your speakers are turned on and not muted.
- If you do not have speakers on your computer, you can join the audio by calling any of these toll-free numbers:

+1-669-900-6833	+1-346-248-7799
+1-929-205-6099	+1-253-215-8782
+1-301-715-8592	+1-312-626-6799



Project Team

» Pahlisch Homes

» Applicant

» Dennis Pahlisch, Dan Pahlisch, Mike Morse, Ana Bozich, Jerry Jones



» AKS Engineering & Forestry, LLC

» Land Use Planning, Civil Engineering, Surveying, Landscape Architecture, Arborist, and Natural Resources Consultant

» Mimi Doukas, Marie Holladay, Paul Sellke

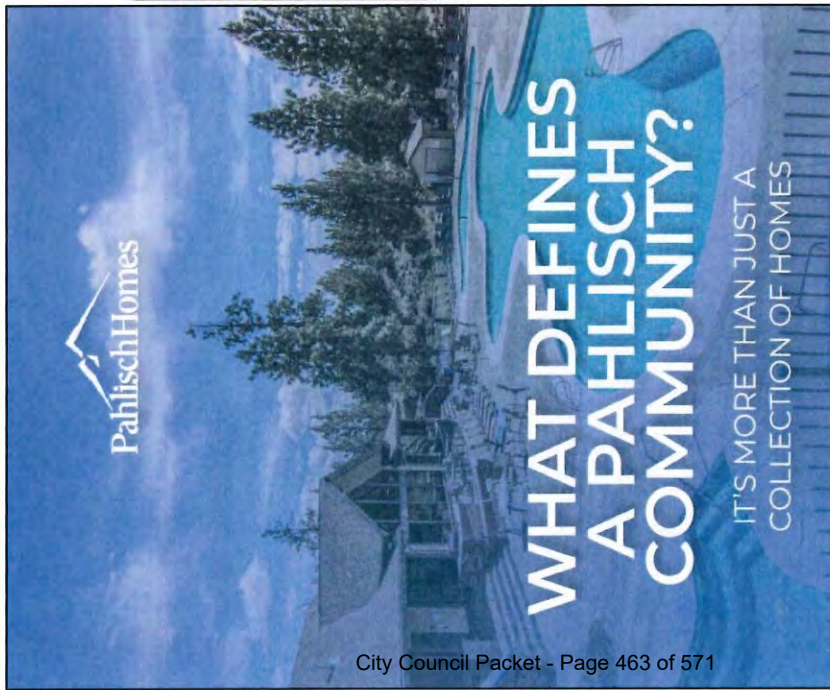


» Schwabe Williamson & Wyatt

» Legal Counsel

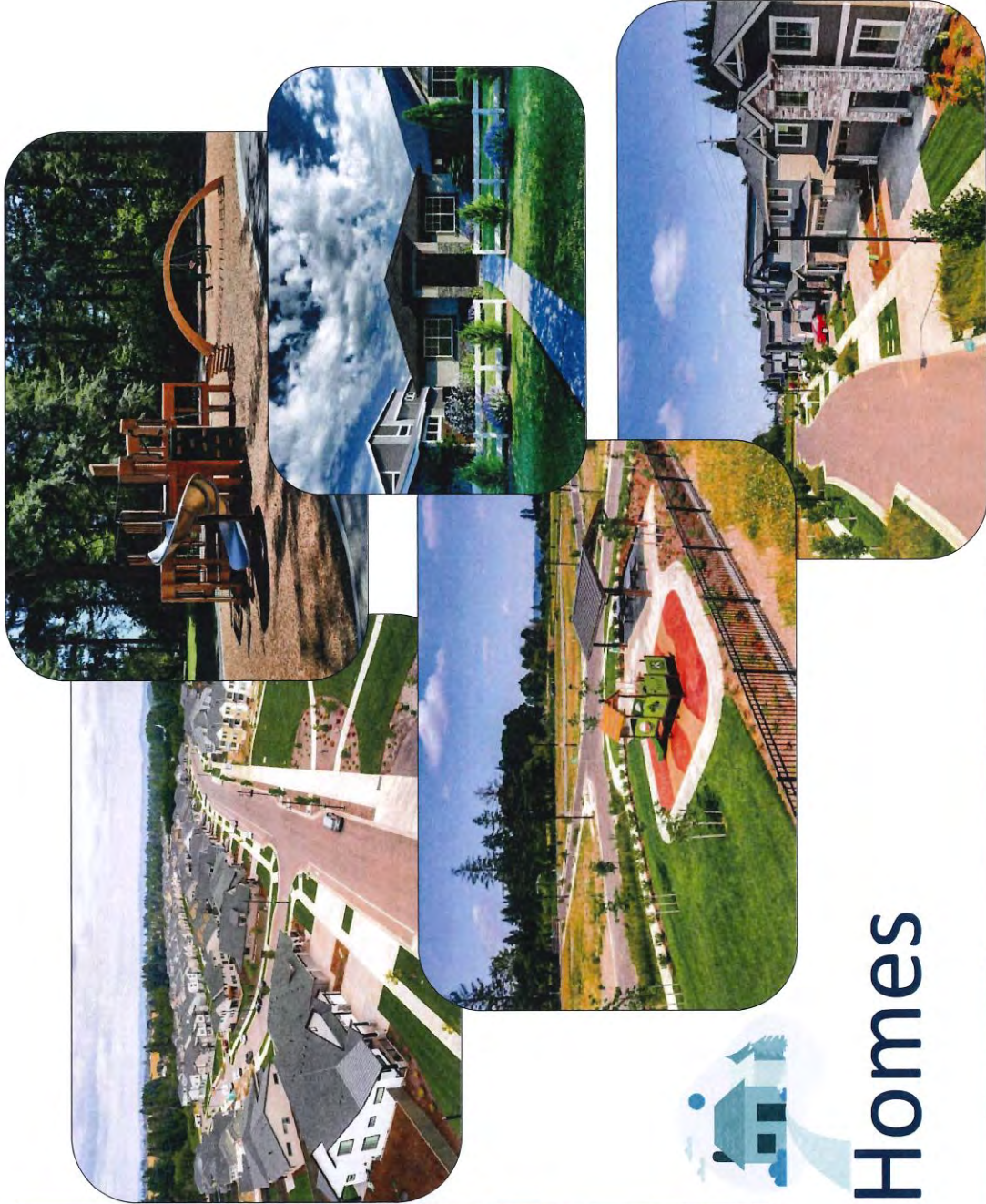
» Michael Robinson





WHAT DEFINES
A PAHLISCH
COMMUNITY?

IT'S MORE THAN JUST A
COLLECTION OF HOMES



Pahlisch Homes

Project Overview

» Generally located southeast of the City of Canby Limits

» South of SW 13th Avenue, east of S Ivy Street, west of Redwood Lane, and north of the Molalla River

Total Annexation Area:

» ±42.5 gross acres

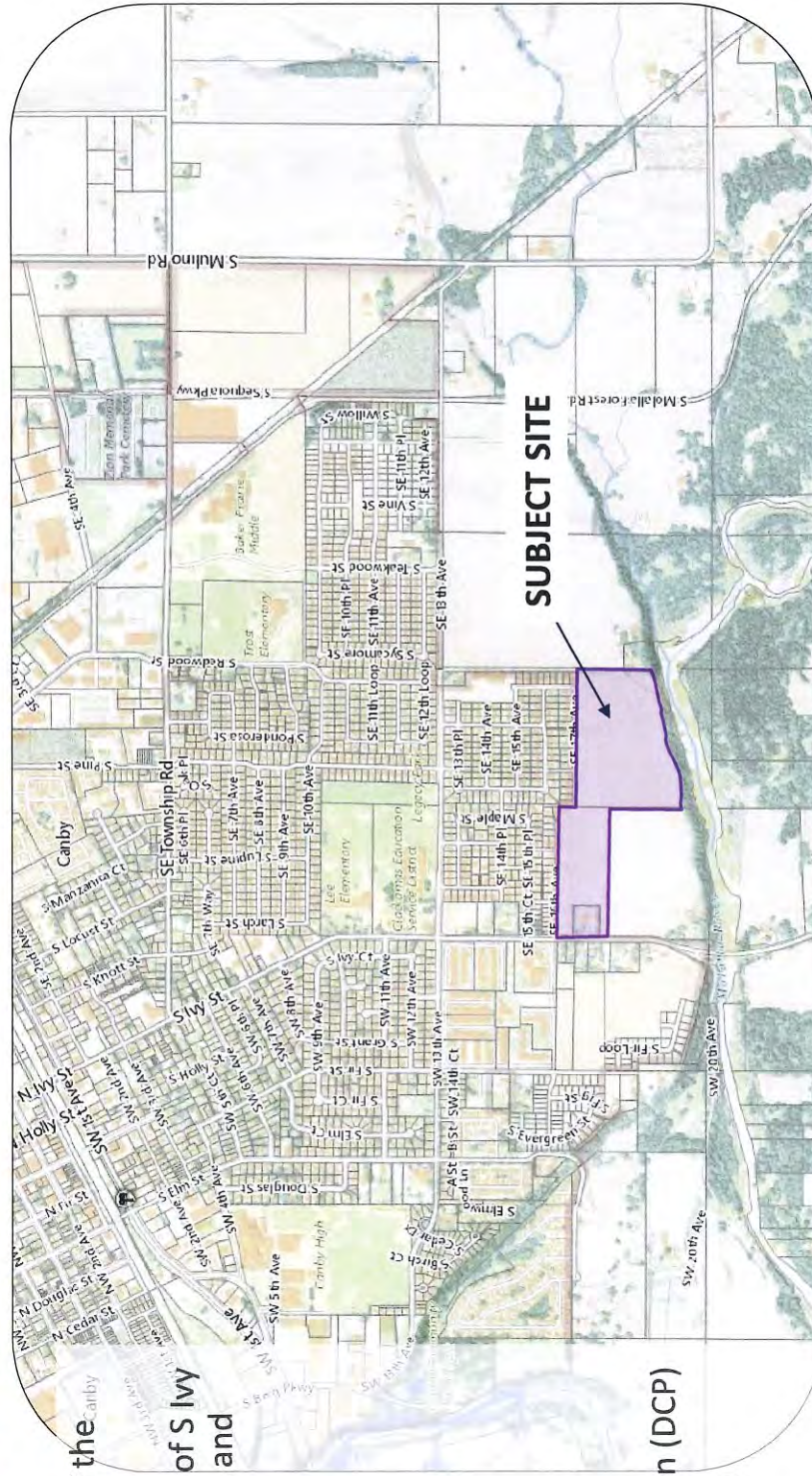
Three applications in first submittal

» Annexation

» Zone Change

» Development Concept Plan (DCP)

» Next step is the subdivision application



» **±42.5 gross acres**

Tax Lot 1300: +1.83 acres

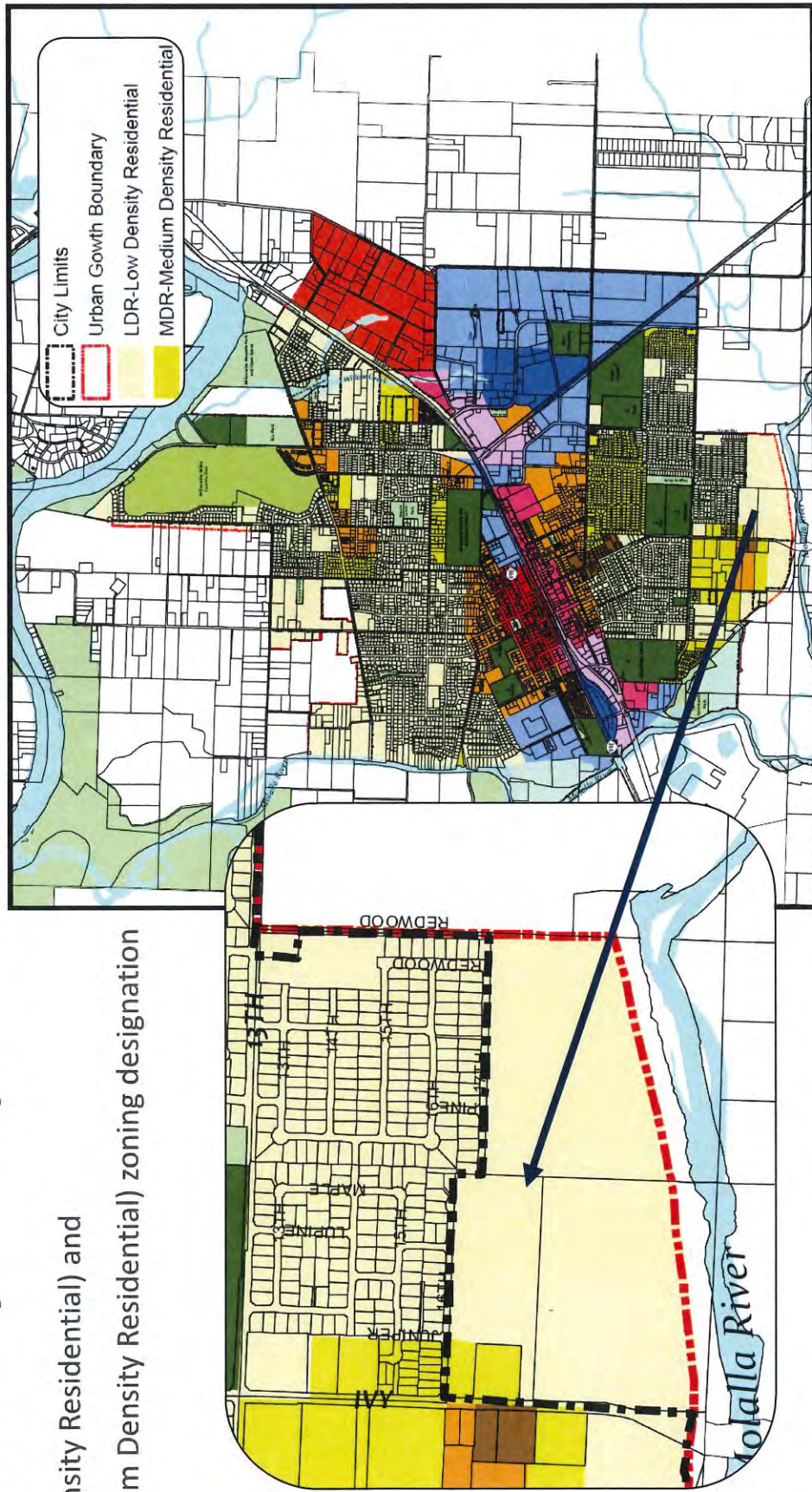
Tax Lot 1200: +12.48 acres

Tax Lot 2300: ±28.15 acres

» **Note: only a portion of TL 2300 is within the Urban Growth Boundary and able to be annexed into City Limits**

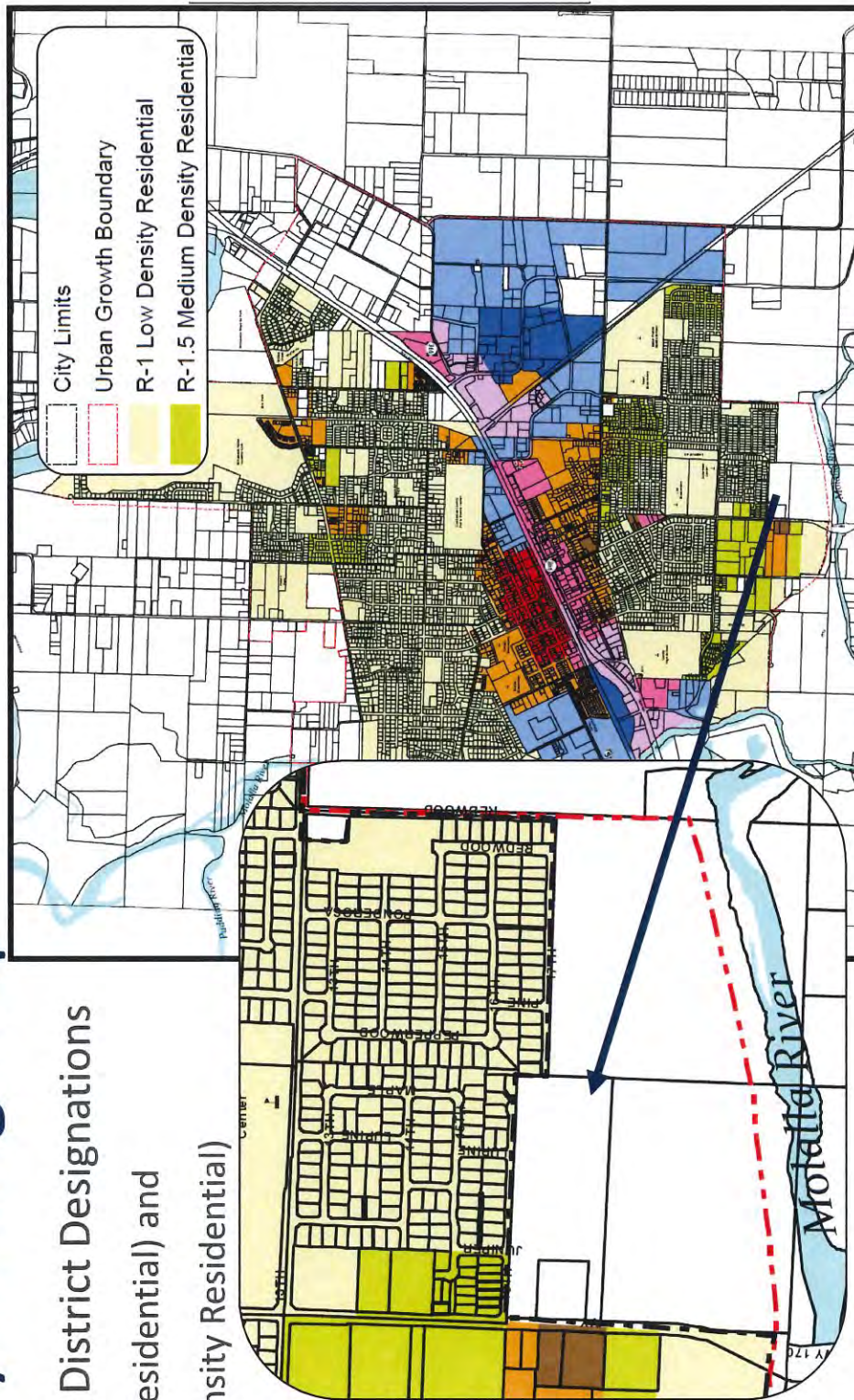
City of Canby Comprehensive Plan

- » R-1 (Low Density Residential) and
- » R-1.5 (Medium Density Residential) zoning designation



City of Canby Zoning Map

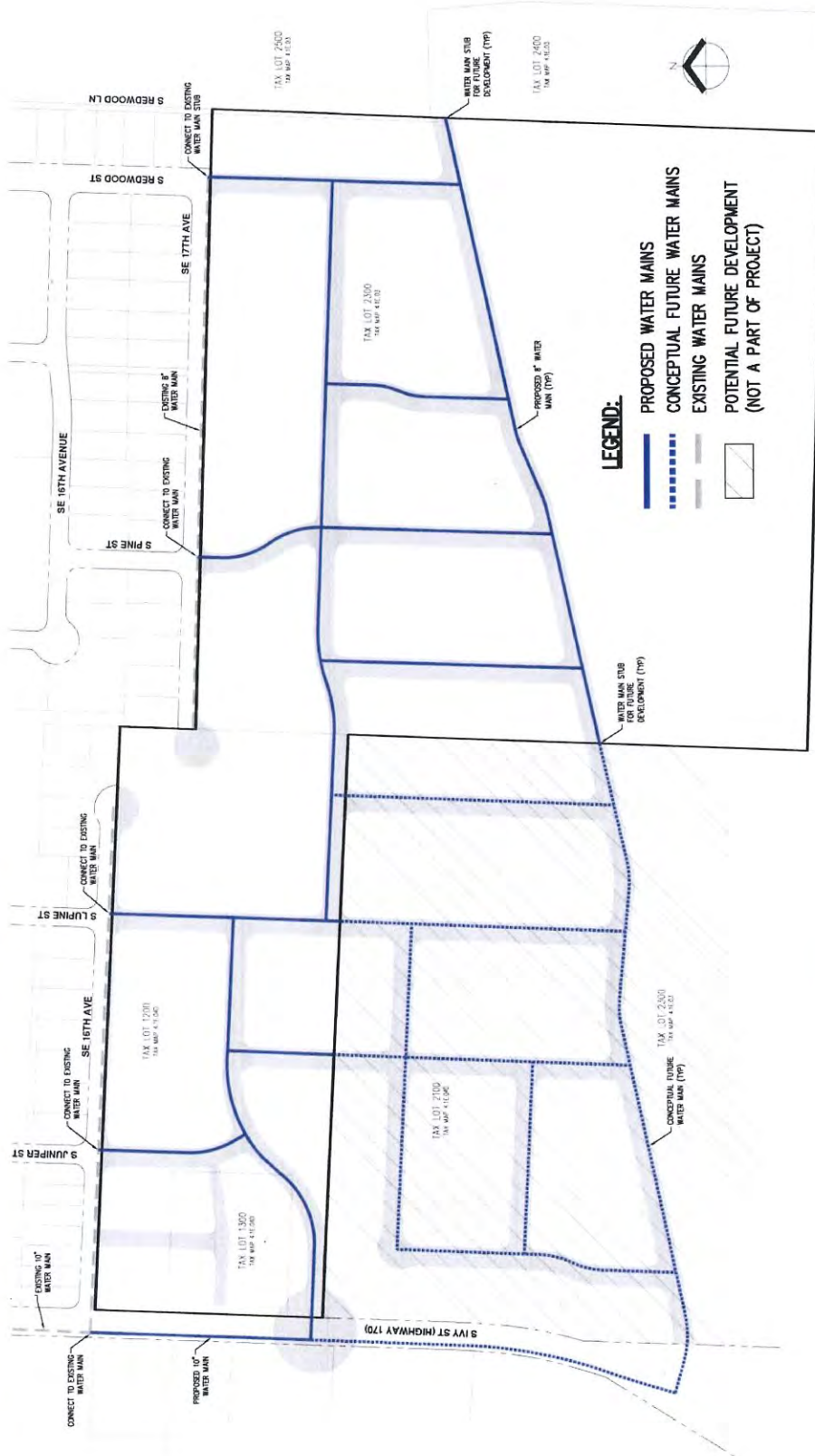
- » Anticipated Zoning District Designations
 - » R-1 (Low Density Residential) and
 - » R-1.5 (Medium Density Residential)



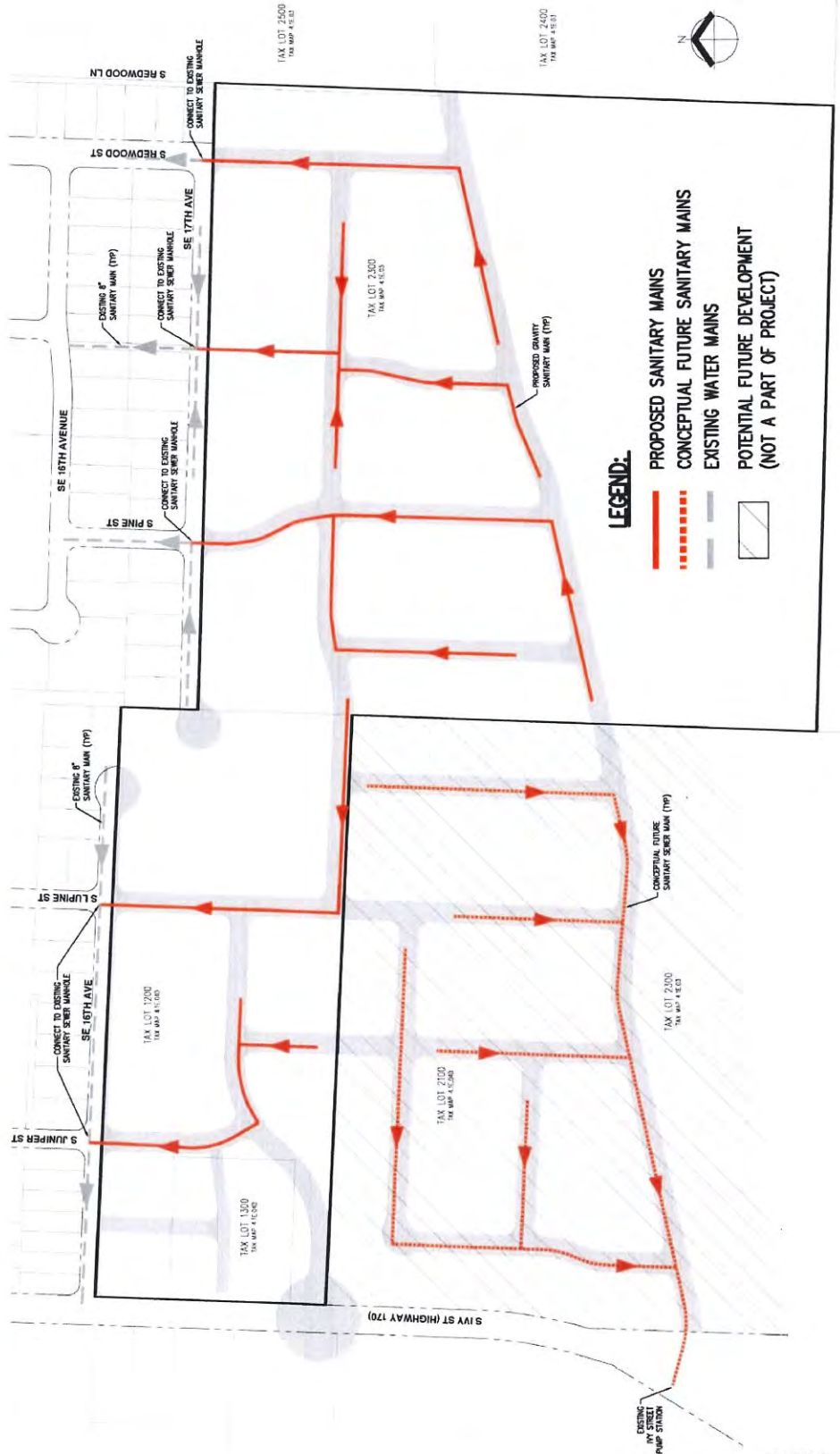
Development Concept Plan



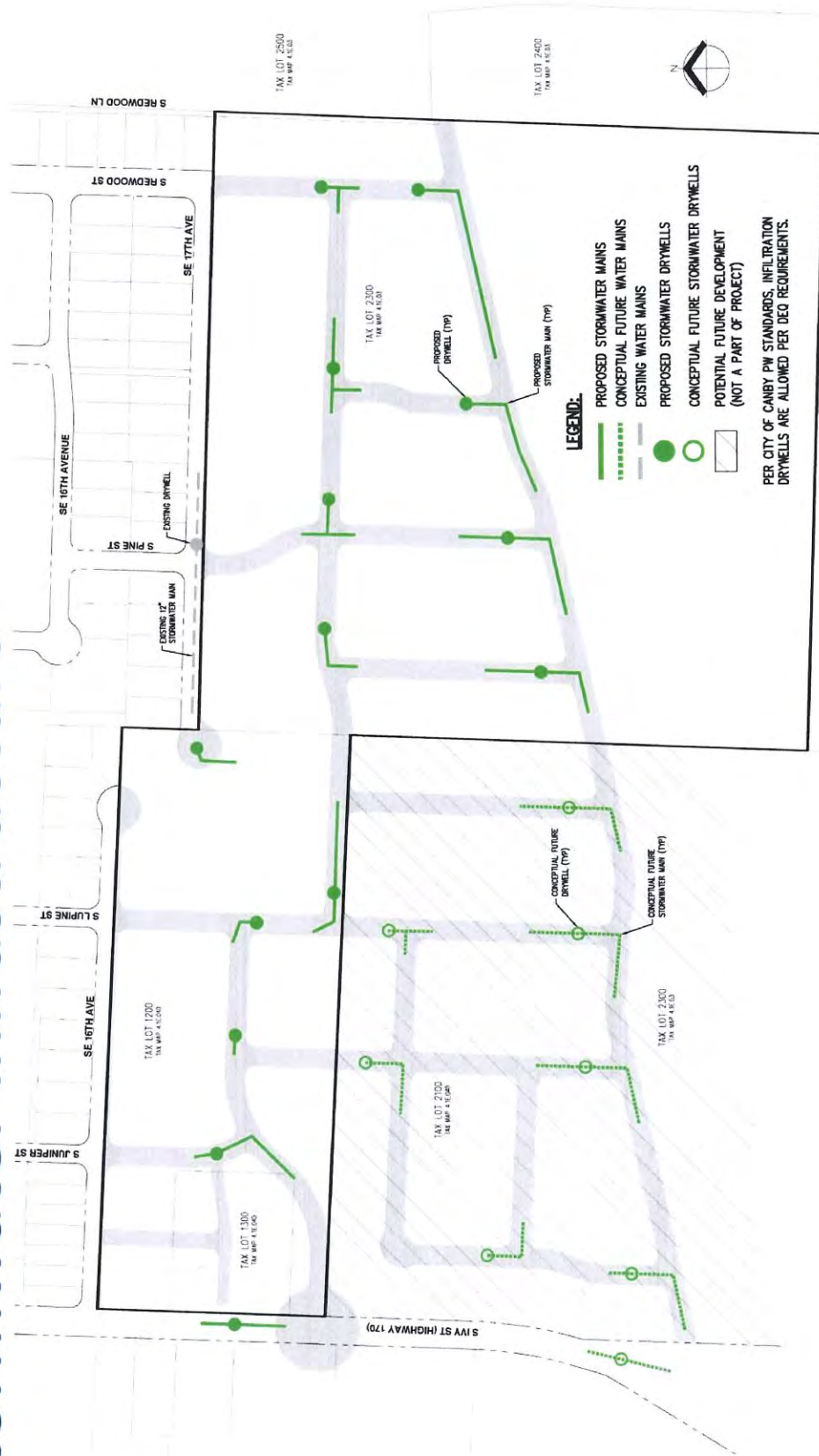
Water Infrastructure



Sanitary Sewer Infrastructure



Stormwater Infrastructure



Summary of City of Canby

Type IV Land Use Application Process



- » Pre-Application Conference
- » **Neighborhood Meeting**
- » Application Submittal
 - » Staff reviews application for acceptance and Notice of Completion is issued
- » Public Notices Issued
 - » Applicant posts property
 - » Staff mails public notice
 - » 14-day comment period
- » Staff Report
 - » Staff reviews, comments, and prepares report
- » Public Hearing - PC
 - » Public testimony is received
 - » Planning Commission reviews and makes recommendation to City Council
- » Public Hearing - CC
 - » Public testimony is received
 - » City Council reviews Planning Commission recommendation and makes final decision
- » Decision Notice
 - » Decision by City Council
 - » Staff mails Notice of Decision
- » Appeal
 - » 12-day appeal period

Questions?

Mimi Doukas

AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97068
DoukasM@aks-eng.com
(503) 563-6151

Press **“Raise Your Hand”** to be called on to provide your questions and comments.

You can submit questions by typing them into the **Group Chat Box** – they will go directly to the Meeting Moderator.

AFFIDAVIT OF MAILING

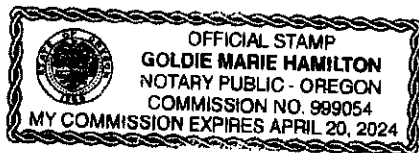
STATE OF OREGON)
)ss
COUNTY OF Washington)

I, Reggie Summers, being duly sworn, depose and say that on May 11, 2021, I caused to have mailed to each of the persons on the attached list a notice of a meeting to discuss a proposed development located at The intersection of S Ivy Street and SE 16th Avenue (Tax Lots 1200 and 1300 of Clackamas County Assessor's Map 4 1 E 04D and Tax Lot 2300 of 4 1 E 03), a copy of which notice so mailed is attached hereto and made a part of hereof.

I further state that said notices were enclosed in envelopes plainly addressed to said persons and were deposited on the date indicated above in the United States Post Office with postage prepaid thereon.

Reggie Summers
Signature

Subscribed and sworn to, or affirmed, before me this 11th day of May, 2021.



Goldie Marie Hamilton
Notary Public for the State of Oregon
My Commission Expires 4/20/2024

May 11, 2021



RE: VIRTUAL NEIGHBORHOOD MEETING NOTICE
Land Use Application for Annexation, Development Concept Plan (DCP), and Zone Change

Dear Property Owner/Neighbor:

AKS Engineering & Forestry, LLC is holding a virtual neighborhood meeting regarding a ±42.5-acre site located southeast of the intersection of S Ivy Street and SE 16th Avenue (Tax Lots 1200 and 1300 of Clackamas County Assessor's Map 4 1 E 04D, and Tax Lot 2300 of 4 1 E 03). The enclosed map shows the specific location of the subject site. The project involves annexation and zone change for future residential homes. We would like to take the opportunity to discuss the project in more detail with you prior to submitting applications to the City of Canby.

The purpose of this virtual meeting is to provide a forum for the applicant and surrounding property owners/neighbors to review the proposal and to identify issues so that they may be considered before a land use application is submitted to the City of Canby. This meeting gives you the opportunity to share with us any special information you know about the property involved. We will attempt to answer questions which may be relevant to meeting development standards consistent with the City of Canby Municipal Code.

You are invited to attend the virtual meeting on:

May 25, 2021 at 6:00 PM
See enclosed instructions to join the meeting.

Please note this meeting will be an informational meeting on preliminary development plans. These plans may be altered prior to submittal of the application to the City of Canby.

I look forward to discussing this project with you. If you have questions but will be unable to attend, please feel free to call me at 503-563-6151.

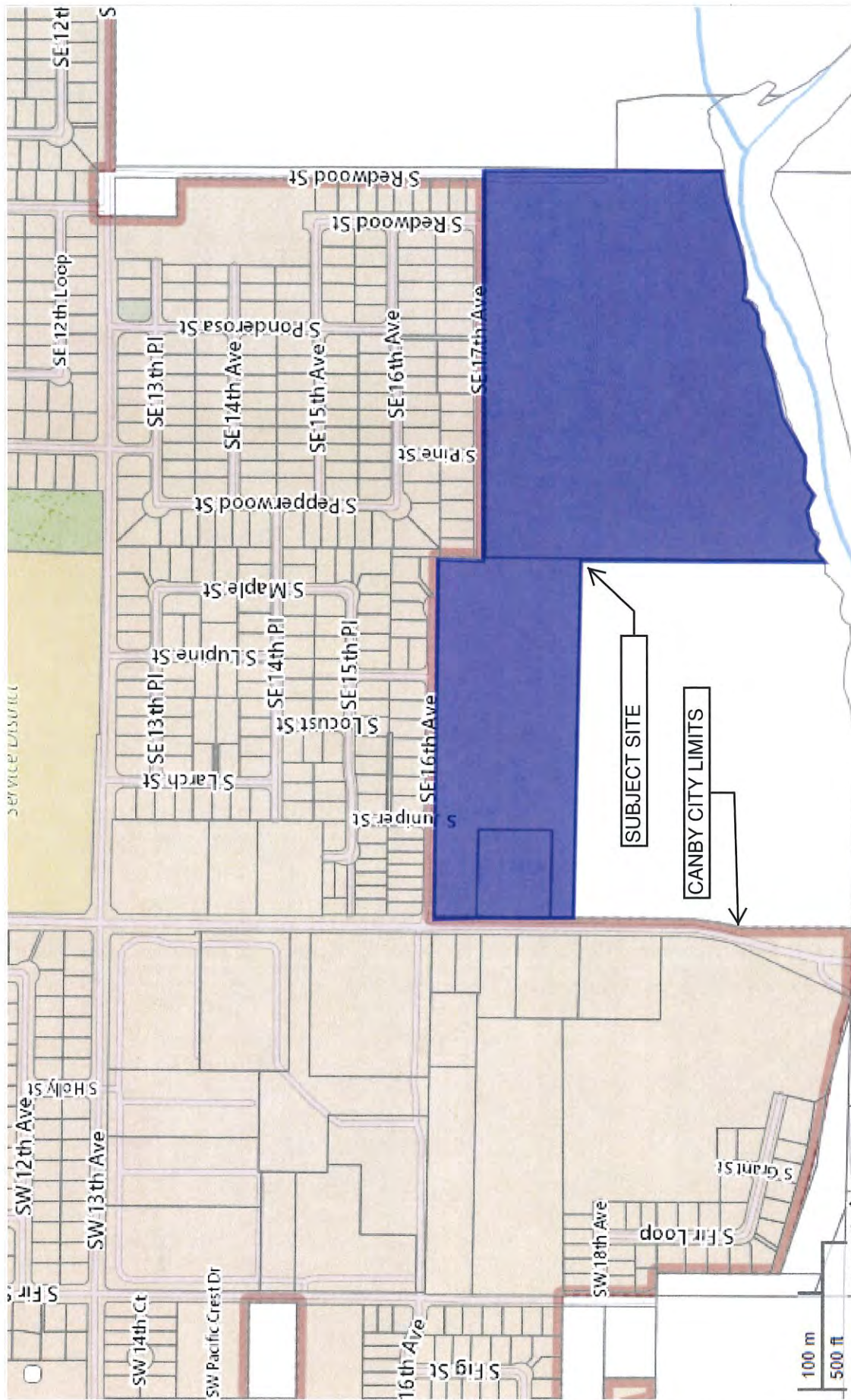
Sincerely,

AKS ENGINEERING & FORESTRY, LLC

A handwritten signature in blue ink that reads "Mimi Doukas". The signature is stylized with a large, looped "M" and a cursive "Doukas".

Mimi Doukas, AICP, RLA – Associate

AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100 | Tualatin, OR 97062
P: 503.563.6151 | www.aks-eng.com | MimiD@aks-eng.com



Data Resource Center
 600 NE Grand Ave, Portland, OR 97232
 503.797.1742 – drc@oregonmetro.gov

This Web site is offered as a public service, integrating various government records into a region-wide mapping system. The property assessment records are a multi-county integration of Clackamas, Multnomah and Washington County records. MetroMap blends each county's records into a common database on a quarterly basis. Therefore, to view each county's official records, go to their respective web sites or offices. The other MetroMap data are derived from city, county, state, federal and Metro sources. The metadata (data about the data) are included on this site, including the sources to be consulted for verification of the information contained herein. It describes some cases where Metro blends city and county records by generalizing the disparities. Metro assumes no legal responsibility for the compilation of multi-source government information displayed by Metro Map.

**Instructions for Joining & Participating in the
Public Neighborhood Meeting for
Tofte Farms Annexation and Zone Change
Virtual Meeting provided via Zoom Webinar**

May 25, 2021 at 6:00 PM

Please Register in Advance
(a list of attendees will be submitted to the City of Canby):

- Go online to <https://www.aks-eng.com/tofte-farms/>
- Click on the link provided to complete the online registration form.
- You will receive a confirmation email containing a link to join the Zoom webinar at the scheduled time as well as additional instructions.
- Meeting materials will be available upon request at least 10 days after the meeting concludes.

How to Join the Meeting:

Join by computer, tablet or smartphone

- **This is the preferred method as it allows you to see the Presenter's materials on screen.**
- Click on the "Click this URL join" link provided in your registration confirmation email.
- (If you registered but did not receive a confirmation email, please check your junk/spam folder before contacting the Meeting Administrator.)
- You may be prompted to "download and run Zoom" or to install the App (ZOOM cloud meetings). Follow the prompts or bypass this process by clicking "join from your browser".
- You should automatically be connected to the virtual neighborhood meeting.

Join by telephone

- Dial any of the toll-free Zoom numbers below to connect to the neighborhood meeting:

+ 1-346-248-7799	+ 1-669-900-6833
+ 1-253-215-8782	+ 1-312-626-6799
+ 1-929-205-6099	+ 1-301-715-8592

- If you experience trouble connecting, please pick another number and try again.
- After dialing in, enter this Zoom ID when prompted: **865 9695 4835**
- The Password if needed is: **6151**

MEETING ADMINISTRATOR:

For technical assistance or to submit a question for the meeting:

Email: mimid@aks-eng.com

Erik Forsell

From: Don Hardy
Sent: Tuesday, September 28, 2021 12:25 PM
To: Erik Forsell
Subject: FW: Sewer for Tofte South
Attachments: image004.emz

FYI

From: Curt McLeod [mailto:cjm@curran-mcleod.com]
Sent: Monday, July 19, 2021 1:58 PM
To: Erik Forsell <ForsellE@canbyoregon.gov>
Cc: Don Hardy <HardyD@canbyoregon.gov>; Jerry Nelzen <nelzenj@canbyoregon.gov>
Subject: RE: Sewer for Tofte South

Hi Erik,

I do not have any problem with this layout. If they can live with the minimal cover on the sanitary sewer, it is not a concern for us. It would be easier if the mainline could be brought from the Ivy Station and the trench depths appear to only be a maximum of 15 or so for part of it. But, if tax lot 2100 doesn't want to allow that, then this option is fine. With this option, the area is collected by gravity, which is a good benefit.

If the UGB line is extended further east, the Mulino Pump Station will be available to provide service from the east.

Curt McLeod P.E.
CURRAN-McLEOD, INC.
6655 S.W. Hampton Street, Suite 210
Portland, Oregon 97223
T: (503) 684-3478
F: (503) 624-8247
C: (503) 475-0431
email: cjm@curran-mcleod.com

From: Erik Forsell <ForsellE@canbyoregon.gov>
Sent: Monday, July 19, 2021 11:22 AM
To: Curt McLeod <cjm@curran-mcleod.com>
Cc: Don Hardy <HardyD@canbyoregon.gov>; Jerry Nelzen <nelzenj@canbyoregon.gov>
Subject: Sewer for Tofte South

Curt –

We are working through the preliminary portions of a large subdivision project, which starts with the annexation. We understand from previous emails we were copied on that there are some issues with providing gravity fed sewer to this property. We were provided the following documents indicating that there would be minimal fill required to facilitate effective sewer conveyance.. Our concern is for the neighboring property owner who may have to also place fill on their

property if they were to annex and develop in the future. I have attached their preliminary sanitary plan with grading and a response from the applicant team.

As shown on the Conceptual Sanitary Infrastructure Plan with Grading (Figure 2), extensive fill is not required to facilitate gravity feed of the future sewer system. A minimal amount of fill ranging from ± 1 to ± 3 feet is needed to maintain adequate cover over the sanitary mains at each termination. The conceptual fills also do not preclude the future extensions of roadways to adjoining properties as cut/fill depths at each roadway extension are limited to 1 foot or less. This conceptual sanitary infrastructure plan does not negatively impact the adjacent property owner's ability to utilize the gravity system because it is not physically possible to provide gravity service to Tax Lot 2100. The gravity sanitary system is extended from existing mains at minimum grades per City standards, and the mains terminate with cover depths ranging from ± 3 to ± 5 feet. The City of Canby recently completed the Ivy Street Pump Station, and its design basin assumes that future development for Tax Lot 2100 will be routed to the pump station. The following description of sewer alternatives was not shown nor identified on plans due to the infeasibility of providing those infrastructure improvements. The ability to connect to the existing pump station is currently constrained and not possible for the following reasons:

1) Depths of sanitary sewer main to serve the southeast corner of the property require main depths ranging from 20 to 30 feet (which City engineering/Public Works staff has indicated is not desired whenever an alternative route is possible), and

2) Tax Lot 2100 has not been willing to discuss/allow easements for gravity service across the property in the interim, until it is developed. The ability to build an additional pump station on the site is not realistic because the City Public Works/Engineering staff generally prefers extensions of gravity mains over new pump stations, since long-term maintenance costs are less for gravity mains. Please see the Conceptual Sanitary Infrastructure Plan with Grading (Figure 2) for further details. All the information requested above is provide

Tax Lot 2100



I recall Hassan mentioning this was quite an issue with the proposed sewer, can you let us know your thoughts on this?

Thank you,

Erik Forsell, AICP | Associate Planner
City of Canby | Development Services Department
222 NE 2nd Ave. | PO Box 930
Canby, OR 97013
Phone | (503) 266-0723
Email | forselle@canbyoregon.gov
Website | www.canbyoregon.gov
Send applications to: PlanningApps@canbyoregon.gov

Make big plans; aim high in hope and work, remembering that a noble, logical diagram once recorded will never die, but long after we are gone will be a living thing, asserting itself with ever- growing insistency. ~ Attributed to Daniel Burnham

PUBLIC RECORDS LEGAL DISCLOSURE

This email is a public record of the City of Canby, Oregon, and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law.
This email is subject to the State Retention Schedule.

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This email is subject to the State Retention Schedule.

Erik Forsell

From: Jean Dahlquist <jdahlqu1@gmail.com>
Sent: Tuesday, September 28, 2021 1:54 PM
To: Erik Forsell
Subject: PAPA ANN 21-01 & ZC 21-02

Good morning,

My name is Jean Dahlquist and I am conducting outreach for the Fair Housing Council of Oregon (FHCO). I was hoping to obtain the staff report and all corresponding attachments for ANN 21-01 & ZC 21-02 when available. We will be reviewing Goal 10 findings specifically, and submitting positive or negative comment letters when appropriate. The goal of the Goal 10 project is to ensure cities/counties are fulfilling their Statewide Planning Goal obligation in regards to Goal 10.

Thus, I just wanted to introduce myself and let you know that I am available for any questions or staff report review. I'm hoping this can be a collaborative process where we can both learn from each other. In the meantime, you can find out more about our feedback process and the PAPA project in general by going to <https://www.housinglandadvocates.org/what-we-do-2/>. Our very first technical report details the common misconceptions and errors regarding Goal 10 findings.

Please confirm receipt of this e-mail, and I look forward to hearing from you soon,

Very Respectfully,

Jean Dahlquist

Fair Housing Council of Oregon

Phone: (414) 477-1567

E-mail: jdahlqu1@gmail.com

[Linkedin](#)

For the latest information on the PAPA project and our feedback/technical advice methodology, please check out [our website with Housing Land Advocates](#).



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.7001
www.canbyoregon.gov

Development Services

CITY OF CANBY – COMMENT FORM

If you are unable to attend the Public Hearing, you may submit written comments on this form or in a letter. Please send comments to the City of Canby Planning Department by

E-mail: PublicComments@canbyoregon.gov

Mail: Planning Department, PO Box 930, Canby, OR 97013

Written comments to be included in Planning Commission packet are due by Wednesday, September 29, 2021.

Written comments to be included in City Council packet are due by Friday, November 5, 2021.

Written comments can be submitted up to the time of any Public Hearing and oral comments may also be delivered via Zoom during any Public Hearing.

Application: TOFTE SOUTH ANNEXATION & ZONE CHANGE ANN 21-01/ZC 21-02

COMMENTS:

Proposed Street Layout FAVORS SE 16th Ave As Most Direct Route From Town. Vehicles already PARK Halfway off The road into The field. If SE 16th Ave is To Become a feeder, It should Be widened By Approximately 10 ft or The other Access from Ivy St. (at Potential Future Roundabout) Should Be straight all The way to lupine. The straightened Road would promote That Access To Be Primary

CITIZEN NAME: Brian Hutchins

EMAIL: BHutchins@MSN.COM

ADDRESS: 1475 S Juniper St. Canby

PHONE # (optional): _____

DATE: 9/28/2021

PLEASE EMAIL COMMENTS TO

PublicComments@canbyoregon.gov

Thank you!

Public Hearing Notice Tofte South Annexation/Zone Change (ANN 21-01/ZC 21-02)

Page 3 of 3

Development Concept Plan





City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.7001
www.canbyoregon.gov

Development Services

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Application: TOFTE SOUTH ANNEXATION & ZONE CHANGE ANN 21-01/ZC 21-02

COMMENTS:

- ① WE WOULD LIKE TO REQUEST ASSURANCE FROM THE CITY OF CANBY, THE PLANNING COMMISSION AND PAHLSCHE HOMES THAT 16TH AVENUE S.E. WILL NOT BE USED BY CONSTRUCTION TRUCKS AT ANY TIME.
- ② WE WOULD ALSO LIKE TO BE ASSURED THAT THE ENTRANCE AND EXIT WHERE THE ROUND ABOUT IS SUPPOSED TO BE CONSTRUCTED ON HWY 15 IS IMMEDIATELY USABLE FOR CONSTRUCTION AND FOR FUTURE HOME OWNERS IN THE TOL 1200 AREA. WE REQUEST THIS FOR FIRE, EMERGENCY USE AND SAFETY AND TO EASE TRAFFIC ON 16TH AVENUE S.E.
- ③ WE WOULD ALSO LIKE THE CITY OF CANBY TO CONSIDER INSTALLING SPEED BUMPS ON 16TH AVENUE S.E. TO DETER PEOPLE FROM SPEEDING IN OUR RESIDENTIAL AREA.

CITIZEN NAME: DOROTHY KNISER

EMAIL: dojoKn@gmail.com

ADDRESS: 314 SE 16TH AVENUE

PHONE # (optional): 503 334-8017

DATE: 9-29-21

PLEASE EMAIL COMMENTS TO

PublicComments@canbyoregon.gov

Thank you!

Public Hearing Notice Tofte South Annexation/Zone Change (ANN 21-01/ZC 21-02)

Page 3 of 3



DEVELOPMENT CONCEPT PLAN **TOFTE PROPERTY**

CANBY, OREGON



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.7001
www.canbyoregon.gov

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Application: TOFTE SOUTH ANNEXATION & ZONE CHANGE ANN 21-01/ZC 21-02

COMMENTS:

I am concerned about traffic going through
Dinsmore Estates to the proposed annexation.
Where will be the entrance and exit to the
development?

Will they all be single family homes? I
know the US government is pushing to get
rid of suburbs and single family homes and
instead have high density dwellings. I don't
want this in Canby!!

I would like these comments for City Council
Staff Report as well.

CITIZEN NAME: Patricia Swanson

EMAIL: patricia.swanson.9801@yahoo.com

ADDRESS: 1455 S. Locust St. Canby

PHONE # (optional): 503-477-0537

DATE: 9/24/21

PLEASE EMAIL COMMENTS TO

PublicComments@canbyoregon.gov

Thank you!

Public Hearing Notice Tofte South Annexation/Zone Change (ANN 21-01/ZC 21-02)

Page 3 of 3



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.7001
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Development Services

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Application: TOFTE SOUTH ANNEXATION & ZONE CHANGE ANN 21-01/ZC 21-02

COMMENTS: (City shall)
1.) Street Ivy " needs to change speed sign to 25 mph with Residential being on both sides of Rd all the way to end of new city limits. (This should happen right away)

2.) 16th street shall not be used for construction access or exit. Streets into project should be developed before any construction.

3.) Work hours shall be from no earlier than 8:00 am and go no later than 7:00 pm.

4.) There shall be [no dusting or tracking] from project. Developer shall be responsible for any damage to residents home related to dusting.

5.) Roundabout shall be constructed prior to homes being developed. ~~or~~ (Do not remove roundabout from project plans).

6.) There should be only ~~one~~ two access roads or entry to 16th when project ends. One on Juniper and one on Lupine. Main exit needs to be to Ivy on 17th or to the roundabout.

CITIZEN NAME: Randy Watson Wendy Watson

EMAIL: rdwatson55@yahoo.com

ADDRESS: 132 S.E. 16th Ave Canby Oregon 97013

PHONE # (optional):

DATE: 9/29/21

PLEASE EMAIL COMMENTS TO

PublicComments@canbyoregon.gov

7.) Do NOT require curb trees to be installed

They cause damage to sidewalks, water meters, power boxes etc. Plus they cause people that back out of their driveways a vision hazard can cause accidents as it has on 16th already.

Thank you!

Public Hearing Notice Tofte South Annexation/Zone Change (ANN 21-01/ZC 21-02)

Page 3 of 3

ORDINANCE NO. 1566

AN ORDINANCE, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 42.5 ACRES OF REAL PROPERTY DESCRIBED AS A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 3, THE NORTHEAST ONE QUARTER OF SECTION 4, AND THE SOUTHEAST ONE QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON ALSO IDENTIFIED AS CLACKAMAS COUNTY ASSESSOR'S MAP AND TAX LOTS 41E03 02300, 41E04D 01200, AND 41E04D 01300. THIS ORDINANCE ALSO CONCURRENTLY AMENDS THE EXISTING COUNTY ZONING FROM EXCLUSIVE FARM USE (EFU) TO CITY LOW DENSITY RESIDENTIAL (R-1) AND MEDIUM DENSITY RESIDENTIAL (R-1.5) FOR THE ENTIRE AREA; AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CANBY CITY LIMITS.

WHEREAS, on November 17, 2021, at a public hearing the City Council of the City of Canby approved by a vote of _____ to _____, Annexation (ANN 21-01 and ZC 21-02) which called for the annexation of approximately ±42.5 acres of real property and public right-of-way into the City of Canby. A complete legal description and survey map which delineates the property to be annexed is attached hereto as Exhibit A and by this reference is incorporated herein; and

WHEREAS, Pursuant to CMC 16.84.080, the City must proclaim by ordinance or resolution, the annexation of said property into the City and set the boundaries of the property by legal description; and

WHEREAS, an application was filed by the applicant, Pahlisch Homes, to annex the real property and right-of-way identified in Exhibit A and bring said real property and right-of-way into the City's jurisdiction as previously negotiated with Clackamas County and included in an Inter-Governmental Agreement (IGA) adopted by the Canby City Council on December 5, 2018 as Resolution No. 1306; and

WHEREAS, a public hearing was conducted by the Canby Planning Commission on October 11, 2021 after public notices were mailed, posted and published in the Canby Herald, as required by law; and

WHEREAS, the Canby Planning Commission heard and considered testimony regarding the annexation as described by Figure 16.84.040 and Chapter 16.84 of the Land Development and Planning Ordinance at the public hearing and at the conclusion of the public hearing; the Planning Commission moved to recommend that the City Council approve the application; 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 November 17, 2021; and

WHEREAS, the Canby City Council, after considering the applicant's submittal, the staff

report, the Planning Commission's hearing record and their recommendation documented in their written Findings, Conclusions and Order, and after conducting its own public hearing; voted to approve the annexation; and

WHEREAS, the written Findings, Conclusions and Order of the Council action is to be approved by the City Council at the next regular Council meeting on December 1, 2021; and

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

Section 1. It is hereby proclaimed by the City Council of Canby that ±42.5 acres of real property described, set, and shown in Exhibit A and attached hereto, is annexed into the corporate limits of the City of Canby, Oregon.

SUBMITTED to the Council and read the first time at a regular meeting thereof on November 17, 2021 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter, and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on December 1, 2021, commencing at the hour of 7:30 PM at the Council Meeting Chambers located at 222 NE 2nd Avenue, Canby, Oregon.

Scott Archer, City Administrator

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on December 1, 2021 by the following vote:

YEAS _____ NAYS _____

Brian Hodson
Mayor

ATTEST:

Melissa Bisset, CMC
City Recorder

EXHIBIT A

City of Canby Annexation

A tract of land located in the Southwest One-Quarter of Section 3, the Northeast One-Quarter of Section 4, and the Southeast One-Quarter of Section 4, Township 4 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the southwest corner of the plat of "Tofte Farms No. 4", also being on the southerly right-of-way line of SE 17th Avenue (20.00 feet from centerline) and the City of Canby city limits line; thence along said southerly right-of-way line and along said city limits line, South 88°14'35" East 1338.14 feet to the east line of the Southwest One-Quarter of the Southwest One-Quarter of said Section 3 and the Urban Growth Boundary line; thence leaving said city limits line and along said east line and the Urban Growth Boundary line, South 02°12'27" West 747.37 feet to the bluff line above the Molalla River; thence along said bluff line and continuing along said Urban Growth Boundary line, South 53°58'19" West 24.68 feet; thence continuing along said bluff line and continuing along said Urban Growth Boundary line, South 71°11'47" West 68.53 feet; thence South 75°44'05" West 206.36 feet; thence South 80°33'57" West 89.57 feet; thence North 63°30'17" West 27.56 feet; thence South 80°55'51" West 121.20 feet; thence South 85°28'52" West 69.30 feet; thence South 75°37'52" West 60.93 feet; thence South 78°50'11" West 92.16 feet; thence South 69°27'03" West 75.81 feet; thence South 66°28'24" West 109.14 feet; thence South 71°31'23" West 55.33 feet; thence South 87°47'54" West 128.12 feet; thence South 82°34'09" West 146.78 feet; thence South 80°54'28" West 115.99 feet to the west line of the Southwest One-Quarter of said Section 3; thence along said west line and leaving said Urban Growth Boundary line, North 02°05'46" East 734.71 feet to the northerly line of Document Number 2016-080178; thence along said northerly line, North 87°20'55" West 1257.94 feet to the easterly right-of-way line of S Ivy Street (30.00 feet from centerline) and the City of Canby city limits line; thence along said easterly right-of-way line and said city limits line, North 02°02'31" East 494.26 feet to the southerly right-of-way line of SE 16th Ave (variable width right-of-way); thence along said southerly right-of-way line and continuing along said city limits line, South 87°26'37" East 1258.39 feet to the west line of the plat of "Tofte Farms"; thence along said west line and the west line of the plat of "Tofte Farms No. 4" and continuing along said city limits line, South 02°05'46" West 165.19 feet to the Point of Beginning.

The above described tract contains 42.5 acres, more or less.

04/16/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael S. Kalina

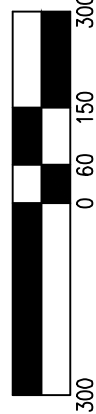
OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEW: 6/30/21

A TRACT OF LAND LOCATED IN THE SW 1/4 OF SEC. 3, THE NE 1/4 OF SEC. 4, AND THE SE 1/4 OF SEC. 4, T4S, R1E, W.M., CLACKAMAS COUNTY, OREGON



SCALE: 1" = 300 FEET



04/16/2021

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

**OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS**

RENEWS: 6/30/21



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: November 17, 2021
TO: Honorable Mayor Hodson and City Council
THRU: Scott Archer, City Administrator
FROM: Jeff Snyder, Park Maintenance Lead
ITEM: S. Locust St. Park Picnic Shelter Project

Summary

Adoption of Ordinance No. 1564 to execute a contract with Landscape Structures Inc. in the amount of \$104,455.00 to install a cover picnic shelter at S. Locust St. Park using park maintenance fee.

Background

S. Locust St. Park has a high density of residents that surround the area. The park was established in 1995 and has served the local community well. Area residents and a Bridging Cultures organization would be able to utilize the proposed covered picnic structures in the summer months and possibly even in inclement weather.

Discussion

The Park and Recreation Board identified the project as a priority for the 20-21 budget cycle. The 28' x 38' Orlando style shelter would be a great addition to the park.

Park staff utilized the HGAC state contract pricing to obtain the design through Landscape Structures Inc. that would best fit the area. The total cost for the installation of the shelter is \$104,455.00

Attachments

Ordinance No. 1564, Landscape Structures quote # 00034019
Personal Service Agreement, HGAC Contract# PR 11-20
Classic Recreation 28' x 38' Orlando style Shelter picture

Fiscal Impact

Council adopted the FY21-22 budget with \$ 100,000.00 allocated to the shelter installation project. The actual cost is \$104,455.00 for in estimated increase of \$4,445.00

Options

Option 1: Adopt Ordinance No. 1564 to install a shelter at S. Locust St. Park

Option 2: Do not adopt Ordinance No. 1564 and not provide a shelter for community functions. This option will not impact maintenance at the park.

Recommendation

Staff recommends the Council adopt Ordinance No. to utilize the \$100,000.00 of the Park Maintenance Fee to install a covered picnic shelter at S. Locust St. Park.

Proposed Motion

I move to adopt Ordinance No. 1564, An Ordinance Authorizing the City Administrator to Execute a Contract With Landscape Structures Inc., in the amount of \$104,455.00.

Proposed Motion

ORDINANCE NO. 1564

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH LANDSCAPE STRUCTURES INC, TO PURCHASE A PICNIC SHELTER FOR LOCUST STREET PARK

WHEREAS, the S. Locust Street Park has a need for a covered picnic shelter for community events; and

WHEREAS, the City of Canby wishes to install a Classic Recreation 28'x38' Orlando style shelter at Locust Street Park; and

WHEREAS, the City of Canby is following purchasing rules in accordance with ORS Chapter 279 and Canby Public Purchasing Rules set forth in Resolution 1290; and

WHEREAS, Landscape Structures Inc. submitted a quote using the HGAC state contract # PR11-20 for the picnic shelter in the amount of \$104,455.00; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this bid, reviewed the staff report and believes it to be in the best interest of the City to contract with Landscape Structures Inc, for a picnic shelter.

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

Section 1. The City Administrator is hereby authorized to make, execute and declare in the name of the City of Canby and on its behalf, an appropriate contract with Landscape Structure Inc, to purchase a picnic shelter for Locust Street Park for a total of \$104,455.00.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, November 3, 2021, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, November 17, 2021, commencing at the hour of 7:30 PM in the Council Meeting Chambers located at 222 NE 2nd Avenue, 1st Floor, Canby, Oregon.

s/s Melissa Bisset
Melissa Bisset
City Recorder, CMC

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the ____ day of _____, 2021 by the following vote:

YEAS _____ NAYS _____

Brian Hodson
Mayor

ATTEST:

Melissa Bisset, CMC
City Recorder

Landscape Structures Representative

Ben Stanford

503-432-8950

Ross Recreation Equipment, Inc.

bens@rossrec.com

Prepared For:

Contact Name	Jeff Snyder	Phone	(503) 266-4021 x 232
Bill To Name	City of Canby	Ship To Name	City of Canby
Bill To	182 N. Holly Street P.O. Box 930 Canby, Oregon 97013 United States	Ship To	1470 NE Territorial Road Canby, Oregon 97013 United States



HGAC Contract # PR 11-20

ALL PURCHASE ORDERS, CONTRACTS, AND
CHECKS TO BE MADE OUT TO:

LANDSCAPE STRUCTURES, INC.
601 7TH STREET SOUTH
DELANO, MN 55328 U.S.A.

763-972-3391 800-328-0035
Fax: 763-972-3185

Quote Name Classic Recreation 28' x 38' Orlando Shelter
Opportunity Name Locust Park Shelter
Quote Number 00034019

Quote Date 10/7/2021
Quote Exp Date 11/8/2021
Est Lead Time 16-20 weeks

Quantity	Product	Product Description	Sales Price	Total Price
1.00	Classic Recreation	Classic Recreation 28' x 38' Orlando Style Shade. Includes 10' eave height, 6 columns, 2 provisions for electrical outlets, HR-36 steel roof, 4:12 pitch, powdercoat finish.	\$38,665.00	\$38,665.00
1.00	Engineering Fees	Structural Engineering Calculations. May take 2-3 weeks to complete engineering. Soils Report needed. Customer must approve before fabrication can begin. Revisions to engineering calculations may require a change order. Lead time for equipment/materials will not begin until receipt of approved engineering to ensure proper manufacturing per engineering specifications. Please provide the following: 1. FedEx Address to send engineering: 2. Address of Structure: 3. Required Building Code: 4. Wind Load: 5. Snow Load:	\$1,650.00	\$1,650.00
1.00	Install- Shade	Installation of Classic Recreation (Orlando and 28' x 38') shade shelter, only by a factory certified installer at standard wage rates. Installation of surface mount footers. **Installation price quoted for favorable working conditions. If rock, poor soil conditions, a high water table and/or other unforeseen site conditions exist requiring additional materials and labor, additional charges may be incurred.	\$32,650.00	\$32,650.00
1.00	Installation	Permitting of structure. Includes permit costs and time to acquire. Remove/dispose of existing concrete slab in the shelter footprint	\$4,950.00	\$4,950.00
1.00	Site Work	**Installation price quoted for favorable working conditions. If rock, poor soil conditions, a high water table and/or other unforeseen site conditions exist requiring additional materials and labor, additional charges may be incurred. Form and pour new rectangular shelter pad.	\$4,260.00	\$4,260.00
1.00	Site Work	**Installation price quoted for favorable working conditions. If rock, poor soil conditions, a	\$17,710.00	\$17,710.00

high water table and/or other unforeseen site conditions exist requiring additional materials and labor, additional charges may be incurred.

Materials Amount	\$38,665.00
Tax Amount	\$0.00
Labor Amount	\$61,220.00
Freight Amount	\$4,570.00
Total	\$104,455.00

Notes to Customer

Note to Customer Thank you for the opportunity to quote your upcoming project. PLEASE NOTE: quote does not include installation, offload, payment and performance bonds, engineering calculations, security, storage, permits, inspection, or safety surfacing unless otherwise noted.

Deposits may be required before order can be placed depending on customer credit terms. Your purchase is subject to the terms and conditions of this quote, approval of this quote agrees to those terms.

If ordering materials after the expiration date, please add 3-6% annually to materials for anticipated price increase. If this is for a BID, it is the responsibility of the General Contractor bidding to adjust their bid to accommodate anticipated pricing. Please also note that sales tax will be based on the current rate at the time of shipping, not order date. Customer will be expected to cover these taxes.

Ross Recreation will provide labor using a subcontractor for all installation and labor quoted. Neither Ross Recreation nor our subcontractors are signatory to any unions, however compliance with prevailing wage rate requirements will occur. If union enrollment is required by our subcontractor for completion of this project, Ross Recreation will require a change order to cover the costs of a per project enrollment and additional wage/benefit requirements.

** Pricing does not include Offload / Receiving. If required, please add \$1,790

*** Pricing does not include fencing. If fencing is required, please add \$1,350

Customer Authorization

SIGNATURE BELOW ACCEPTING THIS PROPOSAL WILL CONSTITUTE A PURCHASE ORDER ONLY UPON APPROVAL BY LANDSCAPE STRUCTURES, INC. CUSTOMER RECEIPT OF AN ORDER ACKNOWLEDGEMENT CONSTITUTES SUCH APPROVAL.

Signature _____

Name _____

Title _____

Date _____

The logo for HGACBuy, with 'HGAC' in red and 'Buy' in blue, both in a bold, sans-serif font.





City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: November 17, 2021

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Joseph A. Lindsay

ITEM: Ordinance 1565: An Ordinance Authorizing the City Administrator to Enter into Agreements for the Purchase of Right of Way from Par 3 Investments, LLC, Proudest Monkey Development, LLC, and James and Karen Lyons for the Future Walnut Street Extension

Summary

The Walnut Street extension project relies on three separate land owners selling the needed right-of-way between where Walnut Street currently ends and Highway 99E. The City went through the necessary right-of-way acquisition processes, obtained the required appraisals, and negotiated with the land owners to purchase their respective portions at appraisal values. Each party is prepared to sign a separate Memorandum of Understanding with the City of Canby which requires each to record a permanent easement and right-of-way to the City for the purposes of constructing and maintaining the Walnut Street extension. The City will pay them a total amount of \$350,000 (\$53,000, \$232,000, and \$65,000 respectively), and the City will further agree not to back charge these owners for the costs of making the road or putting in the utilities along it.

The Lyons MOU contains a provision for compensating them for the replacement of a utility building that will need to be demolished in this process. It also promises the re-routing of a gravel driveway in the event the ODOT shuts their current driveway access down to allow for the Walnut Street to access Hwy 99E. Finally, the City has agreed to work with the Lyons to create a mutually acceptable earthen berm with comparable fencing to mitigate sight and sound of the roadway.

Attachments

MOUs with all three parties and ROW recording documents for all three parties

Fiscal Impact

\$53,000 to Par 3 Investments, LLC

\$232,000 to Proudest Monkey Development, LLC

\$65,000 to James and Karen Lyons (\$54,000 easement and \$11,000 for utility building)

Total Amount: \$350,000

Options

- Pass the ordinance to allow the agreements to secure the necessary right-of-way for the future Walnut St. extension project.
- Do not pass the ordinance, and re-negotiate terms of the agreements.

Recommendation

Staff recommends the Council adopt the ordinance as written.

Proposed Motion

I move to adopt Ordinance 1565, An Ordinance Authorizing the City Administrator to Enter into Agreements for the Purchase of Right of Way from Par 3 Investments, LLC, Proudest Monkey Development, LLC, and James and Karen Lyons for the Future Walnut Street Extension.

ORDINANCE NO. 1565

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENTS FOR THE PURCHASE OF RIGHT OF WAY FROM PAR 3 INVESTMENTS, LLC, PROUDEST MONKEY DEVELOPMENT, LLC, AND JAMES AND KAREN LYONS FOR THE FUTURE WALNUT STREET EXPANSION

WHEREAS, the extension of Walnut Street is part of the City of Canby Transportation System Plan; and

WHEREAS, the City of Canby requires right of way for the construction and maintenance of the Walnut Street Extension project; and

WHEREAS, the City of Canby has duly appraised the value of the purchase of said right of way; and

WHEREAS, the City of Canby has negotiated agreements with Par 3 Investments, LLC, Prouddest Monkey Development, LLC, and James and Karen Lyons for the purchase of their respective rights of way at appraisal value.

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

Section 1. The City Administrator is hereby authorized on behalf of the City of Canby to enter into Memorandums of Understanding with Par 3 Investments, LLC, Prouddest Monkey Development, LLC, and James and Karen Lyons for the purchase of their respective rights of way.

Copies of the Memorandums of Understandings are attached hereto as Exhibit “A”

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, November 3, 2021 ordered posted as required by the Canby City Charter; and scheduled for second reading on Wednesday, November 17, 2021 commencing at the hour of 7:30 PM in the Council Chambers located at 222 NE 2nd Avenue, 1st Floor Canby, Oregon.

s/s Melissa Bisset
Melissa Bisset, CMC
City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the _____ day of _____, 2021, by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Melissa Bisset, CMC
City Recorder

After recording return to:

Par 3 Investments, LLC
Attn Steve Skinner, Manager
1934 N Country Club Drive
Canby, OR 97013

South Walnut Street Memorandum of Understanding

THIS Memorandum is by and between the **City of Canby**, Oregon, with a mailing address of 222 NE 2nd Avenue, Canby, Oregon 97013, (herein after referred to as **CITY**), and **Par 3 Investments, LLC** (herein after referred to as **OWNER**) with mailing address of 1934 N Country Club Drive, Canby, Oregon 97013, to memorialize the agreement of consideration for a permanent easement for the future construction of South Walnut Street across the subject property.

NOW THEREFORE, the parties agree as follows:

I. AFFECTED PROPERTY

This **Agreement** shall be recorded upon the deed of that tract of land conveyed to Par 3 Investments, LLC, on July 25, 2005, and recorded as Fee Number 2005-071563, Clackamas County Deed Records, in Section 34 of Township 3 South, Range 4 East, W.M., Clackamas County, Oregon.

This agreement shall be binding upon the **CITY** and **OWNER**, or any succeeding owner of the subject tract of land.

II. OBLIGATION OF THE OWNER

Upon receipt of the consideration given or promised by the **CITY**, the **OWNER** shall convey a permanent easement for roadway purposes as described in the attached document labeled "Easement for Roadway Purposes," to the **CITY** for future construction of South Walnut Street.

III. OBLIGATION OF THE CITY

In exchange for conveyance of said permanent easement for roadway purposes across the subject property, the **CITY** agrees to the following:

1. Upon execution of this Memorandum of Understanding, the City will record this document in the Clackamas County Deed Records and include a reference to the MOU in the subsequent easement document.
2. Upon execution of the permanent easement document, the **CITY** will pay **OWNER** the amount of \$53,000 in current funds or will provide a letter documenting a credit against future transportation SDC charges (which are inflation-indexed) associated with development of the subject property, at the sole election of the **OWNER**.

3. The **CITY** will fund and complete development of all public street improvements (excepting sidewalks and street trees but including driveway(s) to the subject property) and utility improvements.

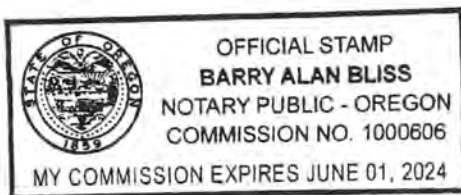
4. The **CITY** will not require any cost reimbursement for the proposed street and utility improvements and will waive any direct cost allocations against the subject property, excluding any indirect cost allocations that may be integral to the System Development Charge Fee or property tax millage rates that are applied regionally.

Steve Skinner 10/11/2021
Steve Skinner, Manager Date
Par 3 Investments, LLC.

Scott Archer, City Administrator Date
City of Canby

State of Oregon, County of Clackamas:

Personally appeared the above named Steve Skinner, Manager, Par 3 Investments, LLC. before me on October 11, 2021 and acknowledged he has the authority to execute this document on behalf of Par 3 Investments, LLC, and that this instrument is his voluntary act and deed.



Before Me: [Signature]
Notary Public for Oregon

My Commission Expires: June 1, 2024

State of Oregon, County of Clackamas:

Personally appeared the above named Scott Archer, City Administrator of the City of Canby, before me on _____, 2021 and acknowledged the foregoing instrument to be his voluntary act and deed.

Before Me: _____
Notary Public for Oregon

My Commission Expires: _____

Attachment: Easement for Roadway Purposes

AFTER RECORDING, RETURN TO:

The City of Canby
222 NE 2nd Avenue
Canby, OR 97013

SEND TAX STATEMENT TO:

The City of Canby
222 NE 2nd Avenue
Canby, OR 97013

PERMANENT EASEMENT FOR ROAD AND RIGHT OF WAY PURPOSES

KNOW ALL MEN BY THESE PRESENTS, that Par 3 Investments LLC, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by the City of Canby, a Municipal Corporation, hereinafter called the grantee, does hereby grant bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, a permanent easement for the purposes of road and utility improvements, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

A portion of that tract of land conveyed to Par 3 Investments LLC on July 25, 2005 and recorded as Fee Number 2005-071563, Clackamas County Deed Records, in Section 34 of Township 3 South, Range 4 East, W.M., Clackamas County, Oregon, said easement being a 37 foot wide strip of land parallel and abutting the south westerly boundary of said Par 3 Investments LLC tract, said easement containing 16,854 square feet more or less, as shown on the attached Exhibit A.

The true and actual consideration for this perpetual easement is Fifty Three Thousand Dollars (\$53,000.00), to be paid prior to recording, in conjunction with conditions of approval contained in a Memorandum of Understanding recorded as Fee Number _____ Clackamas County Deed records.

In construing this easement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

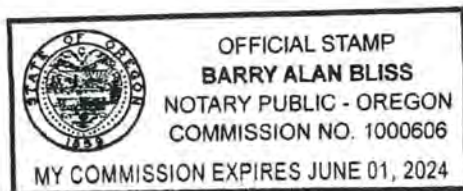
In Witness Whereof, the grantor has executed this instrument this 11 day of October, 2021;

PAR THREE INVESTMENTS LLC, Limited Liability Company:

By: Steve Skinner,
Steve Skinner, Manager, Par 3 Investments LLC

STATE OF OREGON)
) ss.
County of CLACKAMAS)

This instrument was acknowledged before me this 11 day of October 2021, by Steve Skinner, Manager, Par 3 Investments LLC, and said person acknowledged said person is authorized to execute the attached instrument on behalf of Par 3 Investments LLC and acknowledged it to be the free and voluntary act of said limited liability company for the uses and purposes noted in the instrument.



[Signature]

Notary Public for Oregon

My Commission Expires: June 1, 2024

Accepted by the City of Canby:

Scott Archer, City Administrator

South Walnut Street
Memorandum of Understanding
Page 3

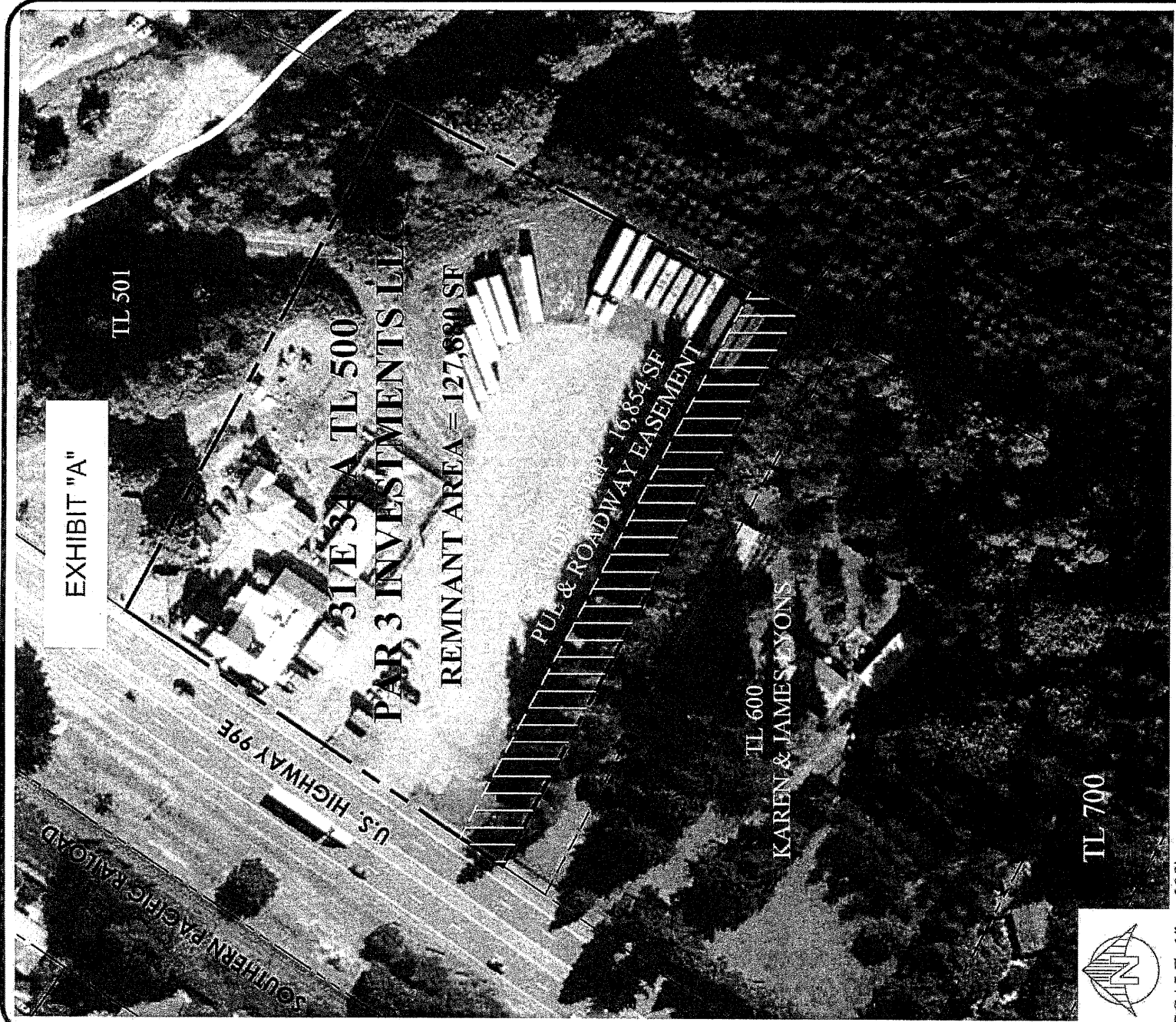
State of Oregon, County of Clackamas:

Personally appeared the above named Scott Archer, City Administrator of the City of Canby,
before me on _____, 2021 and acknowledged the foregoing instrument to be his
voluntary act and deed.

Before Me: _____
Notary Public for Oregon

My Commission Expires: _____

Attachment: Easement for Roadway Purposes



MARCH 2021

SCALE: 1" = 100'

<p>CITY OF CANBY PAR 3 INVESTMENTS LLC EASEMENT WALNUT STREET EXTENSION CLACKAMAS COUNTY, OREGON</p>	<p>CURRAN-MCLEOD, INC. CONSULTING ENGINEERS 6655 S.W. HAMPTON ST., SUITE 210 PORTLAND, OREGON 97223 PHONE (503) 684-3478</p>
--	---

After recording return to:

Proudest Monkey Development, LLC
Attn Ethan Manuel, Manager
1664 N Sweetgum Street
Canby, OR 97013

South Walnut Street Memorandum of Understanding

THIS Memorandum is by and between the **City of Canby**, Oregon, with a mailing address of 222 NE 2nd Avenue, Canby, Oregon 97013, (herein after referred to as **CITY**), and **Proudest Monkey Development, LLC** (herein after referred to as **OWNER**) with mailing address of 1664 N Sweetgum Street, Canby, Oregon 97013, to memorialize the agreement of consideration for a permanent easement for the future construction of South Walnut Street across the subject property.

NOW THEREFORE, the parties agree as follows:

I. AFFECTED PROPERTY

This Agreement shall be recorded upon the deed of that tract of land conveyed to Proudest Monkey Development LLC on August 1, 2018 and recorded as Deed Number 2018-051253, Clackamas County Deed Records in Section 34 of Township 3 South, Range 4 East, W.M., Clackamas County, Oregon.

This agreement shall be binding upon the **CITY** and **OWNER**, or any succeeding owner of the subject tract of land.

II. OBLIGATION OF THE OWNER

Upon receipt of the consideration given or promised by the **CITY**, the **OWNER** shall convey a permanent easement for roadway purposes as described in the attached document labeled "Easement for Roadway Purposes", to the **CITY** for future construction of South Walnut Street.

III. OBLIGATION OF THE CITY

In exchange for conveyance of said permanent easement for roadway purposes across the subject property, the **CITY** agrees to the following:


1. Upon execution of this Memorandum of Understanding, the City will record this document in the Clackamas County Deed Records and include a reference to the MOU in the subsequent easement document.
2. Upon execution of the Easement Document, the **CITY** will pay **OWNER** the amount of \$232,000 in current funds via a wire transfer, or will provide a credit against future transportation SDC charges (which are inflation-indexed) associated with development of the subject property, at the sole election of the **OWNER**.

3. The **CITY** will fund all street and utility improvements for a complete and functional roadway connection between Highway 99E to SE 1st Avenue, to include:

- A 50' foot curb to curb Industrial roadway connection (excepting sidewalks and street trees) between SE 1st Avenue and Highway 99E;
- A three-way signalized intersection at the connection to Highway 99E;
- A fully functional connection to SE 1st Avenue, tentatively anticipated to be a traffic circle;
- Utility service mainlines (water, sanitary sewer, gas, communications, and power) to fully serve all abutting property, and with sufficient capacity to serve the Planning Department Area of Special Concern Area J. Stormwater improvements will be limited to those required to serve runoff from Walnut Street.

4. The City has budgeted funds in FY 2021-22 for initial design and construction, and plans to budget the remaining funds needed to complete the project in FY 22-23 and 23-24.

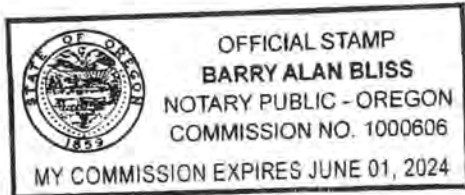
5. The **CITY** will not require any cost reimbursement for the proposed street and utility improvements and will waive any direct cost allocations against the subject property, excluding any indirect cost allocations that may be integral to the System Development Charge Fee or property tax millage rates that are applied regionally.

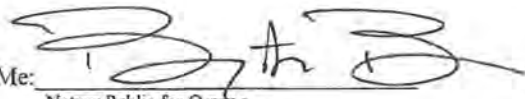
 10/19/21
Ethan Manuel, Manager Date
Proudest Monkey Development, LLC.

Scott Archer, City Administrator Date
City of Canby

State of Oregon, County of Clackamas:

Personally appeared the above named Ethan Manuel, Manager, Proudest Monkey Development, LLC. before me on October 19, 2021 and acknowledged he has the authority to execute this document on behalf of Proudest Monkey Development, LLC, and that this instrument is his voluntary act and deed.



Before Me: 
Notary Public for Oregon
My Commission Expires: June 1, 2024

AFTER RECORDING, RETURN TO:

The City of Canby
222 NE 2nd Avenue
Canby, OR 97013

SEND TAX STATEMENT TO:

The City of Canby
222 NE 2nd Avenue
Canby, OR 97013

PERMANENT EASEMENT FOR ROAD AND RIGHT OF WAY PURPOSES

KNOW ALL MEN BY THESE PRESENTS, that Proudest Monkey Development LLC, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by the City of Canby, a Municipal Corporation, hereinafter called the grantee, does hereby grant bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, a permanent easement for the purposes of road and utility improvements, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

Permanent Easement for Roadway Purposes is described on the attached Exhibit 'A' Legal Description and as shown on the attached sketch labeled Exhibit 'B': hereto and by this reference incorporated herein.

The true and actual consideration for this perpetual easement is Two Hundred Thirty Two Thousand Dollars (\$232,000.00), to be paid prior to recording, in conjunction with conditions of approval contained in a Memorandum of Understanding recorded as Fee Number _____ Clackamas County Deed records.

In construing this easement, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

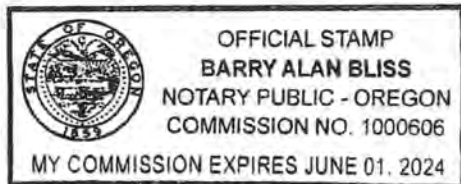
In Witness Whereof, the grantor has executed this instrument this 19th day of October, 20 21;

PROUDEST MONKEY DEVELOPMENT LLC, Limited Liability Company:

By: Ethan Manuel
Ethan Manuel, Member, Proudest Monkey Development LLC

STATE OF OREGON)
) ss.
County of CLACKAMAS)

This instrument was acknowledged before me this 19 day of October 2021, by Ethan Manual, Member, Proudest Monkey Development LLC, and said person acknowledged said person is authorized to execute the attached instrument on behalf of Proudest Monkey Development LLC and acknowledged it to be the free and voluntary act of said limited liability company for the uses and purposes noted in the instrument.



[Signature]
Notary Public for Oregon

My Commission Expires: June 1, 2024

Accepted by the City of Canby: _____ Scott Archer, City Administrator

EXHIBIT "B"



SCALE: 1" = 300'

MARCH 2021

CITY OF CANBY
PROUDEST MONKEY EASEMENT
WALNUT STREET EXTENSION
 CLACKAMAS COUNTY, OREGON

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

6655 S.W. HAMPTON ST., SUITE 210
 PORTLAND, OREGON 97223
 PHONE (503) 684-3478

EXHIBIT "A"

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.

Ronald b. Sellards, P.E.

3880 SE 8th Ave., Suite 280

Portland, OR 97202

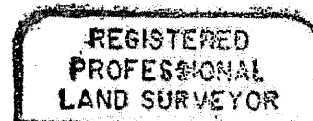
503-235-8795

FAX: 503-233-7889

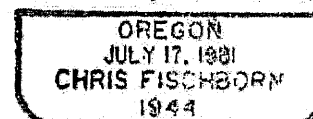
Email: chris@ztecengineers.com

Legal Description of
EASEMENT FOR ROADWAY PURPOSES
PROUDEST MONKEY DEVELOPMENT LLC
In the NE 1/4 of Section 34, T3S., R1E., W.M.-Tax Lot 400

The following described Tract of land being dedicated to the City of Canby as an Easement for utility and roadway purposes. Said Tract of land being more particularly described as follows: A portion of that tract of land conveyed to Prouddest Monkey Development LLC, on August 1, 2018 in that deed recorded as Document No. 2018-051253, Clackamas County Deed Records in the Northeast one-quarter of Section 34, Township 3 South, Range 1 East, of the Willamette Meridian, Clackamas County, Oregon. Said Easement being a portion of said Prouddest Monkey Development LLC Tract and consisting of a strip of land being 74.00 feet wide, 37.00 feet on each side of the following described centerline: Beginning at a 3/4 inch iron pipe found at the most Southerly corner of Lot 34 of "East Canby Gardens", said point being North 26°08'30" East a distance of 639.92 feet from a 3/4 inch iron pipe at the most Southerly corner of lot 32 of said "East Canby Gardens"; thence along a 200.00 foot radius curve to the right, through a central angle of 80°06'30", an arc distance of 279.63 feet (the long chord of said curve bears South 23°48'15" East a distance of 257.40 feet) to a point of tangency; thence South 16°15'00" East a distance of 296.23 feet to a point of curve; thence along a 200.00 foot radius curve to the left, through a central angle of 80°04'50", an arc distance of 279.53 feet (the long chord of said curve bears South 23°47'25" East a distance of 257.33 feet to a point that is 37.00 feet North of, when measured at right angles, the Southwesterly line of Lot 27 of said "East Canby Gardens"; thence South 63°49'50" East, parallel with and 37.00 feet North of, when measured at right angles, said Southwesterly line, a distance of 621.85 feet to point of curve; thence along a 196.00 foot radius curve to the right, through a central angle of 35°47'03", an arc distance of 122.41 feet (the long chord of said curve bears South 45°56'20" East a distance of 120.43 feet) to a point on the Southwesterly line of said Document No. 2018-051253 tract and the terminus of said centerline. Said Easement sidelines to be extended or shortened to intersect said Document No. 2018-051253 boundary. Said Easement covers an area of **1.54** acres more or less.



Chris Fischborn



After recording return to:

James D. & Karen E. Lyons
22890 SW Highway 99E
Canby, OR 97013

South Walnut Street Memorandum of Understanding

THIS Memorandum is by and between the **City of Canby**, Oregon, with a mailing address of 222 NE 2nd Avenue, Canby, Oregon 97013, (herein after referred to as **CITY**), and **James D. & Karen E. Lyons** (herein after referred to as **OWNER**) with mailing address of 22890 S Highway 99E, Canby, Oregon 97013, to memorialize the agreement of consideration for a permanent easement for the future construction of South Walnut Street across the subject property.

NOW THEREFORE, the parties agree as follows:

I. AFFECTED PROPERTY

This Agreement shall be recorded upon the deed of that tract of land conveyed to Karen E. Lyons by a Personal Representative's Deed on March 3, 2003, and recorded as Fee Number 2003-091463, Clackamas County Deed Records, in Section 34 of Township 3 South, Range 4 East, W.M., Clackamas County, Oregon, and to James D. Lyons as half owner conveyed on February 24, 2014, and recorded as Fee Number 2014-008470, Clackamas County Deed Records

This agreement shall be binding upon the **CITY** and **OWNER**, or any succeeding owner of the subject tract of land.

II. OBLIGATION OF THE OWNER

Upon receipt of the consideration given or promised by the **CITY**, the **OWNER** shall convey a permanent easement for roadway purposes as described in the attached document labeled "Easement for Roadway Purposes," to the **CITY** for future construction of South Walnut Street.

III. OBLIGATION OF THE CITY

In exchange for conveyance of said permanent easement for roadway purposes across the subject property, the **CITY** agrees to the following:

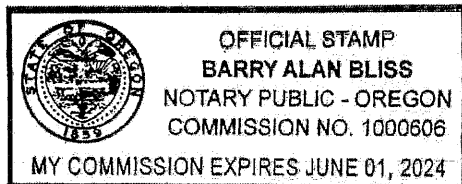
1. Upon execution of this Memorandum of Understanding, the City will record this document in the Clackamas County Deed Records and include a reference to the MOU in the subsequent easement document.
2. Upon execution of the easement document, the **CITY** will pay **OWNER** the amount of \$54,000 to compensate for the land and an additional \$11,000 to compensate for the utility building, for a total of \$65,000 in current funds.

3. At the time of construction, the **CITY** will fund and complete development of all public street improvements (excepting sidewalks and street trees) and utility improvements.
4. At the time of construction, the **CITY** will provide a minimum 30 day notice before starting demolition work to remove the existing utility building and restore the site to a flat level area.
5. At the time of construction, the **CITY** will remove the existing driveway (if ODOT requires termination of the existing driveway) and work jointly with the property owner to design and construct a new realigned access driveway of comparable or better quality, from the new Walnut Street improvement.
6. At the time of construction, the **CITY** will provide an earthen berm with mutually acceptable landscaping to provide sight screening for the existing residential site, and comparable fencing to replace the existing to maintain site security.
7. The **CITY** will not require any cost reimbursement for the proposed street and utility improvements and will waive any direct cost allocations against the subject property, excluding any indirect cost allocations that may be integral to the System Development Charge Fee or property tax millage rates that are applied regionally.

James D. Lyons 10/19/2021
James D. Lyons Date
Scott Archer 10-19-2021
Scott Archer, City Administrator Date
Karen E. Lyons 10-19-2021
Karen E. Lyons Date

State of Oregon, County of Clackamas:

Personally appeared the above named James D. and Karen E. Lyons before me on _____, 2021 and acknowledged that this instrument is their voluntary act and deed.



Before Me:

Barry Alan Bliss
Notary Public for Oregon

My Commission Expires:

June 1, 2024

AFTER RECORDING, RETURN TO:

The City of Canby
222 NE 2nd Avenue
Canby, OR 97013

SEND TAX STATEMENT TO:

The City of Canby
222 NE 2nd Avenue
Canby, OR 97013

PERMANENT EASEMENT FOR ROAD AND RIGHT OF WAY PURPOSES

KNOW ALL MEN BY THESE PRESENTS, that James D. Lyons and Karen E. Lyons, husband and wife, hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by the City of Canby, a Municipal Corporation, hereinafter called the grantee, does hereby grant bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, a permanent easement for the purposes of road and utility improvements, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

A portion of that tract of land conveyed to Karen E. Lyons by a Personal Representative's Deed on March 3, 2003 and recorded as Fee Number 2003-091463, Clackamas County Deed Records, in Section 34 of Township 3 South, Range 4 East, W.M., Clackamas County, Oregon, and to James D. Lyons as half owner conveyed on February 24, 2014 and recorded as Fee Number 2014-008470, Clackamas County Deed Records, said easement being a 37 foot wide strip of land parallel and abutting the north easterly boundary of said Lyons tract, said easement containing 17,011 square feet more or less, as shown on the attached Exhibit A.

The true and actual consideration for this perpetual easement is Fifty Four Thousand Dollars (\$54,000.00), to be paid prior to recording, in conjunction with conditions of approval contained in a Memorandum of Understanding recorded as Fee Number _____ Clackamas County Deed records.

In construing this easement, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

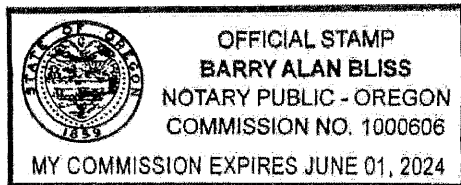
In Witness Whereof, the grantor has executed this instrument this 19th day of October 2021;

By: [Signature]
James D. Lyons

By: [Signature]
Karen E. Lyons

STATE OF OREGON)
) ss.
County of CLACKAMAS)

This instrument was acknowledged before me this 19 day of October 2021, by James D. Lyons and acknowledged it to be his free and voluntary act for the uses and purposes noted in the instrument.

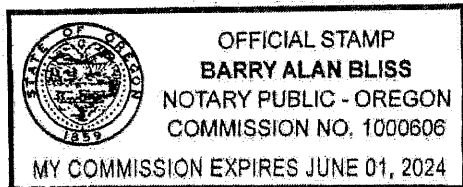


[Signature]
Notary Public for Oregon

My Commission Expires: June 1, 2024

STATE OF OREGON)
) ss.
County of CLACKAMAS)

This instrument was acknowledged before me this 19 day of October 2021, by Karen E. Lyons and acknowledged it to be her free and voluntary act for the uses and purposes noted in the instrument.



[Signature]
Notary Public for Oregon

My Commission Expires: June 1, 2024

Accepted by the City of Canby: _____ Scott Archer, City Administrator

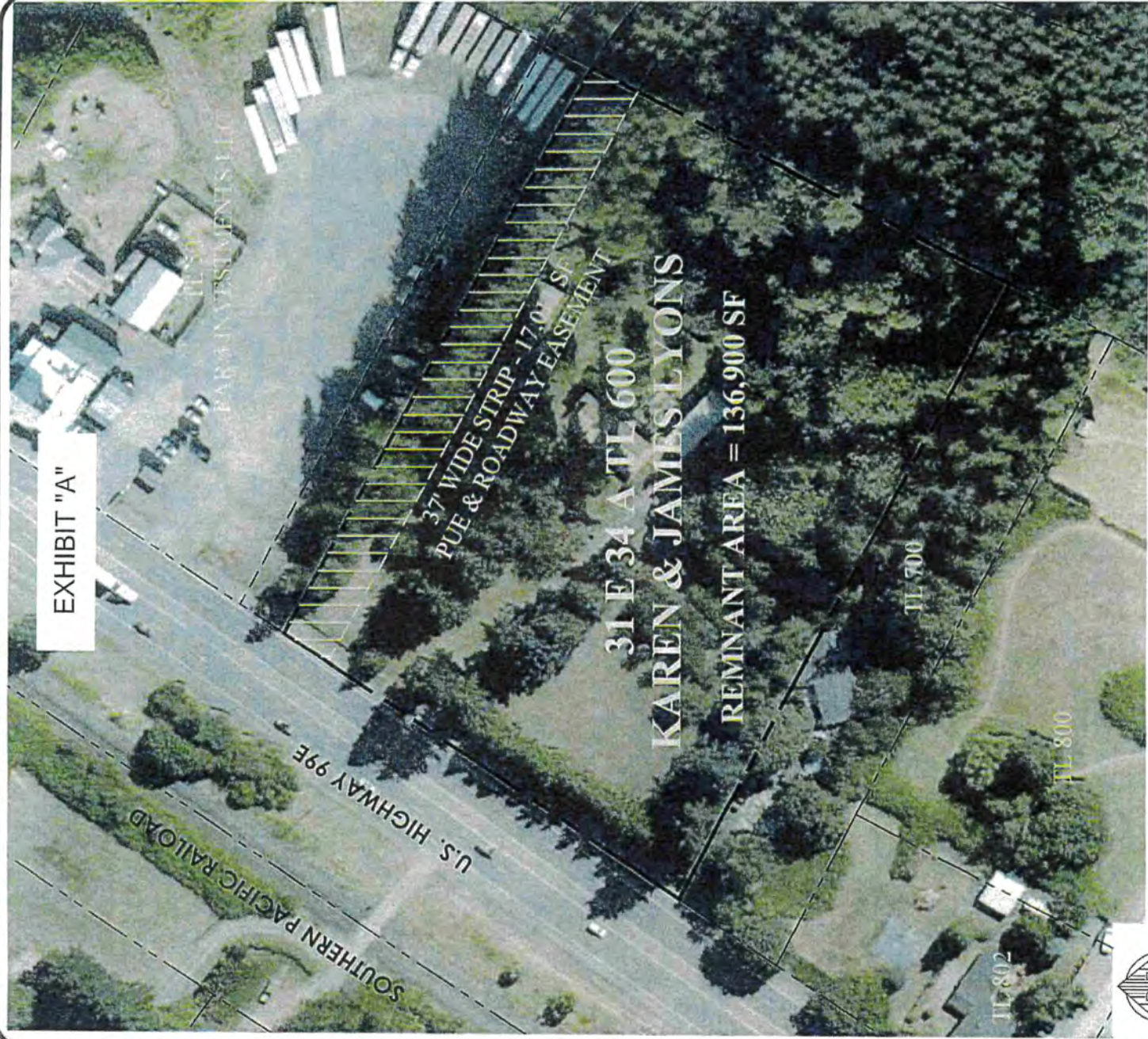
State of Oregon, County of Clackamas:

Personally appeared the above named Scott Archer, City Administrator of the City of Canby,
before me on _____, 2021 and acknowledged the foregoing instrument to be his
voluntary act and deed,

Before Me: _____
Notary Public for Oregon

My Commission Expires: _____

Attachment: Easement for Roadway Purposes



SCALE: 1" = 100'

MARCH 2021

CITY OF CANBY
KAREN & JAMES LYONS EASEMENT
WALNUT STREET EXTENSION
CLACKAMAS COUNTY, OREGON

CURRAN-MCLEOD, INC.
CONSULTING ENGINEERS

6655 S.W. HAMPTON ST., SUITE 210
PORTLAND, OREGON 97223
PHONE (503) 684-3478



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: November 17, 2021

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Jamie Stickel, Economic Development Director + Communications Specialist

ITEM: Open Air Canby Program

Summary

In October 2020, the City of Canby's City Council adopted Resolution 1342 authorizing the Open Air Canby Program. Open Air Canby is a program which approved Canby businesses to expand outdoor seating into private outdoor areas or private parking lots.

Background

Due to the COVID-19 pandemic, the Economic Development department researched concepts that had been implemented in neighboring cities to assist businesses with increasing outdoor seating. The concept brought forward to the City Council was the Open Air Canby program.

Open Air Canby allows local businesses to expand their seating into private outdoor areas or private parking lots throughout Canby. In an effort to be responsive to ever-changing business needs during the pandemic, the Open Air Canby Program suspended certain city codes – specifically around parking minimums.

The Open Air Canby Program does not require a permit; however, it lists certain requirements included to be approved which were discussed and determined by staff members from Economic Development and Planning, as well as the City Attorney. Those requirements were:

- The business has permission to occupy the expansion area from the owner or landlord.
- The expansion area is immediately adjacent to the parent business, or has the written approval of the immediately adjacent business.
- Any and all current State of Oregon COVID-19 requirements are met.
- The expansion area does not include any Americans with Disability Act (ADA) parking spaces, loading zones or travel pathways.
- The expansion area does not include any drive aisles or fire lanes.
- The expansion area can be utilities without removing any landscaping and without otherwise resulting in permanent site improvements.
- The outdoor activities must maintain 10 feet of clearance from any fire hydrants.

- Current Oregon Liquor Cannabis Commission License – if alcohol is being served. OLCC may have additional requirements based on outdoor seating configuration.

Businesses interested in installing a tent in conjunction with their outdoor seating received information from Economic Development staff. The information included the City's Temporary Vendor Permit, as well as information and appropriate contacts at the Canby Fire District and Clackamas County Building Codes department, which respectively review the tents to ensure they are appropriately fire-rated and safe. Clackamas County does not require a permit for a tent that is in use for less than 180 days. A tent used for over 180 days would need a building permit in place and a site plan to be submitted, which can take 2 – 6 weeks to process.

The City of Canby's Temporary Vendor Permit was utilized to allow tents to be constructed in conjunction with the Open Air Canby program. The Temporary Vendor Permit ensures the Planning Department is aware of the temporary structure and that it is in compliance with the Canby Municipal Code. The Finance Director waived the fee for the Temporary Vendor Permit to align this step with the intent of the Open Air Canby program which was to remove burdens – financial and otherwise – from installing additional seating.

During the October 20th, 2021 City Council meeting, staff presented the discussion on whether or not to extend the Open Air Canby Program. After a robust discuss, City Council asked staff to bring back a Resolution to extend the Open Air Canby Program until June 30th, 2022. Furthermore, the City Council asked staff to work on exploring and creating a permanent program to assist businesses with outdoor seating into private outdoor areas, private parking lots, or in public Right Of Way.

Discussion

The Open Air Canby program was originally passed in October 2020 with an expiration date of December 31st, 2021. Economic Development staff has already received one request to continue the program after the December 2021 sunset date. Staff has reviewed and updated the Open Air Canby Program to include a new sunset date of June 30th, 2022.

Attachments

- 2021-22 Open Air Recovery Program document
- Resolution No. 1360

Fiscal Impact

None.

Options

1. Approve Resolution No. 1360 authorizing the extension of the Open Air Canby Program until June 30th, 2022.
2. Deny Resolution No. 1360 authorizing the extension of the Open Air Canby program, allowing it to sunset December 31st, 2021.

Recommendation

Staff recommends the City Council approve Resolution No. 1360 authorizing the extension of the Open Air Canby Program until June 30th, 2022.

Proposed Motion

"I move to approve Resolution No. 1360 authorizing the extension of the Open Air Canby Program until June 30th, 2022."



Open Air Canby Program

Program Introduction

To promote the continued recovery of small businesses, the City of Canby is temporarily suspending the enforcement of certain city codes (i.e. parking minimums) to allow outdoor expansion into private outdoor areas or private parking lots. This program is not intended to circumvent Canby Building Code. An existing Sidewalk Café Permit application is available for business expansion into the public right-of-way.

The Open Air Canby Program will allow:

1. Eating/drinking establishments, recreational, personal services and retail businesses to temporarily expand into private parking lots, if they follow the requirements below. This is allowed city-wide.

The Open Air Canby Program was created in response to the COVID pandemic. The Canby City Council has deemed it appropriate and beneficial to businesses to extend the program through the winter and spring of 2022. The Economic Development Director or designee will serve as the Program Manager. The Program Manager will confer with the City's Planning Department to ensure all of the requirements have been met. **This program will expire June 30th, 2022.**

The City of Canby's Temporary Vendor Permit will be required should a business choose to install a tent as part of the Open Air Canby Program. The fee to use the permit will be waived when it is used in conjunction with the Open Air Canby Program. The business owner will also contact the Clackamas County Building Codes Department and Canby Fire District to ensure the tent is in compliance. The Program Manager will work with applicants to guarantee they have the appropriate contacts at partnering agencies.

I. Outdoor Expansion into Private Parking Lots: Program Requirements

Eating/drinking establishments, recreational facilities, personal services, and retail businesses with access to private outdoor areas or private parking lots may utilize these areas, in accordance with the safety requirements outlined below. This expansion is allowed city-wide.

No permit is required from the City as long as all of the following requirements are met:

1. The business has permission to occupy the expansion area from the owner or landlord.
2. The expansion area is immediately adjacent to the parent business, or has the written approval of the immediately adjacent business.

3. Any and all current State of Oregon COVID-19 requirements are met:
<https://govstatus.egov.com/OR-OHA-COVID-19>.
4. The expansion area does not include any Americans with Disability Act (ADA) parking spaces, loading zones or travel pathways.
5. The expansion area does not include any drive aisles or fire lanes.
6. The expansion area can be utilized without removing any landscaping and without otherwise resulting in permanent site improvements.
7. The outdoor activities must maintain 10 feet of clearance from any fire hydrants.
8. Current Oregon Liquor Cannabis Commission License - If alcohol is being served. OLCC may have additional requirements based on outdoor seating configuration.

I have read and understand the requirements listed above. I shall hold the City of Canby, its officers, agents, and employees free and harmless from any claims for damages to persons or property including legal fees and costs of defending any actions or suits thereon, including appeals therefrom, which may result from granting this program.

Signature: _____ Date: _____

RESOLUTION NO. 1360

A RESOLUTION ADOPTING A TEMPORARY PROGRAM FOR USE OF PRIVATE PARKING LOTS AND PRIVATE OUTDOOR AREAS

WHEREAS, the COVID-19 crisis significantly impacted the local economy, including eating/drinking establishments, recreational, personal services, and retail businesses (collectively “Businesses”), due to mandated partial and complete closures of many of these Businesses; and

WHEREAS, the business recovery efforts currently underway have revealed Businesses can accommodate the regular number of customers within the confines of their space, as well as in adjacent outdoor spaces; and

WHEREAS, programs to use sidewalks, streets, and parking areas for Businesses have been established successfully in other jurisdictions; and

WHEREAS, a temporary moratorium on enforcement of parking minimums of the Canby Municipal Code will allow these Businesses greater flexibility, which is beneficial to the local economy.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

Section 1. Notwithstanding contrary provisions in the Canby Municipal Code, the City adopts the Open Air Canby Program, which is attached as Exhibit A and incorporated by this reference.

This Resolution shall take effect on November 17th, 2021.

ADOPTED by the Canby City Council on the 17th day of November 2021.

Brian Hodson
Mayor

ATTEST:

Melissa Bisset
City Recorder



City of Canby Bi-Monthly Report
Department: Administration
For Months of September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Melissa Bisset, City Recorder/ HR Manager
Prepared by: Erin Burkhard, Office Specialist II
Through: Scott Archer, City Administrator
Date: November 17, 2021

Board and Commissions

Board/ Commission/ Committee	Vacancy	Applications Received	Status
Heritage and Landmark Commission	1	1	Appointed Rhonda Shechtman.
Library Advisory Board	3	4	Appointed Lois Brooks, Rick Maier and Luke Viter.
Transit Advisory Committee	2	1	
URA Budget Committee	2	0	

Business Licenses

	Issued	Inactivated	Renewals Mailed	Total Licenses
Sept & Oct 2021	18	8	263	685 have Canby Addresses 1555 Total
Sept & Oct 2020	44	23	252	692 have Canby addresses 1560 Total

Cemetery

	Property purchases recorded	Internments recorded
September 2021	3	7
October 2021	1	5

Recruitments

- Conducted interviews for Police Records Clerk and Custodian.
- Hired Police Records Clerk, Deputy City Recorder, Custodian, Head Lifeguard, and Lifeguards.
- Continued implementation of NEOGOV software (onboarding solution)

Liquor Licenses/ Noise Variance Application

One liquor license was processed.

Public Records Requests

Processed three public records requests.

Special Animal Permits

No special animal permits were issued.



City of Canby Bi-Monthly Report Department: Economic Development For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Jamie Stickel, Economic Development Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 11/9/2021

Economic Development Updates

First Thursday: The City's Economic Development Director has been working with local businesses in an effort to reinvigorate the First Thursday event. First Thursday is an event which features local businesses within the downtown commercial district, as well as those throughout Canby. First Thursday is held the first Thursday of the month and many local businesses stay open late, provide offerings for patrons such as giveaways and sales. COVID-19 slowed the success of First Thursday, however, as restrictions continue to be lifted, it became clear many of the businesses were eager to pick up where things left off. First Thursday is not limited to only downtown businesses, and has proven to be an opportunity to connect businesses outside of the Downtown Commercial District with complementary downtown businesses. The City has hosted coordination meetings with local businesses and the Chamber of Commerce at the Backstop Bar + Grill to seek input and ideas on how to increase attendance. Furthermore, Vanessa Zimmerman from Academy Mortgage has worked hand-in-hand with Economic Development to connect with all the downtown businesses and encourage them to participate. The initial First Thursday was held on Thursday, October 7th. The City's Economic Development Department hosted a Scavenger Hunt with participating businesses to encourage those downtown for First Thursday to engage with a variety of businesses in downtown.

Downtown Halloween Trick-or-Treat: On Sunday, October 31st, the City held its traditional Trick-or-Treat event in downtown Canby. Open, local businesses participated by handing out candy to children from 3:00 – 6:00p. In a few locations, local non-profits including the Canby Kiwanis Club and NW Osteopathic Medical Foundation created Trick-or-Treat tables to engage with the community. The Canby Police Department and Canby Fire District passed out candy on adjacent corners on NW 2nd Avenue and N Holly Street. Photos from the local, participating businesses were posted to the Canby Business Facebook and Instagram pages. The Halloween helps to bring people to Downtown Canby and familiarize attendees with the local businesses, particularly Canby's newest downtown businesses.



1: Canby Police Halloween

New Downtown Businesses: Two new businesses have opened their doors in Downtown Canby over the last few months. King's Farm to Table Canby Market opened its doors at 241 NW 2nd Avenue and Siren Song opened at 136 N Grant Street. King's Farm to Table got its start as a produce stand in Wilsonville by Jennifer and Bill King. The market features local products, grab and go menu items, seasonal produce, and more. Siren Song is a bar that features locally sourced meals and unique, crafted cocktails. Siren Song is from the creators of Wayward Sandwiches.

Economic Development + Tourism Coordinator: The City of Canby is hiring a new Economic Development + Tourism Coordinator. The position became vacant in early August and the City of Canby accepted applications until Friday, September 17th. The Economic Development + Tourism Coordinator position looks to generate and support business vitality and investment in Canby through economic development coordination and tourism efforts. It also provides support to the Economic Development Department through project and event coordination, business

outreach, meeting coordination, marketing and promotion, and grant research and writing. Furthermore, it supports the Economic Development Department through business outreach, marketing and promotion, special project and event coordination, meeting coordination, and grant research and writing.

Canby South/Amazon: On Friday, September 17th, Amazon announced it is building a 500,000 square foot “sortation center” in Canby. The sortation center will be built on the Weygandt property, which boasts 47 acres in the Canby Pioneer Industrial Park. The property is located on Township Road between Mulino Road and Sequoia Parkway. The project was formerly known as “Canby South” as the Trammell Crow Company – developers of the site – worked to identify a company for the former Weygandt property. Trammel Crow was previously working through the planning and permitting process on “Canby South”, a speculative development. Canby South was reviewed and approved with conditions at the July 28th Planning Commission meeting. Planning staff has been working with Trammell Crow and Amazon to ensure the aspects of the approved project will still apply to the Amazon development. Anything that is a “major modification” from the original approval will need to go back before the Planning Commission at a date certain in the future.

Oregon Film Trail: Canby’s Eco Park was added to the Oregon Film Trail at a public dedication ceremony on Friday, October 29th at 3:00p. The event featured an address from the City and Jane Ridley, Oregon Film, as well as the official unveiling of the new Oregon Film Trail plaque. Canby’s Eco Park was chosen as it was featured on the NBC’s popular “Grimm” television series in 2014. The City’s Economic Development Department assisted production crews to identify a location, provide access to the park, and find parking to store trailers, equipment, and crew facilities.

[Oregon Film](#), through a unique partnership with the [Oregon Made](#)

[Creative Foundation](#), created the Oregon Film Trail. With the support of many community partners, a statewide network of trail markers is being placed in many iconic filming locations across Oregon. The Oregon Film Trail is strengthening Oregon’s growing film tourism market by stitching together these communities, locations, and film history to create a structure, both virtual and real, in which we can retell stories, and celebrate our state’s contribution to filmmaking since the early 1900’s.



2: Oregon Film Trail Sign Unveiling

Open Air Canby Extension: On Wednesday, October 21st, the City’s Economic Development Director brought the “Open Air Canby” program to the Canby City Council. Open Air Canby was created in fall 2020 as a way to allow for businesses to expand their outdoor seating into nearby private parking lots and private lots. The program is closely modeled after Beaverton’s program in an effort for the City to be responsive to the COVID-19 restrictions many businesses were facing. The discussion on October 21st was whether or not the Canby City Council would like to extend the program or to have it sunset on December 31st, 2021. After a robust discussion, the City Council asked staff to bring back language that would extend the program until June 30th, 2022 and to also begin to explore a more permanent program that would mirror neighboring city’s “parklets”. A parklet is outdoor seating often in the City’s Right Of Way on the street and is popular in many cities throughout Oregon including Portland, Beaverton, and Milwaukie.

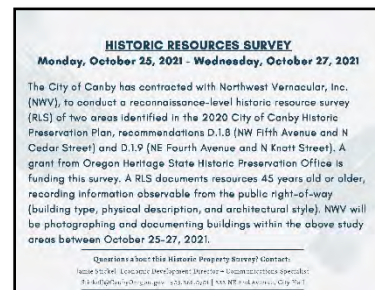
Bike and Pedestrian Committee: The City’s Bike and Pedestrian Committee continue to meet and discuss various projects in Canby. The committee met on October 12th to discuss was awarded a National Parks Service grant for future master planning work on the Molalla Forest Road, Traverso Section, engagement with outside committees and agencies, and outreach from the committee. The Bike and Pedestrian Committee discussed the City’s Parks Master Planning efforts as it relates to cycling and pedestrian traffic. They are eager to ensure the Master Plan includes input from the Bike + Pedestrian Committee as well as parks and trail users who may use outdoor recreation in the form of walking and cycling.

Heritage and Landmark Commission:

Heritage and Landmark Commission Public Hearing: The City’s Heritage and Landmark Commission held a public hearing on September 9th to review the proposed changes to the historic City Hall. The developer is hoping to bring the building back closer to its original look and feel, while also recruiting for new businesses that would bring a modern feel and fill a niche in Canby.

Zion Cemetery Clean Up: A cleanup event was held in Zion Cemetery on Saturday, September 25th by the Heritage and Landmark Commission. The annual cleanup event is open to any volunteer interested in preserving Canby's history by cleaning headstones at the cemetery. The cleanup day is part of the City's Historic Cemeteries Grant which is being used to repair headstones at Zion Cemetery.

Certified Local Government Grant: The City was awarded a Certified Local Government grant in early 2021. The funding is being used to contract with NW Vernacular for two projects: 1) a reconnaissance level survey on the south side of HWY 99 and 2) Clackamas County Fairgrounds and Event Center historic context and reconnaissance level survey. The City's Economic Development Director created a postcard for local residents to alert them to NW Vernacular's work for the reconnaissance level surveys. While the surveys are not invasive – they occur from the street/sidewalk – it is important to the commission that local residents understand why the consultants were reviewing properties in the area. These projects are running concurrently and help to serve as the building blocks for future projects and potentially historic districts. The City worked with NW Vernacular for the creation of the Preservation Plan in 2020.

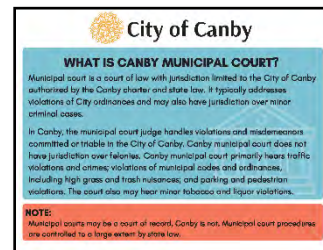


3: Postcard for Historic Survey

Communications Specialist: On July 1st, the City Administrator expanded the Director of Economic Development's role to include Communications Specialist. As Communications Specialist, a great deal of work will be finding new and creative ways of expanding outreach in the community including residents, businesses, and visitors. The work will include assisting the leadership team in expanding the City's communication by writing and distributing news releases, social media posts, and assisting at events.

News Releases and outreach focused on following topics:

- **Library Postcard:** Postcard for Library patrons with questions about the relocation of the Canby Municipal Court.
- **Pickleball Courts:** The City is building pickleball courts at Maple Street Park. This project is made possible in part to the generous donations received from Mark + Laurie Shuholm and family and Dr. Ashley McFerron of Canby Eyecare.
- **Transit Circulator:** Canby Area Transit announced its new "Canby Loop" a circulator to help move residents throughout Canby. The service went live on Monday, October 4th.
- **Planning Department Awarded Grants:** Canby's Planning Department was awarded two grants from the Department of Land Conservation and Development totaling approximately \$100,000 for the completion of a Housing Needs Analysis and a Housing Production Strategy. Both plans are needed for the City to remain in compliance.
- **Parks and Recreation Survey:** Senior Planner, Ryan Potter, created a news release for the online Parks and Recreation Master Plan Survey. A corresponding graphic and QR code was created and distributed to help promote the survey to local residents.
- **Oregon Film Trail:** Canby's Eco Park was added to the Oregon Film Trail at a public dedication ceremony.
- **Splash Pad Closed:** A graphic and language was distributed to note the Maple Street Park Splash Pad had closed for the season.



4: Municipal Court Postcard



5: Splash Pad Closure Graphic

Fleet Service BI-Monthly Report

By Robert Stricker, Lead Mechanic

Sep-21

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	1	\$11.06	\$19.98	\$19.15	\$50.19
Adult Center	0	\$0.00	\$0.00	\$79.58	\$79.58
Facilities	2	\$969.17	\$505.29	\$168.01	\$1,642.47
Wastewater Collections	4	\$485.48	\$380.59	\$296.88	\$1,162.95
Wastewater Treatment	1	\$116.28	\$0.00	\$0.00	\$116.28
Parks	5	\$2,497.14	\$2,876.42	\$906.55	\$6,280.11
Police	18	\$3,879.20	\$2,382.08	\$5,448.24	\$11,709.52
Streets	4	\$439.73	\$82.40	\$1,466.01	\$1,988.14
Fleet Services	2	\$295.30	\$17.28	\$113.20	\$425.78
Canby Area Transit (CAT)	22	\$3,085.14	\$2,981.10	\$8,759.09	\$14,825.33
Total	59				\$38,280.35

Oct-21

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	0	\$0.00	\$0.00	\$0.00	\$0.00
Adult Center	0	\$0.00	\$0.00	\$87.56	\$87.56
Facilities	0	\$0.00	\$0.00	\$183.94	\$183.94
Wastewater Collections	3	\$49.42	\$23.99	\$328.06	\$401.47
Wastewater Treatment	4	\$290.70	\$0.00	\$605.23	\$895.93
Parks	4	\$554.42	\$288.80	\$1,119.65	\$1,962.87
Police	16	\$5,005.45	\$756.89	\$6,063.12	\$11,825.46
Streets	7	\$500.10	\$539.89	\$1,925.97	\$2,965.96
Fleet Services	2	\$185.85	\$50.99	\$118.08	\$354.92
Canby Area Transit (CAT)	24	\$3,049.64	\$1,628.12	\$10,051.49	\$14,729.25
Total	60				\$33,407.36

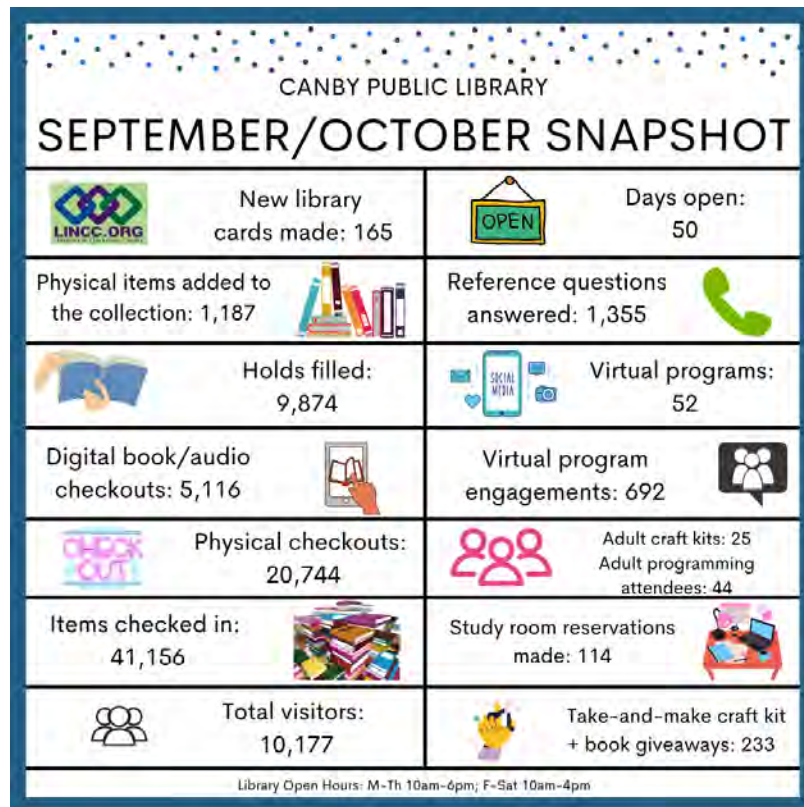
Fleet Service Highlights



City of Canby Bi-Monthly Report
Department: Library
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Danny Smith, Library Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 11/15/2021

Usage Metrics Overview



Staff

Each year on Indigenous Peoples' Day, the library is closed for staff training and development. Every other year, the Canby library team hosts a local training day or attends the Clackamas County consortium-wide training. This year, the Canby team hosted a local training and spent a lot of time focusing on how we show up each day, learning from each other's professional strengths and taking those new skills back to the library to better serve our customers. Staff are reenergized and looking forward to the upcoming year.



Spaces

The library facility continues to see steady use (about 1,200 visitors/week) and with the new door counter installed, we're starting to build a robust data set that tells staff more and more about the usage of the library. Legacy door counting solutions are typically limited to a per/day visit total. We can now see total occupancy of the facility at any given time which helps with things like COVID related building limits all while giving us real-time hourly data, average visit times and more. All of this new data helps us better understand our customers' usage patterns and behaviors and as a result, how to best staff the facility to create a safe and robust experience for everyone using the library.

Collections

The Lucky Day collection at the library continues to be a huge hit and staff are working hard to expand this collection as much as possible. Lucky Day materials (adult fiction, non-fiction and DVDs) are new, high-demand materials that don't go out for holds, so if you are in the library, browsing, and you spot an item you've been waiting for, it is your "lucky day", grab it and check it out!

The City of Canby also received a generous donation of new picture books from the Canby Kiwanis, totaling \$1000, to refresh our Holiday and World Languages picture book collections.



General News

Programs Update

In an effort to begin offering limited programs again, library staff are celebrating a few of the recent programs hosted at the library.

- To help those who are ready to sign up or nearing time, Medicare 101 was held at the library in partnership with locally licensed health insurance agent Kris Saltee. Attendees learned the basics and various parts of Medicare, costs, and what it means if you work past age 65.
- As part of a four part series, the library is hosting Couples of the American Revolution, a multipart program that focuses on women during the American Revolution and the huge roles they played in the success and failure of their spouses (Nathaniel Greene, Paul Revere, General Thomas Gage, and Benedict Arnold).
- In partnership with Canby Friends of the Library and Canby-Aurora VFW 6057 Auxiliary & Post, "No Tricks/Just Treats" book giveaway for kids celebrating Halloween.
- DIY Halloween Home décor craft kits for Adults.
- Library staff partnered with Clackamas County Early Learning Hub, to provide a pick-up site for the "Make a Splash" rain boot giveaway program and provided 50 take-and-make craft kits for the families that attended.



City of Canby Bi-Monthly Report
Department: Court
September and October, 2021

To: The Honorable Mayor Hodson and City Council
Prepared By: Jessica Roberts, Municipal Court Supervisor
Through: Scott Archer, City Administrator
Date: November 8, 2021

Canby Municipal Court has jurisdiction over all city and state law offenses committed within city limits other than felonies. These include: violations, traffic crimes, misdemeanors and City code violations. *Note: Statistic category terms outlined on page 2*

Monthly Statistics	September	October
Misdemeanors		
Offenses Filed	33	31
Cases Filed	29	20
Warrants Issued	15	12
Misdemeanor Case Detail		
Diversion/Deferred Sentence	1	3
Offenses Dismissed	7	11
Offenses Sentenced	6	13
Offenses not filed by City Prosecutor	0	9
Traffic & Other Violations		
Offenses Filed	203	166
Cases/Citations Filed	152	141
Parking Citations Filed	6	9
Traffic & Other Violations Case Detail		
Diversion (Good Driver Class/MIP)	16	16
Dismissal (Fix It Tickets)	6	3
Dismissed by City Prosecutor or Judge	5	13
Sentenced by Judge	17	22
Handled by Violations Bureau	50	64
Guilty by Default	69	48
Traffic and Criminal Trials		
Court Trial (Misdemeanor)	0	0
Jury	1	0
Traffic Trial	6	5
Defendant Accounts referred to Collections	\$43,326	\$35,488
Fines & Surcharges Collected	\$46,404	\$49,507

Explanation of terms:

1. Difference between Offenses Filed vs. Cases Filed
 - Multiple offenses (charges) can be filed on any one defendant from a single traffic stop or arrest.
 - Offenses filed reflects this number. Cases filed (also called docket numbers) refers to a single defendant's matter before the court.
2. Offenses not filed by City Prosecutor. Crimes cited by the police department go to the city prosecutor for review. At times those charges are not filed on against the defendant at the determination of the City Prosecutor.
3. Guilty by Default. When a defendant does not appear or contact the court on their scheduled court date a defaulted conviction is entered against them on the following Wednesday. A court clerk processes the default convictions.
4. The Violations Bureau applies to traffic violations only.

Under the Judge's authority, court clerks can accept pleas, offer a deferred sentence program (if qualified) and set a payment plan. Where a crime is charged, a court appearance before the judge is mandatory.

If a defendant qualifies, the clerks can offer an option to participate in an informative driving education course for a fee to the court. If there are no convictions during the following two months, the case will be dismissed.

Current programs and to qualify:

- Good Drivers Program (no prior traffic convictions in the last five years and no further convictions for 60 days)
- 1st Offender – Traffic violation (if under the age of 18)
- 1st Offender - Minor in Possession of Alcohol/Marijuana citation

5. Fix It Citations

The court offers a Fix It program, which allows the defendant to have a citation dismissed if an issue with their vehicle, registration or license is fixed. There is a \$50 dismissal fee owed for each fixed violation. This is reflected in the traffic violations dismissed statistic.



City of Canby Bi-Monthly Report
Department: Parks
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
 From: Jeff Snyder, Parks Maintenance Lead Worker
 Prepared by: Same as above
 Through: Scott Archer, City Administrator
 Date: 11/9/2021

Two Month Deferred Maintenance Report

September and October

City Park Properties	September October 2020	September October 2021	Deferred Maintenance Tasks
	Snapshot of Actual Hours		
Arneson Gardens	60	30	Decrease in landscaping/storm debris
Baker Prairie Cemetery	22.5	9.5	Decrease in landscaping/storm debris
Beck Pond trail	6.5	12.5	Increase in landscaping
Community Park	228	218.5	Decrease in storm debris
Disc Golf	18	10	Decrease in debris removal
Eco Park	10	25	Increase in maintenance
Faist 5 - Undeveloped	2.5	1.5	Service as needed
Legacy Park	144.5	157.5	increase in landscaping
S. Locust Park	78	70.5	Decrease in landscaping
Forest Road Path	94	132.5	Increase in storm debris cleanup and mowing
Fish Eddy	3.5	8	Service as needed
Maple Park	252.5	203.5	Splash pad project compleeted
19 th Loop	1.5	4	Increase in landscaping
Northwood Park	62.5	94.5	Increase in landscaping
Simnitt - Undeveloped	0	0	Service as needed
Skate Park	18	26	Service as needed
Territorial CLC	2.5	0	Maintained by volunteers
Timber Park	57.5	110.5	Increase in landscaping
Triangle Park	17.5	14	Decreased in landscaping
Wait Park	209.5	166.5	Decrease in landscaping/storm debris

Within the body of the September/October snapshot, the difference between the 2020 and 2021 cycles, there has been an increase of 5.5 hours dedicated towards all park maintenance.

Parks Maintenance

September - October 2021

Park Renovations

Sign restoration was completed over the last two months at Timber and Northwood Park.

R.L. Reimers Co. started excavation on the Maple St. Park Pickleball court on 9-9-21



The Pickleball court is moving forward. The fencing is being install around the court and the cement pouring should be compleeted in early November.

2KG performed warranty work on the Splash pad flower tower spray feature. The footing of the fixture needed grout installed for structural integrity.

Chuck Palvich from Terra Nova Nursery gifted 400 Hellebores to the city of Canby Parks Department. The Lenten Rose/ Hellebores were planted throughout the parks. Thank you, Terra Nova Nursery...

Park Maintenance

Staff painted the parking lot parking stripes in all of the parks. Building maintenance and asset repairs were addressed as found. Moss control was applied the park building roofs were needed. Staff was still mowing, edging, fertilizing and weed spraying through the end of October. Tree trimming, shrub trimming and storm debris cleanup was performed were needed. Staff maintained the flowers on second Ave. and the civic plaza, all the planters were cleaned out for the season by the end of October. All the irrigation systems have been winterized for the year. All the playgrounds received a playground safety inspection after a full summer of use. Fence repairs were contracted out to complete the ice storm damage repairs at Arneson Gardens, Beck Pond and Maple St. Park. Staff installed the Film Trail Sign at the Eco Park. Staff has started to hang the Holiday lighting on 1st. Ave.

The Parks Department spent 8 hrs. addressing graffiti and vandalism over the last two months. Regular maintenance was not performed at the 34 areas the Parks Department is responsible for, the Adult Center, Arneson Gardens Horticultural Park, Baker Prairie Cemetery, Beck Pond, Community Park (River), CPIP sign, Disc Golf Park, Eco Park natural area, Faist V property, Holly & Territorial welcome sign property, Hulbert's welcome sign property, Kibben Park, Knights Bridge right of way, Legacy Park, South Locust Street Park, Logging Road Trail and Fish Eddy/Log Boom property, Maple Street Park,

Nineteenth Loop Natural area, Northwood Estates Park, NW 1st Ave., NW 2nd Ave., Police Department landscaping, Simnitt Property, Skate Park, Shop Ground, Swim Center, Timber Park, Territorial Estates Future CLC Park, Transit Bus Stop, Triangle Park, Wait Park, Willow Creek Wetlands (19th Loop), WWTP property and Zion Cemetery.

Meetings attended

I attended the Park and Recreation meetings.

I attended meetings regarding the operations portion of the Parks Master plan.

I met with our City Engineer and R.L. Reimers for a Pickleball court construction Pre-con.

We met with 2KG and Anderson Pool Works to workout warranty issues with the splash pad.

I met with our Finance Director regarding our park maintenance fee revenues.

I attended a meeting regarding the Emerald Necklace with the Planning Department.

Zion Cemetery

At the cemetery mowing, irrigating repairs/adjustments/winterization was performed. Floral decoration cleanup, building maintenance issues and sexton duties were performed as needed.

Broadleaf weed control was applied to the turf at Zion. This application should reduce mowing throughout the spring and summer next year.

For your Information

Staff has started to hang the Holiday lighting on 1st. Ave.

Please see attached park maintenance actual hours for the months of May and June 2021. Hours are based on number of employee's (each day) x 7.5hrs.



Parks Department	October 2021 Actual Hours
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Parks Department		October 2021 Actual Hours																															Total
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
	Adult Center				1.5	19.5	2.0					1.0	1.5									1.0							1.0			31	27.5
	Arneson Gardens	0.5									1.0	0.5	1.0	1.0						1.5	5.0	0.5				0.5	0.5					12.5	
	Baker Prairie Cem.			0.5	0.5						3.0	0.5	1.0	2.0																		7.5	
	Beck Pond	0.5									0.5		4.0	0.5						1.5			0.5			0.5						8.5	
	Community Park	3.5		6.0	2.5	13.5	1.0	3.0			2.0	1.0	2.0	1.5	2.0				5.0	0.5	2.0	2.0	0.5			5.0	1.0	11.0	2.0		67.0		
	CPiP Sign Property				1.5																0.5										2.0		
	Disc Golf Course																															0.0	
	Eco Park	0.5				1.0	0.5				0.5	0.5							2.0							5.5	4.0			1.0		15.5	
	Faist V (5)																			0.5												0.5	
	Holly-Territorial Sign				1.5																	1.0										2.5	
	Hulberts-sign property				1.5			1.0				4.0																				6.5	
	Klohe Fountain				1.5						0.5	4.0																				6.0	
	Knights Brdg.																				1.0						4.0					5.0	
	Legacy Park	1.0		5.0	0.5	4.0	11.0	4.0			1.5	5.0	6.0	4.0	2.5				6.5	0.5	2.0	1.0	4.5			2.0	2.0		1.0		64.0		
	S. Locust Park	5.0		0.5	2.0	0.5	0.5	3.0			1.5	0.5	3.0	2.5	1.0				5.0	0.5	2.0	1.0	0.5			1.0	2.0		1.0		33.0		
	Logging Rd. Path	2.0			0.5	1.0	0.5				1.5		2.0	1.0						0.5	0.5	6.0	2.0			8.0	12.0	9.5	30.0	2.0		79.0	
	Fish Paddy-Log Boom						0.5					1.0			0.5							1.0							1.0		4.0		
	Major St. Park	3.0		5.5	2.5	4.0	1.5	11.0			3.0	3.0	2.0	4.5	4.5				5.5	0.5	2.0	4.0	4.0			7.0	13.0		2.0		82.5		
	19th Loop					0.5					0.5											0.5										1.5	
	Northwood Park	1.0		3.0	0.5		1.0				0.5	0.5	6.0	2.0						4.0			1.0			1.0	1.0		1.0			22.5	
	Street Landscaping				27.5	0.5					1.0								2.5	7.5	15.0						15.0	15.0	15.0			99.0	
	Storage/Collection mow					1.0															7.5											8.5	
	Police Department										4.5							3.0														7.5	
	Simmitt Property																															0.0	
	Skate Park	1.0					1.0				1.0	0.5	2.0	1.0				2.0	1.5		4.5	0.5				1.0			1.0			17.0	
	Shops/ tools-trucks	6.0		2.0	1.0									3.0	0.5						6.0											18.5	
	Swim Center					1.0								0.5					1.5								1.0					4.0	
	Territorial-CLC Prop.																															0.0	
	Timber Park	1.0		0.5	0.5	3.5	2.5	0.5			1.5	0.5	3.0	4.5	1.0				0.5	0.5	1.0		2.5			3.0	0.5		1.0		28.0		
	Transit Bus stop	1.0		0.5	0.5	0.5	0.5	0.5			1.0	0.5	1.0		1.0			0.5			1.0	2.0	0.5			1.0	0.5		1.0			13.5	
	Triangle Park			1.0								1.0	0.5								0.5	1.5	3.0									7.5	
	Wait Park	2.0		5.0		5.5	3.5	3.5			2.0	1.0	7.0	13.5	1.5				9.5	5.5	11.0	4.0	0.5			8.0	2.0				85.0		
	Veterans Memorial							0.5			0.5	6.0		1.0						1.0		1.5	0.5									11.0	
	WWTP property																															0.0	
	Zion Cemetery	7.5			7.5	8.5	7.5	10.0			10.0	15.0	4.0	7.5	15.0				7.5	15.0	7.5	10.0	7.5				7.5	7.5	7.5	15.0	6.0	191.0	
	Administration	2.0		8.0	1.0	1.5	1.0						7.5	7.5	12.5				7.5	5.5	1.0					2.0	2.0	7.5				66.5	
																													</				



City of Canby Bi-Monthly Report
Department: Development Services
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Don Hardy, Planning Director
Prepared by: Laney Fouse Lawrence, Planning Office Specialist II
Through: Scott Archer, City Administrator
Date: 11/9/2021

The following report provides a summary of Planning and Development Services activities for the months of September and October, 2021. Please feel free to call department staff if you have questions or desire additional information about any of the listed projects or activities. This report identifies ongoing planning activities, a list of pre-application and pre-construction applications, a list of project hearings and a list of projects for which the City has performed site plan review for building permits and a list of active final occupancy permits.

Development Services Activities:

- 1. DLCD Housing Needs Analysis (HNA) and Housing Production Strategy (HPS) Grants.** DLCD awarded two grants to Canby: HNA, approximately \$65,000 and HPS, approximately \$35,000, and contracting with DLCD is currently occurring with work anticipated to start in January 2022 and with completion by December 2022.
- 2. DLCD Economic Opportunity Analysis (EOA).** Canby is anticipating a DLCD grant award for the EOA although DLCD has noted that the grant amount will be less than proposed by the city. Planning staff is awaiting word back from DLCD.
- 3. Parks Master Plan.** The first phase of the public opinion survey was mailed in September to a sample of addresses in Canby. The response was greater than the consultant team's projections, with a statistically-valid response rate of 16 percent. The second phase of the survey, an open link for everyone in Canby, is currently live and has been publicized via social media, email blasts, and other means. The GreenPlay team completed their Level of Service (LOS) analysis, which documents to what degree the City's current facilities and programs adequately serve the community. The consultant met with the City's Parks Lead in early October to gather information on parks maintenance activities and operations. The Master Plan update is expected to be completed in early 2022.
- 4. Food Carts Joint Work Session.** A second joint planning commission and city council work session was held on November 3, 2021 and staff have been directed to prepare draft code language for planning commission and city council review and approval. The planning commission hearing is

anticipated in January 2022.

LAND USE APPLICATION ACTIVITY

1. Pre-Application Conferences Submitted September 1 – October 31, 2021:



a. Canby Area J - Possible Annexation 23100, 23106, and 22600 S Highway 99 E –

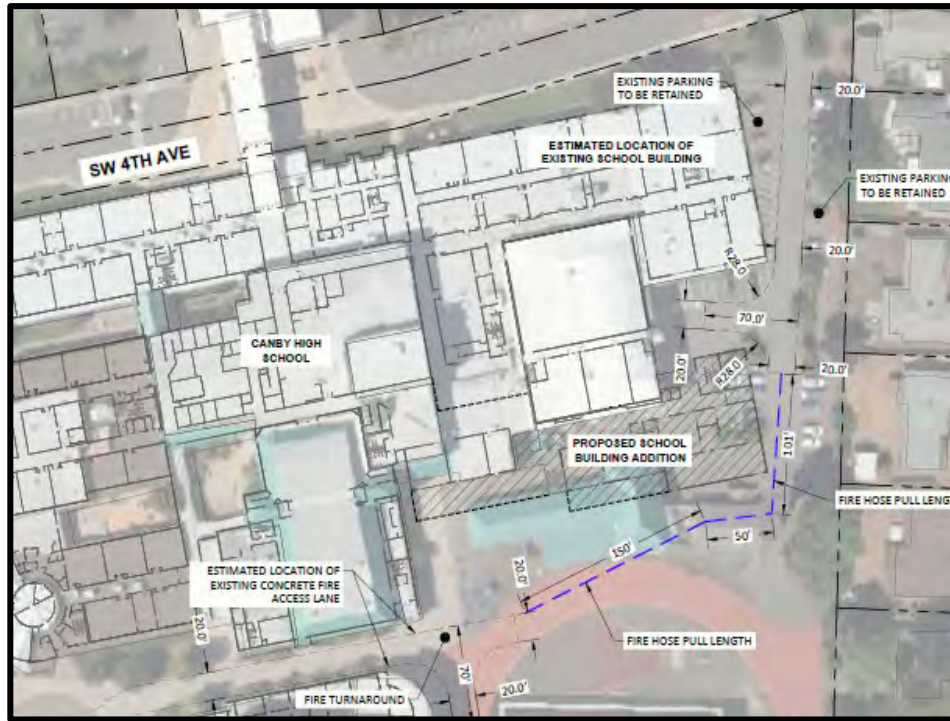
This is a potential future application for the annexation of three properties on the Northeast edge of Canby City limits comprising a total of approximately 49.43 acres.

All lots are within Canby's Urban Growth Boundary. The lots are also within the Area of Special Concern "Area J." Prior to the annexation of the three properties, the Planning Department has requested that the applicant provide a Development Concept Plan (DCP) for all properties that comprise the ±190-acres within Area J.

b. Canby High School Improvements – 721 SW 4th Avenue – Discuss improvements on the Canby High School (Canby HS) campus. The property has a Comprehensive Plan designation of Public and a Zoning designation of Residential 1 (R1).

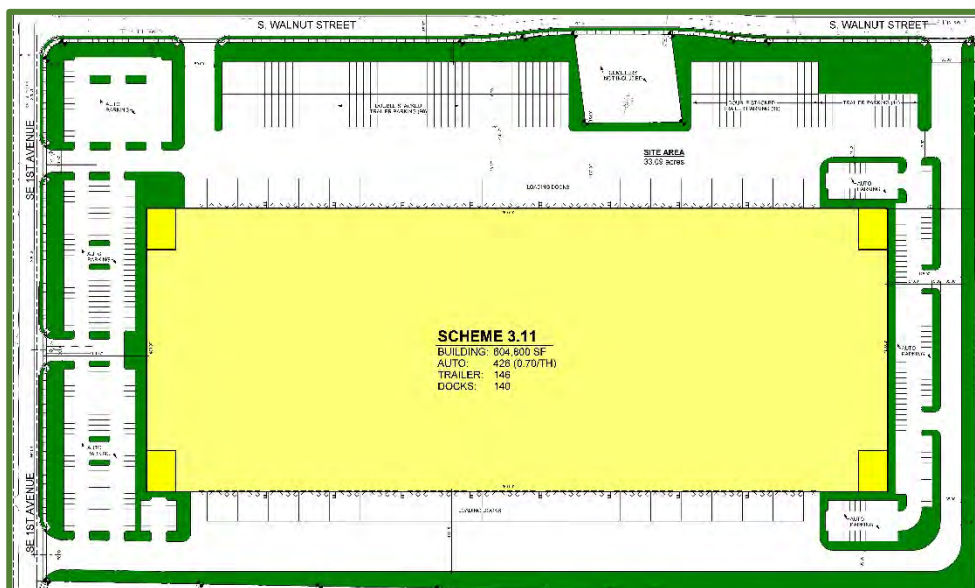
The high school use is considered a Conditional Use in the R1 zone.

The proposed Canby High School New Classroom Wing, funded by a 2020 voter-approved bond, will add a 32,000 square foot two-story addition to the southeast of the high school Main Building.



The addition will house six Science Classrooms and labs, six General Education classrooms, shared learning spaces, and support spaces. It will also include modernization of areas within the existing building that are adjacent to the new addition. Several outbuildings (10,300 SF in total) that are currently used for Custodial and Storage functions will be demolished to accommodate the new addition.

Baker Center -- SE 1st Ave, Between S Hazel Dell Way & S Walnut St – Applicant plans to develop approximately 33.77 acres for the construction of a single speculative warehouse building that will be designed to accommodate a combination of warehouse and light

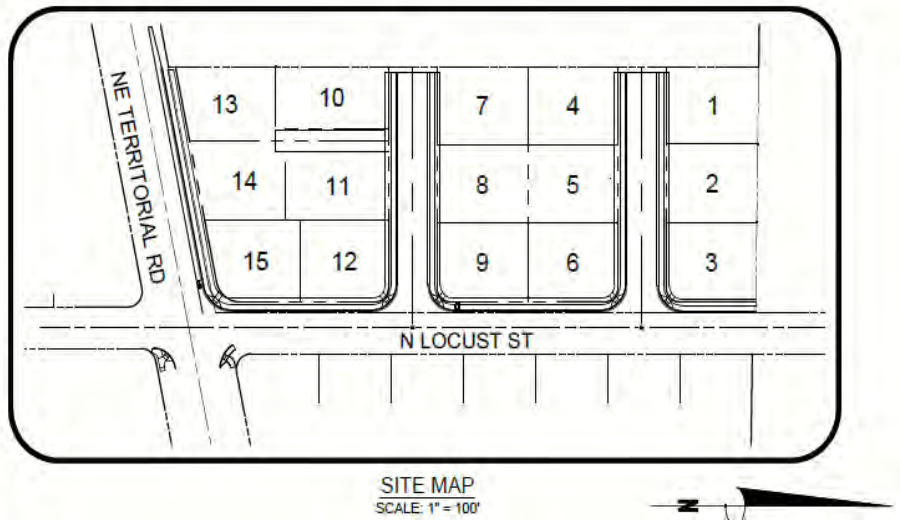


manufacturing tenants.

This will revise the existing approval for a plan originally including 3 speculative buildings.

A. Pre-Construction Conferences held September 1 – October 31, 2021:

- a. **PRC 21-08, Venture Properties, Territorial Gardens** – A 15-lot subdivision on the Northwest corner of NE Territorial Rd and N Locust St.



B. Planning Commission Agenda Items Reviewed September 1 – October 31, 2021:

October 25, 2021

- a. **Colima Construction Office Building (City File # DR 21-08)** To consider a request to build a new office building with associated parking and landscaping on a 0.37 acre parcel within the Redwood Professional Village. The building is proposed to be 2,750 square feet designated for office use.

October 11, 2021

- b. **Canby Beer Library (DR 21-06)** To consider a request to renovate the City's former library into a commercial mixed-use building containing a brewery, four micro-kitchens, and three retail spaces. Exterior renovations of the building would include a covered outdoor roof patio. Approval of the project requires Planning Commission approval of Site and Design Review Application - Canby Beer Library (DR 21-06).
- c. **Tofte South Annexation/Zone Change (ANN 21-01/ZC 21-02)** To consider a request is to annex approximately 42.5 acres of land into the city limits of Canby. As part of the annexation request, the applicant is concurrently requesting the approval of a Development Concept Plan (DCP) and a zone change to establish zoning for the proposed annexation land that is consistent with the Canby Comprehensive Plan.

September 27, 2021

Active Water Sports (DR 21-05)

To consider a request from an applicant who is seeking to construct a second building on a property developed as a sales and service business for boats and watercraft. The second building is proposed to be

approximately 10,000 square feet and will be used primarily to service watercraft, and is designed to complement the existing building's design.

d. 1495 S. Fir St. Annexation (ANN/ZC 21-02)

To consider a request from an applicant who is seeking approval to annex 1.37 acres of land located at 1495 S. Fir Street into the City of Canby. As part of the annexation request, the applicant is also seeking an amendment to the zoning map which would change the annexed property from Clackamas County Exclusive Farm Use (EFU) to City of Canby Medium Density Residential (R-1.5).

**C. Site Plans Submitted for Zoning Conformance and Authorization for Release of County Building Permits
September 1 – October 31, 2021:**

<u>SP 21-130</u>	<u>9/2/2021</u>	1620 N Oak St, Hamilton Acres Lot 2, ICON
<u>SP 21-131</u>	<u>9/2/2021</u>	1049 NE 15th Ave, Hamilton Acres Lot 18, ICON
<u>SP 21-132</u>	<u>9/3/2021</u>	Canby HS Pressbox
<u>SP 21-133</u>	<u>9/7/2021</u>	599 Juniper Bed to bathroom
<u>SP 21-134</u>	<u>9/12/2021</u>	Mass Grading Permit (for what? RP)
<u>SP 21-135</u>	<u>9/12/2021</u>	1161 SE 15th Avenue, Concrete Work / Patio (No BLDG Permit)
<u>SP 21-136</u>	<u>9/22/2021</u>	1076 NE 15th Ave, Hamilton Acres. Lot 21, ICON
<u>SP 21-137</u>	<u>9/22/2021</u>	407 S Holly Street, Sewer Connection
<u>SP 21-138</u>	<u>9/22/2021</u>	1059 NE 15th Ave, Hamilton Acres, Lot 25, ICON
<u>SP 21-139</u>	<u>9/22/2021</u>	1039 NE 15th Ave, Hamilton Acres, Lot 26, ICON
<u>SP 21-140</u>	<u>9/22/2021</u>	1598 N Oak Street, Hamilton Acres, Lot 36, ICON
<u>SP 21-141</u>	<u>9/29/2021</u>	1078 NE 16th Ave, Hamilton Acres, Lot 9, ICON
<u>SP 21-142</u>	<u>9/29/2021</u>	1397 NE 17th Ave, Postlewait Homestead, Lot 3 (Revisions)
<u>SP 21-143</u>	<u>9/29/2021</u>	1411 NE 17th Ave, Postlewait Homestead, Lot 4 (Revisions)
<u>SP 21-144</u>	<u>9/29/2021</u>	1435 NE 17th Ave, Postlewait Homestead, Lot 6 (Revisions)
<u>SP 21-145</u>	<u>9/30/2021</u>	300 S. Redwood St. Suite 140
<u>SP 21-146</u>	<u>9/30/2021</u>	1538 N. Persimmon St. Hamilton Acres Lot 16
<u>SP 21-147</u>	<u>9/30/2021</u>	1074 NE 16th Ave Hamilton Acres Lot 10, ICON
<u>SP 21-148</u>	<u>9/30/2021</u>	1099 NE 15th Ave Hamilton Acres Lot 23
<u>SP 21-149</u>	<u>9/30/2021</u>	221 S. Locust St.
<u>SP 21-150</u>	<u>10/13/2021</u>	445 SE 7th Ave RADD
<u>SP 21-151</u>	<u>10/13/2021</u>	Territorial Crossing Demolition Permits
<u>SP 21-152</u>	<u>10/15/2021</u>	Canby Fire Satellite Office
<u>SP 21-153</u>	<u>10/14/2021</u>	350 SE 13th Avenue (Ackerman) TIs
<u>SP 21-154</u>	<u>10/14/2021</u>	1130 S Ivy Street (District Office) Tis
<u>SP 21-155</u>	<u>10/14/2021</u>	1110 S Ivy Street (Lee) Tis
<u>SP 21-156</u>	<u>10/19/2021</u>	2027 NE 19th Ave RADD
<u>SP 21-157</u>	<u>10/25/2021</u>	615 SE 1st Ave Commercial TI/Change of Use

[SP 21-158](#)[10/25/2021](#)

1915 S Grant Street, Ivy Ridge, Lot 56

D. Signs Submitted for Plan Review September 1 – October 31, 2021:

- a. Ohana Orthodontics, 385 N Grant St
- b. Dragonberry, Replacement Monument Sign, 386 Sequoia Pkwy
- c. Cutsforth's Market Sign, 225 NE 2nd Ave
- d. Dodd's Farm Subdivision Monument Sign, 1921 Locust St

**E. Active Permit Finals for Occupancy by Clackamas County, September 1 –October 31, 2021:**

DATE	CLASS/TYPE	LOCATION
10/26/2021	101-NSFR	HAMILTON ACRES LOT 11 - NSFR
10/21/2021	104-3 or 4 Family Units	TRAIL CROSSING APARTMENTS - BUILDING 1 - 4 UNITS

CONTINUED: Active Permit Finals for Occupancy by Clackamas County, September 1 – October 31, 2021

DATE	CLASS/TYPE	LOCATION
10/21/2021	105-5 or More Units	TRAIL CROSSING APARTMENTS - BUILDING 3 - 12 UNITS
10/21/2021	105-5 or More Units	TRAIL CROSSING APARTMENTS - BUILDING 4 - 12 UNITS
10/21/2021	105-5 or More Units	TRAIL CROSSING APARTMENTS - BUILDING 6 - 12 UNITS
10/21/2021	105-5 or More Units	TRAIL CROSSING APARTMENTS - BUILDING 2 - 12 UNITS
10/21/2021	105-5 or More Units	TRAIL CROSSING APARTMENTS - BUILDING 5 - 6 UNITS
10/20/2021	101-NSFR	POSTLEWAIT HOMESTEAD LOT 6 NSFR
10/13/2021	101-NSFR	POSTELWAIT HOMESTEAD LOT 3 NSFR
10/8/2021	101-NSFR	POSTLEWAIT HOMESTEAD LOT 5 NSFR
10/6/2021	101-NSFR	FAIST EDITION LOT 8 NSFR
10/5/2021	101-NSFR	IVY RIDGE ESTATES LOT 08 NSFR

4/19/2021	101-NSFR	POSTLEWAIT HOMESTEAD LOT 1 NSFR
4/29/2021	101-NSFR	IVY RIDGE ESTATES LOT 10 NSFR
4/5/2021	101-NSFR	HAMILTON ACRES LOT 3 NSFR
2/22/2021	101-NSFR	HAMILTON ACRES LOT 31 NSFR
2/18/2020	101-NSFR	BECK POND LOT 42 NSFR
2/4/2020	101-NSFR	TIMBER PARK - LOT 26 NSFR
1/27/2020	101-NSFR	REDWOOD LANDING - LOT 10 NSFR
1/9/2020	101-NSFR	REDWOOD LANDING LOT 13 NSFR
1/21/2020	101-NSFR	REDWOOD LANDING LOT 16 NSFR
1/2/2020	101-NSFR	BECK POND LOT 68 NSFR
3/9/2021	101-NSFR	IVY RIDGE ESTATES LOT 1 NSFR
3/8/2021	101-NSFR	HAMILTON ACRES LOT 6 NSFR



City of Canby Bi-Monthly Report
Department: Police
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
 From: Chief Jorge Tro
 Prepared by: Katie McRobbie, Administrative Supervisor
 Through: Scott Archer, City Administrator
 Date: 11/9/2021

	Sept	Oct
Calls for Service - Dispatched 911 and Non-Emergency Calls	1107	1089
Property Crimes Reported		
Burglary	3	2
Unauthorized Use of Motor Vehicle / Unlawful entry of Motor Vehicle	6	5
Robbery	0	1
Theft I, II, & III	14	16
Forgery / Counterfeiting	0	1
Trespass	2	3
Vandalism / Criminal Mischief	6	6
Person Crimes Reported		
Assault I, II, IV	4	2
Carrying Concealed Weapons (knife, blade, etc.)	0	0
Disorderly Conduct (includes resisting arrest)	0	3
Endangering Welfare of a Minor / Recklessly endangering	1	0
Felon in possession of firearm / restricted weapon	0	0
Harassment, Intimidation or Threats	2	7
Identity Theft	3	3
Interfering with Peace Officer	1	2
Menacing	2	2

Sex Offenses	0	1
Strangulation	1	0
Arrests		
Warrant Arrests (and contempt of court, restraining order, parole violations)	9	15
Adult and Juvenile Custodies (includes juvenile curfew)	32	41
Drug Crimes		
Possession Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	0	0
Delivery of a Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	1	0
Manufacture Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	1	0
Traffic Crimes, Accidents, Citations		
Attempt to Elude	2	6
Driving Under the Influence of Intoxicants (Alcohol & Controlled Substance)	13	16
Other Traffic Crimes (Hit & Run, Driving While Suspended / Revoked, Reckless Driving, UUMV, Failure to Surrender Suspended License / Use Invalid License)	14	12
Traffic Accidents	4	7
Traffic Citations	472	393

CANBY POLICE DEPARTMENT – TRAFFIC UNIT

**SGT. TIM GREEN
OFFICER ALLEN MILLER
OFFICER CHRIS MACOM**

MONTHLY TRAFFIC SAFETY REPORT

SEPTEMBER 2021

CITATIONS:	472
DUII ARRESTS:	13
TRAFFIC CRIMES:	12
TRAFFIC CRASHES:	Injury (Traffic): 1 Injury (Patrol): 1 Non-Injury (Traffic): 2 Non-Injury (Patrol): 1 Hit & Run (Traffic): 1 Hit & Run (Patrol): 1 TOTAL CRASHES: 7
TRAFFIC COMPLAINTS:	15

CANBY POLICE DEPARTMENT – TRAFFIC UNIT

**SGT. TIM GREEN
OFFICER ALLEN MILLER
OFFICER CHRIS MACOM**

MONTHLY TRAFFIC SAFETY REPORT

OCTOBER 2021

CITATIONS:	393
DUII ARRESTS:	16
TRAFFIC CRIMES:	16
TRAFFIC CRASHES:	Injury (Traffic): 1 Injury (Patrol): 2 Non-Injury (Traffic): 6 Non-Injury (Patrol): 2 Hit & Run (Traffic): 1 Hit & Run (Patrol): 2 TOTAL CRASHES: 14
TRAFFIC COMPLAINTS:	15



City of Canby Bi-Monthly Report
Department: Public Works
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Jerry Nelzen, Interim Public Works Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 11/1/2021

Facilities

Facility Maintenance projects for the Police Department installed a new automatic gate to the lower parking lot.



Facilities	Total Hours
September	168
October	144

Streets Department

Public Works supplied the paint, brushes and rollers to Canby High School students to repaint the crosswalk in front of Canby High School.



September Streets	Total Hours
Street Sweeping	65
Street Maintenance	430
Street Sign Manufacturing	25
Street Sign Maintenance	2
Street Lights	4
GIS Mapping	47.5
Striping Roads	40

October Streets	Total Hours
Street Sweeping	115.5
Street Sweeping Maintenance	3
Street Maintenance	365
Driveway Approaches	2
Street Sign Maintenance	10
Street Sign Installation	1
Street Lights	10
Vactor Usage	6
Baskets	10
Quiet Zone	105

Sewer Collections

Tapping onto a sewer main for 407 S Holly Street.



September Sewer	Total Hours
Sewer Cleaning	3
Sewer Maintenance/Repair	157
Sewer TV'ing	6
Lift Station Maintenance	50
Locating Utilities	51
Sewer Inspections	7
Vactor Usage	10
Drying Beds	2

October Sewer	Total Hours
Sewer Cleaning	30
Sewer TV	10
Sewer Laterals/Maintenance	48
Locating Utilities	24.5
Sewer Inspections	8

Storm Water

City of Canby's contractors at N Elm Street Quiet Zone.



September Stormwater	Total Hours
Catch Basins Maintenance	2
Drywell Maintenance	19
Storm Line Maintenance/Repair	24
Erosion Control	5
Storm Line Inspections	1

October Stormwater	Total Hours
Drywell Maintenance	1
Erosion Control	3
Storm Line Maintenance/Repair	4
Storm Line Inspections	8



City of Canby Bi-Monthly Report
Department: Canby Swim Center
For Months of: September and October 2021

To: The Honorable Mayor Hodson & City Council
From: Eric Laitnen, Aquatic Program Manager
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 11/1/2021

September and October have been going pretty good all things considered. We were closed for two weeks of maintenance and repaired many smaller items. Everything got a fresh coat of paint. The pool was emptied, cleaned and refilled. A lot of normal maintenance items were taken care of. The second half of September we started back with a normal fall schedule, we are still running at a bit of reduced hours due to staffing. We are now able to offer fall lessons. October has gone well with the exception of needing to cancel one session of lessons for covid protocol, but everyone took it pretty well and we gave refunds and credits for the lessons.

Numbers are fine we have people coming to a lot of lap swim and adult swim times and lessons are always full. Public swims are light in the evenings but pretty regular on Saturday afternoon. Revenue numbers are good for the year although there really isn't anything to compare to, last year was off and on all year and the year before that was totally different then what we do now. Welcome to 2021, new normal.

The Canby Gators are running at normal numbers a little over 50 swimmers and they have returned to swim meets. Swim meets are different for each pool. All host teams need to follow the guidelines of each facility with how many people are allowed in the building. The Canby Gators are swimming well and will have a regular schedule for this season as far as we know, it is all on schedule so far. Canby High School starts on November 15th they will also be back to a regular schedule this year. We will need to wait and see for team numbers, but things are looking up.

Revenue is good for the year we started out with a bang in July with lessons and public swims and continue to keep building on that. By the time you read this we will know if the pool levy passed for funding the next five years. Thank you for your support by putting the levy on the ballot.

SUBJECT: September 2021 Attendance Numbers
DATE: 2021-2022

CANBY SWIM CENTER September	ADMIT 2020	ADMIT 2021	PASS 2020	PASS 2021	TOTAL 2020	TOTAL 2021	YTD TOTAL 20-21	YTD TOTAL 21-22
MORNING LAP	81	28	335	137	416	165	416	777
ADULT RECREATION SWIM	0	55	0	191	0	246	0	988
MORNING WATER EXERCISE	0	12	0	116	0	128	0	703
PARENT/ CHILD	0	204	0	0	0	204	0	1204
MORNING PUBLIC LESSONS	0	0	0	0	0	0	0	3000
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	0	44	0	151	0	195	0	718
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	0	39	0	12	0	51	0	1492
PENGUIN CLUB	0	0	0	0	0	0	0	765
CANBY H.S. SWIM TEAM	0	0	32	0	32	0	32	0
CANBY GATORS	0	0	350	570	350	570	350	1667
MASTER SWIMMING	0	0	0	6	0	6	0	6
EVENING LESSONS	0	852	0	0	0	852	0	3196
EVENING LAP SWIM	0	14	0	23	0	37	0	240
EVENING PUBLIC SWIM	0	140	0	8	0	148	0	1360
EVENING WATER EXERCISE	0	0	0	0	0	0	0	0
ADULT SWIMMING	0	12	0	0	0	12	0	32
GROUPS AND RENTALS	0	0	0	0	0	0	0	34
OUTREACH SWIMMING	0	0	0	0	0	0	0	0
TOTAL ATTENDANCE	81	1400	717	1214	798	2614	798	16182

SUBJECT: October 2021 Attendance Numbers
DATE: 2021-2022

CANBY SWIM CENTER October	ADMIT 2020	ADMIT 2021	PASS 2020	PASS 2021	TOTAL 2020	TOTAL 2021	YTD TOTAL 20-21	YTD TOTAL 21-22
MORNING LAP	140	39	581	251	721	290	1137	1067
ADULT RECREATION SWIM	61	57	249	421	310	478	310	1466
MORNING WATER EXERCISE	0	7	0	90	0	97	0	800
PARENT/ CHILD	0	56	0	0	0	56	0	1260
MORNING PUBLIC LESSONS	0	0	0	0	0	0	0	3000
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	0	64	0	253	0	317	0	1035
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	0	102	0	21	0	123	0	1615
PENGUIN CLUB	0	0	0	0	0	0	0	765
CANBY H.S. SWIM TEAM	0	0	176	0	176	0	208	0
CANBY GATORS	0	0	655	666	655	666	1005	2333
MASTER SWIMMING	0	0	0	10	0	10	0	16
EVENING LESSONS	0	318	0	0	0	318	0	3514
EVENING LAP SWIM	0	28	0	36	0	64	0	304
EVENING PUBLIC SWIM	0	121	0	16	0	137	0	1497
EVENING WATER EXERCISE	0	0	0	0	0	0	0	0
ADULT SWIMMING	0	10	0	0	0	10	0	42
GROUPS AND RENTALS	0	0	0	0	0	0	0	34
OUTREACH SWIMMING	0	0	0	0	0	0	0	0
TOTAL ATTENDANCE	201	802	1661	1764	1862	2566	2660	18748



City of Canby Bi-Monthly Report
Department: Tech Services
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Danny Smith, Library Director
Prepared by: Valerie Kraxberger, IT Office Specialist
Through: Scott Archer, City Administrator
Date: 11/1/2021

The City of Canby Tech Services Department issued:

September 2021

60 Work Orders with 51 being completed

October 2021

51 Work Orders with 61 being completed

Some of the projects we have been working on for September and October are:

- Onboarded 9 new City staff/Council, offboarded 4
- Ongoing finance computer issue
- Ongoing PD MDT and Watchguard issues
- Public Works/City Hall/PD new FirstNet cell phone implementation
- E-Mail Security Certificate issue
- PD office moves
- Hybrid camera setup installation in Council Chambers
- Security Cameras in Library fixed



City of Canby Bi-Monthly Report
Department: Transit
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Todd Wood, Transit Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 11/9/2021

1) Grant Funding and Contracts:

The following grant activities have taken place:

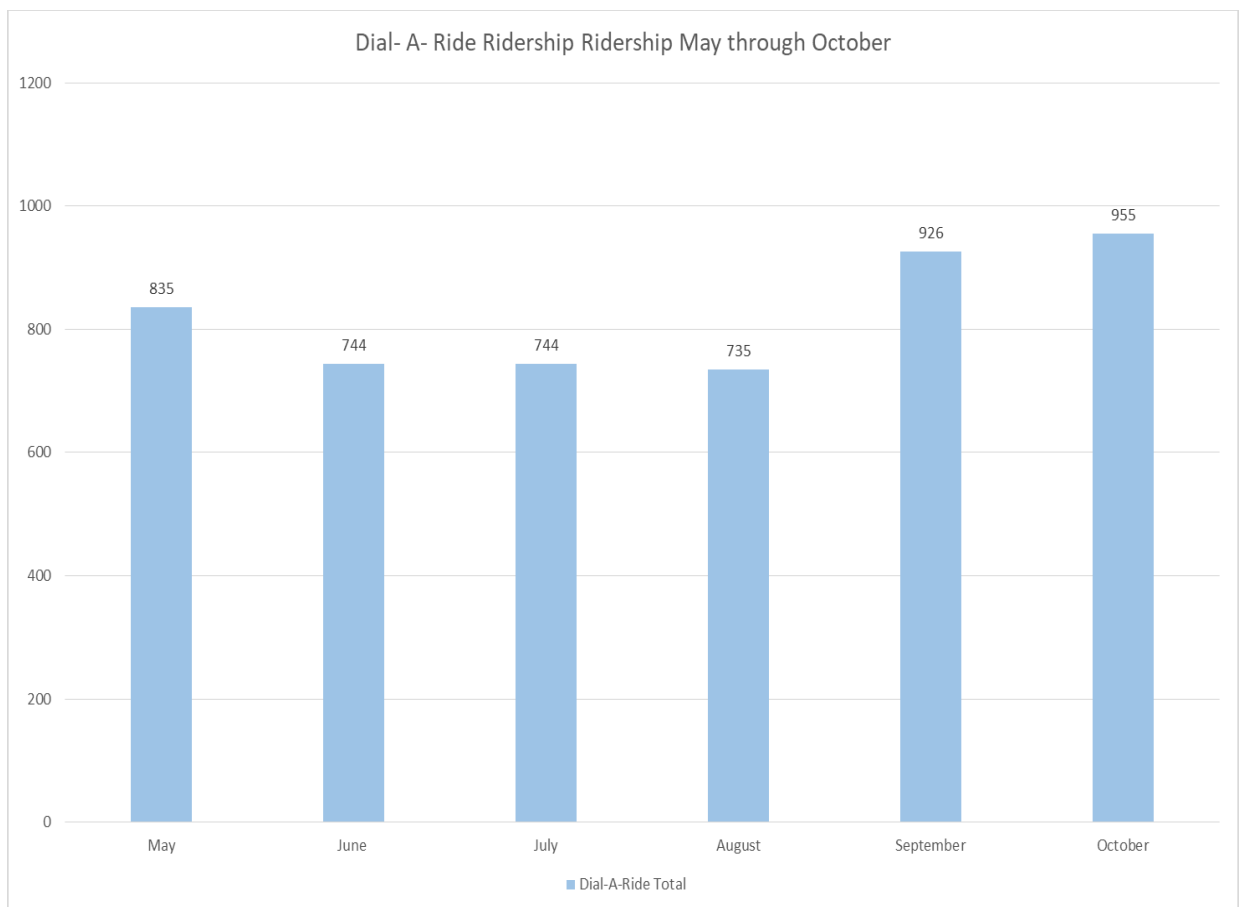
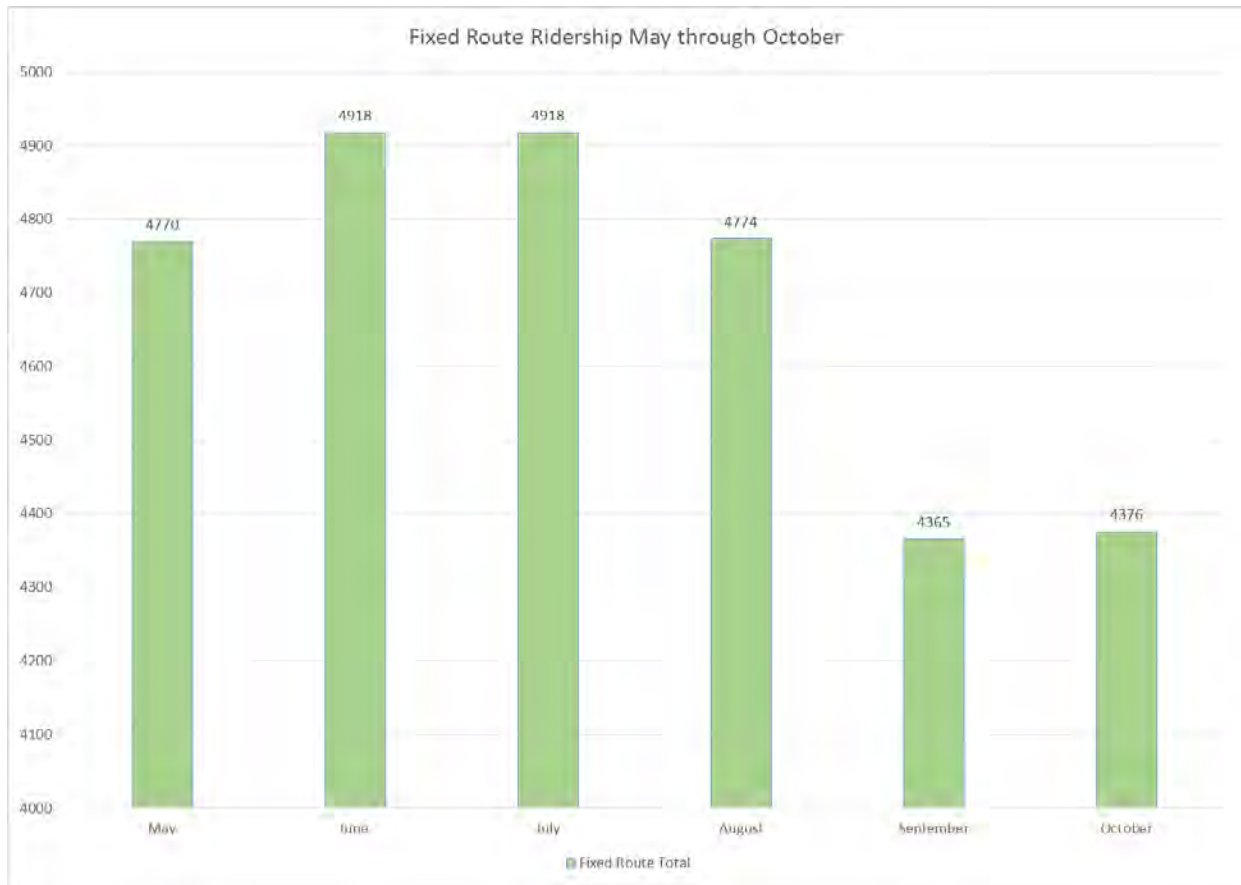
- A new 5339 grant has been submitted for a new 35' transit bus
- Monthly Elderly and Disabled reports have been submitted to TriMet
- TriMet audit compliance review for FY2020 completed
- Continued negotiations with TriMet for STIF IGA
- Quarterly STF, 5310, and 5311 reports submitted
- Quarterly STF, 5310 and 5311 reimbursements requested
-

2) Ridership:

CAT has continued to operate as normal during the COVID pandemic providing critical trips for those who have no other transportation options. Additionally, fixed route has continued to carry critical workers to places of employment including hospitals, nursing homes, grocery stores etc.

Ridership remains low, however continues to see slow recovery. During the months September and October a slight decrease in ridership was seen on fixed route while a slight increase was seen on DAR services.

September average weekday daily fixed route ridership:	195 trips
September average weekend daily fixed route ridership:	67 trips
October average weekday daily fixed route ridership:	194 trips
October average weekend daily fixed route ridership:	59 trips
September average weekday Dial-a-Ride route ridership:	41 trips
September average weekend Dial-a-Ride route ridership:	42 trips
October average weekday Dial-a-Ride route ridership:	16 trips
October average weekend Dial-a-Ride route ridership:	13 trips



3) COVID-19:

- a) Fares began September 7, 2021
- b) All buses are being cleaned and disinfected on a daily basis by drivers.
- c) All drivers have been provided with PPE use while operating their vehicle.
- d) All passengers are required to wear masks. Masks are being provided as needed.

4) Transit Advisory Committee:

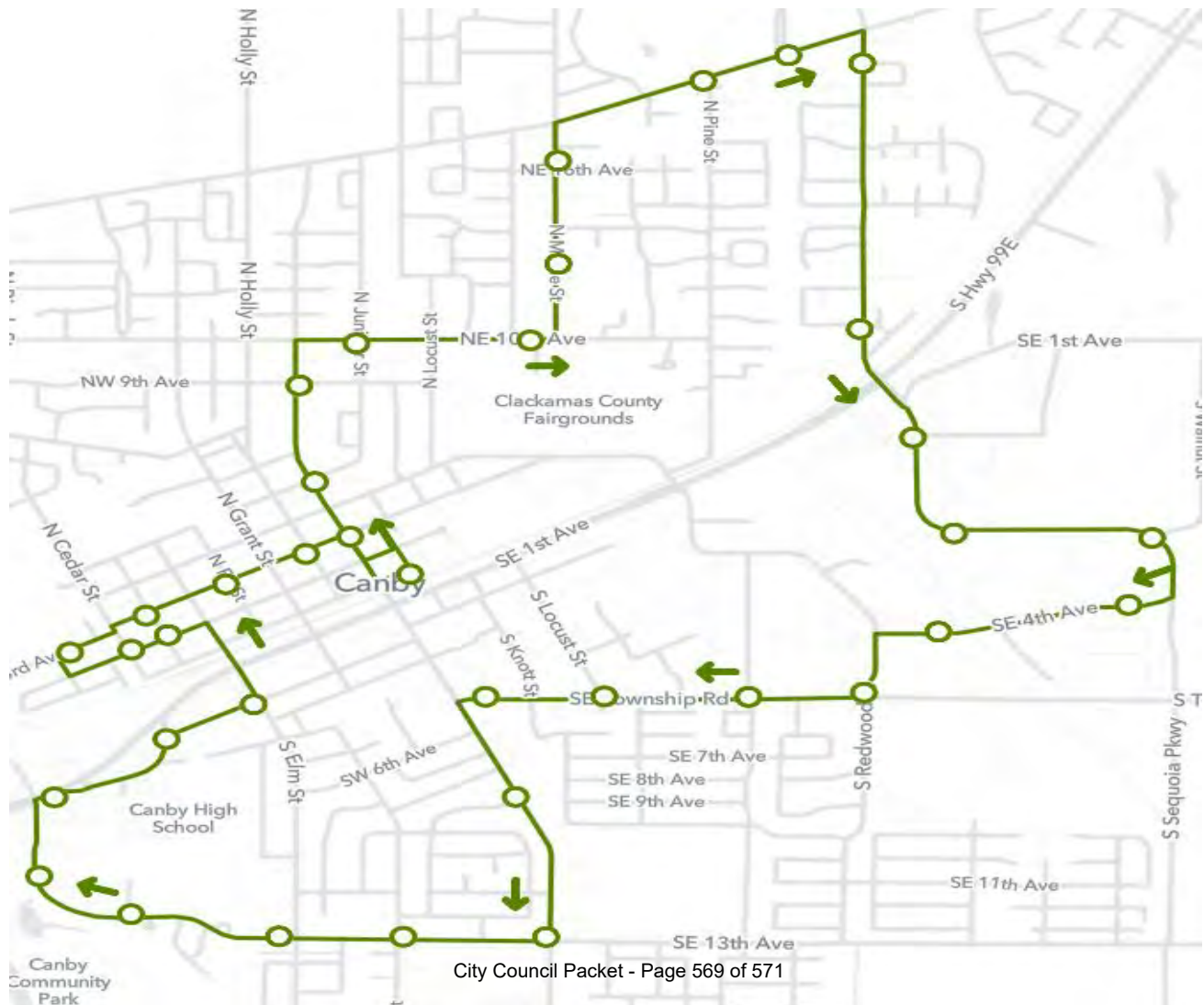
The advisory committee will meet on Nov 18, 2021 at 6:00 PM virtually.

The advisory committee will our discussion of the Circulator including what is working well and what needs some adjustment or further analysis. The advisory committee will also begin to look towards the future.

There is currently two open positions on the transit advisory committee.

5) City Loop Update:

The Canby Loop begin October 4th, 2021:



In the first month of service the circulator saw more than 430 riders.

The circulator runs Monday – Friday from 5:30am to 7:00pm nearly every 35 minutes with a few exceptions for breaks and lunches.

Our most popular stops:

Canby Transit Center

Fred Meyer

Township and Redwood

13th and Ivy

Canby High

Wait Park

Maple Street

We are seeing a demand from High School students and have received several requests for additions and changes from the local area grade schools.

6) New Vehicles:

Two new 28' Arboc buses were put into service in September. These two buses replace two aged buses that will be removed from service. These buses were 90% grant funded.

Two additional 28' Arboc buses have been ordered to support the Canby Loop and are expected to arrive in January. The coming buses are 100% grant funded.

We are awaiting delivery of one Ford Transit Van for use on DAR services. This van is 100% grant funded. It will be used for oversized mobility devices and for trips to Oregon City.



City of Canby Bi-Monthly Report
Department: Wastewater Treatment Plant
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Dave Conner, Wastewater Services Manager
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 11/2/2021

Facility Operation & Maintenance:

The water quality for the months of September and October have been good. Treatment plant is running well and all reports and DMR's were completed on time and without issue. DEQ has been working on our permit renewal and is expected to be completed in the next several months.

Plant Operators split time between process operations, daily maintenance and repairs of equipment, buildings and grounds.

Biosolids Program

- **September** Production: Belt run time = 17 days. 4 loads to Heard Farms, 124 wet tons.
- **October** Production: Belt run time = 15 days. 5 loads to Heard Farms, 162 wet tons.

Pretreatment Inspection/Reporting, FOG Program

- **September** Pump Outs: 21 Inspections: 31 fog, 1 pretreatment
- **October** Pump Outs: 22 Inspections: 14 fog, 2 pretreatment

Pretreatment activities also included monthly review of business license, reviewing environmental surveys, plan review, industrial inspection, industrial permit/compliance data review of reports and working with businesses on BMP agreements.

Daily Lab Activity

- Continued OSU Covid 19 Wastewater Study sampling.
- Weekly BOD's, E-coli, solids, NH3 and Alkalinity testing.
- Tier I/II toxics sampling for permit renewal
- Copper BLM and Aluminum sampling for permit renewal.

Personnel Meetings/Training Attended.

- OAWU Conference.
- WWTP Safety meeting.
- Multiple virtual ACWA meetings.