



CITY COUNCIL Agenda

222 NE 2nd Avenue, Canby, OR, 97013 | Ph: (503) 266-4021 | www.canbyoregon.gov

June 18, 2025

The City Council meeting may be attended in person in the Council Chambers at
222 NE 2nd Avenue, Canby, OR 97013

The meetings can be viewed on YouTube at:

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

The public can register to attend the meeting virtually by contacting the Deputy City Recorder;
ridgleyt@canbyoregon.gov or call 503-266-0637.

For questions regarding programming, please contact: Willamette Falls Studio (503) 650-0275;
media@wfmstudios.org

WORK SESSION – 6:30 PM

1. **CALL TO ORDER**
 2. **DISCUSSION REGARDING HISTORY OF REDWOOD PROFESSIONAL VILLAGE 2/SE 3rd COURT**
 3. **ADJOURN**
-

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER**
 - a. Invocation
 - b. Pledge of Allegiance
2. **CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** This is an opportunity for audience members to address the City Council on items not on the agenda. If you are attending in person, please complete a testimony/comment card prior to speaking and hand it to the City Recorder. If you would like to speak virtually, please contact the Deputy City Recorder by 4:30 pm on June 18, 2025, with your name, the topic you'd like to speak on and contact information:
ridgleyt@canbyoregon.gov or call 503-266-0637.
3. **CONSENT AGENDA**
 - a. Consider Approval of the May 21, 2025, City Council Regular Meeting Minutes. Pg. 72
 - b. Approval of Reappointments to the various Committees, Commissions, and Boards. Pg. 77
 - c. Consider Approval of the OLCC License for Andele Kitchen at 117 NW 2nd Avenue. Pg. 79

- d. Consider Approval of Limited On-Premises OLCC Application for Thai Dish located at 108 N Ivy Street. Pg. 81

4. PUBLIC HEARINGS

You are welcome to speak in person. ***If you would like to speak virtually please email or call the Deputy City Recorder by 4:30 pm on June 18, 2025, with your name and contact information: ridgleyt@canbyoregon.gov or call 503-266-0637. Once your information is received, you will be sent instructions to speak.

- a. Public Hearing regarding State Revenue Sharing Funds. (See Item 5c.)
- b. Public Hearing regarding 2025-2026 FY Budget as Recommended by Budget Committee. (See Item 5d.)
- c. Public Hearing regarding Setting Fees for Services; and Repealing Resolution No. 1437 (Master Fee Schedule). (See Item 5e.)

5. ORDINANCES & RESOLUTIONS

- a. Consider **Ordinance No. 1648**: An Ordinance Authorizing the Acting City Administrator to Expend Payment to CityCounty Insurance Services (CIS) in an amount not to exceed \$650,000 for Liability Insurance Coverage for Fiscal Year 2025-2026 and Declaring an Emergency. (*First Reading*) Pg. 84
- b. Consider **Ordinance No. 1649**: An Ordinance Authorizing the Acting City Administrator to Expend Payment to SAIF Corporation in the amount not to exceed \$134,793.56 for Workers Comp Coverage for Fiscal Year 2025-2026 and Declaring an Emergency. (*First Reading*) Pg. 87
- c. Consider **Resolution No. 1435**: A Resolution Declaring the City's election to receive State Revenue for Fiscal Year 2026. Pg. 92
- d. Consider **Resolution No. 1436**: A Resolution Adopting the Budget, Making Appropriations, and Imposing and Categorizing Taxes for the 2025-2026 Fiscal Year. Pg. 93
- e. Consider **Resolution No. 1437**: A Resolution Setting Fees for Services; Repealing Resolution No. 1409 (Master Fee Schedule). Pg. 96
- f. Consider **Resolution No. 1438**: A Resolution Authorizing an Interfund Loan from the Cemetery Perpetual Care Fund to the Library Fund in the amount of \$500,000 and Authorizing Repayment of the Interfund Loan in Fiscal Year 2025-2026. Pg. 163
- g. Consider **Resolution No. 1439**: A Resolution Extending Workers Compensation Coverage to Volunteers of the City of Canby and Repealing Resolution No. 1413. Pg. 164
- h. Consider **Resolution No. 1440**: A Resolution adopting a transfer of Sewer Not Allocated contingency funds for the fiscal year 2024-2025. Pg. 167

6. OLD BUSINESS

7. NEW BUSINESS

- a. Consider an Interim City Administrator Contract with Randy Ealy.

8. MAYOR'S BUSINESS

9. COUNCILOR COMMENTS & LIAISON REPORTS

10. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORT

11. CITIZEN INPUT

12. ACTION REVIEW

13. ADJOURN

EXECUTIVE SESSION – 9:00 PM

(Will begin after the Regular Meeting but not before 9:00pm)

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)(h) (to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed) and ORS 192.660(2)(f) (to consider information or records that are exempt by law from public inspection).

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 Teresa Ridgley at 503-266-0637. A copy of this Agenda can be found on the City's web page at www.canbyoregon.gov.



CITY COUNCIL Staff Report Work Session

Meeting Date: 6/18/2025

To: The Honorable Mayor Hodson & City Council
Thru: Jorge Tro, Acting City Administrator
From: Don Hardy, Planning Director
Agenda Item: History of Redwood Professional Village 2

Summary

This memo provides the land use history of Redwood Professional Village 2 and to frame the discussion around the request by Dr. Perman for the city to acquire SE 3rd Court and possibly a lot to provide vehicle parking to access the Molalla Forest Logging Trail.

Background

Public Works and Planning Staff have been asked to provide the history of Redwood Professional Village 2 for discussion at a work session with the property owner. Redwood Professional Village 2 is a subdivision with 9 lots, each accessed off a private street, SE 3rd Court. SE 3rd Ct has a pedestrian connection to the Molalla Forest Logging Trail. All the properties in the subdivision are zoned C-M, Commercial Manufacturing. There is a Development Agreement recorded with the property that further restricts the allowed uses in the subdivision to business and professional offices, including medical, dental, and other similar healthcare uses.

Dr. Perman is requesting that the city acquire SE 3rd Ct. to provide public access to the Logging Trail. He also expressed interest at the Parks and Recreation Advisory Committee earlier this year to sell one of his lots for a city parking lot that could be used to access the Molalla Forest Logging Trail, the asking price for the road and lot will need to be confirmed by Dr. Perman as this was not identified during the Parks and Recreation Advisory Committee meeting. SE 3rd Ct. was built to private street standards not city public street standards, so it is not as wide, the pavement does not meet the city's standards, it was designed with a private stormwater system and not a city stormwater system. The private road was developed at the applicant's request and not required by the City of Canby. The ownership of the street and remaining undeveloped lot is not known and whether the street is owned by the Redwood Professional Village owner's association or by Dr. Perman, will need to be confirmed by Dr. Perman during the work session.

A timeline of land use and development of Redwood Professional Village 2:

In 2004, applications CPA 04-02 and ZC 04-03 received approval. That allowed approximately 26.4 acres of land located generally east of S. Redwood St and north of SE 4th Ave. to be rezoned from Light Industrial (M-1) to Commercial Manufacturing (C-M). As part of approving a comprehensive land use map and zone change on the property, city council attached the condition that a Development Agreement be recorded that further restricted the uses allowed within the subdivision.

The agreement held the property owners in the subdivision to two covenants and conditions governing the use and development of the property:

1. As long as the property retains a C-M zoning designation or another commercial zoning designation, development and use of the property shall be limited to business and professional offices, including medical, dental and other similar healthcare uses. Use of the property shall be limited in this way unless the Planning Commission or City Council approves the alternative uses, or the property zoning is changed.
2. The property owners recognize the land surrounding the property is zoned Light Industrial uses and by owning the property they acknowledge that uses permitted in the light industrial zone can have impacts on surrounding properties in terms of noise, light, sound, etc.

Subdivision approval was granted by the planning commission for 7.5 acres of the property in 2005 under SUB 05-06. Nine lots were created, and access was provided via a private street built off S. Redwood St. The private street is recorded as Tract A on the plat and is called SE 3rd Ct. SE 3rd Ct. is 26' wide within a 30' wide tract. A 12' sidewalk, tree and storm drainage easement runs along the perimeter of the cul-de-sac that connects public facilities from Redwood St. through the subdivision. The subdivision is a curved cul-de-sac design, and an easement is split between parcel 5 and parcel 6 in the bulb of the cul-de-sac and recorded as a public walkway easement to the Molalla Forest Logging Trail. The plat for the subdivision is attached to this memo.

The staff report for the 2005 approval states that SE 3rd Ct. meets the standards of a private street in the Transportation System Plan, and is allowed because "there is no need to extend the public street system to adjacent properties, as properties to the north and south are developed with access to S. Redwood, and extension to the east is prevented by the Molalla Forest Rd."

Condition of Approval number eight of the approval of the subdivision states,

"The developer shall sign a Development & Maintenance agreement with the City of Canby and/or the developer shall establish an Owners Association for the maintenance of all common areas, parks, infrastructure and open spaces and for the enforcement of additional CC&Rs. At a minimum, the Developer and/or Owners Association shall be responsible for maintaining all walls and fences, pedestrian accessways, private access drive, stormwater infiltration systems and lighting in all commonly owned areas. The association shall also maintain common open spaces, stormwater/wetlands facilities and landscaping."

The CC&Rs are attached to this memo.

Currently 3 of the 9 parcels in the subdivision are developed. They received land use approval in 2006, 2009, and 2010. The remaining 6 are vacant, some have limited improvements and some do not. The connection to the Molalla Logging Trail is paved, but otherwise unimproved without any dedicated lighting, fencing etc. The connection on the plat is labeled a 12' public walkway easement.

Since its creation in 2005 and aside from the three approved and built out parcels in the subdivision, the city has held two pre-application conferences for parcels in the development, one in 2021 and one in 2024.

The 2021 project went on to receive site and design approval but did not continue with the project, and the one in 2024 did not submit a land use application after the pre-application conference.

The City of Canby has acquired public roads from Clackamas County, but it is believed that the city has never acquired a private road built to private standards. To bring the road up to Canby street standards would require the road to be widened to 34 feet of pavement, now at 26 feet, and within a 40-foot dedicated right-of-way, now a 30-foot easement, so each owner would need to dedicate another 5 feet on each side of the current 30-foot easement. The pavement thickness based on the applicant's plans show 1.5 inches of pavement with 8 inches of base rock and Canby road standards are 4 inches of pavement with 12 inches of base rock. The private storm drainage system would also need to be brought up to city standards. The 40-foot right-of-way dedication would make two buildings non-conforming to setback requirements and one business would likely lose an ADA parking space.

Once all of the lots are built out in the cul-de-sac, there would be minimal available on-street parking due to the amount of space for each driveway. It is not clear if Canby Fire District would further restrict parking in the cul-de-sac due to the operation of their aerial apparatus fire truck.

Attachments

- A. Redwood Professional Village Recorded Plat
- B. Staff Report and signed Final Findings for SUB 05-06
- C. Development Agreement
- D. Copy of CC&Rs

Fiscal Impact

None at this time.

Options

City council will need to review Dr. Perman's request at the work session and consider if there is a desire to acquire SE 3rd Ct., not acquire the property, or decide on some other arrangement. Details of the acquisition request will be made by Dr. Perman during the work session.

Recommended Action

The city council will need to discuss the options of proceeding with further investigation for acquiring SE 3rd Ct., and possibly a lot, or not acquiring the property and maintaining status quo. Some considerations are:

- Is there a demonstrated need to acquire the SE 3rd Ct. and a lot for community trail access to the Logging Road?
- If a demonstrated need is shown, should Canby continue to use its standard procedure for acquiring roads like is done for acquiring roads from Clackamas County, bringing the road up to city public standards for width and pavement depth or to pay the City of Canby to bring the road up to required public street standards, (what standards should the road be developed to prior to acquisition)?
- If the Council were interested in acquiring the right-of-way and/or a lot, what process would be used to determine a fair market value? Typically, an appraisal is secured.
- What funding mechanism would be used to pay for the road and lot (general fund, street fund, etc.) and what impact would this have on the city's budget?

- What is the long-term city cost of maintaining the acquired street?
- Has the developer (Dr. Perman) established an Owners Association for the maintenance of all common areas, parks, infrastructure and open spaces and for the enforcement of additional CC&Rs and what street maintenance has occurred to date?
- Who owns the street, the Redwood Professional Village owner's association or Dr. Perman?
- What other options are available to provide community access to the Logging Road and at what comparative cost?
- Would the city's action spur other requests by other private street owners requesting the city to acquire their private streets?

REDWOOD PROFESSIONAL VILLAGE 2
A REPLAT OF PARCEL 2, PARTITION PLAT NO.
2006-011 AND OTHER LANDS
IN THE SW 1/4 OF SECTION 34, T3S, R1E, W.M.
CITY OF CANBY, CLACKAMAS COUNTY, OREGON

SCALE 1" = 60' MARCH 29, 2007

GAYLORD LAND SURVEYING, INC.
2910 S.E. OAK GROVE BLVD.
MILWAUKIE, OREGON 97267
(503)654-1492

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767
RENEWED THRU 06/30/07

BOOK 136 PAGE 013
PAGE 1 OF 2 4151

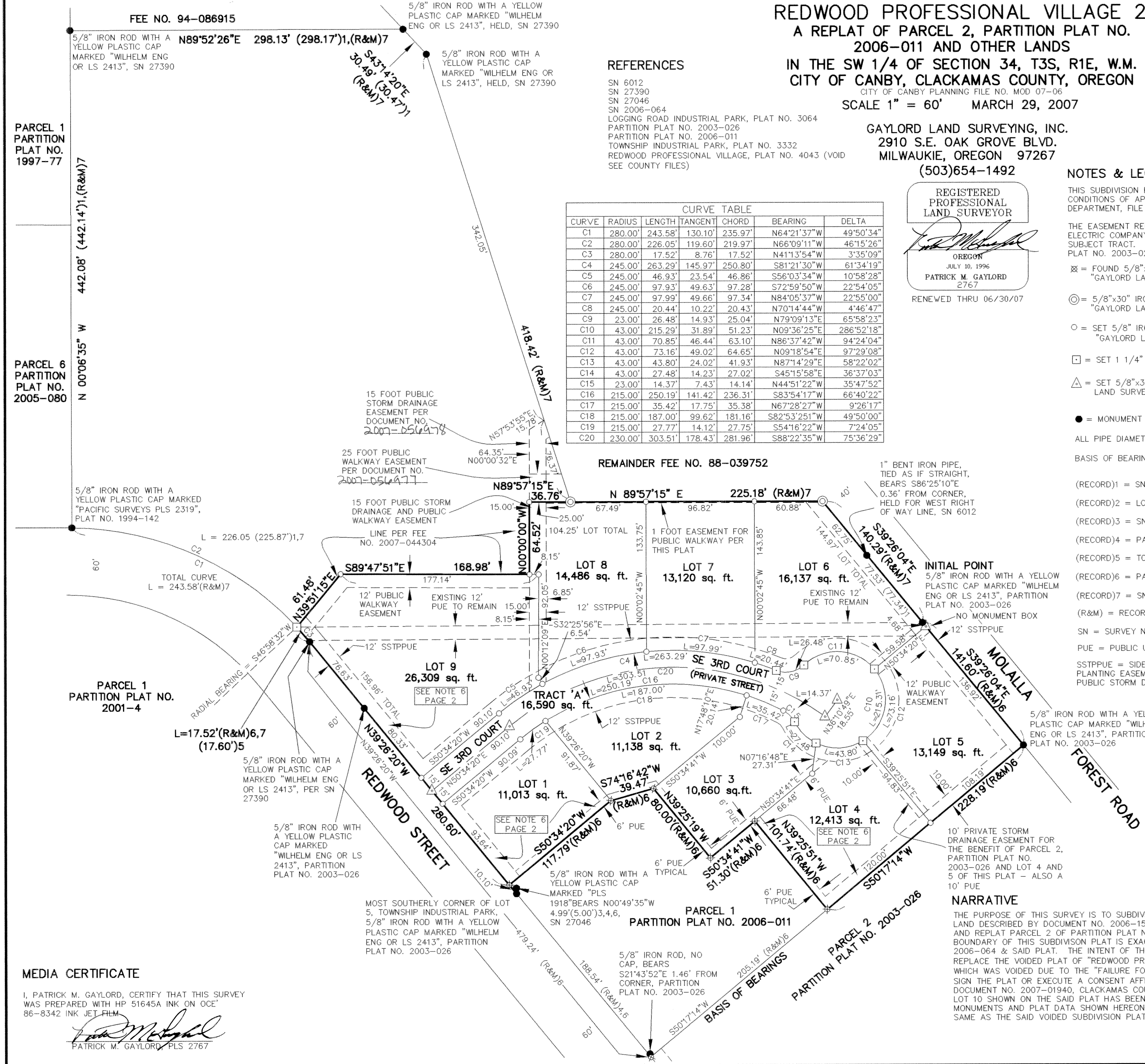
I HEREBY CERTIFY AND SAY THAT
THIS IS A TRUE AND EXACT COPY
OF THE ORIGINAL PLAT OF
REDWOOD PROFESSIONAL VILLAGE 2
PATRICK M. GAYLORD, PLS 2767

REFERENCES

SN 6012
SN 27390
SN 27046
SN 2006-064
LOGGING ROAD INDUSTRIAL PARK, PLAT NO. 3064
PARTITION PLAT NO. 2003-026
PARTITION PLAT NO. 2006-011
TOWNSHIP INDUSTRIAL PARK, PLAT NO. 3332
REDWOOD PROFESSIONAL VILLAGE, PLAT NO. 4043 (VOID
SEE COUNTY FILES)

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	280.00'	243.58'	130.10'	235.97'	N64°21'37"W	49°50'34"
C2	280.00'	226.05'	119.60'	219.97'	N66°09'11"W	46°15'26"
C3	280.00'	17.52'	8.76'	17.52'	N41°13'54"W	3°35'09"
C4	245.00'	263.29'	145.97'	250.80'	S81°21'30"W	61°34'19"
C5	245.00'	46.93'	23.54'	46.86'	S56°03'34"W	10°58'28"
C6	245.00'	97.93'	49.63'	97.28'	S72°59'50"W	22°54'05"
C7	245.00'	97.99'	49.66'	97.34'	N84°05'37"W	22°55'00"
C8	245.00'	20.44'	10.22'	20.43'	N70°14'44"W	4°46'47"
C9	23.00'	26.48'	14.93'	25.04'	N79°09'13"E	65°58'23"
C10	43.00'	215.29'	31.89'	51.23'	N09°36'25"E	286°52'18"
C11	43.00'	70.85'	46.44'	63.10'	N86°37'42"W	94°24'04"
C12	43.00'	73.16'	49.02'	64.65'	N09°18'54"E	97°29'08"
C13	43.00'	43.80'	24.02'	41.93'	N87°14'29"E	58°22'02"
C14	43.00'	27.48'	14.23'	27.02'	S45°15'58"E	36°37'03"
C15	23.00'	14.37'	7.43'	14.14'	N44°51'22"W	35°47'52"
C16	215.00'	250.19'	141.42'	236.31'	S83°54'17"W	66°40'22"
C17	215.00'	35.42'	17.75'	35.38'	N67°28'27"W	9°26'17"
C18	215.00'	187.00'	99.62'	181.16'	S82°53'25"W	49°50'00"
C19	215.00'	27.77'	14.12'	27.75'	S54°16'22"W	7°24'05"
C20	230.00'	303.51'	178.43'	281.96'	S88°22'35"W	75°36'29"

REMAINDER FEE NO. 88-039752



NOTES & LEGEND

THIS SUBDIVISION PLAT COMPLIES WITH AND IS SUBJECT TO THOSE
CONDITIONS OF APPROVAL AS SET FORTH BY THE CITY OF CANBY PLANNING
DEPARTMENT, FILE NO. MOD 07-06

THE EASEMENT RECORDED IN BOOK 190, PAGE 312 IN FAVOR OF MOLALLA
ELECTRIC COMPANY IS NOT LOCATABLE DOES NOT APPEAR TO AFFECT THE
SUBJECT TRACT. NOTED AS POSSIBLY BEING ABANDONED BY PARTITION
PLAT NO. 2003-026

⊗ = FOUND 5/8"x30" IRON ROD WITH YELLOW PLASTIC CAP MARKED
"GAYLORD LAND SURVEYING, INC.", PARTITION PLAT NO. 2006-011
⊙ = SET 5/8"x30" IRON ROD WITH YELLOW PLASTIC CAP MARKED
"GAYLORD LAND SURVEYING, INC.", SN 2006-064
○ = SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED
"GAYLORD LAND SURVEYING, INC."

□ = SET 1 1/4" BRASS DISC MARKED "GAYLORD LS 2767"

△ = SET 5/8"x30" IRON ROD WITH ALUMINUM CAP MARKED "GAYLORD
LAND SURVEYING, INC." IN MONUMENT BOX

● = MONUMENT FOUND AS NOTED

ALL PIPE DIAMETERS ARE INSIDE MEASUREMENT

BASIS OF BEARINGS - S50°17'14"W ALONG THE SOUTH LINE OF PARCEL 1,
PARTITION PLAT NO. 2006-011

(RECORD)1 = SN 27390

(RECORD)2 = LOGGING ROAD INDUSTRIAL PARK, PLAT NO. 3064

(RECORD)3 = SN 27046

(RECORD)4 = PARTITION PLAT NO. 2003-026

(RECORD)5 = TOWNSHIP INDUSTRIAL PARK, PLAT NO. 3332

(RECORD)6 = PARTITION PLAT NO. 2006-011

(RECORD)7 = SN 2006-064

(R&M) = RECORD AND MEASURED DISTANCE

SN = SURVEY NUMBER, CLACKAMAS COUNTY SURVEYOR'S OFFICE

PUE = PUBLIC UTILITY EASEMENT

SSTPUE = SIDEWALK, SIGNING EASEMENT TO THE PUBLIC AND TREE
PLANTING EASEMENT TO THE CITY OF CANBY AND PUBLIC UTILITY AND
PUBLIC STORM DRAINAGE EASEMENT

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THAT TRACT OF
LAND DESCRIBED BY DOCUMENT NO. 2006-15024, 2007-044304
AND REPLAT PARCEL 2 OF PARTITION PLAT NO. 2006-011. THE
BOUNDARY OF THIS SUBDIVISION PLAT IS EXACTLY THE SAME AS SN
2006-064 & SAID PLAT. THE INTENT OF THIS PLAT IS TO
REPLACE THE VOIDED PLAT OF "REDWOOD PROFESSIONAL VILLAGE"
WHICH WAS VOIDED DUE TO THE "FAILURE FOR ALL PARTIES TO
SIGN THE PLAT OR EXECUTE A CONSENT AFFIDAVIT" AS STATED IN
DOCUMENT NO. 2007-01940, CLACKAMAS COUNTY DEED RECORDS.
LOT 10 SHOWN ON THE SAID PLAT HAS BEEN ELIMINATED. ALL
MONUMENTS AND PLAT DATA SHOWN HEREON ARE EXACTLY THE
SAME AS THE SAID VOIDED SUBDIVISION PLAT.

FEE NO. 94-086915

PARCEL 1
PARTITION
PLAT NO.
1997-77

PARCEL 6
PARTITION
PLAT NO.
2005-080

PARCEL 1
PARTITION PLAT NO.
2001-4

MEDIA CERTIFICATE

I, PATRICK M. GAYLORD, CERTIFY THAT THIS SURVEY
WAS PREPARED WITH HP 51645A INK ON OCE
86-8342 INK JET FILM

PATRICK M. GAYLORD, PLS 2767

SCALE 1" = 60'
PROJECT NO. 04098-A

PLAT NO.

4151


REDWOOD PROFESSIONAL VILLAGE 2
A REPLAT OF PARCEL 2, PARTITION PLAT NO.
2006-011 AND OTHER LANDS
IN THE SW 1/4 OF SECTION 34, T3S, R1E, W.M.
CITY OF CANBY, CLACKAMAS COUNTY, OREGON

CITY OF CANBY PLANNING FILE NO. MOD 07-06

SCALE 1" = 60' MARCH 29, 2007

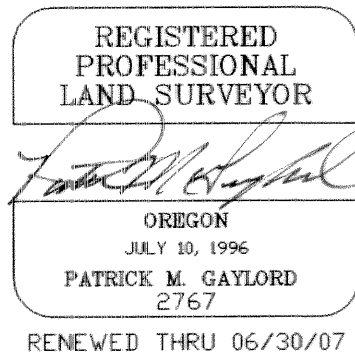
GAYLORD LAND SURVEYING, INC.
2910 S.E. OAK GROVE BLVD.
MILWAUKIE, OREGON 97267
(503)654-1492

BOOK 136 PAGE 013
PAGE 2 OF 2 4151

I HEREBY CERTIFY AND SAY THAT
THIS IS A TRUE AND EXACT COPY
OF THE ORIGINAL PLAT OF
REDWOOD MEDICAL VILLAGE 2

PATRICK M. GAYLORD, PLS 2767

SURVEYORS CERTIFICATE

I, PATRICK M. GAYLORD, DO HEREBY CERTIFY AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ANNEXED PLAT OF REDWOOD PROFESSIONAL VILLAGE, A REPLAT OF PARCEL 2 OF PARTITION PLAT NO. 2006-011 AND OTHER LANDS IN THE SOUTHWEST ONE QUARTER OF SECTION 34, T3S R1E W.M., CITY OF CANBY, CLACKAMAS COUNTY, OREGON, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS. BEGINNING AT THE INITIAL POINT, BEING A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "WILHELM ENG OR LS 2413" AT THE INITIAL POINT FOR PARTITION PLAT NO. 2006-011; THENCE ALONG THE SOUTHWEST RIGHT OF WAY OF MOLALLA FOREST ROAD S 39°26'04" E 141.60 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WILHELM ENG OR LS 2413" AT THE MOST NORTHERLY CORNER OF PARCEL 2, PARTITION PLAT NO. 2003-026; THENCE, ALONG THE NORTHWEST LINE OF SAID PARCEL 2, PARTITION PLAT NO. 2003-026 S 50°17'14" W 228.19 FEET TO A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC., AT THE MOST EASTERLY CORNER OF PARCEL 1, PARTITION PLAT NO. 2006-011; THENCE ALONG THE BOUNDARY OF SAID PARCEL 1, N 39°25'51" W 101.74 FEET TO A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL 1, S 50°34'41" W 51.30 FEET TO A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE N 39°25'19" W 80.00 FEET TO A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE S 74°16'42" W 39.47 FEET TO A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE S 50°34'20" W 117.79 FEET TO A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC." AT A POINT IN THE NORTHEAST RIGHT OF WAY LINE OF REDWOOD STREET AND THE MOST WESTERLY CORNER OF PARCEL 1, PARTITION PLAT NO. 2006-011; THENCE ALONG THE SAID RIGHT OF WAY, N 39°26'20" W 280.60 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "WILHELM ENG OR LS 2413" AT A POINT OF CURVE TO THE LEFT; THENCE AROUND THE CURVE LEFT, IN THE SAID RIGHT OF WAY LINE, (CENTRAL ANGLE = 3°35'09", RADIUS = 280.00 FEET, LONG CHORD BEARS N 41°13'54" W 17.52 FEET) 17.52 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING INC" AT THE MOST SOUTHERLY CORNER OF THAT TRACT OF LAND DESCRIBED BY DEED RECORDED AS FEE NO. ~~CLACKAMAS COUNTY DEED RECORDS~~; THENCE LEAVING THE SAID RIGHT OF WAY ALONG THE SOUTHERLY LINES OF THE SAID DEED, N 39°51'15" E 61.48 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE S 89°47'51" E 168.98 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE N 00°00'00" W 64.52 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE N 89°57'15" E 36.76 FEET TO A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC." AT THE SOUTHWEST CORNER OF THE REMAINDER OF THAT TRACT OF LAND DESCRIBED BY DEED RECORDED AS FEE NO. 88-039752, CLACKAMAS COUNTY DEED RECORDS; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID FEE NO. 88-039752, N 89°57'15" E 225.18 FEET TO A POINT IN THE SOUTHWEST RIGHT OF WAY OF MOLALLA FOREST ROAD AT A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE ALONG THE SAID RIGHT OF WAY S 39°26'04" E 140.29 FEET TO THE INITIAL POINT, CONTAINING 3.33 ACRES MORE OR LESS.



PLAT EASEMENTS, CONDITIONS AND RESTRICTIONS

1. THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS OF APPROVAL PER CITY OF CANBY PLANNING COMMISSION FILE NO. MOD 07-06
2. ALL LOTS, ARE SUBJECT TO THE AMENDED CONDITIONS, COVENANTS AND RESTRICTIONS SET FORTH BY THE REDWOOD PROFESSIONAL VILLAGE OWNER'S ASSOCIATION RECORDED IN DOCUMENT NO. 2007-54730, CLACKAMAS COUNTY DEED RECORDS.
3. THERE IS A 12 FOOT EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES, STORM DRAINAGE, SIDEWALKS AND SIGNING ADJOINING THE PRIVATE RIGHT OF WAY OF SE 3RD COURT AND PUBLIC RIGHT OF WAY OF REDWOOD STREET. AS SHOWN. THE PLACEMENT OF STREET TREES IN SAID EASEMENT IS ALSO ALLOWED PER CANBY MUNICIPAL CODE NO. 12.32.
4. TRACT "A", SE 3RD COURT (A COMMON AREA AND PRIVATE STREET), IS CONVEYED TO THE REDWOOD PROFESSIONAL VILLAGE OWNERS ASSOCIATION, FOR THE BENEFIT OF ALL LOTS. TRACT "A" IS SUBJECT TO A PUBLIC UTILITY EASEMENT, PUBLIC PEDESTRIAN & BICYCLE ACCESS EASEMENT, EMERGENCY VEHICLE ACCESS, PUBLIC SANITARY SEWER AND PUBLIC WATER EASEMENTS. ALSO, PRIVATE UTILITY AND PRIVATE STORM DRAINAGE EASEMENT GRANTED TO THE REDWOOD PROFESSIONAL VILLAGE OWNERS ASSOCIATION. SAID EASEMENTS BEING OVER THE ENTIRETY OF TRACT "A".
5. ALL LOTS AND TRACT "A", ARE SUBJECT TO ADDITIONAL EASEMENTS AS REFERENCED IN THE REDWOOD PROFESSIONAL VILLAGE AMENDED CONDITIONS, COVENANTS AND RESTRICTIONS IN SECTIONS 8.1 "EASEMENTS", SECTION 8.3 "UTILITY EASEMENTS", SECTION 8.9 "LANDSCAPING", SECTION 10.3 "EASEMENTS FOR CITY AND COUNTY USE".
6. EASEMENTS ALONG THE WESTERLY, SOUTHERLY AND SOUTHEASTERLY LINES OF THIS PLAT CREATED BY PRIOR PLATS OF TOWNSHIP INDUSTRIAL PARK AND PARTITION PLAT NO. 2006-011 ARE VACATED BY THIS PLAT. NEW EASEMENTS ARE CREATED IN THEIR PLACE BY THIS PLAT AS NOTED ON PAGE 1.

CONSENT AFFIDAVIT

A CONSENT AFFIDAVIT HAS BEEN EXECUTED BY MID VALLEY BANK, BENEFICIARIES OF A TRUST DEED RECORDED AS FEE NO. 2006-015028, CLACKAMAS COUNTY DEED RECORDS, AND HAS BEEN RECORDED IN DOCUMENT NO. 2007-056975 OF THE CLACKAMAS COUNTY DEED RECORDS.

~~CONSENT AFFIDAVIT~~

~~A CONSENT AFFIDAVIT HAS BEEN EXECUTED BY WEST COAST BANK, BENEFICIARY OF A TRUST DEED RECORDED AS FEE NO. 2002-096579, CLACKAMAS COUNTY DEED RECORDS, AND HAS BEEN RECORDED IN DOCUMENT NO. _____ OF THE CLACKAMAS COUNTY DEED RECORDS.~~

MEDIA CERTIFICATE

I, PATRICK M. GAYLORD, CERTIFY THAT THIS SURVEY
WAS PREPARED WITH HP 51645A INK ON OCE
86-8342 INK JET FILM


PATRICK M. GAYLORD, PLS 2767

DECLARATION


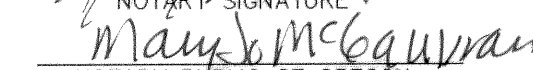
KNOW ALL MEN BY THESE PRESENTS: THAT REDWOOD PROFESSIONAL VILLAGE DEVELOPMENT, LLC IS THE OWNER OF THE LAND REPRESENTED ON THE ANNEXED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYORS CERTIFICATE AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS WITH EASEMENTS AND RESTRICTIONS AS SHOWN OR NOTED ON THE ANNEXED MAP. THERE ARE OTHER RESTRICTIONS NOTED ELSEWHERE ON THIS PLAT. THIS PLAT COMPLIES WITH CHAPTER 92 OF THE OREGON REVISED STATUTES. TRACT "A" IS HEREBY CONVEYED TO THE REDWOOD PROFESSIONAL VILLAGE HOME OWNERS ASSOCIATION BY THE RECORDING OF THIS PLAT


DONALD D. PERMAN, JR. - MANAGER
REDWOOD PROFESSIONAL VILLAGE DEVELOPMENT, LLC

ACKNOWLEDGMENT

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 5-29-07 BY DONALD D. PERMAN, JR. MANAGER - REDWOOD PROFESSIONAL VILLAGE DEVELOPMENT, LLC


NOTARY SIGNATURE

NOTARY PUBLIC OF OREGON

COMMISSION NO. 403025

MY COMMISSION EXPIRES May 130 2010


APPROVALS

FILE NO. SUB 05-06


APPROVED THIS 1 DAY OF JUNE, 2007

BY 
CITY OF CANBY

APPROVED THIS 26 DAY OF June, 2007


CLACKAMAS COUNTY SURVEYOR; AND
CLACKAMAS COUNTY BOARD OF COMMISSIONERS
DELEGATE PER COUNTY CODE CHAPTER 11.02

APPROVED THIS 26 DAY OF June, 2007
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

BY 
DELEGATE PER CLACKAMAS COUNTY CODE CHAPTER 11.02

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES
AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THRU
JUNE 30, 2007

APPROVED THIS 28th DAY OF June, 2007.

RAY ERLAND, CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

BY 
DEPUTY

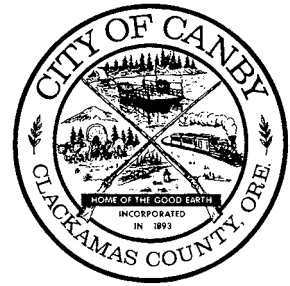
STATE OF OREGON } SS
COUNTY OF CLACKAMAS

I DO HEREBY CERTIFY THAT THE ATTACHED PLAT WAS
RECEIVED FOR RECORD ON THE 28 DAY
OF JUNE, 2007 AT 2:47 O'CLOCK P M.

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY 
DEPUTY

PLAT NO. 4151



- STAFF REPORT -

APPLICANT:

Don Perman
249 NW 3rd Avenue
Canby, OR 97013

FILE NO.:

MLP 05-04/SUB 05-06
(Perman)

OWNER(S):

Don Perman (TL 1815)

Eagle Properties Northwest, LLC (TL 1822)
11830 Kerr Parkway #395
Lake Oswego, OR 97035

Anderson Properties, LLC (TL 1800)
641 NW Baker Drive
Canby, OR 97013

City of Canby (TL 100 and TL 1823 (formerly Deed #98-054467)
PO Box 930
Canby, OR 97013

STAFF:

Matilda Deas AICP
Project Planner

LEGAL DESCRIPTION:

Tax Lot(s) 1800,100,1815, 1822, &1823
of Tax Map 3-1E-34C

DATE OF REPORT:

July 15, 2005

LOCATION:

East of S Redwood Street
Between SE 3rd and 4th Avenues

DATE OF HEARING:

July 25, 2005

**COMPREHENSIVE PLAN DESIGNATION:
DESIGNATION:**

C-M (Commercial Manufacturing)

CURRENT ZONING

Heavy Commercial/Manufacturing

I. APPLICANT'S REQUEST:

MLP 05-04: The applicant is requesting approval to partition Tax Lot 1822, a 2.64 acre parcel (approximate size) which contains Harrell Medical, into two parcels, 1.82 acres and .81 acres in size. Harrell Medical will remain on the .81 acre parcel shown as parcel 1 on the application. Parcel 2 will be included in the proposed 10 lot subdivision.

SUB 05-04: The applicant is requesting approval to subdivide Tax Lots 1800, 1815, proposed parcel 2 of Tax Lot 1822, and Tax Lot 1823 (City owned property currently in the process of a lot line adjustment with Tax Lot 100) into 10 lots. Proposed lot 10 contains Canby Business Center and an RV /mini storage facility, both of which will remain. The 9 newly created lots will be suitable for business and professional offices.

II. APPLICABLE CRITERIA:

A. SUBDIVISION - City of Canby Code Section 16.62.020

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

1. Conformance with the text and applicable maps of the Comprehensive Plan.
2. Conformance with other applicable requirements of the land development and planning ordinance.
3. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
4. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

B MINOR LAND PARTITION - City of Canby Code Section 16.60.030

This is a quasi-judicial land use application. In judging whether a Minor Partition should be approved, the Planning Commission must consider the following standards and criteria:

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1. Conformance with the text and the applicable maps of the Comprehensive Plan;
2. Conformance with all other applicable requirements of the Land Development and Planning Ordinance;
3. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties;
4. No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow and unless it is found that the construction of a street to city standards is not necessary to insure safe and efficient access to the parcels;
5. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

C. Other Applicable Criteria:

- 16.10 Off Street Parking/Loading
- 16.30 C-M Heavy Commercial Manufacturing Zone
- 16.60 Major and Minor Partitions
- 16.62 Subdivision - Applications
- 16.86 Street Alignment
- 16.88 General Standards

III. FINDINGS:

1. Location and Background

The subject property was rezoned to Heavy Commercial Manufacturing in September 2004. The conditions of approval for the rezone was that development of the rezoned properties would be restricted to business and professional offices and that any use would not generate more than 1020 vehicle trip ends during an average weekday. The subject properties are located on the northeast side of S Redwood Street between SE 3rd and 4th Avenues. The Molalla Forest Road and the Southern Pacific Railroad form the northeastern border of the property. Properties to the south and west of the site are zoned M-1 (Light Industrial). Properties on the other side of the Molalla Forest Road are zoned M-2 (Heavy

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Industrial). The City owns property to the north of the site adjacent to the Molalla Forest Road.

2. Comprehensive Plan Consistency Analysis

URBAN GROWTH ELEMENT

- GOALS:**
- 1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.**
 - 2) TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITHIN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.**

Applicable Policy:

Policy #1: Canby shall coordinate its growth and development plans with Clackamas County.

Analysis: The subject property is entirely within City limits and the Urban Growth Boundary.

LAND USE ELEMENT

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

Applicable Policies:

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

Analysis: All properties in the area are designated for compatible uses.

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

Analysis: The subject property is in the City limits and zoned to permit the proposed use.

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

Analysis: Request for comments have been sent to all public facility and service providers (see discussion under Public Services Element).

Policy #4: Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.

Analysis: No natural hazards have been identified on the subject property.

Policy #5: Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.

Analysis: The proposed subdivision is consistent with the land use map.

Policy #6: Canby shall recognize the unique character of certain areas and will utilize the following special requirements in conjunction with the requirements of the Land Development and Planning Ordinance, in guiding the use and development of these unique areas.

Analysis: The site is not designated an "Area of Special Concern".

ENVIRONMENTAL CONCERNS ELEMENT

GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

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

TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

The subject property has no known steep slopes, historic resources, significant fish or wildlife habitat, or wetlands, and is not located on a flood plain.

Applicable Policies:

Policy #2-R: Canby shall maintain and protect surface water and

groundwater resources.

Analysis: The development shall connect to the existing public sanitary sewer system, and storm water shall be managed via a roadside swale.

Policy #4-R: Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.

Analysis: Noise will be expected as a result of construction. Once the subdivision is developed, noise generation should be insignificant.

Staff received a comment from Don Jones, owner of JV Northwest, requesting the applicant erect a noise barrier between the applicant's property and JV Northwest. Mr. Jones was concerned that future occupants of the professional office buildings would object to the noise associated with his business and he wanted to minimize future conflicts with this issue.

Policy #7-R: Canby shall seek to improve the overall scenic and aesthetic qualities of the City.

Analysis: No significant scenic resources have been identified on the subject properties. Upon development the applicant shall satisfy aesthetic requirements through the required site and design review process.

Policy #8-R: Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.

Analysis: No open spaces are required in the area by the Canby Parks Master Plan. The plan does provide for access to the Molalla Forest Road recreational pathway.

TRANSPORTATION ELEMENT

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

Applicable Policies:

Policy #1: Canby shall provide the necessary improvement to City streets, and will encourage the County to make the same commitment to local County roads, in an effort to keep pace with growth.

Analysis: SE. Redwood Street, is a fully improved collector street with 60' of right-of-way. The applicant proposes to provide access to the site off S Redwood via a private street, SE 3rd Ct. The street has a proposed pavement width of 26 feet within a 30 foot wide private street tract.

A traffic study was required as a part of this application. A condition of approval of the 2004 rezoning of these properties required that future development would not generate more than 1022 vehicle trip ends during an average weekday. The completed traffic study for the proposed development estimates the development will generate 864 vehicle trip ends during an average weekday.

Policy #3: Canby shall attempt to improve its problem intersections in keeping with its policies for upgrading or new construction of roads.

Analysis: The traffic study noted that the intersection of Highway 99E at Pine Street is currently operating with low delays and will continue to operate with low delays through the development of the site. The study also estimated that the intersection of Redwood Street and the proposed site upon development of the site, the access at the intersection of SE 3rd Ct and SE Redwood is expected to operate with very low delays

Site distance is adequate in both directions.

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

Analysis: Sidewalks and planter strips will be constructed on both sides of the private street with the development of each individual lot.

Installation of a new pedestrian and bike pathway alignment will provide public access to the Molalla Forest Rd. pathway.

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

Analysis: The Fire District and Police Department were notified of this application and did not report any concerns relating to access.

PUBLIC FACILITIES AND SERVICES ELEMENT

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

Applicable Policies:

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

Analysis: All needed public facility and service providers were asked to comment on this application. Returned comment forms are shown in Exhibit 2. The Fire District, Police, Canby Utility Water, Wastewater Treatment Supervisor, City Engineer, Canby Telephone Association, , NW Natural, Transportation Engineer, and Canby School District, responded that service provision was available or would become available through development.

Canby Utility Electric noted that they will require the existing power line easement be preserved.

The applicant held a neighborhood meeting and the comments are included in the applicant's packet. No major issues of concern were identified during that meeting.

ECONOMIC ELEMENT

GOAL: TO DIVERSIFY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.

If approved the proposed subdivision and partition will provide sites for additional commercial development which may provide for an economic multiplier effect throughout the community.

ENERGY CONSERVATION ELEMENT

GOAL: TO CONSERVE ENERGY AND ENCOURAGE THE USE OF RENEWABLE RESOURCES IN PLACE OF NON-RENEWABLE RESOURCES.

Applicable Policies:

Policy #1: Canby shall encourage energy conservation and efficiency measures in construction practices.

Analysis: Energy conservation and efficiency measures will be reviewed through the building permit process.

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

Review of the goals, policies, and implementation measures of the Comprehensive Plan indicates that the proposed subdivision, with the recommended conditions of approval, is consistent with Canby's Comprehensive Plan. Development of the lots will need to comply with all applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State Codes and Regulations.

3. Evaluation Regarding Subdivision Approval Criteria

- A. Conformance with the text and the applicable maps of the Comprehensive Plan.

With the recommended conditions, the application will be in conformance with the Comprehensive Plan (see discussion in part III.2, above.)

- B. Conformance with all other requirements of the Land Development and Planning Ordinance.

With the recommended conditions, the application will be in conformance with all other applicable requirements of the Land Development and Planning Ordinance, including subdivision design standards for streets, easements, lots, and improvements.

- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties.

With the conditions below, the proposed subdivision meets these requirements for design, arrangement, and access to lots.

- D. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

All required public facilities are available or will become available through development. (See discussion in part III.2, above.)

4. Evaluation Regarding Minor Land Partition Approval Criteria

- A. Conformance with the text and the applicable maps of the Comprehensive Plan;

With the recommended conditions, the application will be in conformance with the Comprehensive Plan (see discussion in part III.2, above.)

- B. Conformance with all other applicable requirements of the Land Development and Planning Ordinance;

With the recommended conditions, the application will be in conformance with all other applicable requirements of the Land Development and Planning Ordinance.

- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties;

With the recommended conditions, the partition design of the parcel shall be functional and provide building site, necessary utility easements, and access facilities.

- D. No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to city standards is not necessary to insure safe and efficient access to the parcels.

The design of SE 3rd Ct. conforms to the City of Canby's Transportation Plan. The cul de sac will have mountable curbs to accommodate emergency vehicles. No parking signs may be posted on the access drive if required by the Fire Marshall. There is no need to extend the public street system to adjacent properties as properties to the north and south are developed with

access to S Redwood, and extension to the east is prevented by the Molalla Forest Rd.

- E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

Public services and facilities will be able to adequately meet the needs of this land division. See discussion in part III.2, above.

IV. CONCLUSION

Subdivision

1. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;
2. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with other applicable requirements of the Land Development and Planning Ordinance;
3. Staff concludes that, with the recommended conditions, the overall design and arrangement of the proposed parcels will be functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties; and
4. Staff concludes that all necessary public services will become available through the development of the property to adequately meet the needs of the proposed land division.

Minor Land Partition

1. Staff concludes that the partition request, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan and the Municipal Code.
2. Staff concludes that the overall design of the proposed partition will be compatible with the area and will provide adequate building area for the provision of public facilities and services for the lots.
3. Staff concludes that, with appropriate conditions, the overall design and arrangement of the proposed parcels are functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
4. The design of the private access drive conforms to the standards in the

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Transportation System Plan.

5. Staff concludes that all necessary public services will become available through the development of the property, to adequately meet the needs of the proposed land division.

VI. RECOMMENDATION - Subdivision

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve SUB 05-06 with the following conditions:

For the Final Plat:

1. A final subdivision plat modified to illustrate the conditions of approval shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application: **City of Canby File Number SUB 05-06**
2. The final subdivision plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The **subdivision plat** shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk; a final copy of the signed and recorded map shall be provided to the Canby Planning Department prior to the issuance of building permits
3. All monumentation and recording fees shall be borne by the applicant.
4. Twelve (12) foot utility easements shall be provided along all street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easements.

Notes:

5. A final plat must be recorded with the Clackamas County Surveyor within one (1) year of the preliminary plat approval in accordance with Canby Ordinance 16.68.020. Mylar copies of the final plat must be signed by the City Planning Director prior to recording the plat with Clackamas County.
6. The subdivision plat shall not create any lot or lots not in conformance with the Canby Municipal Code. The applicant shall submit a final plat for approval by the City of Canby Planning Director.
7. The land divider shall follow the provisions of Section 16.64.070

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Improvements, in particular, but not limited to, subparagraph (O) Bonds, which requires a surety bond, personal bond, or cash bond for any subdivision improvements not completed prior to the signing of the final plat. The bond or surety instrument shall authorize the City of Canby to fully complete all required improvements and recover the full cost of all required improvements.

Prior to the signing of the Final Plat:

8. The developer shall sign a Development & Maintenance agreement with the City of Canby and/or the developer shall establish an Owners Association for the maintenance of all common areas, parks, infrastructure and open spaces and for the enforcement of additional CC&Rs. At a minimum, the Developer and/or Owners Association shall be responsible for maintaining all walls and fences, pedestrian accessways, private access drive, stormwater infiltration systems and lighting in all commonly owned areas. The association shall also maintain common open spaces, stormwater/wetlands facilities and landscaping. A copy of any CC&Rs filed with the subdivision shall be submitted to the satisfaction of the City Planning Department and the City Attorney, prior to signing the final plat, and shall include at a minimum:

A statement notifying owners of their responsibilities to maintain all walls, fences, private access drive, stormwater/bioswale infrastructure, private parks and open spaces.

A statement notifying owners of their responsibilities to provide and maintain one street tree per street lot frontage.

9. A contract between the developer and a certified landscape contractor must be approved by the City prior to the signing of the final plat. Landscaped areas shall include all common areas and bioswales in the development. The landscape contractor must be licensed in all phases of landscape contracting by the Oregon Landscape Contractors Board.

Prior to Construction:

10. A stormwater permit shall be obtained from the State of Oregon (DEQ) prior to issuance of any building permit. An acceptable stormwater system plan shall be approved by the State of Oregon - DEQ and the Canby Public Works Department. Developer shall also provide the City of Canby with certified verification from the DEQ indicating approval of proposed stormwater management facilities.
11. A pre-construction conference is required. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, streets, natural gas, telephone, and cable television shall be approved by

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each utility provider. Final approval of site and utility plans is required prior to the issuance of building permits. An electronic file (pdf document) and/or fifteen (15) copies of pre-construction plans shall be submitted to the City of Canby Public Works Department for review and approval by the Canby Utility Board, the Canby Telephone Association, the City of Canby and other required utility providers prior to the pre-construction conference. Construction plans shall include at a minimum street design, storm water and wetlands, sewer, domestic water, electric, telephone, gas, street lights, mail boxes and street trees. Construction may commence only upon completion of a pre-construction conference and issuance of Grading and Erosion Control permits.

During Construction:

12. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
13. A new sewer main and/or new laterals shall be installed by the applicant at the time of development. Location and construction of the sewer main and/or laterals shall be approved by the Public Works Supervisor *prior to excavation*.
14. An approved curb cut and approach apron shall be constructed at the access drive entrance off SE Redwood.. Access improvements and sidewalks shall be inspected and approved by Canby Public Works prior to installation.
15. One street tree shall be required at the street frontage of each lot within the public utility easement. No street tree shall be placed over or within 6 lateral feet of any underground water line, sewer line, transmission line or other private utility. No street tree shall be planted in a vision clearance area, within 10 feet of a fire hydrant, or within 30 feet from a street light. The exact location of the street trees will be determined on a lot by lot case, at the time of building permit application.
16. Traffic control signs shall be installed at the developer's expense as required by the City of Canby Public Works.
17. Erosion control permits are required prior to construction improvements and prior to the issuance of building permits. All City of Canby erosion control regulations shall be followed during construction (as specified by the Canby Municipal Code).

After Construction

18. A sound barrier approved by the City of Canby Planning and Building Department shall be constructed the full length of the applicant's property adjacent to JV Northwest.

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19. "As-built" drawings shall be submitted to the City within sixty (60) days of completion. A copy of the "as-built" drawings shall be submitted on a CD in AutoCAD format.
20. The approval of this application shall be null and void if a final plat is not submitted to the County within six (6) months after signing of the plat by the chairman of the Planning Commission (Section 16.68.070).
21. Approval of this application is contingent on the successful completion of LLA 05-03, and the applicants purchase of the newly adjusted tax lot 1823 of tax map 3 1E 34C from the City of Canby.

RECOMMENDATION - Minor Land Partition

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve MLP 05-04 with the following conditions:

For the Final Plat:

1. A final partition plat modified to illustrate the conditions of approval shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application: *City of Canby File Number MLP 05-04*
2. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The partition map shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk; a final copy of the signed and recorded map shall be provided to the Canby Planning Department prior to the issuance of building permits
3. All monumentation and recording fees shall be borne by the applicant.
4. Twelve (12) foot utility easements shall be provided along all street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easements.

Notes:

5. A final plat must be recorded with the Clackamas County Surveyor within one (1) year of the preliminary plat approval in accordance with Canby Ordinance

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16.68.020. Mylar copies of the final plat must be signed by the City Planning Director prior to recording the plat with Clackamas County.

Exhibits:

1. Applicant's Packet (narrative and proposed partition plan)
2. Responses to the Request for Comments
3. Draft Traffic Study

- D. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the July 25, 2005, public hearing and incorporates the July 15, 2005 staff report and Commission deliberations as support for its decision. The Planning Commission hereby accepts and incorporates the findings in the July 15, 2005 staff report with the following modifications:

1. Applicant will provide signage on S. Redwood Street indicating the public path connection to the Logging Road Trail.
2. Buildings on lots 5 and 6 shall incorporate architectural design elements that will provide noise attenuation.

CONCLUSION

The Planning Commission of the City of Canby concludes that based on the findings and conclusions contained in the July 15, 2005 staff report, testimony at the July 25, 2005 public hearing, and Commission deliberations, that SUB 05-06 will comply with all applicable criteria by the application of certain conditions.

ORDER

IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby that application SUB 05-06 is approved, subject to the following conditions:

For the Final Plat:

1. A final subdivision plat modified to illustrate the conditions of approval shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application: **City of Canby File Number SUB 05-06**
2. The final subdivision plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The subdivision plat shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk; a final copy of the signed and recorded map shall be provided to the Canby Planning Department prior to the issuance of building permits
3. All monumentation and recording fees shall be borne by the applicant.
4. Twelve (12) foot utility easements shall be provided along all street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot

lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easements.

Notes:

5. A final plat must be recorded with the Clackamas County Surveyor within one (1) year of the preliminary plat approval in accordance with Canby Ordinance 16.68.020. Mylar copies of the final plat must be signed by the City Planning Director prior to recording the plat with Clackamas County.
6. The subdivision plat shall not create any lot or lots not in conformance with the Canby Municipal Code. The applicant shall submit a final plat for approval by the City of Canby Planning Director.
7. The land divider shall follow the provisions of Section 16.64.070 Improvements, in particular, but not limited to, subparagraph (O) Bonds, which requires a surety bond, personal bond, or cash bond for any subdivision improvements not completed prior to the signing of the final plat. The bond or surety instrument shall authorize the City of Canby to fully complete all required improvements and recover the full cost of all required improvements.

Prior to the signing of the Final Plat:

8. The developer shall sign a Development & Maintenance agreement with the City of Canby and/or the developer shall establish an Owners Association for the maintenance of all common areas, parks, infrastructure and open spaces and for the enforcement of additional CC&Rs. At a minimum, the Developer and/or Owners Association shall be responsible for maintaining all walls and fences, pedestrian accessways, private access drive, stormwater infiltration systems and lighting in all commonly owned areas. The association shall also maintain common open spaces, stormwater/wetlands facilities and landscaping. A copy of any CC&Rs filed with the subdivision shall be submitted to the satisfaction of the City Planning Department and the City Attorney, prior to signing the final plat, and shall include at a minimum:

A statement notifying owners of their responsibilities to maintain all walls, fences, private access drive, stormwater/bioswale infrastructure, private parks and open spaces.

A statement notifying owners of their responsibilities to provide and maintain one street tree per street lot frontage.

9. A contract between the developer and a certified landscape contractor must be approved by the City prior to the signing of the final plat. Landscaped areas shall include all common areas and bioswales in the development. The

landscape contractor must be licensed in all phases of landscape contracting by the Oregon Landscape Contractors Board.

Prior to Construction:

10. A stormwater permit shall be obtained from the State of Oregon (DEQ) prior to issuance of any building permit. An acceptable stormwater system plan shall be approved by the State of Oregon - DEQ and the Canby Public Works Department. Developer shall also provide the City of Canby with certified verification from the DEQ indicating approval of proposed stormwater management facilities.
11. A pre-construction conference is required. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, streets, natural gas, telephone, and cable television shall be approved by each utility provider. Final approval of site and utility plans is required prior to the issuance of building permits. An electronic file (pdf document) and/or fifteen (15) copies of pre-construction plans shall be submitted to the City of Canby Public Works Department for review and approval by the Canby Utility Board, the Canby Telephone Association, the City of Canby and other required utility providers prior to the pre-construction conference. Construction plans shall include at a minimum street design, storm water and wetlands, sewer, domestic water, electric, telephone, gas, street lights, mail boxes and street trees. Construction may commence only upon completion of a pre-construction conference and issuance of Grading and Erosion Control permits.

During Construction:

12. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
13. A new sewer main and/or new laterals shall be installed by the applicant at the time of development. Location and construction of the sewer main and/or laterals shall be approved by the Public Works Supervisor *prior to excavation*.
14. An approved curb cut and approach apron shall be constructed at the access drive entrance off SE Redwood.. Access improvements and sidewalks shall be inspected and approved by Canby Public Works prior to installation.
15. One street tree shall be required at the street frontage of each lot within the public utility easement. No street tree shall be placed over or within 6 lateral feet of any underground water line, sewer line, transmission line or other private utility. No street tree shall be planted in a vision clearance area, within 10 feet of a fire hydrant, or within 30 feet from a street light. The exact location of the street trees will be determined on a lot by lot case, at the time of building permit application.

16. Traffic control signs shall be installed at the developer's expense as required by the City of Canby Public Works.
17. Erosion control permits are required prior to construction improvements and prior to the issuance of building permits. All City of Canby erosion control regulations shall be followed during construction (as specified by the Canby Municipal Code).

After Construction

18. Buildings on lots 5 and 6 shall incorporate architectural design elements that will provide noise attenuation.
19. "As-built" drawings shall be submitted to the City within sixty (60) days of completion. A copy of the "as-built" drawings shall be submitted on a CD in AutoCAD format.
20. The approval of this application shall be null and void if a final plat is not submitted to the County within six (6) months after signing of the plat by the chairman of the Planning Commission (Section 16.68.070).
21. Approval of this application is contingent on the successful completion of LLA 05-03, and the applicants purchase of the newly adjusted tax lot 1823 of tax map 3 1E 34C from the City of Canby.
22. The applicant will provide signage on S. Redwood indicating the public path connection to the Logging Road Trail.

I CERTIFY THAT THIS ORDER approving **SUB 05-06** was presented to and **APPROVED** by The Planning Commission of the City of Canby.

DATED this 8th day of August, 2005.



James R. Brown, Chair
Canby Planning Commission



Matilda Deas, AICP
Project Planner

ATTEST:

ORAL DECISION – July 25, 2005

AYES: Ewert, , Molamphy, Manley

NOES: Helbling

ABSTAIN: None

ABSENT: Brown, Tessman, Lucas

WRITTEN FINDINGS – August 8, 2005

AYES: Manley, Molamphy

NOES: Helbling

ABSTAIN: Brown, Tessman

ABSENT: Ewert, Lucas

Clackamas County Official Records
Sherry Hall, County Clerk

2005-020680

After Recording Return To:



\$41.00

00805289200500206800040045

03/09/2005 04:21:04 PM

Dr. Donald Perman
249 NW 3rd Avenue
Canby OR 97013

D-DEVA Cnt=1 Stn=9 DIANNAW
\$20.00 \$11.00 \$10.00

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made and entered into this 9th day of March, 2005, binds Eagle Properties NW and Donald D. Perman, Jr, the owners of property identified as Tax Lots 1822 and 1815 of Tax Map 3-1B-34C within the City of Canby, Oregon, and all subsequent owners of said property, their heirs, and assigns to the terms contained herein.

RECITALS

A. Eagle Properties NW, LLC and Donald D. Perman, Jr are the present owners of certain property consisting of approximately 2.4 acres of land, located generally on the east side of S. Redwood Street, north of SE 4th Ave and generally identified as Tax Lots 1822 and 1815 of Tax Map 3-1B-34C within the City of Canby, Oregon and as more particularly described in Exhibit A, attached hereto, incorporated by reference and referenced hereinafter as the "Property."

B. In order to develop the Property, Eagle Properties NW, LLC and Donald D. Perman, Jr. obtained a comprehensive plan land use map and zoning designation amendment from the Canby City Council, CPA 04-02/ZC 04-03, to allow the development of a professional office and health care village on the Property. To accomplish this result, the zoning on the property was changed from a Light Industrial (M-1) to a Heavy Commercial Manufacturing (C-M) zone.

C. As part of approving a comprehensive plan land use map and zone change on the Property, the City Council attached conditions of approval that required the property owner to record a development agreement containing terms as set forth in the following Agreement.

D. This Agreement is intended to provide certainty and assurance to the City and the surrounding community of particular uses continuing on the Property.

AGREEMENT

As owners of the Property, Eagle Properties NW, LLC and Donald D. Perman, Jr hereby agree to bind themselves, all future owners of the Property, their, heirs and assigns to the following covenants and conditions governing the use and development of the Property:

1. Eagle Properties NW, LLC and Donald D. Perman, Jr., all subsequent owners of the Property, their heirs, and assigns agree that as long as the Property retains a Heavy Commercial Manufacturing (C-M) zoning designation, or another commercial zoning designation, development and use of the Property shall be limited to business and professional offices, including medical, dental, and other similar healthcare uses. Use of the Property shall be limited in this way unless and until the Planning Commission or City Council approves alternative uses or until the Property's zoning is changed to a non-commercial use.

2. Eagle Properties NW, LLC and Donald D. Perman, Jr. for themselves and on behalf of all subsequent owners of the Property, their heirs, and assigns recognize that much of the land surrounding the Property is zoned Light Industrial where industrial uses including but not limited to automobile and heavy repair shops, railroad trackage and related facilities and lumber yards are located. Eagle Properties NW, LLC and Donald D. Perman, Jr. for themselves and on behalf of all subsequent owners of the Property, their heirs and assigns acknowledge that uses that are permitted in a Light Industrial zone can create noise, offensive odors or transportation delays resulting from truck traffic. As such, Eagle Properties NW, LLC and Donald D. Perman, Jr. for themselves and on behalf of all subsequent owners of the Property, their heirs and assigns agree that so long as the Property retains a Heavy Commercial Manufacturing (C-M) zoning designation, or another commercial zoning designation, they will not to complain to the City offices or to any other regulatory agency about noise, traffic or other aspects of a neighboring industrial and manufacturing operation so long as that operation is operating consistent with City regulation, agency rules and state law

Executed as of the day and year first above written.

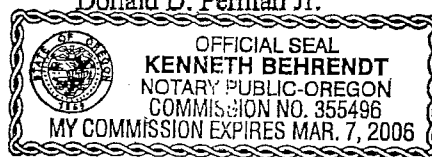
By: Bon Hukell

Eagle Properties NW, LLC

By: Donald D. Perman Jr.

Donald D. Perman Jr.

STATE OF OREGON)
) ss.
County of Clackamas)



The foregoing instrument was acknowledged before me this 7 day of Mar, 2005, by Donald Perman, Eagle Properties LLC as an authorized agent of Eagle Properties NW, LLC, an Oregon corporation, on behalf of said corporation.

[Signature]
Notary Public for Oregon

My Commission expires: Mar 7 2006

STATE OF OREGON)
) ss.
County of Clackamas)

The foregoing instrument was acknowledged before me this ____ day of _____, 2005.

Notary Public for Oregon
My Commission expires: _____

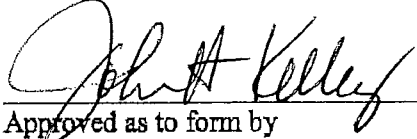

Approved as to form by
John Kelley, City Attorney

EXHIBIT A

The Legal Description for the property identified and encumbered herein is as follows:

Parcel 3, PARTITION PLAT NO. 2003-026, in the City of Canby, County of Clackamas and State of Oregon

Lot 5, TOWNSHIP INDUSTRIAL PARK, in the City of Canby, County of Clackamas and State of Oregon

PDX_DOCS:348841.1 [35401-00100]
03/9/05 9:47 AM

After Recording Return To:
Bell Law Firm, P.C.
273 N. Grant Street
Canby OR 97013

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR REDWOOD PROFESSIONAL VILLAGE OWNERS ASSOCIATION, INC.

This Declaration of Covenants, Conditions and Restrictions for Redwood Professional Village Owners Association, Inc. ("Declaration" or "CC&Rs") is made and entered into effective _____, 2006, by Redwood Professional Village Development, LLC, an Oregon limited liability company ("Declarant"). Declarant desires to create a planned business community, to wit: Redwood Professional Village Owners Association, Inc. ("Association"). Inasmuch as this is a strictly commercial community, the Association will not be subject to ORS 94.550 *et seq.*

RECITALS:

A. The Redwood Professional Village (herein the "Business Park"), as further defined below, is being developed by Declarant as a master planned medical office campus. It is Declarant's desire and intent to subject the real property, commonly known as Lot 5, Township Industrial Park and Parcel 3, Partition Plat No. 2005-020 in the SW ¼ Section 34, T2S, R1E, W.M., City of Canby, Clackamas County, Oregon, described in Exhibit A, to certain covenants, conditions, restrictions and easements for the benefit of the property, the Declarant, the purchasers and lessees of Development Parcels (as defined below) in the Business Park and their respective successors, heirs and assigns. It is intended that all Development Parcels and other property in the Business Park should be held, used, leased, occupied, sold and conveyed subject to the covenants, conditions, restrictions and easements set forth in this Declaration.

B. Such covenants, conditions, restrictions and easements are intended to be common to all of the Development Parcels in the Business Park and to enhance and protect the value, desirability and attractiveness of all such Development Parcels to their mutual benefit.

C. All and each of these covenants, conditions, restrictions and easements are hereby imposed as equitable servitudes upon the Business Park. The covenants, conditions, restrictions, reservations, easements and equitable servitudes set forth in this Declaration shall run with the Business Park, shall be binding on and inure to the benefit of all parties having or acquiring any right, title or interest in the Business Park or in any part thereof, and their successors, heirs and assigns, and shall inure to the benefit of every portion of the Business Park and any interest therein.

ARTICLE 1.

1. **DEFINITIONS**

- 1.1 **Architect.** “Architect” means a person holding a certificate of registration to practice architecture in the State of Oregon.
- 1.2 **Articles.** “Articles” shall mean the Articles of Incorporation of the Association as amended from time to time.
- 1.3 **Assessment.** “Assessment” shall mean any assessment levied against one or more Owners by the Association for payment of expenses related to the Business Park and shall include Common, Reconstruction, and Special Assessments.
- 1.4 **Association.** “Association” shall mean the nonprofit corporation Redwood Professional Village Owners Association, Inc., (more fully described in Article 14 hereof), its successors and assigns.
- 1.5 **Board.** “Board” shall mean the duly-elected Board of Directors of the Association.
- 1.6 **Business Park.** “Business Park” means the property described in Exhibit A and all Improvements thereon and all easements and rights appurtenant thereto.
- 1.7 **Bylaws.** “Bylaws” shall mean the Bylaws of the Association, as amended from time to time. The Bylaws shall be recorded in the Deed Records of Clackamas County, Oregon.
- 1.8 **Common Areas.** “Common Areas” shall mean any and all portions of the Business Park, including the Improvements thereon, that are for the common use of all Owners. Common Areas shall also include those portions of the Business Park designated in the attached Exhibit 1.8 and in any replat of the Business Park and also the Easement Areas, including, but not limited to, landscaping and parking areas, streets and common access drives. Common Areas shall also mean those areas, if any, of the Business Park that are hereafter designated as such by Declarant; provided however, that the Owner of such area (if other than Declarant) shall consent to such designation. Common Areas may be owned by the Association or subject to an exclusive perpetual easement to the Association.
- 1.9 **Common Assessments.** “Common Assessments” shall mean the annual charge against each Owner and its Development Parcel or other portion of the Subject Property, representing a *pro rata* portion of the Common Expenses, which charges shall be paid by all of the Owners to the Association as further provided in this Declaration.
- 1.10 **Common Expenses.** “Common Expenses” shall mean the cost of maintenance, management, operation, repair and replacement of the Common Areas; the cost of all commonly metered utilities, a reasonable share of any separately metered utilities used for the common good and other commonly metered charges; cost of management and administration

relating to, or the administration or enforcement of this Declaration for the Common Areas, the cost of all services benefiting the Common Areas or the Owners in general, insurance, taxes and assessments paid by the Association with respect to the Common Areas and amounts paid by the Association for discharge of any lien or encumbrance levied against the Common Areas; and the cost of any other item or items designated by Declarant or the Association for any reason in connection with the Business Park to be for the benefit of the Owners in general. So long as Declarant manages the Association, Common Expenses shall include a management fee to Declarant equal to no more than ten percent (10%) of the foregoing Common Expenses.

- 1.11 **Copies of Documents.** All copies of all documents will be free by e-mail. Requests for copies of documents in any other format will be complied with if the requestor is otherwise entitled to the document and agrees to pay a reasonable fee to the Association for producing it.
- 1.12 **Declarant.** “Declarant” shall mean Redwood Professional Village Development, LLC and, to the extent provided in Article 17 hereof, its successors and assigns.
- 1.13 **Design Professional.** “Design Professional” shall mean an architect, designer, engineer, or a business park development consultant or developer.
- 1.14 **Design Review Committee.** “Design Review Committee” shall mean the committee established pursuant to Article 3.10 hereof.
- 1.15 **Development Parcel.** “Development Parcel” shall mean a fractional part of the Subject Property as subdivided on subdivision plats or parcel maps recorded from time to time in the office of the Department of Assessment and Taxation, Recording Division, of Clackamas County, Oregon, subject to any lot line adjustments approved by applicable government authorities. “Development Parcel” shall also mean any portion of the Subject Property that is leased by Declarant to an Owner under a ground lease of land, or any portion of the Subject Property that is designated for that purpose by Declarant in a recorded instrument.
- 1.16 **Easement Area.** “Easement Area” shall mean those portions of each Development Parcel so designated on the plat referred to in Exhibit 1.8.
- 1.17 **Improvement or Improvements.** “Improvement” or “Improvements” shall include all buildings, outbuildings, roads, driveways, walkways, bicycle paths, parking areas, fences, screening walls and barriers, retaining walls, slabs, curbs, fountains, lighting fixtures, stairs, decks, waterlines, sewers, electrical and gas distribution facilities, communication facilities, hedges, windbreaks, plantings, trees, shrubs, poles, signs, loading areas, irrigation and drainage facilities, and all other structures, installations and landscaping of every type and kind, whether above or below the land surface.
- 1.18 **Mailing.** “Mailing” shall mean e-mail. All notices or mailings to Owners, Members of the Association, Members of the Board and everyone else at the Redwood Professional Village, will be by e-mail.

Proof that any required notice was sent will be conclusively presumed to have been sent and received if the e-mail message is in the sender's e-mail sent box. It is the sole responsibility of the Members, Owners and other persons entitled to notice from the Association or the Board to make sure that the Association and the Board have the appropriate e-mail address.

- 1.19 **Master Plan.** "Master Plan" shall mean the master plan approved by the City of Canby for the Business Park, as amended from time to time.
- 1.20 **Members.** "Members" shall have the meaning set out in Articles 14.2 and 14.3 hereof.
- 1.21 **Mortgage.** "Mortgage" shall mean a deed of trust as well as a mortgage.
- 1.22 **Mortgagee.** "Mortgagee" shall mean a beneficiary under, a holder of, a deed of trust as well as a mortgagee under a mortgage.
- 1.23 **Notice.** "Notice" shall mean e-mail. All notices or mailings to Owners, Members of the Association, Members of the Board and everyone else at the Redwood Professional Village, will be by e-mail. Proof that any required notice was sent will be conclusively presumed to have been sent and received if the e-mail message is in the sender's e-mail sent box. It is the sole responsibility of the Members, Owners and other persons entitled to notice from the Association or the Board to make sure that the Association and the Board have the appropriate e-mail address.
- 1.24 **Occupant.** "Occupant" shall mean a lessee or licensee of an Owner (exclusive of a lessee under a ground lease from Declarant) or any other person or entity other than an Owner in lawful possession of a Development Parcel, or any portion thereof, with the permission of the Owner.
- 1.25 **Owner.** "Owner" shall mean the Person holding fee simple title of Record to any Development Parcel or other portion of the Subject Property, including purchasers under executory contracts of sale, except that where a Development Parcel is subject to a ground lease from Declarant, the term "Owner" (with respect to that Development Parcel) shall mean the lessee and not the Declarant.
- 1.26 **Perpetual Exclusive Easement.** "Perpetual Exclusive Easement" shall mean the easement which encumbers portions of each Development Parcel which makes such portions of the Development Parcel available for use as Common Areas.
- 1.27 **Person.** "Person" shall mean a natural individual, a corporation or any other entity with the legal right to hold title to real property.
- 1.28 **Reconstruction Assessment.** "Reconstruction Assessment" shall mean a charge against each Owner and its Development Parcel, representing a *pro rata* share of the cost to the Association for repair or replacement of any portion of the damaged or lost Improvements in the Common Areas, as provided for in Article 12.1 hereof.
- 1.29 **Record – Recorded – Recordation.** "Record, Recorded and Recordation" shall mean, with respect to any document, the recordation of said document in the office of the Department of Assessment and Taxation, Recording Division, County of Clackamas, State of Oregon.

- 1.30 **Redwood Professional Village.** “Redwood Professional Village” shall be synonymous with the terms “Business Park” and “Subject Property” and shall mean all of the real property now or hereafter made subject to this Declaration.
- 1.31 **Sign.** “Sign” shall mean any structure, device or contrivance, electric or non-electric, upon or within which any poster, bill, bulletin, printing, lettering, logo, symbol, painting, or other advertising of any kind and for whatever purpose is used, placed, posted, tacked, nailed, pasted or otherwise fastened or affixed.
- 1.32 **Site Planning Guidelines.** “Site Planning Guidelines” shall mean those guidelines adopted by Declarant as site planning guidelines in connection with this Declaration on the date this Declaration is Recorded and as amended from time to time by the Design Review Committee, after notice to and opportunity for comments by the Canby City Planning Director.
- 1.33 **Special Assessment.** “Special Assessment” shall mean a charge against a particular Owner and its Development Parcel, directly attributable to, or reimbursable by, the Owner, for costs incurred by the Association for corrective action performed pursuant to the provisions of this Declaration, plus interest and other charges thereon, as provided for in this Declaration.
- 1.34 **Subject Property.** “Subject Property” shall be synonymous with the terms “Business Park” and “Redwood Professional Village” and shall mean all of the real property now or hereafter made subject to this Declaration.
- 1.35 **Street Tree.** “Street tree” means a tree on land lying within a dedicated right-of-way along either side of a street, avenue, or otherwise within a dedicated utility easement. This definition is more restricted than §12.32.010 of the Code of Ordinances of Canby, Oregon inasmuch as the ordinance includes shrubs and bushes within the definition of “street tree.”
- 1.36 **This Declaration.** “This Declaration” shall mean this Declaration of Covenants, Conditions and Restrictions for Redwood Professional Village Owners Association, Inc. as it may be amended or supplemented from time to time.
- 1.37 **Tree.** “Tree” means a woody perennial plant having a single elongated main stem generally with few or no branches on its lower part. This is the same definition as provided in the current form of §12.32.010 of the Code of Ordinances of Canby, Oregon.
- 1.38 **Visible from Neighboring Property.** “Visible from Neighboring Property” shall mean, with respect to any given object on a Development Parcel, that such object is or would be visible to a person six (6) feet tall standing on any part of any adjacent Development Parcel or other property located within the Business Park at an elevation no greater than the elevation of the base of the object being viewed.
- 1.39 **Zone or Zoning.** “Zone or Zoning” shall mean the zoning designation by the City of Canby for the Subject Property.

ARTICLE 2.

2. **SUBJECT PROPERTY**

- 2.1 **General Declaration.** Declarant hereby declares that all of that real property located in Clackamas County, Oregon, more particularly described in Exhibit A, is, and shall be, conveyed, hypothecated, encumbered, leased, occupied, built upon or otherwise used, improved, transferred in whole or in part, subject to this Declaration. All of the covenants, condition, restrictions and easements set forth in this Declaration are declared and agreed to be in furtherance of a general plan for the subdivision, improvement, use and sale of the Subject Property and are established for the purpose of enhancing and protecting the value, desirability and attractiveness of the Subject Property and every part thereof. All of such covenants, conditions, restrictions and easements shall run with all of the Subject Property for all purposes and shall be binding upon and inure to the benefit of Declarant and all Owners, Occupants and their successors in interest as set forth in this Declaration.

ARTICLE 3.

3. **CONSTRUCTION OF IMPROVEMENTS**

- 3.1 **Approval of Plans Required.** No Improvements shall be erected, placed, altered, painted or repainted, maintained or permitted to remain on any Development Parcel by any Owner or Occupant until final plans and specifications shall have been submitted to and approved in writing by the Design Review Committee. Approval shall be based upon final plans and specifications prepared by licensed architects, engineers or other qualified professionals. Plan submissions will also be required for significant revisions, alterations, additions, or changes of use for approved Improvements:
- 3.1.1 **Plan Specifications.** Plans must be drawn to an easily-readable scale such as 1 inch = 20 feet unless otherwise noted, and shall be submitted to Declarant, its successor or assign, prior to submittal to any government authority. Submittal shall consist of three (3) copies of the following:
- 3.1.1a **Site Plan.** A site plan showing the location, size, configuration and layout of any building, structure, facility (or, where applicable, any alteration, addition, modification or destruction thereof) and appurtenant facilities for parking, tanks, storage, loading, deliveries, vehicular and pedestrian traffic and circulation, including the location of all utility lines.
- 3.1.1b **Architectural Plans, Elevations and Sections.** Detailed plans in no less detail than required by the appropriate governmental authority for issuance of a building permit

showing the nature, style and dimensions of any building, structure, facility, fence, wall, barrier or deck (or, where applicable, any alteration, addition, modification or destruction thereof), including the exterior material types, colors, appearance, and the type of screening for roof-mounted or ground-mounted fixtures, equipment, tanks and other exterior storage areas. Material changes in approved plans must be similarly submitted to and approved by Declarant. Minimum scale is 1/8 inch = 1 foot.

3.1.1c **Topographical (grading) Plan.** A topographical plan showing the elevation, slope and grade of any site work (including the nature, location and use of any removal or filling of soil) proposed to be done in conjunction with any proposed improvement, development, modification or destruction of any building, structure, or facility or of any planting, installation or removal of any landscaping, vegetation, ground cover, or natural features such as rock outcroppings.

3.1.1d **Landscape Plan.** A landscape plan showing the nature, type, size, location and layout of all landscaping, vegetation or ground cover, landscape or site lighting, walks, major existing vegetation and irrigation systems proposed to be planted or installed (or, where applicable, removed or destroyed), together with the location and design details of any proposed signing.

3.1.1e **Temporary Construction Plans.** A description of proposed construction staging and access areas, and any temporary structures.

3.1.2 **Plan Changes and Phased Construction.** Material changes in approved plans must be similarly submitted to and approved by the Design Review Committee. In order to accommodate fast-track and phased construction, the Design Review Committee may authorize that preliminary plans and outline specifications may be submitted to the Design Review Committee for review. Thereafter, for each stage of construction, final construction plans shall be submitted to the Design Review Committee for final review for, among other things, compliance with the preliminary plans and outline specifications or other specifications that may have been established by the Design Review Committee.

3.2 **Basis for Approval.** Approval shall be based on, among other things, the following:

- 3.2a Adequacy of site dimensions for proposed improvements;
- 3.2b Adequacy of storm water retention and drainage;
- 3.2c Conformity and harmony of external design with neighboring structures in the Redwood Professional Village;

- 3.2d Nature, location, and effect of proposed Improvements upon neighboring Development Parcels;
- 3.2e Proper facing of building elevations with respect to nearby streets and access drives.
- 3.2f Adequacy of screening of mechanical, air conditioning or other devices or service installations;
- 3.2g Conformity of the plans and specifications to the purpose of the general plan and intent of this Declaration, the Master Plan and the Site Planning Guidelines for the Business Park in effect at the time of submittal of the plans to the Design Review Committee, provided that the plans and specifications must also be approved by all government agencies having jurisdiction over approval of the plans and specifications. In cases of conflict between this Declaration, the Master Plan, and Site Planning Guidelines, this Declaration shall be controlling.
- 3.2h Conformity and compliance with the standards listed herein.
- 3.2i No plans will be approved that do not provide for the underground installation of power, electrical, telephone and other utility lines from the property line to buildings; provided, however, that the Design Review Committee, in its sole discretion, may approve overhead transmission lines required to supply power to substations or where the installation of underground power lines is impractical from an engineering standpoint.
- 3.2j The Design Review Committee shall not arbitrarily or unreasonably withhold its approval of any plans and specifications. Except as otherwise provided in this Declaration, the Design Review Committee shall have the right to approve or disapprove any plans and specifications on any reasonable grounds.
- 3.3 **Review Fee.** A professional review fee in such amount as Declarant shall establish from time to time, but in a minimum amount of \$500 per acre, or portion thereof, of the portion of the Development Parcel to which the application pertains, shall be paid to Declarant at such time as plans and specifications are submitted to the Design Review Committee, unless such architectural review fee is waived by the Declarant.
- 3.4 **Result of Inaction.** If the Design Review Committee fails to either approve or disapprove plans and specifications submitted to it within thirty (30) days after submission, it shall be conclusively presumed that the Design Review Committee has approved such plans and specifications; provided, however, that if within the thirty (30) day period Declarant or the Design Review Committee gives written notice of the fact that more time is required for the review of plans and specifications, there shall be no presumption that the same are approved until the expiration of such reasonable period of time is set forth in the notice. The Design Review Committee shall be entitled to a maximum of three (3) such reasonable extensions.

- 3.5 **Approval.** The Design Review Committee may approve plans and specifications as submitted, or as altered or amended, or it may grant approval or conditional approval to the same subject to specific conditions. Upon approval or conditional approval by the Design Review Committee, of any plans and specifications submitted, a copy of such plans and specifications, together with any conditions, shall be deposited for permanent record with the Association, and a copy of such plans and specifications, bearing such approval together with any conditions, shall be returned to the applicant.
- 3.6 **Proceeding with Work.** Upon receipt of approval of the final construction documents from the Design Review Committee, the Owner or Occupant, or both, to whom the same is given, shall, as soon as practicable, satisfy any conditions of such approval and shall diligently proceed with the commencement and completion of all approved excavation, construction, refinishing and alterations. In all cases, work shall commence within one (1) year from the date of approval, and if work is not so commenced, approval shall be deemed revoked unless Declarant, pursuant to written request made and received prior to the expiration of said one (1) year period, extends the period of time within which work must be commenced.
- 3.7 **Completion of Work.** Any Improvement commenced pursuant to this Declaration shall be completed within two (2) years from the date of the Design Review Committee's approval of the plans and specifications therefore, except that such period may be extended for so long as such completion is rendered impossible, or unless work on the proposed Improvements would impose a great hardship upon the Owner or Occupant, due to a labor dispute, fire, national emergency, natural disaster or other supervening force beyond the control of Owner or Occupant. Declarant may, upon written request received prior to the expiration of the two (2) year period, extend the period of time within which work must be completed. Failure to comply with this Article 3.7 shall constitute a breach of this Declaration and subject the party in breach to the enforcement procedures set forth in Article 16. Declarant may also, in its sole discretion and upon written application, extend the time within which the Improvement must be completed if it involves a multi-phase project, provided the initial phase is completed within the two (2) year period.
- 3.8 **Declarant Not Liable.** Neither Declarant, the Association, the Design Review Committee, the Board, nor any of their Members, officers, directors, employees, agents, or contractors shall be liable for any damage, loss or prejudice suffered or claimed by any Person on account of:
- 3.8.1 The approval or disapproval of any plans, drawings and specifications, whether or not in any way defective;
- 3.8.2 The construction of any Improvement, or performance of any work, whether or not pursuant to approved plans, drawings and specifications; or

- 3.8.3 The development of any Development Parcel within the Business Park.
- 3.9 **Construction Without Approval.** If any Improvement shall be erected, placed or maintained upon any Development Parcel, or any new use commenced upon any Parcel, other than in accordance with the approval by the Design Review Committee pursuant to the provisions of this Article 3, such alteration, erection, placement, maintenance or use shall be deemed to have been undertaken in violation of this Declaration, and upon written notice from the Association, any such Improvement so altered, erected, placed, maintained or used upon and Development Parcel in violation of this Declaration shall be removed or altered so as to conform to this Declaration. Should such removal, alteration, or cessation or amendment of use not be accomplished within thirty (30) days after receipt of such notice, then the party in breach of this Declaration shall be subject to the enforcement procedures set forth in this Declaration.
- 3.10 **Design Review Committee.** The Design Review Committee shall consist of one (1) to three (3) Design Professionals, one of whom may be the Declarant, and all of whom shall be appointed by Declarant. Members shall serve on the committee at the discretion of Declarant. The number and Member(s) of the committee shall be determined by Declarant from time to time. Declarant shall keep on file at its principal office a list of names and addresses (including e-mail addresses) of the member(s) of the committee. From time to time, the committee may amend the Site Planning Guidelines to the extent the committee believes such amendment is in the best interest of sound design and will not impair the quality of the overall project. A majority of the members of the Design Review Committee shall have the power to act on behalf of the committee. The committee may render its decisions only by written instrument setting forth the action taken by the member(s). Declarant may, at any time, designate that the Design Review Committee shall consist of three members who shall be appointed by the Board of Directors of the Association.
- 3.11 **Estoppel Certificate.** Within thirty (30) days after written demand by an Owner, the Design Review Committee shall execute and deliver to the Owner requesting the same an Estoppel Certificate certifying with respect to the Development Parcel of such Owner that as of the date of the Estoppel Certificate either (a) all Improvements and all other work within the Development Parcel comply with the provisions of this Article 3, or (b) such Improvements and work do not comply for reasons specified in the Estoppel Certificate. Any lessee, purchaser or Mortgagee of a Development Parcel may rely on such Estoppel Certificate with respect to the matters set forth therein, such matters being conclusive against Declarant, the Association and all Owners.

ARTICLE 4.

4. **DEVELOPMENT STANDARDS**

- 4.1 **Design Guidelines.** The development concept for Redwood Professional Village shall be determined by Declarant in its sole discretion, and Declarant's building shall set the standard. Design guidelines setting forth various aspects of the development concept, in addition to this Declaration, may be published from time to time by Declarant, but Declarant shall not be required to do so. Declarant shall have the right to alter, rescind or amend any published guidelines without prior notice to any party; provided, however, that once approval has been given pursuant to Article 3 hereof, work may proceed in accordance with the approved plans and drawings notwithstanding any changes to the development concept. All such guidelines shall be in general conformance with the Declarations.
- 4.2 **Building.** The building design shall incorporate the following:
- 4.2a Architectural style, materials, and finishes which are contemporary in design and concept, and reflect the quality image of Redwood Professional Village.
 - 4.2b Methods that reduce any large-scale visual impact of buildings and provide relief from any large wall expanse.
 - 4.2c Preservation of existing terrain and mature trees, and optimization of view corridors, wherever possible.
 - 4.2d Main building entrances which are highlighted and readily visible.
 - 4.2e The use of window patterns, roof forms, indirect accent lighting and other features which enhance individual buildings while retaining a consistency of basic architectural elements with other buildings in the Business Park.
 - 4.2f Buildings on lots 5 and 6 shall incorporate architectural design elements that will provide noise attenuation as required by the August 8, 2005 FINDINGS, CONCLUSION & FINAL ORDER SUB 05-06 of the Planning Commission of the City of Canby, Oregon relating to the Subject Property.
- 4.3 **Building Height.** The maximum height of all structures within Redwood Professional Village shall be forty-five (45) feet.
- 4.4 **Exterior Building Materials and Colors.** Exterior walls must be finished with building materials of a texture, character and color compatible with the surrounding area. Consideration should be given to ease of maintenance. Declarant shall have the sole right to approve or disapprove materials and colors. Selection shall conform to the following:
- 4.4a Materials which convey permanence and substance are preferred. Such materials include architectural masonry units, concrete blocks, natural stone, concrete and glass or their equivalents.
 - 4.4b Primary wall surface colors shall be subdued in tone and hue. Complementary accent colors are encouraged in moderation and may be used in conjunction with accent materials or to express corporate identity.

- 4.4c Finish building materials shall be applied to all sides of a building which are visible to the general public and from neighboring properties.
- 4.4d Roof treatment may be any traditional roof material that has a non-glare surface, as approved by Declarant.
- 4.5 **Site Coverage.** The ratio of building coverage to site area is subject to approval by Declarant, but in no instance may the ratio exceed sixty percent (60%).
- 4.6 **Setbacks.** Except as otherwise provided in Article 4.5, no Improvement of any kind shall be placed on a Development Parcel closer to a property line than herein provided:
 - 4.6a Twenty (20) feet from any property line adjacent to a main access drive;
 - 4.6b Twenty (20) feet from any property line abutting a public street; and
 - 4.6c Ten (10) feet from any other property line.
- 4.7 **Exceptions to Setback Requirements.** The following Improvements, or parts thereof, are specifically excluded from the setback requirements set forth in Article 4.6:
 - 4.7a Unsupported roof overhang, subject to approval by Declarant;
 - 4.7b Steps and walkways;
 - 4.7c Paving and associated curbing, except that no vehicle parking shall be permitted in front or side setbacks unless approved by Declarant;
 - 4.7d Landscaping and irrigation systems;
 - 4.7e Architectural fences, walls, and sign elements except that Declarant's specific approval is required when placed within a front setback; and
 - 4.7f Underground utility facilities and their above ground appurtenances.
- 4.8 **Landscaping.** Each site shall be landscaped in accordance with the approved plans and specifications and in conformity with the criteria and requirements set forth below:
 - 4.8a A minimum of fifteen percent (15%) of the area within the property lines of a Development Parcel shall be devoted to landscaping, using a combination of trees, shrubs and turf or other groundcover in accordance with any landscaping guidelines which Declarant may establish;
 - 4.8b Each Owner shall be responsible for providing and maintaining one street tree per street lot frontage;
 - 4.8c Landscaping shall be installed and operable within sixty (60) days of issuance of a certificate of occupancy or completion of construction, whichever first occurs, or as soon thereafter as weather permits;

- 4.8d Each Owner shall landscape and maintain any unimproved areas within each Development Parcel except for any areas designated by the Association as part of the Common Areas; and
- 4.8e An Owner shall also be responsible for landscaping and maintaining any right-of-way areas not otherwise improved between the edge of the improved street and the property line. All such right-of-way improvements shall be in strict accordance with §12.32 of the Code of Ordinances of Canby, Oregon and Declarant's written specifications relating to any such areas.
- 4.9 **Storm Drainage.** All Development Parcels shall provide for storm water disposal onsite and shall provide any storm water quality treatment facilities that may be necessary to meet City of Canby or State of Oregon requirements. An emergency storm drain overflow is provided for each lot, but it is not intended to be the primary method of discharge. Each Development Parcel shall be able to accommodate onsite disposal for at least the ten (10) year design storm.
- 4.10 **Signs.** No Sign shall be permitted on any Development Parcel unless approved in writing by the Design Review Committee. No Sign shall be approved other than Business Park identification signs, information and traffic control signs, signs identifying the building or the business of the Owner or Occupant of a Development Parcel, signs offering the parcel for sale or lease, and temporary development of construction signs.
- 4.11 **Fences.** No fences or walls shall be permitted on any Development Parcel unless such fence or wall is necessary for security, screening, landscaping or construction purposes. The Design Review Committee reserves the right to approve the location and design of all fences, and no fence shall be constructed without prior written approval by the Design Review Committee.
- 4.12 **Storage and Loading Areas.** Storage, maintenance and loading areas must be constructed, maintained and used in accordance with the Site Planning Guidelines.
- 4.13 **Easement Areas and Pathway Buffers.** No Improvement shall be constructed within any Easement Area nor within twenty (20) feet of any Common Area pathway, except with the prior written consent of the Design Review Committee.

ARTICLE 5.

5. **REGULATION OF OPERATIONS, USES, RESTRICTIONS AND PROHIBITIONS**

- 5.1 **Authority to Promulgate Use Restrictions and Prohibitions.** Initial Use Restrictions and Prohibitions applicable to the Subject Property are set forth in Articles 5.4 and 5.5 of this Declaration. Subject to the terms of this Article 5, such initial Use Restrictions and Prohibitions may be

supplemented by additional rules and regulations, or modified in whole or in part, repealed, or expanded as follows:

- 5.1a **By Board.** Subject to its duty to exercise business judgment on behalf of the Association and its Members, the Board may adopt rules which modify, cancel, limit, create exceptions to, or expand the initial Use Restrictions and Prohibitions set forth in Articles 5.4 and 5.5. Prior to doing so, however, the Board shall deliver written notice to the Owners at least twenty-eight (28) days prior to the Board meeting at which such action is to be considered. Members shall have a reasonable opportunity to be heard at a Board meeting prior to any such action.
- 5.1b **By Members.** The Members, at a meeting duly called for such purpose as provided in the Articles or in the Bylaws, may adopt rules by a vote of by a vote of at least sixty-six and two-thirds percent (66 $\frac{2}{3}$ %).
- 5.2 **Notice.** Any additions or changes to the Use Restrictions and Prohibitions pursuant to Article 5.1 shall become effective upon Recordation of a notice thereof; provided, the Board shall give each Owner at least twenty-eight (28) days written notice of such additions or changes prior to Recordation. In the event that a petition for a special meeting is submitted within such twenty-eight (28) day period, Recordation shall not occur until after the meeting in order to comply with the outcome. The Association shall e-mail this required notice (remember that all notices to members are by e-mail and it is the responsibility of the members to keep their e-mail addresses current with the Association) and the notice shall contain a full and complete copy of the proposed addition or changes. If the proposal is to change something, the existing provision and the proposed change must be set out in full.
- 5.3 **Approval by Declarant.** No amendment to or modification of any Use Restrictions and Prohibitions shall be effective without prior notice to and the written approval of Declarant so long as Declarant owns any property in the Business Park.
- 5.4 **Activities Within Development Parcel.** No Use Restriction or Prohibition shall interfere with the activities carried on within the confines of structures on Development Parcels; provided, the Association, in its sole discretion, may restrict or prohibit any activities that create monetary costs for the Association or individual Owners, that create a danger to the health or safety of occupants or invitees of other Development Parcels, that generate excessive noise or traffic, that create unsightly conditions visible outside the Development Parcel, that create an unreasonable source of annoyance, that create a nuisance, or that are not allowed by law; further provided in those portions of the Business Park that are not developed for commercial use, as defined in Article 5.7; the Board may prohibit activities not normally associated with commercial property.
- 5.5 **Owners Acknowledgment.** ALL OWNERS AND OCCUPANTS OF DEVELOPMENT PARCELS ARE HEREBY NOTIFIED THAT USE OF

THEIR DEVELOPMENT PARCEL IS LIMITED BY THE USE RESTRICTIONS AND PROHIBITIONS AND RULES AS THEY MAY BE AMENDED, EXPANDED AND OTHERWISE MODIFIED FROM TIME TO TIME. EVERY OWNER, BY ACCEPTANCE OF A DEED OR BY ENTERING INTO A RECORDED CONTRACT OF SALE, ACKNOWLEDGES AND AGREES THAT THE USE AND ENJOYMENT AND MARKETABILITY OF ALL REDWOOD PROFESSIONAL VILLAGE PROPERTY IS AFFECTED BY THIS PROVISION AND THAT USE RESTRICTIONS AND PROHIBITIONS AND RULES MAY CHANGE FROM TIME TO TIME.

- 5.6 **Permitted Uses.** Subject to the terms and conditions of this Declaration, the Master Plan, and the Site Planning Guidelines, the following uses are permitted uses in the Redwood Professional Village:
- 5.7a Business, medical or other professional offices;
 - 5.7b Veterinarian's offices or an animal hospital;
 - 5.7c Commercial insurance business;
 - 5.7d Book store;
 - 5.7c Coffee shop; and
 - 5.7d Flower shop.
- 5.7 **Conditional Uses.** Conditional uses allowed are permitted only if approved by Clackamas County or the City of Canby and by Declarant. Declarant reserves the right to grant or withhold approval in its sole discretion. All approved uses shall be performed or carried out entirely within a building that is so designed and constructed that the enclosed operations and uses do not cause or produce a nuisance to any of the other Development Parcels or Common Areas. Certain activities that are merely incidental to approved uses within the building, but which cannot be carried on within a building may be permitted, provided they are in compliance with the Site Planning Guidelines, the Design Review Committee (written permission required), and further provided that such activities are screened so as not to be visible from neighboring Development Parcels and Common Areas. All lighting is to be shielded so the glare shall not be visible from neighboring Development Parcels or Common Areas.
- 5.8 **Limitations on Number of Competing Businesses.** The following uses shall be numerically limited as follows:
- 5.8a There shall be no more than two (2) ambulatory surgery centers in the Redwood Professional Village at any one (1) time;
 - 5.8b There shall be no more than one (1) entity with a primary mission to provide radiology or imaging services in the Redwood Professional Village at any one (1) time. Specifically excluded from this restriction are imaging services, such as x-rays, when their use is a reasonable extension of a dental, medical or veterinary practice. This exception shall include, but not be limited to, the use of imaging systems in the practice of dentistry, orthopedic medicine, primary care medicine and veterinary

medicine. Proof that any business receives less than 15% of its gross revenue from imaging services shall be conclusive evidence that the business is not an entity with a primary mission to provide radiology or imaging services; and

- 5.8c There shall be no more than one (1) entity, wholly or in part owned or controlled by a hospital or a holding company of a hospital or a subsidiary of a hospital on any Development Parcel or any portion thereof in the Redwood Professional Village at any one (1) time.

5.9 **Prohibited Uses.** The following activities are prohibited within any and all Development Parcels in the Redwood Professional Village unless expressly authorized by, and then subject to such conditions as may be imposed by the Board of Directors and the Declarant, so long as Declarant owns any property in the Redwood Professional Village:

- 5.9a Abortion clinics or abortion centers;
- 5.9b Hobbies or other activities which tend to cause unclean, unhealthy, smelly or untidy conditions to exist outside a structure on a Development Parcel;
- 5.9c Outside burning of trash, leaves, debris or any other materials, except during the normal course of constructing a structure on a Development Parcel;
- 5.9d Dumping of grass clippings, leaves or other debris, petroleum products, fertilizers, or other potentially hazardous or toxic substances anywhere on the Subject Property or in any adjacent area where any Redwood Professional Village Member may be responsible, except that pursuant to Article 8.3, the Association may apply fertilizers and pesticides to landscaping anywhere in the Redwood Professional Village and any adjacent areas for which it may be legally responsible for landscaping so long as all manufacturer instructions are followed;
- 5.9e Accumulation of rubbish, trash or garbage except between regular garbage pickups;
- 5.9f Obstruction or re-channeling of drainage flows after location and installation of drainage swales, storm sewers, or storm drains, except that Declarant and the Association shall have such right; provided, the exercise of such right by Declarant or the Association shall be guided by the goal of minimizing any adverse financial impact or interference with use of any Development Parcel;
- 5.9g Subdivision of a Development Parcel into two (2) or more lots, or changing the boundary lines of any Development Parcel after a subdivision plat including such Development Parcel has been Recorded; provided, Declarant shall be permitted to subdivide, combine, re-plat, or adjust Development Parcel boundaries owned by Declarant; further provided, the appropriate, the appropriate jurisdiction and the Owner of any affected property may take such legal action as is required to correct a boundary line or to revise

- boundary lines in accordance with improvements constructed in inappropriate locations;
- 5.9h On-site storage of gasoline, heating fuels, or other petroleum products or alternative fuels; provided, a reasonable amount of fuel may be stored on each Development Parcel for emergency purposes and operation of tools or maintenance equipment, and the Association shall be permitted to store oil and fuel for operation and maintenance of vehicles, lawn mowers, generators and similar equipment;
 - 5.10i Clearing, grading, excavating, or tree removal on a Development Parcel, or any construction, erection, or placement of any thing, permanently or temporarily, on the outside portions of the Development Parcel, whether such portion is improved or unimproved, except as approved by the Board. This shall include, without limitation, signs, sports and play equipment, clotheslines, hedges, walls, dog runs, animal pens, or fences of any kind;
 - 5.9j Any noxious or offensive activity which in the Board's sole discretion tends to cause danger, embarrassment, discomfort, annoyance, or nuisance to anyone;
 - 5.9k Any use or activity contrary to applicable zoning provisions;
 - 5.9l Noxious plants;
 - 5.9m Animals, except dogs trained to assist deaf and/or blind people and any animal being taken to a veterinarian or animal hospital in the Redwood Professional Village;
 - 5.9n Devices or other things of any sort whose activities or existence in any way is, in the Board's sole discretion, noxious, dangerous, unsightly, unpleasant, or of a nature as may diminish or destroy the enjoyment of the Subject Property;
 - 5.9o Structures, equipment or other items on the exterior portions of a Development Parcel which have become rusty, dilapidated or otherwise fallen into disrepair;
 - 5.9p Sprinkler or irrigations systems or wells of any type which draw water from lakes, creeks, streams, rivers, ponds, wetlands, canals or other ground or surface waters within or below Redwood Professional Village, except that Declarant and the Association shall have the right to draw water from such sources;
 - 5.9q Tenants, trailers, mobile homes, boats, campers or other recreational vehicles, abandoned or non-functioning equipment, vehicles or machinery, or any temporary structure, such as a shack or utility shed, except for construction trailers during ongoing construction on the Development Parcel and temporary party tents for special events;
 - 5.9r Any activity which, in the sole discretion of the Board, materially disturbs or destroys vegetation, wildlife, wetlands, or air quality within Redwood Professional Village or which uses an excessive amount of water or causes excessive sound or light pollution.

- Street trees shall not be topped, limed, or otherwise disturbed, except by the Association pursuant to Article 8.3.;
- 5.9s Exterior antennas, aerials, satellite dishes and the like for the transmission or reception of television, radio, telephone, computers and the like shall not be placed on a Development Parcel without the prior written approval of the Board in its sole discretion. Declarant and the Association shall have the right, but shall not be obligated, to erect or install and maintain such apparatus for the benefit of any or all Owners or Occupiers of Redwood Professional Village;
 - 5.9t Wholesale distributors or outlets, such as Costco, Supply One and Home Club;
 - 5.9u Railroad tracks and facilities;
 - 5.9v Trailer courts, mobile home parks, recreation vehicle compounds and facilities for the sales or service of mobile homes;
 - 5.9w Flea markets and fire and bankruptcy sale operations as a business (which shall not preclude temporary charitable or similar events having prior Board approval);
 - 5.9x Junk yards, scrap metal yards, automotive used parts or dismantling operations and sanitary landfills, except that nothing herein precludes recycling centers for household and office recyclable materials;
 - 5.9y Commercial excavation of sand, gravel, minerals, or building or construction materials, except in the usual course of construction on Development Parcels, is prohibited;
 - 5.9z Massage parlors (except therapeutic massage businesses employing licensed massage therapists) and businesses primarily engaged in the sale of obscene or pornographic materials (adult book and video stores), or in the provision of topless or nude entertainment or any similarly sexually oriented business;
 - 5.9aa Check-cashing or payday loan businesses and similar business operations primarily providing check-cashing services, loans, or consumer credit to the public other than in connection with the goods or services of such business, except that state or federally chartered banks and similar financial institutions shall be permitted;
 - 5.9bb Pawn shops and auctions (except charitable auctions); and
 - 5.9cc Any industrial use.
- 5.10 **Nuisances.** No nuisance shall be permitted to exist or operated on any Development Parcel. A “nuisance” is whatever the Board determines in its sole discretion to be a nuisance and shall include, but is not limited to, the following:
- 5.10a Any activity or occurrence that is not in strict compliance with any federal, state or local law, ordinance, regulation or rule adopted for the protection of the environment or for the protection of public health and safety;

- 5.10b Any discharge of contaminated water, medical waste, oil, grease, detergents or other improper liquids, solid wastes or other harmful matter into the storm sewer, groundwater or other waterway or any parking lot, sidewalk or landscape area that, in the opinion of the Association, may adversely affect health, safety or comfort, the intended use of any property within Redwood Professional Village or cause negative impacts to downstream water users. No toxic waste, medical waste, deleterious substance or improper materials of any kind shall be discharged into any public sewer serving Redwood Professional Village or any part thereof in violation of any regulation of any public body having jurisdiction over such matters;
- 5.10c The escape or discharge of any fumes, odors, gasses, vapors, steam, acids or other substances into the atmosphere, which discharge, in the opinion of the Association, may be detrimental to the health, safety or welfare of anyone or any animal, or may interfere with the comfort of anyone or any animal or be harmful to property or vegetation;
- 5.10d Buildings and other structures shall be constructed, and machinery and equipment installed and vibration isolated as required to limit soil vibration in accordance with specifications set forth in the Site Planning Guidelines;
- 5.10e The discharge of any liquid (other than uncontaminated storm water runoff) or non-liquid substance to any stream, lake, pond, or other surface impoundment or subsurface aquifer; and
- 5.10f The disposal of any hazardous waste (now or hereafter defined by any and all state, federal, county and city agencies) within or adjacent to Redwood Professional Village. Hazardous materials and wastes that are to be removed from any Development Parcel may be stored on site for up to thirty (30) days, as may be necessary to arrange removal; except that during construction on a Development Parcel or Common Area, such items may be stored as long as reasonably necessary; provided, however, that such material shall be stored in appropriately designed and marked containers in strict compliance with all present and future state, federal, county and city laws, regulations, ordinances and rules, including, without limitation, the federal Resource Conservation and Recovery Act.
- 5.11 **Condition of Property.** The Owner of Occupant of any Development Parcel shall at all times keep it and the Improvements and appurtenances thereon in a safe, clean and wholesome condition and shall comply, at his, her or its personal expense, in all respects with applicable governmental, health, fire and safety requirements.
- 5.12 **Repair of Improvements.** No building or structure on any Development Parcel shall be permitted to fall into disrepair. In the event of any damage or destruction it shall be the duty of the Owner of the Development Parcel

to repair or replace the damaged structure; provided, that Owners shall have the right to not rebuild, in which case the Development Parcel shall be returned to the condition it was in (or as close thereto as may be reasonable under the circumstances) prior to the construction of any Improvement thereon. Any reconstruction, replacement or major repair of any Improvement must be approved by the Design Review Committee.

- 5.13 **Taxes, Assessments and Fees.** The Owner shall pay all taxes assessed against the Development Parcel and anything constructed or existing thereon. Additionally, by March 31 following each calendar year the Owner shall pay a fee of \$_____ to the Redwood Professional Village Development, LLC, its successors or assigns in partial payment for developing the Redwood Professional Village. If any Owner fails to pay any tax, fee or other assessment of any kind that becomes a final lien on any portion of any Development Parcel, the Association may pay such tax, fee or assessment together with any interest, penalties, costs and attorney fees related thereto. In such event, the Owner shall promptly repay the Association the entire amount, and until such reimbursement, the amount due shall constitute a lien on the defaulting Owner's Development Parcel, subject and subordinate to any Mortgage then outstanding thereon.
- 5.14 **Refuse Collection Areas.** All outdoor refuse collection areas shall be visually screened so as to not be visible from neighboring property or Common Areas. Refuse collection areas shall be enclosed by a wall of durable material compatible, in the Board's sole discretion, with that of the building. Enclosures shall be sufficiently large to contain all refuse generated on the Development Parcel and shall be kept closed and locked except when ingress or egress is required. No refuse collection area shall be located at the front of a building. All refuse shall be stored in suitable closed containers. Refuse collection areas shall be maintained in a manner that will not smell bad, look bad or attract or aid in the propagation of insects, birds or rodents or otherwise create a health hazard. Any hazardous, toxic or medical waste shall be stored, handled and disposed of in compliance with all federal, state, county and city laws, regulations, ordinance and rules.
- 5.15 **Public Utilities.** Declarant and the Association shall have the sole right to grant consent for the construction of permanent public utilities of all kinds, without limitation, throughout the Subject Property. The Design Review Committee shall have responsibility for consents for the construction of any temporary utilities. The Association shall have the exclusive right to grant consent and to petition the proper authorities for any and all street, shoulder and sidewalk Improvements and any landscaping associated therewith.
- 5.16 **Utility Lines.** All permanent utilities shall be concealed within Improvements or underground. The Design Review Committee has the authority to approve temporary utilities at whatever location it deems prudent. Additionally, if the Design Review Committee determines, in its sole discretion, that it is impossible or impractical from an engineering

standpoint, to comply with the first sentence hereof, then it has the authority to approve a variance that will minimize, so far as is commercially practicable, an exception to these requirements.

- 5.17 **Mechanical Equipment.** All mechanical equipment, utility meters, transformers, storage tanks, air conditioning equipment and similar items shall be visually screened with attractive architectural features to the satisfaction of the Design Review Committee in its sole discretion.
- 5.18 **Mineral Exploration and Exploitation.** No portion of the Subject Property shall be used in any manner to explore for or to remove any steam, heat, oil or other hydrocarbons, gravel, earth, or any earth substance or other minerals of any kind; provided, however, that this shall not prevent excavation in connection with the grading or construction of Improvements within the Subject Property or the development by Declarant of any geothermal water source for heating purposes.
- 5.19 **Other Operations and Uses.** Any operation or use not regulated by any other provisions hereof is permissible if approved in writing by the Design Review Committee in their sole discretion. In such cases, the applicant should follow the procedures set out in Article 3 hereof.
- 5.20 **Water Rights.** The Association reserves the right to withdraw or otherwise appropriate water from any lake, pond, stream, drainageway, reservoir, or other surface water source located on the Subject Property and to use the ground water from any wells located within the Subject Property. Except for the foregoing, no water may be withdrawn or otherwise appropriated from any lake, pond, stream, drainageway, reservoir, or well, nor may any water wells be drilled on the Subject Property without the prior written approval of the Association and all appropriate government agencies. The Association reserves the right to withhold its approval in its sole discretion.

ARTICLE 6.

6. COVENANTS FOR COMMON ASSESSMENTS

- 6.1 **Creation of Liens and Personal Obligations of Assessments.** Declarant for the real property described in Exhibit A and for all other real property that is hereafter made subject to this Declaration, if any, hereby covenants and agrees to pay, and each Owner, by acceptance of a deed or lease to a Development Parcel, whether or not it shall be so expressed in any such deed or lease, is deemed to covenant and agree to pay, to the Association all Common Assessments for Common Expenses and all Special Assessments and Reconstruction Assessments. All such assessments, together with interest, costs, penalties and any reasonable attorney fees related thereto shall be a charge and a continuing lien against the Owner's interest in the Development Parcel or other portion of the Subject Property against which each such assessment is made and shall also be a separate, distinct and personal obligation of the Owner at the time the assessments

fall due and shall bind its heirs, successors in interest, devisees, personal representatives, conservators, executors and assigns. This personal obligation cannot be avoided by abandonment of the Development Parcel or Improvements thereon or by an offer to waive use of the Common Areas.

- 6.2 **Purpose of Assessments.** The assessments levied by the Association shall be used to promote the general benefit of the Owners and their employees and customers and for, among other things, the operation, replacement, improvement and maintenance of the Common Areas within the Redwood Professional Village. Nothing in this Declaration shall be construed in such a way as to limit the right of the Association to use any Common Assessments to abate any annoyance or nuisance emanating from outside the physical boundaries of the Redwood Professional Village.
- 6.3 **Determination of Common Assessments.** The Association shall authorize and levy the amount of the annual Common Assessment upon each Owner and the interest of such Owner in a Development Parcel or other portion of the Subject Property, as provided in this Declaration. Common Assessments shall be borne on a *pro rata* basis by the Owners of Development Parcels or other property within the Subject Property. *Pro rata* as used herein shall be based upon the percent of the square footage of an Owner's Development Parcel to the total square footage of the subject property. Not later than November 1 of each year, the Association shall prepare and distribute to the Owners by e-mail (**reminder: all written Association notices are exclusively by e-mail**) the annual estimated Common Assessment for the following year. Each Owner shall pay its annual Common Assessment in full or in equal installments at monthly or quarterly intervals based upon the November 1 estimate for the following year. If the Association subsequently determines that the estimate for the Common Assessment is, or will become, inadequate for any reason, it shall determine the approximate amount of such inadequacy as soon as reasonably practical. The Association shall have the authority to levy, at any time, a supplemental Common Assessment reflecting a revision of the total charges to be assessed against the Owners. E-mail notice of any supplemental Common Assessment levied by the Association shall be given to the Owners and all supplemental Common Assessments shall be paid within fifty-six (56) days of such notice.
- 6.4 **Collection of Common Assessments.** The Association shall fix and collect from each Owner its *pro rata* share of the Common Assessment. Common Assessments for fractions of any period shall be prorated. Any surplus in the Common Assessment fund at the end of any year will be applied to reduce the Common Assessment for the following year. In any conveyance of a Development Property, the new Owner shall be jointly and severally liable with the previous Owner for all unpaid assessments up to the date of close of escrow, without prejudice of the right of the new Owner to obtain reimbursement from the previous Owner. However, any

new Owner shall be entitled to a statement from the Association setting forth the amount of any unpaid assessments against the previous Owner as of the date the Association receives the request. Any new Owner shall be personally liable for any and all assessments and other charges becoming due after the close of escrow. Notwithstanding the foregoing, any Mortgagee who obtains title to a Development Parcel or to Improvements thereon by foreclosure or deed in lieu of foreclosure shall not be liable for unpaid assessments or charges that accrue prior to the time such Mortgagee acquires title to that Development Parcel or any Improvements thereon.

- 6.5 **Availability of Records.** The Association shall keep financial records of Common Expenses and Common Assessments sufficient for proper accounting purposes. During normal business hours, the Association shall make such book and records available for inspection by Owners, and Mortgagees of Development Parcels. If an Owner or Mortgagee requests copies of financial records in some format other than e-mail, the Association will provide such copies for a reasonable fee.

ARTICLE 7.

7. **Nonpayment of Assessments.**

- 7.1 **Delinquency.** Any installment of an Association assessment shall be delinquent and a lien upon the Development Parcel or other Portion of the Subject Property of a delinquent Owner if the assessment is not paid on the due date as established by the Association. With respect to each installment of an assessment not paid within fourteen (14) days after its due date, the Association may, at its election, require the delinquent Owner to pay a “late fee” equal to 5% of the amount then due, plus interest on the amount plus the late fee at the rate of eighteen percent (18%) per annum, (but in no event to exceed the maximum contract rate permitted by law), on such delinquent sums, calculated from the date of delinquency to and including the date full payment is received by the Association. If any installment of an assessment is not paid within twenty-eight (28) days after its due date, the Association shall e-mail a notice to the Owner and regular mail to any of the Owner’s Mortgagees. The notice shall specify: (a) the fact that the installment is delinquent; (b) the action required to cure the default; (c) the date, not less than twenty-eight (28) days from the date of the notice, by which date such default must be cured; and (d) that failure to cure the default on or before the date specified in the notice may result in acceleration of the balance of the installments of all current assessments, attributable to that Owner and its Development Parcel or interest therein, to be immediately due and payable without further demand and may enforce the collection of the assessments and all charges thereon in any manner authorized by law or by this Declaration.

- 7.2 **Lien and Notice of Lien.** Each Owner vests in the Association, or its assigns, the right and power to bring all actions at law or to foreclose any Association's lien against an Owner and such Owner's interest in a Development Parcel or other portion of the Subject Property for the collection of delinquent assessments. No action shall be brought to foreclose any delinquent assessment lien sooner than twenty-eight (28) days after the date a notice of claim is Recorded by the Association and a copy is e-mailed to the Owner. The notice of claim of lien must contain: (a) a sufficient legal description of the Development Parcel or other portions of the Subject Property; (b) the name of the Owner; (c) the amount claimed (including at the Association's option the cost of preparing and Recording the notice of claim of lien, interest on the unpaid assessments and costs of collection, including reasonable attorney fees whether or not a complaint is filed and including appeal costs and any post-judgment collection fees and costs); and (d) the name and address of the claimant.
- 7.3 **Foreclosure and Sale.** Any foreclosure and sale shall be conducted in accordance with Oregon law applicable to foreclosure and sale of non-purchase money mortgages or in any other manner permitted by law. The Association shall have the power to bid on the Development Parcel or other portion of the Subject Property at the foreclosure sale and to acquire and hold, lease, mortgage and convey the same.
- 7.4 **Curing the Default.** Upon the timely curing of any default for which a notice of claim of lien was Recorded by the Association, the Association shall Record an appropriate release if the Owner first pays the Association a fee to be determined by the Association to cover the cost of preparing and Recording such release. Any purchaser or encumbrancer that has acted in good faith and extended value may rely on such release as conclusive evidence of the full satisfaction of the sums stated in the notice of claim of lien.
- 7.5 **Cumulative Remedies.** The assessment lien and right of foreclosure and sale shall be in addition to, and not in substitution for, all other rights and remedies that the Association and its assigns may have under this Declaration and by law, including an action to recover a money judgment for unpaid assessments, but any institution of an action to recover a money judgment shall not constitute an affirmation of the adequacy of money damages.
- 7.6 **Subordination of Assessment Liens.** All sums assessed in accordance with the provisions of this Declaration shall constitute a lien on the respective Development Parcel or other portion of the Subject Property prior and superior to all other liens, except: (a) all taxes, bonds, assessments and other levies or liens that, by law, would be superior thereto; and (b) the lien or charge of any Mortgage of Record made in good faith and for value and Recorded prior to the date on which the notice of claim of lien is Recorded, subject to the provisions of Article 6.4

and Article 13 of this Declaration. Upon the foreclosure of, or the acceptance

ARTICLE 8.

8. Easements, Parking, Landscaping and Rights of Entry

- 8.1 **Easements.** Common Areas. Declarant expressly grants for the benefit of the Association and the Owners of the Subject Property reciprocal, nonexclusive easements for access, ingress and egress over all Common Areas. Subject to the provisions of this Declaration governing use and enjoyment thereof and such rules and regulations as may be established by the Association, such easements may be used by Declarant, its successors and lessees, the Association and all Owners and Occupants, and their guests, tenants and invitees transacting business on or temporarily visiting the Subject Property, for walkways, landscaping, signage, bicycle paths, drainage and such other purposes (as determined by Declarant or the Association) that are reasonably necessary for use and enjoyment of a Development Parcel or other portion of the Subject Property. Declarant reserves to itself and grants to the Association the right to grant necessary easements and rights-of-way over the Common Areas to any Person.
- 8.2 **Maintenance and Repair of Common Areas.** Declarant expressly grants to the Association for the benefit of the Association, and all agents, officers, and employees of the Association, nonexclusive easements over the Development Parcels and other portions of the Subject Property as the Association deems necessary to maintain and repair the Common Areas and to perform all other tasks in accordance with the provisions of this Declaration. All such easements shall be appurtenant to and shall pass with the title to every Development Parcel conveyed.
- 8.3 **Utility Easements.** Declarant expressly reserves to itself and grants to the Association easements over the Common Areas for utility services, including main lines and laterals serving individual Development Parcels, and for the repair, replacement and maintenance of such utility lines. Declarant and the Association shall have the right to create utility easements in favor of specific Owners and to appropriate utility companies.
- 8.4 **Obstruction.** There shall be no obstruction of any Common Areas, walkways, bicycle paths or driveways located within the Subject Property that would interfere with the free circulation of foot, bicycle or automobile traffic, except such obstruction as may be reasonably required in connection with repairs of such Common Areas, walkways, bicycle paths or driveways. Use of all Common Areas shall be subject to reasonable rules and regulations as adopted by the Association. The Association may take such action as may be necessary to abate or enjoin any interference with or obstruction of the Common Areas and shall have the right of entry for purposes of removing any such interference or obstruction. If the

Association determines, in its sole discretion, that any Owner is responsible for the interference of obstruction, any costs incurred by the Association in connection with such abatement, injunction or corrective work shall be deemed to be a Special Assessment of the responsible Owner. Free use of the walkways, bicycle paths and driveways and free circulation of foot, bicycle and vehicular traffic are essential elements of Declarant's plan for Redwood Professional Village.

- 8.5 **Parking Areas.** Parking shall be provided on all Development Parcels generally as shown on the Master Plan. If parking requirements increase, additional off-street parking shall be provided. All parking areas shall conform to the Site Planning Guidelines.
- 8.6 **Off-Street Parking.** Off-street parking shall be required on every Development Parcel, on a contiguous parcel, or within such distance from the parcel as the Design Review Committee deems reasonable. Where parking is provided other than upon the Development Parcel itself, the Design Review Committee shall be given a certified paper copy of a Recorded instrument, duly executed and acknowledged by the Person or Persons holding title to the parcel or other property upon which the parking area is located, acknowledging the permanent reservation of the use of the parcel or other property for such parking area.
- 8.7 **Paved Parking.** All parking areas shall be paved with asphalt or concrete. Each parking space shall be of adequate size and marked with painted lines on the parking surface. All parking areas shall provide, in addition to parking spaces, adequate driveways, sidewalks, concrete curbs, landscaping, lighting and space for the movement of vehicles. Applicable handicapped parking provisions shall be complied with. The Design Review Committee shall approve, in its sole discretion, the adequacy of all parking areas.
- 8.8 **Parking Rules.** The Association may establish parking rules as needed.
- 8.9 **Landscaping.** Declarant expressly reserves to itself and grants to the Association easements over every Development Parcel setback areas and Easement Areas for landscaping and maintenance of such areas by the Association. All landscaping shall be well maintained. An underground irrigation system shall be provided and maintained by the Association for all landscaped areas.
- 8.10 **Rights of Entry.** Declarant and the Association shall have a limited right of entry in and upon the exterior of all Improvements on all Development Parcels for the purpose of inspecting the same, including, without limitation, sampling and testing of monitoring wells and underground storage tank containment vaults, and taking whatever corrective action as the Association, in its sole discretion, deems necessary or proper. However, nothing in the Declaration shall be construed to impose any obligation on Declarant or the Association to maintain or repair any portion of any Development Parcel or any Improvement thereon that is to be maintained or repaired by the Owner. Every Owner shall permit access to the Owner's Development Parcel or Improvement thereon to the

Association, its designees and any emergency personnel to respond to any emergency originating on or threatening such Development Parcel or Improvement, whether or not such Owner is present.

ARTICLE 9.

9. Repair and Maintenance.

- 9.1 **Repair and Maintenance Duties of the Association.** The Association shall maintain, repair, replace, resurface and make necessary Improvements to the Common Areas, or shall contract out such work, in a good, sanitary, attractive condition. Such maintenance, repairs and Improvements shall include, without limitation, maintenance and replacement of vegetation, irrigation systems and any landscaping improvements, repair and payment for all centrally metered utilities, mechanical and electrical equipment and repair and maintenance of all walkways and other means of ingress and egress to and from Redwood Professional Village. All such maintenance, repairs and Improvements shall be paid for as Common Expenses.
- 9.2 **Special Powers of the Association.** If the Association determines that an Improvement, the maintenance of which is the responsibility of an Owner, is in need of repair, restoration or painting, or if the Association determines that there is a violation of any provision of the Declaration, then the Association may give e-mail notice to such Owner of such violations or conditions. Thereafter, unless the Association has approved in writing corrective plans proposed by the Owner and unless such plans have been completed within the time allowed by the Association, the Association may, at its sole option and without any obligation to do so, remedy the situation and the cost thereof shall be charged to the Owner and its Development Parcel or other portion of the Subject Property. Such costs shall be deemed to be a Special Assessment of such Owner and its Development Parcel or other portion of the Subject Property and subject to levy, enforcement and collection by the Association in accordance with assessment lien procedures provided for in this Declaration.

ARTICLE 10.

10. Common Areas and Easement Areas.

- 10.1 **Title to Common Areas.** Declarant shall convey free title to the Common Areas (except the Easement Areas) to the Association, subject to each of the terms, provisions, restrictions and easements contained in this Declaration. Declarant shall reserve a Perpetual Exclusive Easement over the portion of each Development Parcel designated for use as a Common Area, subject to the terms of this Declaration. Upon conveyance of the

Common Areas to the Association, Declarant shall assign its rights in the Perpetual Exclusive Easement to the Association.

- 10.2 **Rights of Declarant and the Association.** Declarant and the Association shall have certain rights with respect to the Common Areas including, without limitation, the following:

- 10.2a The right of the Association to limit the number of guests, patrons and invitees of Owners using the Common Areas;
- 10.2b The right of the Association to establish rules and regulations pertaining to the use of the Common Areas;
- 10.2c The right of the Association to suspend the right to use the Common Areas by an Owner for any period during which any assessment against the Owner and its Development Parcel or other portion of the Subject Property remains unpaid and delinquent and for a period not to exceed twenty-eight (28) days for any single infraction of the rules and regulations of the Association. In no event, however, shall any such suspension affect the Owner's right of access to its Development Parcel.
- 10.2d The right of Declarant (and its sales and leasing agents, customers and representatives) to the nonexclusive use of the Common Areas without charge for sales, display, access, ingress, egress and exhibit purposes.
- 10.2e The right of the Association to reconstruct, replace or refinish any Improvement or portion thereof upon Common Areas in accordance with the original design, finish or standard of construction of such Improvement or of the general Improvements within the Subject Property as the case may be.
- 10.2f The right of the Association to repair and maintain the Common Areas.
- 10.2g The right of the Declarant (at Declarant's expense) or the Association to construct additional Improvements to the Common Areas. The cost of maintaining new Improvements to the Common Areas shall be allocated pursuant to Article 6.

- 10.3 **Easements for City and County Use.** In addition to the foregoing easements over the Common Areas, there shall be, and Declarant hereby reserves the covenants for Declarant, the Association and all future Owners within the Subject Property, easements over Common Areas for public services and underground utilities, including, without limitation, the right of the city, county, or other government entity to install, maintain and repair underground public sanitary sewer and water systems and the right of the police and fire personnel to enter upon any part of the Common Areas in the performance of their duties.

- 10.4 **Waiver of Use.** No Owner may exempt itself from liability for Common Area assessments by duly levied by the Association, nor release any Development Parcel or other portion of the Subject Property owned by it from the liens and charges hereof, by waiver of the use and enjoyment of

the Common Areas, by abandonment of its Development Parcel or other portion of the Subject Property, or by any other means.

ARTICLE 11.

11. Insurance.

11.1 **Duty to Obtain Insurance Types.** The Association shall obtain and continue in effect adequate commercial general liability insurance, if in the Association's opinion such insurance is available at reasonable cost, in an amount not less than Two Million Dollars (\$2,000,000), or in such other higher reasonable amount as the Association may determine, covering claims for bodily injury and property damage arising out of a single occurrence on the Common Areas. The Association may also obtain and continue in effect fire insurance with extended coverage in an amount as near as possible to the full replacement value, insured on an agreed value form, of the Improvements in the Common Areas. Such insurance shall be maintained by the Association as named insured for the benefit of the Association, Declarant and the Owners, subject, however, to loss payment requirements as set forth herein, and shall contain waivers of subrogation of claims against Declarant and all Owners. The Association shall purchase such other insurance, as necessary in the sole discretion of the Association, including, but not limited to, errors and omissions, medical payments, fidelity bonds, and workers' compensation, and such other risks as are customarily covered by other planned commercial developments similar to the Redwood Professional Village. The cost of all insurance obtained by the Association pursuant to this Article 11 shall be a Common Expense.

11.2 **Right and Duty of Owners to Insure.** Each Owner shall obtain adequate casualty insurance and fire insurance in an amount as near as possible to the full replacement value, without deduction for depreciation or co-insurance, of all the structural portions of the Improvements owned by each Owner in Redwood Professional Village. Each Owner shall provide fire and extended coverage insurance on its personal property and fixtures within all buildings and Improvements on its Development Parcel. Each Owner shall carry commercial general liability insurance to cover its individual liability for damages to person or property occurring on its Development Parcel or elsewhere in Redwood Professional Village in any manner arising out of use of such Owner's Development Parcel. Such insurance shall be in an amount not less than Two Million Dollars (\$2,000,000) or in such higher amount as the Association may, in its sole discretion, require, covering claims for bodily injury and property damage arising out of a single occurrence. All such policies as may be carried by Owners shall contain waivers of subrogation of claims against the Association and all other Owners. The insurance policies carried by each Owner shall, to the maximum extent possible, provide for automatic

adjustments of coverage levels to reflect the changes in costs resulting from inflation. Such policies shall not adversely affect or diminish any liability under any insurance obtained by the Association. Each Owner shall have the Association named as an additional insured on the Owner's policy. If any loss intended to be covered by insurance carried by the Association shall occur and the proceeds payable thereunder shall be reduced by reason of insurance carried by the Owner, such Owner shall assign the proceeds of such insurance carried by it to the Association to the extent of such reduction for application by the Association to the same purposes as the reduced proceeds are to be applied. Owners shall provide copies of all required insurance policies to the Association and certificates of insurance indicating all required minimum coverages.

ARTICLE 12.

12. Damage or Loss to Improvements.

12.1 **Restoration of Common Areas.** Except as otherwise provided in this Declaration, in the event of any destruction of any portion of the Common Areas, or the Improvements thereon, the Association shall restore and repair the same to its former condition as soon as is practical. The proceeds of any insurance maintained pursuant to Article 11 hereof shall be used for such purpose, unless otherwise provided herein. The Association shall be authorized to have prepared the necessary documents to effect such reconstruction as soon as is practical. The Common Areas and all others Improvements shall be reconstructed, repaired or rebuilt substantially in conformance in accordance with the original construction plans with such changes as are reasonable in the sole discretion of the Association. In the event that the amount available from the proceeds of any insurance policies shall be less than the estimated cost of restoration and repair, a Reconstruction Assessment shall be levied by the Association on the Owners and their Development Parcels in order to provide the necessary funds for such renovation and repair over and above the amount of any insurance proceeds available for such purpose. Reconstruction Assessments shall be borne by the Owners in the same proportions as Common Assessments.

12.2 **Restoration Obligations of Owners.** In the event of any damage or destruction on any portion of any Development Parcel or the Improvements thereon, the Owner shall, as soon as may be practical, repair and replace all damage and destruction in such a manner as will render the rebuilt or repaired areas indiscernible from the undamaged areas, provided that the Owners shall have the right to decide not to rebuild, in which case the Owner shall return the Development Parcel to the condition it was in prior to construction of any Improvements thereon. Any reconstruction, replacement or repair required by this Article 12.2 shall be in accordance with the original plans and specifications of the

Development Parcel except to the extent that the Design Review Committee, in its sole discretion, approves any changes.

ARTICLE 13.

13. **Protection of Mortgages.**

- 13.1 **Mortgage Liens are Inviolable.** A breach of any of the provisions, covenants, restrictions or limitations of this Declaration, or the Recordation of any assessment lien or the pursuit of any other remedy under this Declaration, shall not defeat or render invalid or otherwise interfere with the lien of any Mortgage of Record. All of the provisions of the Declaration shall be binding upon and effective against any Owner whose Development Parcel is acquired through foreclosure or trustee's sale. The Mortgagee of any Mortgage of Record on any Development Parcel may file with the Association a written request (by e-mail or by regular mail) for written e-mail or regular mail (or both) notification in the event of any default by the mortgagor in the performance of such mortgagor's obligations under this Declaration that is not cured within twenty-eight (28) days, and the Association shall give notice thereof to each such Mortgagee. Each Mortgagee of a Mortgage encumbering any Development Parcel who obtains title to such Development Parcel pursuant to the remedies provided in such Mortgage, by judicial or non-judicial foreclosure or by deed in lieu of foreclosure, shall take title to such Development Parcel free and clear of any claims for unpaid assessments or charges against such Development Parcel that accrued prior to the time such Mortgagee acquired title to such Development Parcel, except for such claims for which a notice of lien was recorded prior to the Recording of the Mortgage. Nothing herein shall be construed as relieving the Owner of any Development Parcel from liability for any assessments and charges assessed during the period of such Owner's ownership.

ARTICLE 14.

14. **Redwood Professional Village Association.** Declarant shall organize an Association of all Development Parcel Owners in the Redwood Professional Village. The Association, its successors and assigns, shall be organized under the name Redwood Professional Village Association, Inc. or such similar name as Declarant shall designate, and shall have such property, powers and obligations as are set forth in this Declaration for the benefit of the Subject Property and all Redwood Professional Village Development Parcel Owners.

- 14.1 **Organization.** Declarant shall, before the last Development Parcel is conveyed to an Owner, organize the Association as an Oregon non-profit corporation. The Article of Incorporation of the Association shall provide

for its perpetual existence, but in the event the Association is at any time dissolved for any reason, it shall automatically be succeeded by a successor association of the same name. In that event, all of the property, powers and obligations of the Association existing immediately prior to its dissolution shall thereupon automatically vest in the successor association, and such vesting shall thereafter be confirmed as evidenced by appropriate conveyances and assignments. To the greatest extent possible, any successor association shall be governed by the Articles of Incorporation, Association Bylaws and this Declaration as if they had been made to constitute the governing documents of the successor association.

- 14.2 **Membership.** Every Owner of one or more Development Parcels in the Redwood Professional Village shall, immediately upon creation of the Association and thereafter during the entire period of ownership, be a Member of the Association. Such membership shall commence, exist and continue simply by virtue of such ownership, shall automatically expire upon termination of such ownership, and need not be confirmed or evidenced by any certificate or acceptance of membership.
- 14.3 **Voting Rights.** Each Member shall have one (1) vote for every Development Parcel owned within the Redwood Professional Village. When more than one Person holds an interest in any Development Parcel, all such Persons shall be Members. The vote for a Development Parcel in which more than one person holds an interest shall be exercised as they, among themselves determine, but in no event shall any single Development Parcel have more than one (1) vote.
- 14.4 **Powers and Obligations.** The Association shall have, exercise and perform all of the following powers, duties and obligations:
- 14.4a The powers, duties and obligations granted to the Association by this Declaration or delegated to the Association by Declarant;
- 14.4b The powers and obligations of an Oregon limited liability company; and
- 14.4c Any additional or different powers, duties and obligations necessary or desirable for the purpose of carrying out the functions of the Association pursuant to this Declaration or otherwise promoting the general benefit of the Owners of Redwood Professional Village Development Parcels.
- 14.5 **Amendments.** The powers and obligations of the Association may from time to time be amended, repealed, enlarges or restricted by changes in this Declaration made in accordance with the provisions herein, accompanied by changes in the Articles of Organization or Association Bylaws made in accordance with such instruments and with the laws of the State of Oregon.
- 14.6 **Liability.** A member of the Board or an officer of the Association shall not be liable to the Association or any Member thereof for any damage, loss or prejudice suffered or claimed on account of any action or failure to act in the performance of his or her duties, except for acts of gross negligence or intentional misconduct. In the event any member of the

Board or any officer of the Association is made a party to any proceeding because the individual is or was a director or officer of the Association, the Association shall indemnify such individual against any liability or expense incurred to the maximum extent permitted by law.

- 14.7 **Interim Board; Turnover Meeting.** Declarant shall have the right to appoint an interim Board of three (3) directors, who shall serve as the Board of the Association until replaced by Declarant or their successors have been elected by the Owners at the turnover meeting described in this Article 14.7. Declarant shall call a meeting of the Association for the purpose of turning over administrative responsibility for the Redwood Professional Village to the Association within ninety (90) days after the conveyance to Owners other than Declarant of Development Parcels representing fifty percent (50%) or more of the Development Parcels in the Redwood Professional Village. At the turnover meeting the interim directors shall resign and their successors shall be elected by the Owners as provided in this Declaration and the Bylaws of the Association. If Declarant fails to call the turnover meeting as required by this Article 14.7, any Owner may call the meeting by giving notice as provided in the Bylaws.

ARTICLE 15.

15. **Duration and Amendment.**

- 15.1 **Duration.** This Declaration shall continue in full force perpetually, UNLESS a declaration of Termination is Recorded that meets with the requirements of an amendment to this Declaration as set forth in Article 15.2.
- 15.2 **Amendment.** Except as otherwise provided in Article 15.3 or 15.4, this Declaration or any provision hereof, or any covenant, condition or restriction contained herein except Article 5.14, may be terminated, extended, modified or otherwise amended as to the whole of the Subject Property or any portion thereof, with the written consent of Owners holding sixty-six and two-thirds percent (66 $\frac{2}{3}$ %) of the Development Parcels. No such termination, extension, modification or other amendment shall be effective until a proper instrument in writing has been executed, acknowledged and Recorded by the Association. Notwithstanding the foregoing, any of the following amendments, to be effective, must also be approved in writing by the record holders of one hundred percent (100%) of the aggregate value of Mortgages encumbering the Subject Property at the time of such amendment:
- 15.2a Any amendment that affects or purports to affect the validity or priority of encumbrances or the rights of protection granted to Mortgagees as provided in Article 13 or that seeks to modify this Article 15.2 hereof;

- 15.2b Any amendment that would necessitate a Mortgagee, after it has acquired a Development Parcel through foreclosure, to pay more than its proportionate share of any unpaid assessment or assessments accruing after such foreclosure;
- 15.2c Any amendment that would or could result in a Mortgage being canceled by forfeiture; and
- 15.2d Any amendment to Article 5.9 or 5.10 of this Declaration.
- 15.3 **Amendment by Declarant.** For so long as Declarant owns fee simple title to any portion of the Subject Property, Declarant acting alone may modify or amend the provisions of Article 3, Article 4, or Article 5 of this Declaration; provided, however, that: (a) any such modification or amendment must be within the spirit and overall intention of the general plan of development as set forth herein; (b) prior to any such modification or amendment, Declarant shall obtain the approval of any governmental agency to such modification or amendment where such approval is necessary; (c) any modification or amendment shall not provide for any type of Improvements or use not presently permitted by this Declaration; and (d) any modification or amendment shall not adversely affect any approval previously granted under Article 3. No such modification or amendment shall be effective until the Owners have been given twenty-eight (28) days prior written e-mail notice of the proposed change and a proper instrument in writing has been executed, acknowledged and Recorded by Declarant.
- 15.4 **Reservation by Declarant.** Declarant reserves and shall have the sole right to: (a) amend this Declaration for the purpose of curing any ambiguity in or inconsistency between the provisions contained herein; (b) include in any contract or deed or other instrument hereafter made any additional covenants and restrictions applicable to the Subject Property or any Development Parcel therein that do not lower the standards of this Declaration; and (c) release any Development Parcel from any part of this Declaration that has been violated (included, without limitation, violations of the building restriction lines and provisions related thereto) if Declarant, in its sole judgment, determines that such violation is minor or unsubstantial.
- 15.5 **Governmental Regulation.** All valid governmental enactments, ordinances and regulations are deemed to be part of this Declaration, and to the extent that they conflict with any provisions, covenant, condition or restriction of this Declaration, such conflicting governmental enactment, ordinance and regulation shall control and the provision, covenant, condition or restriction hereof in conflict therewith shall be deemed: (a) amended to the minimum extent necessary to bring it into conformity with such enactment, ordinance or regulation; or (b) stricken herefrom should no amendment conforming to the governmental enactment, ordinance or restriction be capable of preserving the intent and spirit of said provision, covenant, condition or restriction.

ARTICLE 16.

16. **Enforcement.**

- 16.1 **Abatement and Suit.** The Owner of each Development Parcel shall be primarily liable, and the Occupant, if any other than the Owner, secondarily liable, for the violation or breach of any covenant, condition or restriction contained in this Declaration concerning its Development Parcel. Violation or breach of any covenant, condition or restriction contained in this Declaration shall give to the Association, following twenty-eight (28) days' written e-mail notice to the Owner or Occupant in question, the right, privilege and license to enter upon the Development Parcel where such violation or breach exists and to summarily abate and remove, at the expense of the Owner or Occupant thereof, any Improvement, structure, thing or condition that is contrary to the intent and meaning of the provisions hereof, or to prosecute a proceeding at law or in equity against the Person or Persons who have violated or are attempting to violate any of these covenants, conditions or restrictions to enjoin or prevent them from doing so, to cause such violation to be remedied, or to recover damages for such violation. No such entry by the Association or its agents shall be deemed a trespass, and neither the Association nor its agents shall be subject to liability to the Owner or Occupant of the Development Parcel for such entry and any action taken to remedy or remove a violation. The cost of any abatement, remedy or removal hereunder shall be a Special Assessment against, and the binding personal obligation of any Owner or Occupant in violation of any provisions of this Declaration and shall be subject to levy, enforcement and collection by the Association in accordance with the assessment lien procedure provided for in this Declaration.
- 16.2 **Right of Entry.** During reasonable hours and upon reasonable notice or such notice required in any applicable leases, and subject to reasonable security requirements, the Association or its agents shall have the right to enter upon and inspect any Development Parcel and the Improvements thereon covered by this Declaration to determine if the requirements of this Declaration have been or are being complied with, and neither the Association nor its agents shall be deemed to have committed a trespass or other wrongful act by reason of such entry or inspection.
- 16.3 **Deemed to Constitute a Nuisance.** The result of every act or omission whereby any covenant, condition or restriction herein contained is violated in whole or in part shall constitute a nuisance, and the Association may exercise every remedy, either public or private, allowed by law or in equity against the offending Owner or Occupant.
- 16.4 **Other Remedies.** All remedies provided in this Declaration, or at law or in equity, shall be cumulative and not exclusive. In addition to the enforcement rights granted to the Association in this Article 16, the Declarant or any Owner who believes that a violation of any of the

covenants, conditions or restrictions contained in this Declaration is occurring or has occurred may deliver an e-mail notice thereof to the Association and the offending Owner or Occupant. If within twenty-eight (28) days after such e-mail notice the Association has not commenced action to enforce this Declaration and the Owner or Occupant has not cured or commenced cure of the violation, or thereafter if the Association or the Owner or Occupant has not diligently pursued such enforcement or cure, Declarant or the aggrieved Owner may bring legal proceedings to enforce this Declaration against the Owner or Occupant violating the same.

- 16.5 **Attorney Fees.** In any legal or equitable proceeding for the enforcement of this Declaration or any provision hereof, whether it be an action for damages, declaratory relief or injunctive relief, or any other action, the losing party or parties shall pay the attorney fees of the prevailing party or parties, at trial, on appeal, for petition for review, and for any post-judgment collect efforts.
- 16.6 **Failure to Enforce is Not a Waiver.** The failure of the Association to enforce any requirement, covenant, condition, restriction or standard herein shall in no event be deemed to be a waiver of the right to do so thereafter or in other cases nor of the right to enforce any other requirement, covenant, condition, standard or restriction.

ARTICLE 17.

17. **Assignment.** Declarant may assign all of Declarant's rights, powers and reservations under this Declaration to any Person pursuant to a Recorded assignment, after which such Persons shall be the Declarant for purposes of this Declaration. In addition, less than all of the rights, powers and reservations of Declarant under this Declaration may be assigned to any Person that will assume the duties of Declarant pertaining to the particular rights, powers and reservations assigned. Upon any such successor Declarant or Person evidencing its consent in writing to accept such assignment and assume such duties, it shall, to the extent of such assignment, have the same rights and powers and be subject to the same obligations and duties as are given to and assumed by Declarant herein. Declarant may make any such assignment to the Association at any time or from time to time, by Recorded Declaration of Delegation, and upon Recording thereof the Association shall assume the rights, powers and reservations assigned to it. If at any time Declarant ceases to exist and has not made such an assignment, then the Association shall act as successor to Declarant. Any assignment or appointment made under this Article 17 shall be in written form and shall be Recorded.

ARTICLE 18.

18. **General Provisions.**

- 18.1 **Constructive Notice and Acceptance.** Every Person who now or hereafter owns, occupies or acquires any right, title or interest in or to any of the Subject Property is and shall be conclusively deemed to have consented and agreed to every covenant, condition and restriction and easement contained herein. Whether or not any reference to this Declaration is contained in the instrument by which such Person acquired any interest in the Subject Property.
- 18.2 **Liability.** Neither the Design Review Committee, nor any of its members, the Declarant, the Association, its officers, agents, employees, contractors, successors or assigns shall be liable to any Owner or Occupant of any portion of the Subject Property by reason of any mistake in judgment, negligence, nonfeasance, action or inaction in connection with their rights and duties under this Declaration or the enforcement or failure to enforce any provision of this Declaration. Every Owner or Occupant of any portion of the Subject Property by acquiring its interest therein agrees that it will not bring any action or suit against Declarant or the Association to recover any such damages or to seek equitable relief because of same.
- 18.3 **Runs with Land.** All covenants, conditions, restrictions, easements and agreements herein contained are made for the direct, mutual and reciprocal benefit of each and every Development Parcel of the Subject Property; shall create mutual equitable servitudes upon each Development Parcel in favor of every other Development Parcel; shall create reciprocal rights and obligations between respective Owners and Occupants of all Development Parcels and privity of contract and estate between all grantees of such Development Parcels, their heirs, successors and assigns; and shall, as to the Owner and Occupant of each Development Parcel, its heirs, successors and assigns, operate as covenants running with the land, for the benefit of all other Development Parcels, except as expressly provided otherwise in this Declaration.
- 18.4 **Rights of Mortgagees.** No breach of any covenant, condition or restriction herein contained, or any enforcement thereof, shall defeat or render invalid the lien of any Mortgage now or hereafter executed upon the Subject Property or any portion thereof; provided, however, that if any portion of said property is sold under a foreclosure of any Mortgage, any purchaser at such sale and its successors and assigns shall hold any and all property so purchased subject to all of the covenants, conditions, restrictions, easements and agreements contained in this Declaration.
- 18.5 **Severability.** The provisions of this Declaration shall be deemed independent and severable, and determination of invalidity or partial invalidity or enforceability of any one provision or portion hereof by a court of competent jurisdiction shall not affect the validity or enforceability of all other provisions hereof.
- 18.6 **Interpretation.** The provisions of this Declaration shall be liberally construed to effectuate its intended purpose, to wit: the creation of a uniform plan for the creation and operation of the development of the Subject Property (including the Common Areas and easement areas) as a

mutually successful commercial enterprise by all Development Parcel Owners and Occupiers. The Article headings, titles and captions have been inserted for convenience only and shall not be considered or referred to in resolving questions of interpretation or construction. Unless the context otherwise requires, as used herein the singular and the plural shall each include the other and the masculine, feminine and neutral shall each include the other.

- 18.7 **Hold Harmless and Indemnification.** Each Owner shall be liable to the Association for any injury to any person or damage to the Common Areas or easement areas, or any Improvement thereon that may be sustained by reason of the negligence of said Owner or of its guests, employees, invitees or tenants. All Association expenses related to such injury or damage shall be deemed a Special Assessment of such Owner and its Development Parcel and shall be subject to levy, enforcement and collection by the Association in accordance with the assessment lien procedure provided for in this Declaration. The Association shall also have the right to charge a Special Assessment equal to the increase, if any, in the insurance premium directly attributable to the damage or injury caused by such Owner (or Occupant) or by the use of the Development Parcel of such owner.
- 18.8 **No Public Right or Dedication.** Nothing contained in this Declaration shall be deemed to be a gift or dedication of all or any part of the Subject Property to the public, or for any public use, except as may be specifically set forth on a plat of any of the Subject Property.
- 18.9 **Notices.** Except as otherwise provided in this Declaration, in each instance in which notice is to be given to an Owner, the same shall be a written e-mail delivered to the e-mail address provided by the Owner (which may include, at the Owner's discretion, co-Owners, Occupants, partners, corporation, partnership, etc.). E-mail delivery of such notices to any officer or agent for the service of process on a corporation shall be deemed delivery to the corporation. In lieu of the foregoing and in the sole discretion of the Association, such notice may be delivered by regular United States mail, postage prepaid, addressed to the Owner at the most recent address furnished by the Owner. Such notice shall be conclusively deemed delivered forty-eight (48) hours after the time of such mailing (not counting Sundays and mail holidays). Any notice to be given to Declarant or the Association may be sent by e-mail at the following addresses. Or such other addresses as shall be fixed by them from time to time and circulated by e-mail to all Owners.

To Declarant: _____

To Association: _____

IN WITNESS WHEREOF this Declaration has been executed as of the day and year set forth above.

Redwood Professional Village Development, LLC

By: _____
Donald D. Perman, Jr., Member

STATE OF OREGON) ss.
County of Clackamas)

The foregoing instrument was acknowledged before me this _____ day of _____, 2006, by Donald D. Perman, Jr., a member of Redwood Professional Village Development, LLC, on behalf of Redwood Professional Village Development, LLC.

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A

REAL PROPERTY LEGAL DESCRIPTION

A replat of a portion of Parcel 2, Partition Plat No. 1994-033 in the NW ¼ Section 3, T.1S., R.1W., W.M., Clackamas County, Oregon dated October 2, 2001.

The property is also known as: Lots 1→9, Redwood Professional Village, Canby, Oregon.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
May 21, 2025**

PRESIDING: Brian Hodson

COUNCIL PRESENT: Paul Waterman, Traci Hensley, Daniel Stearns, James Davis, Herman Maldonado, and Jason Padden.

STAFF PRESENT: Eileen Stein, City Administrator; Emily Guimont, City Attorney; Teresa Ridgley, Deputy City Recorder; Jamie Stickel, Economic Development Director/Communications Specialist; Monica Stone, Wastewater Treatment Plant Supervisor; Todd Wood, Fleet/Transit/IT Director; Jessica Roberts, Court Supervisor; Lucy Heil, City Prosecutor.

CALL TO ORDER: Mayor Hodson called the meeting to order at 7:00 p.m.

NEW EMPLOYEE INTRODUCTIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Greg Perez, Canby resident, spoke about issues with the City Administrator that needed to be addressed. These issues had created a hostile work environment, and the Council could not continue to ignore it. He also questioned the Finance Director's actions. It was difficult to get public records requests, and he wanted information on the Parks and Recreation Maintenance Fee.

Jim Simnitt, Canby resident, spoke about the Parks and Recreation Maintenance Fee and wanted to know what could be used for park projects.

Mayor Hodson addressed some of the comments made by Mr. Perez.

CONSENT AGENDA: ****Council President Hensley moved to approve the consent agenda which included the minutes of the January 31, 2025, City Council Goal Setting Meeting, and the minutes of the April 16, 2025, City Council Regular Meeting. Motion was seconded by Councilor Maldonado and passed 6-0.**

ORDINANCES AND RESOLUTIONS:

Ordinance 1643 – Spencer Polack, Public Works Operations Supervisor, explained the first phase of the project, the Walnut Street extension.

****Council President Hensley moved to approve Ordinance 1643, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH DEWITT CONSTRUCTION IN THE AMOUNT OF \$837,720 FOR THE WALNUT STREET SANITARY SEWER HWY99E & RR BORE PROJECT. Motion was seconded by Councilor Padden and passed 6-0 by roll call vote.**

Ordinance 1644 – Heidi Muller, Transit Operations Manager, explained the purchase of the new transit vehicles.

****Council President Hensley moved to approve Ordinance 1644, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE FOUR (4) TRANSIT VANS FOR CANBY AREA TRANSIT FROM NORTHWEST BUS SALES IN THE AMOUNT OF \$457,876. Motion was seconded by Councilor Maldonado and passed 6-0 by roll call vote.**

Ordinance 1645 – ****Council President Hensley moved to approve Ordinance 1645, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ONE (1) TRANSIT BUS FOR CANBY AREA TRANSIT FROM NORTHWEST BUS SALES IN THE AMOUNT OF \$180,796. Motion was seconded by Councilor Maldonado and passed 6-0 by roll call vote.**

Ordinance 1646 – ****Councilor Waterman moved to approve Ordinance 1646, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT IN THE AMOUNT OF \$60,000 BETWEEN THE CITY OF CANBY AND LUCY HEIL, CITY PROSECUTOR. Motion was seconded by Councilor Davis and passed 6-0 by roll call vote.**

Ordinance 1647 – Monica Stone, Wastewater Treatment Plant Supervisor, said every year staff had to get quotes for this service. The ordinance would allow an exemption to direct award the contract for five years. Every year it would be approved in the budget.

****Council President Hensley moved to approve Ordinance 1647, AN ORDINANCE ADOPTING FINDINGS TO SUPPORT AN EXEMPTION FROM THE FORMAL SELECTION PROCESS FOR A CONTRACT FOR SLUDGE HAULING SERVICES, DECLARING SUCH EXEMPTION, AND AUTHORIZING DIRECT AWARD OF A CONTRACT TO HEARD FARMS, INC. to come up for second reading on June 4, 2025. Motion seconded by Councilor Padden and passed 6-0 on first reading.**

Resolution 1433 – Scott Schlag, Finance Director, and Ashleigh Dougill, Beery, Elsner, and Hammond, discussed the updates to the procurement policy to be compliant with state law and simplify rules.

****Councilor Padden moved to approve Resolution 1433, A RESOLUTION ADOPTING AN UPDATED CONTRACTING AND PROCUREMENT POLICY. Motion was seconded by Councilor Maldonado and passed 5-0-1.**

OLD BUSINESS:

IGA With Clackamas County For Homeless Services Funding – Emily Guimont, City Attorney, said Clackamas County had allocated funds to provide services to extremely low income and homeless to the City and Canby Center. This was an agreement for the City's portion of the funding. The City would also distribute the funds to the Canby Center as grant funds.

There was discussion regarding the unintended consequences of drawing more homeless to the City and what the funds would be used for.

****Councilor Padden moved to authorize the City Administrator to execute the IGA between the City and Clackamas County for homeless services funding. Motion was seconded by Councilor Davis and passed 6-0.**

IGA with Clackamas County Transferring Jurisdiction of Pine Street – Mr. Polack said this was an agreement for the City to take jurisdiction of a portion of N Pine Street. The County would be giving the City \$513,000 for a two-inch overlay and ADA ramps.

****Councilor Padden moved to authorize the City Administrator to sign the IGA between the City and Clackamas County related to the transfer of jurisdiction over a portion of N Pine Street. Motion was seconded by Councilor Waterman and passed 6-0.**

IGA with Clackamas County Relating to the Storm Drainage Maintenance on Portions of SE 1st Avenue, SE 13th Avenue, and Mulino Road – Mr. Polack said this was an agreement for the County to direct developers to build future roads to the City's standards. These were roads the City would take jurisdiction over in the future.

****Councilor Waterman moved to authorize the City Administrator to sign the IGA between the City and Clackamas County related to storm drainage maintenance on portions of SE 1st Avenue, SE 13th Avenue, and Mulino Road. Motion was seconded by Councilor Maldonado and passed 6-0.**

NEW BUSINESS: Council Reserve Policy – Eileen Stein, City Administrator, said the leadership team unanimously agreed to recommend strategic cuts and to avoid reductions in the workforce. This would reduce the reserves to 15%. If the Council wished reserves to remain at 20%, budget cuts would have to be made. Department directors were working on possible cuts and would discuss them tomorrow at the Budget Committee meeting.

There was discussion regarding how this was 20% of operating revenues, beginning fund balance, maintaining the 20% reserve, if the reserve was lowered to 15% there needed to be a plan to get the reserve back up to 20% over a certain number of years, and emails from Ms. Stein regarding the reduction in reserves showing this problem was brought to Council ahead of the Budget Committee meetings.

David Tate, Canby resident, recommended the Council change its reserves policy to match the Government Financial Officers Association recommendation of two months of regular operating expenses or revenues. He questioned the benefit tax payers received from an excessive reserve fund.

There was further discussion regarding concern that reducing reserves and/or cutting the budget should be done now instead of waiting, what was an acceptable reserve fund, priorities for cutting, need for new revenue sources, deciding service priorities, saving money by hiring a City Attorney instead of contracting it out, 5%, 10%, and 15% cuts across all departments, better allocation of labor costs, and how no new positions should be included in the budget.

The consensus was for the reserve fund not to go below 20% and for staff to bring back cuts from all departments with no layoffs proposed. Staff would bring back a resolution to officially memorialize this change.

It was clarified every Department Director would be looking at reducing the General Fund by 12% to get to the 20% reserve.

MAYOR'S BUSINESS: Mayor Hodson congratulated Canby High School Choir and Dance Teams. The second Budget Committee meeting was scheduled for tomorrow and the third would be on May 29.

COUNCILOR COMMENTS & LIAISON REPORTS:

Council President Hensley thanked citizens who had reached out about the loss of her brother.

Councilor Davis expressed condolences to the Police Department for the loss of Sergeant Farmer and Councilor Hensley for the loss of her brother. He congratulated those who won the School Board election. The Parks and Recreation Board received a presentation on impact fees. Dodds Addition park construction would be starting in August/September. He questioned why the Maple Street Park parking and playground structure project had been taken out of the budget. The Board recommended creating a policy for how the Park Maintenance Fee was being spent. There had also been discussion about the Feist Addition property and how it would be used as well as maintaining the railroad property. The Adult Center had closed on their new property.

Councilor Stearns reported on the Canby Utility Board meeting where lack of capacity for big projects was discussed. The Board asked the Mayor to sign a joint letter from Canby Utility and the City encouraging PGE to bring more capacity into their substations. He would also like a report showing where the Park Maintenance Fee was being spent.

Mr. Schlag said some of the years had been purged, but they could track the funds that came in. It was more difficult to track where they were being spent as there were several funding sources for parks.

Councilor Stearns suggested coding the expenditures so they could show what percentage of the funds were being used for what expenses. Mr. Schlag said there needed to be more discussion on how to present the information as the City's software was not that sophisticated.

Councilor Waterman reported on the Library Board where a long-time board member was leaving and interviews were being scheduled for the vacancy. The Library Open House had been a success and there would be a book sale in June as well as a Backyard and Patio Tour fundraiser.

CITY ADMINISTRATOR'S BUSINESS: Ms. Stein discussed the City Attorney costs update and highlighted items in the bi-monthly reports. A new HR Director had been hired and would start on June 30.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Ordinances 1643, 1644, 1645, and 1646.

3. Approved Ordinance 1647 to a second reading on June 4, 2025.
4. Adopted Resolution 1433.
5. Approved IGAs with Clackamas County for homeless services funding, transferring jurisdiction of a portion of N Pine Street, and storm drainage maintenance on portions of SE 1st Avenue, SE 13th Avenue, and Mulino Road.
6. Directed staff to develop a budget with 20% reserves and come back with a resolution to memorialize the reserve levels.

****Council President Hensley moved to go into Executive Session pursuant to ORS 192.660(2)(b) Discipline of a Public Officer. Motion was seconded by Councilor Waterman and passed 6-0.**

Mayor Hodson read the Executive Session statement and recessed the Regular Meeting at 9:18 p.m. The Regular Meeting was not reconvened.

Maya Benham, CMC
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes – Susan Wood



CITY COUNCIL Staff Report

Meeting Date: 6/18/2025

To: The Honorable Mayor Hodson & City Council
Thru: Jorge Tro, Acting City Administrator
From: Teresa Ridgley, Deputy City Recorder
Agenda Item: Board, Commission and Committee Reappointments

Summary

Every June there are several Committees, Commissions, and Boards terms that expire. The members below would like to be re-appointed.

Discussion

The Committee, Commission, and Board members below have terms expiring on June 30, 2025.

Budget Committee (3-year term)

Kim Wiegand
Jack Pendleton

Heritage and Landmarks Commission

Doug Birkeland
Ron leBlanc
Olivia Behrendt

Library Advisory Board Student (School Year)

Lianna Stormo

Parks and Recreation Advisory Board (3-year term)

Cathy Smith
Barry Johnson

Traffic Safety Commission (3-year term)

Jackie Jones
Tom O'Brien

Urban Renewal Agency Budget Committee (3-year term)

Kim Wiegand

Attachments

None

Fiscal Impact

None

Options

1. Reappoint members to the various Committees, Commissions, and Boards.
2. Take no action.

Recommendation

Reappoint members whose terms are set to expire on June 30, 2025.

Proposed Motion

Part of the Consent Agenda – “I move to approve the consent agenda which includes reappointments to the various Committees, Commissions, and Boards.”

Memo

To: Mayor Brian Hodson & Members of City Council
From: Jorge Tro, Chief of Police
CC: Maya Benham, City Recorder
Date: June 10, 2025
Re: Andele Kitchen - Liquor License Application/Full On-Premises,
117 NW 2nd Ave, Canby, Oregon

The Police Department received an OLCC application for Andele Kitchen back in January of 2025. The application was inadvertently signed off by us because it was mistaken as an OLCC Special Event License Application due to the application coming directly to the Police Department and not through City Hall (Special Event License Applications do not need City Council Approval). Andele Kitchen submitted the application to OLCC and it was approved on March 21, 2025.

Once this came to our attention, I contacted the owner, Mario Sebastian, and advised him of the mix up. We discussed the expectations and responsibilities involving the sale of alcoholic beverages.

Mr. Sebastian owns two other restaurants in Oregon and has experience in selling alcoholic beverages. They understand 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 set forth by Oregon State Law.

Andele Kitchen has since paid their application fee to the city.

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

OREGON LIQUOR & CANNABIS COMMISSION

THIS CERTIFICATE MUST BE DISPLAYED IN A PROMINENT PLACE ON THE PREMISES

FULL ON-PREMISES SALES - COMMERCIAL



ISSUED TO: ANDELE INC

TRADE NAME: ANDELE

PREMISES NUMBER: 1089454

LOCATED AT: 117 NW 2ND AVE
120
CANBY OR 97013-3728

ENDORSEMENTS: NONE

LICENSE # LQ-F-COM-11466



LICENSEE SIGNATURE



EXECUTIVE DIRECTOR CRAIG PRINS

Effective: 03/21/2025 to 03/31/2026

This certificate verifies OLCC licensure. It does not verify compliance with other state and local regulations.

Memo

To: Mayor Brian Hodson & Members of City Council
From: Jorge Tro, Chief of Police
CC: Maya Benham, City Recorder
Date: June 10, 2025
Re: Thai Dish Restaurant - Liquor License Application / Limited On-Premises, 108 N. Ivy St., Canby, Oregon

I have reviewed the attached liquor license application completed by Muzette Ung-Arywond from Thai Dish Restaurant, located at 108 N Ivy St, Canby, Oregon, 97013.

Thai Dish has been in business for over 20 years and has been serving alcoholic beverages since they opened. They were notified by OLCC that they needed to complete a new application due to an error listing them under a similar restaurant in Silverton. I contacted OLCC and confirmed that they did request Thai Dish to submit a new application due to an OLCC error.

On June 10, 2025, I spoke, Ms. Ung-Ayrawond, over the phone and we discussed the expectations and responsibilities involving the sale of alcoholic beverages.

The restaurant employees have experience in selling alcoholic beverages due to many years in business. They are aware that any employee selling alcoholic beverages must know the laws regulating the sale of alcoholic beverages and the consequences of failing to comply with the rules set forth by Oregon State Law.

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



Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales
Limited On-Premises Sales
Full On-Premises, Caterer
Full On-Premises, Commercial
Full On-Premises, For Profit Private Club
Full On-Premises, Non Profit Private Club
Full On-Premises, Other Public Location
Full On-Premises, Public Passenger Carrier

Brewery-Public House
Brewery
Distillery
Grower Sales Privilege
Winery
Wholesale Malt Beverage & Wine
Warehouse

APR 18 2025

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): Muzette Ung-Aryawong & Papien Ung-Aryawong

Proposed Trade Name: Thai Dish Canby Inc.

Premises Address: 108 N. Hwy 41 Canby OR 97013

Unit:

City: Canby

County: Clackamas

Zip: 97013

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of LocationLicense Type: limited on-premises sales ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: [REDACTED]

Phone: [REDACTED]

Mailing Address: [REDACTED]

City: [REDACTED]

State: OR

Zip: [REDACTED]

Email Address: [REDACTED]

Business Details

Please check all that apply to your proposed business operations at this location:

- ☐ Manufacturing/Production
☐ Retail Off-Premises Sales
☐ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

- ☐ Indoor Consumption ☐ Outdoor Consumption
☐ Proposing to Allow Minors

Section 1 continued on next page



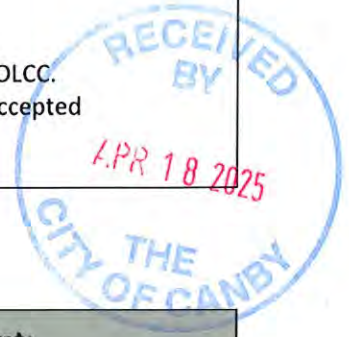
Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): [REDACTED]

Proposed Trade Name: *THM Dish Canby Inc.*

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
Section 2 must be completed *by the local government* for this form to be accepted
with your CAMP application.



Section 2 – Acceptance - To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name:

Optional Date Received Stamp

Date Application Received:

Received by:

Section 3 – Recommendation - To be completed by Local Government:

- ☐ Recommend this license be granted
- ☐ Recommend this license be denied (Please include documentation that meets [OAR 845-005-0308](#))
- ☐ No Recommendation/Neutral

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.



CITY COUNCIL Staff Report

Meeting Date: 6/18/2025

To: The Honorable Mayor Hodson & City Council
Thru: Jorge Tro, Acting City Administrator
From: Same as above
Agenda Item: Consider **Ordinance 1648**: An Ordinance Authorizing the City Administrator to Expend Payment to CityCounty Insurance Services (CIS) in an amount not to exceed \$650,000 for Liability Insurance Coverage for Fiscal Year 2025-2026 and Declaring an Emergency. *(First Reading)*

Summary

CIS provides the City with liability insurance coverage every fiscal year. This protects the City by covering our properties, liabilities, and activities there is an accident or claim.

Attachments

None

Fiscal Impact

Not to exceed \$650,000. This number is an estimate based on increasing the liability portion by 7.4% and the property by 16.5%.

Options

1. Approve and the City maintains coverage for Fiscal Year 2025-2026.
2. Deny and the City's liability insurance coverage with lapse until we can find another alternative.

Recommendation

Approve the Ordinance as presented

Proposed Motion

"I move to adopt **Ordinance No. 1648**, An Ordinance Authorizing the City Administrator to Expend Payment CityCounty Insurance Services (CIS) in an amount not to exceed \$650,000 for Liability Insurance Coverage for Fiscal Year 2025-2026 to a second reading on July 2, 2025, and Declaring an Emergency."

ORDINANCE NO. 1648

AN ORDINANCE AUTHORIZING THE CANBY CITY ADMINISTRATOR TO EXPEND PAYMENT TO CITYCOUNTY INSURANCE SERVICES (CIS) IN AN AMOUNT NOT TO EXCEED \$650,000 FOR LIABILITY INSURANCE COVERAGE FOR FISCAL YEAR 2025-2026, DECLARING AN EMERGENCY.

WHEREAS, the City of Canby currently has liability insurance coverage with CIS for its property, activities, and liabilities;

WHEREAS, the City of Canby wishes to continue to be covered by CIS for fiscal year 2025-2026; and

WHEREAS, the cost of liability insurance coverage with CIS should not exceed \$650,000.

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

1. The Canby City Council authorizes the City Administrator to expend payment not to exceed \$650,000 to CIS for liability insurance coverage.
2. In so far as liability insurance coverage is necessary to protect city property and activities that provide for the safety and welfare of the citizens of the City of Canby, an emergency is hereby declared to exist to maintain the City of Canby's property and activities of employees providing essential services.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 18, 2025, 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, July 2, 2025, commencing at the hour of 7:00 p.m. in the Council Meeting Chambers located at 222 NE 2nd Avenue, 1st Floor, Canby, Oregon.

Teresa Ridgley
Deputy City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on July 2, 2025, by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Teresa Ridgley
Deputy City Recorder



CITY COUNCIL Staff Report

Meeting Date: 6/18/2025

To: The Honorable Mayor Hodson & City Council
Thru: Jorge Tro, Acting City Administrator
From: Same as above
Agenda Item: Consider **Ordinance No. 1649**: An Ordinance Authorizing the City Administrator to Expend Payment to SAIF Corporation in the amount of \$134,793.56 for Workers Comp Coverage for Fiscal Year 2025-2026 and Declaring an Emergency. (*First Reading*)

Summary

SAIF Corporation provides the City with Worker's Comp coverage every fiscal year. It protects the City by covering our employees and volunteers in the event that they get hurt at work or are otherwise doing work-related activities.

Attachments

None

Fiscal Impact

\$134,793.56

Options

1. Approve and the City maintains coverage for fiscal year 2025-2026.
2. Deny and the City's worker's comp coverage would lapse until we can find another alternative.

Recommendation

Approve the Ordinance as presented

Proposed Motion

"I move to adopt **Ordinance No. 1649**, An Ordinance authorizing the City Administrator to Expend Payment to SAIF Corporation in the amount of \$134,793.56 for Worker's Comp coverage for Fiscal Year 2025-2026 to a second reading on July 2, 2025, and Declaring an Emergency."

ORDINANCE NO. 1649

AN ORDINANCE AUTHORIZING THE CANBY CITY ADMINISTRATOR TO EXPEND PAYMENT TO SAIF CORPORATION IN THE AMOUNT NOT TO EXCEED \$134,793.56 FOR WORKERS COMP COVERAGE FOR FISCAL YEAR 2025-2026.

WHEREAS, the City of Canby currently has worker's comp coverage with SAIF Corporation for its employees and volunteers;

WHEREAS, the City of Canby wishes to continue to be covered by SAIF for fiscal year 2025-2026; and

WHEREAS, the estimated cost of worker's comp coverage with SAIF is \$134,793.56.

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

1. The Canby City Council authorizes the City Administrator to expend payment not to exceed \$134,793.56 to SAIF Corporation for worker's comp insurance coverage.
2. In so far as worker's comp coverage is necessary to protect the employees that provide for the safety and welfare of the citizens of the City of Canby, an emergency is hereby declared to exist to maintain the City of Canby's workforce of employees providing essential services.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 18, 2025, 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, July 2, 2025, commencing at the hour of 7:00 p.m. in the Council Meeting Chambers located at 222 NE 2nd Avenue, 1st Floor, Canby, Oregon.

Teresa Ridgley
Deputy City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on July 4, 2025 by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Teresa Ridgley
Deputy City Recorder



CITY COUNCIL Staff Report

Meeting Date: 6/18/2025

To: The Honorable Mayor Hodson & City Council
Thru: Jorge Tro, Acting City Administrator
From: Scott Schlag, Finance Director
Agenda: FY 25-26 Budget Adoption Resolutions

Summary

The attached resolutions are required to be adopted before the new fiscal year begins on July 1, 2025.

Background

These resolutions indicate the City's desire to elect to receive revenue from the state, adopt the FY 2025-2026 Budget, set new fees in place, and authorize the interfund loan between the Cemetery Perpetual Care Fund and the Library Fund.

Discussion

State Shared Revenue

State Revenue Sharing Law, ORS 221.770, requires cities to annually pass an ordinance or resolution requesting state revenue sharing money. The law mandates public hearings be held by the city, both before the budget committee to discuss possible uses of the funds and before the city council on the proposed uses of the funds in relation to the entire budget. Certification of these hearings are required. This has to be done and filed with the Oregon Department of Administrative Services prior to July 31st.

FY 25-26 Budget Adoption

Oregon Budget Law requires adoption of an annual budget by June 30 of each year. ORS 294.453 requires the city to hold a public hearing, and ORS 294.458 requires the City to submit tax certification documents to the County Assessor by July 15th.

The City passed a local option levy of \$0.49 per \$1,000 of assessed property value on November 8, 2016, to fund Swim Center operations. The City levies the taxes provided for in the adopted budget at the permanent rate of 3.4886 per \$1,000 of assessed property value. The allocation and categorization are subject to the limits of section 11b, Article X1 of the Oregon Constitution.

On May 15, 21 and 29, 2025, the City of Canby Budget Committee met to deliberate over the FY25-26 Proposed Budget. Staff reviewed the proposed budget with the Committee and allowed for public comment. The FY 25-26 Proposed Budget was approved by a majority of the Committee.

Master Fee Schedule

The annual review of the Master Fee Schedule has been completed by each City department. Staff propose the following changes effective July 1, 2025. Attached to Resolution No. 1409 is “Exhibit A” summarizing the proposed fee changes, “Exhibit B” showing a comparison of current fees versus proposed fees and “Exhibit C” reflects the new schedule effective as noted herein if all changes are adopted.

Interfund Loan

ORS 294.460 provides that one fund may loan funds to another fund for operational purposes, provided that the loan is approved by resolution of the governing body and that such loan is scheduled to be repaid no later than the subsequent fiscal year. The Library Fund has used the majority of their reserve balances and will not receive the bulk of their annual revenue until January 2025. Oregon Budget Law does not allow a Fund to run a deficit balance, therefore an interfund loan is needed to cover the operations costs until property tax revenue is received from Clackamas County in January 2025. This interfund loan will be repaid in FY 25-26 with interest at the rate earned by the Oregon State Local Investment Pool.

Attachments

Resolution No. 1435

Resolution No. 1436

Resolution No. 1437

Resolution No. 1438

Fiscal Impact

By adopting the Master Fee Schedule update, the City will once again be demonstrating its desire to continue toward creating a sustainable budget by matching fees with the cost of producing services. The estimated amount of state revenue sharing funds the City anticipates receiving is \$200,000. The Library will be able to maintain operations until they receive the tax revenue from the Clackamas County Library District and the Cemetery Perpetual Care Fund will be made whole with the repayment of the loan and interest. All of this is provided for with the adoption of the FY 25-26 Budget.

Options

1. Approve these resolutions as part of the overall budget adoption process.
2. Do not approve these resolutions.

Proposed Motions

“I move to adopt **Resolution No. 1435**, A Resolution Declaring the City’s Election to Receive State Revenue Funds for FY2026.”

“I move to adopt **Resolution No. 1436**, A Resolution of the City of Canby Adopting the Annual Budget, Making Appropriations, and Imposing and Categorizing Taxes for the Fiscal Year 2026.”

“I move to adopt **Resolution No. 1437**, A Resolution of the City Council of the City of Canby, Oregon, Setting Fees for Services; and Repealing Resolution No. 1409.”

“I move to adopt **Resolution No. 1438**, A Resolution Authorizing an Interfund Loan from the Cemetery Perpetual Care Fund to the Library Fund in the Amount of \$500,000 and Authorizing Repayment of the Interfund Loan in FY2026.”

RESOLUTION NO 1435

**A RESOLUTION CERTIFYING AND DECLARING THE CITY'S ELIGIBILITY
AND ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2026.**

WHEREAS, public hearings, giving citizens an opportunity to comment on the use of state revenue sharing funds were held before the Budget Committee on May 15, 2025, May 22, 2025 and again on May 29, 2025 and before City Council on June 18, 2025;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby as follows:

Section 1 Pursuant to ORS 221.770, the City of Canby hereby elects to receive state revenues for fiscal year 2026.

This Resolution No. 1435 shall be effective on June 18, 2025.

ADOPTED this 18th day of June, 2025, by the Canby City Council.

Brian Hodson
Mayor

ATTEST:

Teresa Ridgley
Deputy City Recorder

RESOLUTION NO. 1436

A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND IMPOSING AND CATEGORIZING TAXES FOR THE 2026 FISCAL YEAR

WHEREAS, a public hearing for the 2026 City Budget as approved by the Budget Committee was duly and regularly advertised and held on June 18, 2025;

WHEREAS, the City Council of Canby proposes to levy the taxes provided for in the adopted budget at the permanent rate of 3.4886 per \$1,000 and a local option levy of 0.49 per \$1,000 of assessed property value and that these taxes be levied upon all taxable property within the district as of July 1, 2025; and

WHEREAS, the following allocation and categorization subject to the limits of section.11b, Article XI of the Oregon Constitution make up the above aggregate levy; now therefore:

RESOLUTION IMPOSING AND CATEGORIZING THE TAX

BE IT RESOLVED that the following ad valorem property taxes are hereby imposed and categorized for the tax year 2025-2026 upon the assessed value of all taxable property within the district:

General Government Limitation

- (1) At the rate of \$3.4886 per \$1,000 of assessed value for permanent rate tax;
- (2) At the rate of \$0.4900 per \$1,000 of assessed value for local option tax; and
- (3)

Excluded from Limitation

- (4) In the amount of \$0 for debt service for general obligation bonds;
- (5)

RESOLUTION ADOPTING THE BUDGET

BE IT RESOLVED that the City Council of the City of Canby hereby adopts the budget for fiscal year 2026 in the total of \$95,582,111. This budget is now on file at City Hall, 222 NE 2nd Ave., Canby, Oregon.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 2025, and for the purposes shown below are hereby appropriated:

Total APPROPRIATIONS , All funds	\$ 72,666,338
Unappropriated and Reserve Amounts, All Funds	\$ 22,915,773
TOTAL ADOPTED BUDGET	<u>\$ 95,582,111</u>

General Fund	
Administration	\$ 1,045,988
HR/Risk Mgmt	1,075,443
Court	656,055
Finance	958,643
Planning	1,005,158
Building	173,992
Police	9,324,495
Parks	5,813,034
Cemetery	256,350
Economic Dev.	687,519
Not Allocated	
Personnel Services	85,000
Materials & Services	82,573
Special Payments	5,000
Transfers Out	325,000
Contingency	130,000
TOTAL	\$ 21,624,250

Library Fund	
Library	\$ 1,488,879
Debt Service	15,000
Special Payments	20,000
Transfers Out	677,855
Contingency	74,444
TOTAL	\$ 2,276,178

Transit Fund	
Transit	\$ 4,497,669
Transfers Out	219,034
Contingency	157,883
TOTAL	\$ 4,874,586

Swim Levy Fund	
Swim	\$ 1,708,150
Transfers Out	142,211
Contingency	47,908
TOTAL	\$ 1,898,269

Transient Room Tax Fund	
Tourism Promotion	\$ 12,500
Tourism Enhancement	35,000
TOTAL	\$ 47,500

Streets Fund	
Streets	\$ 12,120,251
Transfers Out	599,204
Contingency	68,338
TOTAL	\$ 12,787,793

SDC Fund	
Transfers Out	\$ 11,092,000

Cemetery Perpetual Care Fund	
Transfers Out	\$ 500,000

Forfeiture Fund	
Forfeiture	\$ 11,000

Facilities Fund	
Facilities	\$ 665,900
Contingency	33,295
TOTAL	\$ 699,195

Fleet Fund	
Fleet	\$ 898,407
Contingency	44,920
TOTAL	\$ 943,327

Tech Services Fund	
Tech Services	\$ 803,913
Contingency	35,305
TOTAL	\$ 839,218

Sewer Fund	
WWTP	\$ 6,700,837
Collections	3,246,124
Stormwater	3,799,661
Not Allocated	
Personnel Services	48,750
Materials & Services	415,000
Transfers Out	662,651
Contingency	200,000
	\$ 15,073,023

The above resolution statements were approved and declared adopted on this 18th day of June 2025.

Brian Hodson
Mayor

ATTEST:

Teresa Ridgley
Deputy City Recorder

RESOLUTION NO. 1437

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY, OREGON, SETTING FEES FOR SERVICES; AND REPEALING RESOLUTION NO. 1409

WHEREAS, City staff has reviewed the City of Canby's master fee schedule and recommends changes in certain fees to be charged for various services provided by City staff; and

WHEREAS, the proposed fee schedule changes are meant to cover the costs of providing services to the public for which fees are charged and are not meant to generate excess income for the City above the cost of providing the requested service; and

WHEREAS, the Canby City Council held a public hearing on June 18, 2025 to receive public testimony regarding the proposed fee increases; and

WHEREAS, the Canby City Council determined that the proposed changes in certain fees to be charged are reasonable and based upon labor costs and industry standards; and

WHEREAS, any changes to fees approved in this Resolution override any original resolutions that imposed the fee only as they pertain to the specific fee or fees being amended.

NOW, THEREFORE, BE IT RESOLVED by the City of Canby City Council as follows:

Section 1: City of Canby fees and charges are revised as shown in "Exhibit A" summarizing the proposed fee changes, "Exhibit B" showing a comparison of current fees versus proposed fees and "Exhibit C" reflects the new schedule effective as noted herein if all changes are adopted.

Section 2: The fees imposed by this resolution are not taxes subject to the property limitation of Article XI. Section 11(b) of the Oregon Constitution.

Section 3: All fees and charges not revised as shown in Exhibit "A" shall remain at their present amounts.

This resolution shall take effect on July 1, 2025.

ADOPTED this 18th day of June 2025 by the Canby City Council.

Brian Hodson
Mayor

ATTEST:

Teresa Ridgley
Deputy City Recorder

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed change
General	Plotter prints (8 1/2 x 11)	\$2		REMOVE	Plotter Removed
General	Plotter prints (11 x 17)	\$4		REMOVE	Plotter Removed
General	Plotter prints (17 x 22)	\$6		REMOVE	Plotter Removed
General	Plotter prints (24 x 36)	\$8		REMOVE	Plotter Removed
General	Plotter prints (36 x 48)	\$10		REMOVE	Plotter Removed
	Public Records-Mailing costs				
General		Actual costs + \$1.00 handling fee		Postage + 1.00 handling fee	Updated verbiage
General	Electronic Lien Search fee	\$30		\$35	Increase fee by \$5.00
Administration	Business License-In Canby Annual	\$50		\$100	\$50 to street fund & \$50.00 to Admin
Administration	Business closure without notifying City			\$20	New Fee
Administration	Sidewalk Vending Permit	\$25		REMOVE	Remove
Administration	Vertical Housing Tax Credit Application Fee	\$550		Remove	Remove
Administration	Vertical Housing Tax Credit Annual Monitoring Fee	\$150		Remove	Remove
	Library of Things Items	\$5 per day up to replacement cost		\$1 per day up to replacement cost	updated to current LINCC fee
Library	Disc	\$10 per disc		\$7.95 per disc	updated to current LINCC fee
Library	CD case	\$5		\$3	updated to current LINCC fee
Library	Bonus disc	\$5		Remove	no longer applicable
Library	Jacket or paper insert	\$3		Remove	no longer applicable
Library	Booklet	\$5		Remove	no longer applicable
Library	Case	\$4		\$2	updated current price
Library	Part of case (top or bottom)	\$2		Remove	no longer applicable
Library	Insert	\$5		Remove	no longer applicable
Library	Oregon State Parks Pass	\$30		Remove	no longer applicable
Library	Puppets	\$10		Remove	no longer applicable
	Laptops			Replacement cost of the item	Fee updated to replacement cost of item
Library		\$350			
	Headphones			Replacement cost of the item	Fee updated to replacement cost of item
Library		\$20			
	USB Hub			Replacement cost of the item	Fee updated to replacement cost of item
Library		\$30			
	Mouse			Replacement cost of the item	Fee updated to replacement cost of item
Library		\$10			
Utility Fees	Sanitary Sewer Extra Strength Charges				
Utility Fees	BOD:				
Utility Fees	Concentration 301 to 600 mg/L	\$1.18 per pound		\$2.12	Increase cost/verbiage update
Utility Fees	Concentration 601 to 1200 mg/L	\$2.36 per pound		\$4.24	Increase cost/verbiage update
Utility Fees	Concentration greater than 1200 mg/L	\$0.00		\$4.24 +	New - City may require discharger to install pretreatment equipment
Utility Fees	TSS:				
Utility Fees	Concentration 301 to 600 mg/L	\$1.18 per pound		\$2.22	Increase cost/verbiage update
Utility Fees	Concentration 601 to 1200 mg/L	\$2.36 per pound		\$4.44	Increase cost/verbiage update
Utility Fees	Concentration greater than 1200 mg/L	\$0.00		\$4.44 +	New - City may require discharger to install pretreatment equipment
Utility Fees	Industrial Wastewater Discharge Permit Renewal Fee	\$0		\$2,500	New
Utility Fees	Industrial Wastewater Discharge Permit application review fee	Staff rate		\$75/hour	Increase cost
Utility Fees	Industrial Wastewater Discharge Permit Modification Fee	\$0		\$75/hour	New
Utility Fees	Annual Pretreatment Program Inspection & Monitoring Fee	\$0		\$1,687.50	New

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
Utility Fees	Annual F.O.G. (Fats Oils & Grease) Program Fee	\$0		\$337.50	New
Utility Fees	Failure to Maintain Grease Control Equipment Fee	\$0		Economic Benefit x 2	New
Utility Fees	Sampling and analysis fee - As Compliance Sampling and Analysis occurs. These fees are equal to Laboratory costs.	Actual Cost		Verbiage added: As Compliance Sampling and Analysis occurs. These fees are equal to Laboratory costs.	Verbiage added: As Compliance Sampling and Analysis occurs. These fees are equal to Laboratory costs.
Utility Fees	Park Maintenance Fee, Monthly				
Utility Fees	Residential and Multi-family	\$6.31 per dwelling unit per month		\$6.49 per dwelling unit per month	Revised fee per CPI
Utility Fees	Reduced rate	\$3.16 per dwelling unit per month		\$3.25 per dwelling unit per month	Revised fee per CPI
Utility Fees	Commercial and Industrial	\$6.31 per utility account per month		\$6.49 per utility account per month	Revised fee per CPI
SDC's	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.	2.702% increase to SDC fees		12.6% increase to SDC fees	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Sanitary Sewer				*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Single-Family Residential SDC Per Dwelling Unit	\$3,389		\$3,816	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Multi-Family Residential SDC Per Dwelling Unit	\$2,710		\$3,051	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Commercial/Industrial SDC Based on Wastewater Flow (Formula = Average Daily Volume of Wastewater Discharge / 155 Gallons Per Day x SDC Amount)	\$3,389		\$3,816	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Stormwater SDC based on Cost Per Trip times the Number of Trips estimated by the ITE Trip Generation Manual and the linked trip factor (ELNDT) adopted by the City in the most recent Transportation SDC update. The SDC varies by average weekday Equivalent Length New Daily Trips (ELNDT) as published by ITE Trip Manual for most land use categories.				
SDC's	Stormwater				
SDC's	RESIDENTIAL	Amount	Per	Amount	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	210 Single Family Dwelling / ELNDT 9.52	\$295	Dwelling unit	\$332	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	220 Multifamily / ELNDT 6.7	\$207	Dwelling unit	\$235	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	230 Condo/Townhouse / ELDNT 4.93	\$152	Dwelling unit	\$172	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	240 Mobile Home Park / ELDNT 3.54	\$110	Dwelling unit	\$124	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	254 Assisted Living / ELDNT 3.87	\$83	Dwelling unit	\$93	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	SELECTED LAND USES	Amount	Per*	Amount	
SDC's	110 General Light Industrial / ELNDT 7.0	\$217	TSGFA	\$244	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	120 General Heavy Industrial / ELNDT 1.5	\$46	TSGFA	\$52	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	130 Industrial Park / ELNDT 6.83	\$211	TSGFA	\$238	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	140 Manufacturing / ELNDT 3.82	\$119	TSGFA	\$134	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	150 Warehouse / ELNDT 5.0	\$155	TSGFA	\$175	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	151 Mini-Warehouse / ELNDT 2.5	\$78	TSGFA	\$88	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	160 Data Center / ELNDT .99	\$32	TSGFA	\$36	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	310 Hotel / ELNDT 7.67	\$238	Room	\$268	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	320 Motel / ELNDT 7.83	\$243	Room	\$274	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	430 Golf Course / ELNDT 4.58	\$147	Acre	\$166	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	444 Movie Theater w/ Matinee / ELNDT 16.37	\$507	Screen	\$571	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	492 Health/Fitness Club / ELNDT 2.85	\$89	TSFGFA	\$100	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	520 Elementary School (Public) / ELNDT 0.5	\$15	Student	\$17	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	522 Middle/Jr High School / ELNDT 8.68	\$269	Student	\$303	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	530 High School / ELNDT 8.12	\$251	Student	\$283	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	560 Church / ELNDT 6.8	\$210	TSFGFA	\$236	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	565 Day Care Center/Preschool / ELNDT 1.8	\$56	Student	\$63	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	620 Nursing Home / ELNDT 3.87	\$121	Bed	\$136	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	630 Clinic / ELNDT 33.4	\$1,035	TSFGFA	\$1,165	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	710 General Office Building / ELNDT 11.0	\$340	TSFGFA	\$383	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	720 Medical-Dental Office Building / ELNDT 36.1	\$1,118	TSFGFA	\$1,259	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	750 Office Park / ELNDT 9.70	\$300	TSFGFA	\$338	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	770 Business Park / ELNDT 10.57	\$328	TSFGFA	\$369	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	812 Building Materials/Lumber Store / ELNDT 32.17	\$996	TSFGFA	\$1,121	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	814 Specialty Retail Center / ELNDT 16.4	\$508	TSFGLA	\$572	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	815 Free Standing Discount Store / ELNDT 17.10	\$529	TSFGLA	\$596	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	820 Shopping Center / ELNDT 15.9	\$492	TSFGFA	\$554	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	841 Auto Sales / ELNDT 35.75	\$1,107	TSFGFA	\$1,246	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	848 Tire Store / ELNDT 10.74	\$333	TSFGFA	\$375	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	850 Supermarket / ELNDT 54.9	\$1,700	TSFGFA	\$1,914	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	853 Convenience Market / ELNDT 120.9	\$3,743	TSFGFA	\$4,215	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	862 Home Improvement Super Store / ELNDT 7.51	\$233	TSFGFA	\$262	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	880 Pharmacy/Drugstore / ELNDT 38.6	\$1,194	TSFGFA	\$1,344	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	881 Pharm/Drug w/ Drive Through / ELNDT 17.29	\$535	TSFGFA	\$602	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	890 Furniture Store / ELNDT 2.40	\$74	TSFGFA	\$83	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	911 Bank/Savings: Walk-in / ELNDT 69.7	\$2,158	TSFGFA	\$2,430	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	912 Drive in Bank / ELNDT 31.40	\$973	TSFGFA	\$1,096	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	925 Drinking Place / ELNDT 4.42	\$136	TSFGFA	\$153	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	931 Quality Restaurant / ELNDT 25.7	\$796	TSFGFA	\$896	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	932 High Turnover Sit Down Restaurant / ELNDT 36.23	\$1,122	TSFGFA	\$1,263	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	934 Fast Food Restaurant / ELNDT 106.7	\$3,304	TSFGFA	\$3,720	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	938 Coffee/Donut Drive Through / ELNDT 243.0	\$7,523	TSFGFA	\$8,471	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	942 Automobile Care Center / ELNDT 14.8	\$458	TSFGFA	\$516	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	943 Auto Parts (i.e. Autozone) / ELNDT 1.52	\$48	TSFGFA	\$54	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	944 Gasoline/Service Station / ELNDT 30.4	\$880	VFP	\$991	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	945 Gas/Service Station w/ Market / ELNDT 17.9	\$554	VFP	\$624	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	946 Gas/Service Station w/ Car Wash / ELNDT 17.9	\$544	VFP	\$613	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	Abbreviations * T.S.F.G.F.A. - Thousand Square Feet Gross Floor Area * T.S.F.G.L.A. - Thousand Square Feet Gross Leasable Area * V.F.P. - Vehicle Fueling Position				
SDC's	Transportation			12.6% SDC Increase	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	RESIDENTIAL	Amount	Per	Amount	
SDC's	Single-Family per unit	\$4,096	Dwelling unit	\$4,612	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Multi-Family per unit	\$2,868	Dwelling unit	\$3,229	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	230 Condo/Townhouse	\$2,255	Dwelling unit	\$2,539	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	240 Mobile Home Park	\$2,163	Dwelling unit	\$2,436	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	254 Assisted Living	\$1,135	Dwelling unit	\$1,278	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	SELECTED LAND USES	Amount	Per*	Amount	
SDC's	110 General Light Industrial	\$2,988	TSFGFA	\$3,364	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	120 General Heavy Industrial	\$642	TSFGFA	\$723	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	130 Industrial Park	\$2,374	TSFGFA	\$2,673	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	140 Manufacturing	\$1,343	TSFGFA	\$1,512	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	150 Warehouse	\$2,128	TSFGFA	\$2,396	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	151 Mini-Warehouse	\$1,070	TSFGFA	\$1,205	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	160 Data Center	\$448	TSFGFA	\$504	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	310 Hotel	\$3,482	Room	\$3,921	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	320 Motel	\$2,506	Room	\$2,822	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	430 Golf Course	\$3,619	Acre	\$4,075	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	444 Movie Theater w/ Matinee	\$99,460	Screen	\$111,992	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	492 Health/Fitness Clum	\$9,943	TSFGFA	\$11,196	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	520 Elementary School (Public)	\$221	Student	\$249	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	522 Middle/Jr High School	\$664	Student	\$748	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	530 High School	\$623	Student	\$701	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	560 Church	\$2,925	TSFGFA	\$3,294	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	565 Day Care Center/Preschool	\$767	Student	\$864	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	620 Nursing Home	\$2,234	Bed	\$2,515	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	630 Clinic	\$14,268	TSFGFA	\$16,066	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	710 General Office Building	\$4,713	TSFGFA	\$5,307	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	720 Medical-Dental Office Building	\$15,464	TSFGFA	\$17,412	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	750 Office Park	\$3,772	TSFGFA	\$4,247	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	770 Business Park	\$4,193	TSFGFA	\$4,721	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	812 Building Materials/Lumber Store	\$14,343	TSFGFA	\$16,150	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	814 Specialty Retail Center	\$7,011	TSFGLA	\$7,894	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	815 Free Standing Discount Store	\$3,162	TSFGLA	\$3,560	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	820 Shopping Center	\$6,792	TSFGFA	\$7,648	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	841 Auto Sales	\$14,923	TSFGFA	\$16,803	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	848 Tire Store	\$4,157	TSFGFA	\$4,681	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	850 Supermarket	\$23,525	TSFGFA	\$26,489	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	853 Convenience Market	\$51,735	TSFGFA	\$58,254	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	862 Home Improvement Super Store	\$2,748	TSFGFA	\$3,094	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	880 Pharmacy/Drugstore	\$16,513	TSFGFA	\$18,594	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	881 Pharm/Drug w/ Drive Through	\$5,206	TSFGFA	\$5,862	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	890 Furniture Store	\$227	TSFGFA	\$256	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	911 Bank/Savings: Walk-in	\$29,816	TSFGFA	\$33,573	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	912 Drive in Bank	\$2,234	TSFGFA	\$2,515	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	925 Drinking Place	\$45,978	TSFGFA	\$51,771	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	931 Quality Restaurant	\$10,972	TSFGFA	\$12,354	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	932 High Turnover Sit Down Restaurant	\$4,629	TSFGFA	\$5,212	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	934 Fast Food Restaurant	\$45,653	TSFGFA	\$51,405	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	938 Coffee/Donut Drive Through	\$12,216	TSFGFA	\$13,755	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	942 Automobile Care Center	\$6,124	TSFGFA	\$6,896	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	943 Auto Parts (ie. Autozone)	\$4,742	TSFGFA	\$5,339	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	944 Gasoline/Service Station	\$13,321	VFP	\$14,999	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
SDC's	945 Gas/Service Station w/ Market	\$546	VFP	\$615	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	946 Gas/Service Station w/Car Wash	\$1,549	VFP	\$1,744	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Abbreviations: 1 T.S.F.G.F.A. = Thousand Square Feet Gross Floor Area 2 T.S.F.G.L.A. = Thousand Square Feet Gross Leasable Area 3 V.F.P. = Vehicle Fueling Position				
SDC's	Parks			12.6% SDC Increase	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Residential - per dwelling unit				
SDC's	Single Family	\$6,913		\$7,784	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Multi-Family	\$7,197		\$8,068	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Manufactured Housing	\$5,774		\$6,645	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
SDC's	Non-Residential	\$558 per employee		\$628	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.
Planning	Annexations without a Development Concept Plan (DCP)				
Planning	Annexation – Less than 1 acre	\$3,000 - (Base Fee)		4,400 (base fee)	New price
Planning	Annexation – 1 – 10 Acres	Plus \$150 per Acre		Plus \$175 per acre or fraction thereof	New price
Planning	Annexation – 10.1 + Acres	Plus \$100 per Acre		Plus \$150 per acre of fraction thereof	New price
Planning	Annexation – 51+ Acres	\$5,000 Base Fee 1 -10 Acres Plus \$150 Per Acre 11+ Acres Plus \$100 Per Acre		Remove	Remove
Planning	Annexations with a Development Concept Plan (DCP)				
Planning	Annexation – Less than 1 acre			7,300 (base fee)	New
Planning	Annexation – 1 – 10 Acres			Plus \$175 per acre or a fraction thereof	New

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
Planning	Annexation – 10.1 + Acres			Plus \$150 per acre or a fraction thereof	New
Planning	Appeals				
Planning	Type I & Type II Land Use Decision (refunded if appellant prevails at hearing)	\$250		\$500	new price
Planning	Type III Land Use Decision	\$1,980		\$2,000	new price
Planning	Building Permit Site Plan Review				
Planning	Single Family House	\$275 per application			no change
Planning	Duplex (including conversions of single family to duplex)	\$275 per application			no change
Planning	Non-Living Space addition (garage, carport, porch, etc)	\$150 per application		\$175	New price
Planning	Living Space Expansion/Addition	\$175 Plus SDC's, if applicable		\$200	New Price
Planning	Accessory Dwelling Unit (ADU) \$200 Plus SDC,s if applicable	\$200 Plus SDC's, if applicable		\$225	new price
Planning	Multifamily	\$60 per unit (first 20 units)/\$12 per each additional unit)		\$300 base fee plus \$60 per unit over 4	New price
Planning	Demolitions (Residential)	\$100		\$175	New price
Planning	Demolitions (Commercial or Industrial)	\$100		\$350	New price
Planning	Residential or commercial tenant improvements and remodels not involving additional square footage or exterior alterations of the structure			\$125	New - verbiage and price
Planning	Commercial tenant improvements and remodels not involving additional square footage	\$400		Remove	Remove
Planning	Residential remodel / interior alteration requiring building permit review. No expansion of footprint or alteration to the exterior of the structure.	\$100		Remove	Remove
Planning	Signs	\$150 (\$25 for each additional sign)		\$200 (\$50 for each additional sign)	New price
Planning	Existing Wireless Telecommunications System Facility/Modification	\$500			Verbiage update
Planning	Small Cell Wireless Deployment in the Right-of-Way	\$100 per location plus any additional actual cost required for outside consult or technical review by consulting engineer		\$200 per location + 2 hours charged at engineering review rate	New price
Planning	All other commercial and industrial site plan review:				Verbiage update
Planning	0 to 2,000 square feet	\$300		\$700	New price
Planning	2,001 to 5,000 square feet	\$350		\$900	New price
Planning	5,001 to 10,000 square feet	\$500		\$1,100	New price
Planning	10,001 to 50,000 square feet	\$650		\$1,400	New price
Planning	50,001 to 100,000 square feet	\$900		\$1,800	New price
Planning	100,001 square feet and up	\$1,050		\$2,000	New price

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
	Comprehensive Plan Amendment	\$3290 (plus \$720 if Measure 56 notice is required)		REMOVE	REMOVE
Planning	Legislative Text	\$6,000		\$7,500	New price
Planning	Legislative Map or Quasi-Judicial Map	\$4,000		\$6,500	New price
Planning	Conditional Use Permit	\$3,000		\$3,800	New price
Planning	Final Plat Review:				
Planning	Property Line Adjustment/Lot Consolidation			\$500	new
Planning	Partition - Up to 3 lots			\$775	new
Planning	Subdivision - 4 or more lots			\$1,500	new
Planning	Food Cart Pod Modification			\$1,000	New
Planning	Hardship	\$105		\$125	New price
Planning	House Move			\$150 per hour of staff time	New
Planning	Interpretation	\$550		REMOVE	REMOVE
Planning	Appeal of Written Director's Interpretation to the Planning Commission	\$2,500		verbiage update	verbiage update
Planning	Mandatory Adjustment (SB 1537)			\$750 per type of adjustment	new
Planning	Measure 56 Notice			\$750 for up to 250 notices, \$3 per notice above 250	new
Planning	Mobile Food Vendor			\$175	new
Planning	Mobile Food Vendor - Renewal in same location			\$100	new
Planning	Modifications to approved applications				
Planning	Minor	\$400		\$600	new price
Planning	Intermediate	\$2500 + Staff Time Over 20hrs @ \$125/hr		\$2,500	new price
Planning	Major	\$2500 + Cost of New Applications of That Type		\$3,100 + staff time over 20 hours	new price
	Modification to a Development Concept Plan			\$5,000	new
Planning	Non-conforming Uses:				
Planning	Verification of use	\$750		\$775	new price
Planning	Alteration or expansion of use	\$2,500		\$1,500	new price - reduction
Planning	Property Line Adjustment	\$750		\$850	new price
Planning	Partition	\$1,400		\$2,500	new price
Planning	Planned Unit Development (PUD)	\$3,250		\$3,500	new price
Planning	Plat (Final) Review - Partition	\$750		REMOVE	REMOVE
Planning	Plat (Final) Review - Subdivision	\$1,500		REMOVE	REMOVE
Planning	Pre-Application Conference:				
Planning	Type II	\$720		\$800	verbiage and price update
Planning	Types III or IV	\$1,500			
Planning	Link to video recording of the pre-application conference (available upon request)			\$0	new
Planning	Written meeting minutes	\$250		\$300	new price
Planning	Pre-Construction Conference:	\$1,000 (+Staff rate over 2 hrs)		\$1,500	new price
Planning	Link to video recording of the pre-construction conference (available upon request)			\$0	new
Planning	Written meeting minutes			\$300	new
Planning	Public Improvement Engineering Plan Review Fee				

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
Planning	Public Improvement Estimated Cost				
Planning	\$50,000 or less			\$2,000	new
Planning	\$50,001 to \$150,000			\$2,000 for the first \$50,000, plus .04 x the amount over \$50,000	new
Planning	\$150,001 to \$500,000			\$6,000 for the first \$150,000, plus .03 x the amount over \$150,000	new
Planning	\$500,001 to \$1,000,000			\$16,500 for the first \$500,000, plus .02 x the amount over \$500,000	new
Planning	\$1,000,001 and up			\$26,500 for the first \$1,000,000, plus .01 x the amount over \$1,000,000 to a maximum of \$30,000	new
Planning	Site and Design Review (Type II)	\$1,000 plus 0.2% of estimated total project cost, max \$15,000		\$2,400 plus 0.02% of project cost, max \$20,000	new price
Planning	Site and Design Review (Type III)	\$2,500 plus 0.2% of estimated total project cost, max \$20,000		\$4,600 plus 0.02% pf project, max \$25,000	new price
Planning	Site Plan Development Engineering Plan Review Fee: ***				
Planning	Up to 0.25 acres	\$500		\$1,000	new price
Planning	Over 0.25 up to 2 acres	\$1,000		\$1,250	new price
Planning	Over 2 acres up to 5.0 acres	\$1,500		\$1,750	new price
Planning	Over 5.0 acres up to 8 acres	\$2,000		\$2,250	new price
Planning	Over 8 acres	\$2,500 maximum		\$2,750	new price
Planning	Hourly rates for research or review not covered by other listed fees:				
Planning	Planning Staff			\$150 per hour	new
Planning	Consulting Engineer			\$200 per hour	new
Planning	Consulting Attorney			Applicant pays	new
Planning	Subdivision – 4 or more lots	\$3,500 (Base Fee) Base Fee Plus \$115 per lot		\$4,500 plus \$150 per lot	new price
Planning	Public Improvement Engineering Plan Review Fee (Includes the following ROW Infrastructure: Street Pavement, Curbs, Driveway Returns, Sewer, Storm Drainage, Sidewalks, and Street Trees)	3% of public improvement installation costs (\$30,000 maximum)		REMOVE	REMOVE

CITY OF CANBY FY2026 MASTER FEE SCHEDULE EXHIBIT "A"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Change
Planning	Temporary Vendor Permit	\$100 (\$50 non-profit)		\$200 (\$100 for nonprofit)	new price
Planning	Temporary Vendor Permit Renewal	\$50 (\$25 non-profit)		\$100 (\$50 for nonprofit)	new price
Planning	Transportation Review:				
Planning	Traffic Engineering Scope	\$800 min. \$1,000 max. deposit		\$1,000 deposit	new price
Planning	Exception Application for Access Management Plan (16.46.070.B)	\$100		\$750	new price
Planning	Traffic Analysis Letter	Applicant pays actual cost		verbiage update	verbiage update
Planning	Transportation Impact Statement	Applicant pays actual cost		verbiage update	verbiage update
	Variance:				
Planning	Major	\$3,000		\$5,700	new price
Planning	Minor Setback	\$700		\$2,000	new price
Planning	Minor Sign	\$250		\$600	new price
	Withdrawal of Territory:				
Planning	< 1 acre	\$3,000 (base fee)		\$3,100	new price
Planning	1-10 acres	Plus \$79 per acre		\$80	new price
Planning	11-50 acres	Plus \$41 per acre		\$50	new price
Planning	51+ acres	Plus \$8 per acre		\$10	new price
Planning	Zoning Letter:				
Planning	Basic, includes LUCs and DMV Location Review (zone and	\$200		\$220	new price
Planning	Basic (zone and use verification)	\$200		REMOVE	REMOVE
Planning	Zoning Text Amendment	\$4,000		\$5,500	new price
Building	Demolition (residential)			\$80	new
Building	Demolition (commercial and industrial)			\$160	new

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
General	Staff Rate for all Departments	Twice the hourly rate for Step 1 of the position/per hour				Res 14XX	7/1/2025	7/1/2018
General	Photocopies or Printouts-Black and White, sizes to 8 1/2 x 14, single or double-sided	25¢ per sheet				Res 14XX	7/1/2025	6/1/2010
General	Photocopies or Printouts-Color, sizes to 8 1/2 x 14, single or double-sided	75¢ per sheet				Res 14XX	7/1/2025	6/1/2010
General	Photocopies or Printouts-Black and White, size 11x17, single sided only	\$1.00 per sheet				Res 14XX	7/1/2025	6/1/2010
General	Photocopies or Printouts-Color, size 11x17, single sided only	\$1.25 per sheet				Res 14XX	7/1/2025	6/1/2010
General	Records on CD/DVD/USB	\$10 plus staff time costs				Res 14XX	7/1/2025	6/1/2010
General	Public Records	Staff rate plus materials costs (first 30 minutes no charge)				Res 14XX	7/1/2025	7/1/2018
General	Public Records-Faxing	50¢ per page sent				Res 14XX	7/1/2025	6/1/2010
General	Public Records-Mailing costs	Actual costs + \$1.00 handling fee		Postage + \$1.00 handling fee		Res 14XX	7/1/2025	6/1/2010
General	Returned check fee	\$25				Res 14XX	7/1/2025	6/1/2010
General	Returned electronic payment fee	\$15				Res 14XX	7/1/2025	7/1/2021
General	Electronic Lien Search fee	\$30		\$35		Res 14XX	7/1/2025	7/1/2018
General	License/Permit/Certificate replacement fee	\$10				Res 14XX	7/1/2025	7/1/2012
Administration	Business License-In Canby Annual	\$50		\$100		Res 14XX	7/1/2025	7/1/1994
Administration	Business License-Past Due Fee	\$10/mo up to \$50				Res 14XX	7/1/2025	9/1/1991
Administration	Business License-Transfer or Assign	\$50				Res 14XX	7/1/2025	6/1/2010
Administration	Business closure without notifying City			\$20		Res 14XX	7/1/2025	
Administration	Operating a Business without a License Penalty	\$100				Res 14XX	7/1/2025	7/1/2014
Administration	Liquor License Application New	\$100				Res 14XX	7/1/2025	2/2/1994

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Administration	Liquor License Change of Ownership, Location, or Privilege	\$75				Res 14XX	7/1/2025	2/2/1994
Administration	Small Animal Permit	\$10				Res 14XX	7/1/2025	6/1/2010
Administration	Noise Variance fee	\$75				Res 14XX	7/1/2025	7/1/2013
Administration	Franchise Application and Review Fee-Telecommunications	Actual expenses (requires \$2000 deposit)				Res 14XX	7/1/2025	7/1/2013
Administration	Registration Application Fee-Telecommunications Providers	\$100				Res 14XX	7/1/2025	11/20/2013
Administration	Annual Registration Fee-Telecommunications Providers	4% of gross revenues				Res 14XX	7/1/2025	11/20/2013
Administration	Right-of-Way Use Fee-Telecommunications Providers	\$2 per linear foot occupied (if no revenues earned in City)				Res 14XX	7/1/2025	11/20/2013
Administration	Franchise Fees-Telecommunications	7% gross revenue				Res 14XX	7/1/2025	7/1/2021
Administration	Franchise Fees-Cable	5% gross revenue				Res 14XX	7/1/2025	2/2/2005
Administration	Franchise Fees-Natural Gas	5% gross revenue				Res 14XX	7/1/2025	6/7/2006
Administration	Franchise Fees-Telephone	7% gross revenue				Res 14XX	7/1/2025	6/7/2000
Administration	Franchise Fees-Solid Waste	5% gross revenue				Res 14XX	7/1/2025	7/1/2011
Administration	In-lieu of Franchise Fees-Water/ Electric	5% of commodity sales				Res 14XX	7/1/2025	1973
Administration	In-lieu of Franchise Fees-Wastewater/ Stormwater	7% of service charge collected				Res 14XX	7/1/2025	7/1/2014
Administration	Transient Room Tax	6%				Res 14XX	7/1/2025	7/1/2018
Main Street	Canby Independence Day Celebration Vendor Fees							
Main Street	Food Vendor Application:							
Main Street	Early Bird (Before April 1)	\$125				Res 14XX	7/1/2025	1/20/2016
Main Street	Regular Rate (April 1 - May 1)	\$175				Res 14XX	7/1/2025	1/20/2016
Main Street	Advanced Rate (May 2 - May 31)	\$250				Res 14XX	7/1/2025	1/20/2016
Main Street	Final Rate (June 1 - July 1)	\$500				Res 14XX	7/1/2025	1/20/2016
Main Street	Specific Location	\$50 (extra)				Res 14XX	7/1/2025	1/20/2016
Main Street	Electricity	\$25 (per outlet)				Res 14XX	7/1/2025	1/20/2016
Main Street	Beer/Wine Garden Vendor Application	10% of total sales				Res 14XX	7/1/2025	1/20/2016

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Main Street	Local Arts/Crafts Vendor Application:							
Main Street	Regular Rate	\$45				Res 14XX	7/1/2025	1/20/2016
Main Street	Advanced Rate (May 2 - May 31)	\$65				Res 14XX	7/1/2025	1/20/2016
Main Street	Specific Location	\$50 (extra)				Res 14XX	7/1/2025	1/20/2016
Main Street	Outside City Limits Arts/Crafts:							
Main Street	Regular Rate	\$65				Res 14XX	7/1/2025	1/20/2016
Main Street	Advanced Rate (May 2 - May 31)	\$85				Res 14XX	7/1/2025	1/20/2016
Main Street	Specific Location	\$50 (extra)				Res 14XX	7/1/2025	1/20/2016
Main Street	Parade Fee (Campaigns/Businesses)	\$25				Res 14XX	7/1/2025	1/20/2016
Main Street	Tie-dyed Shirts	\$5				Res 14XX	7/1/2025	1/20/2016
Main Street	Car Show	\$20				Res 14XX	7/1/2025	7/1/2024
Main Street	Canby's Big Weekend Street Dance Vendor Fees:							
Main Street	Food Vendor Application	\$50				Res 14XX	7/1/2025	1/20/2016
Main Street	Beer/Wine Garden Vendor Application	\$250 or 15% of total sales (whichever is greater)				Res 14XX	7/1/2025	1/20/2016
Police	Alarm User Fees:							
Police	Alarm Permit Registration and Annual Renewal	\$25 annually				Res 14XX	7/1/2025	7/1/2018
Police	Registration & Renewal - Senior 65+ and governmental entities	\$10 annually				Res 14XX	7/1/2025	7/1/2018
Police	Appeal Fee	\$25 per request				Res 14XX	7/1/2025	7/1/2018
Police	Late Payment Fee	\$25				Res 14XX	7/1/2025	7/1/2018
Police	Reinstatement Fee for a suspended alarm	\$25				Res 14XX	7/1/2025	7/1/2018
Police	False Alarm:							
Police	First False Alarm	Alarm School or \$50				Res 14XX	7/1/2025	7/1/2018
Police	Second False Alarm	\$75				Res 14XX	7/1/2025	7/1/2018
Police	Third False Alarm	\$100				Res 14XX	7/1/2025	7/1/2018
Police	Fourth or more False Alarms	\$150 each				Res 14XX	7/1/2025	7/1/2018
Police	Operating an alarm system that is suspended:							
Police	First time	\$200				Res 14XX	7/1/2025	7/1/2018
Police	Second and Subsequent Times	\$300				Res 14XX	7/1/2025	7/1/2018
Police	Alarm Company Fees:							
Police	Failure to report new install	\$50				Res 14XX	7/1/2025	7/1/2018
Police	False Alarm caused by Alarm Company	\$100				Res 14XX	7/1/2025	7/1/2018
Police	Calling on Suspended Alarm Site:							
Police	First time	100				Res 14XX	7/1/2025	7/1/2018
Police	Second and Subsequent Times	200				Res 14XX	7/1/2025	7/1/2018

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Police	Failure to use Enhanced Call Confirmation Procedures	100				Res 14XX	7/1/2025	7/1/2018
Police	All late charges	25				Res 14XX	7/1/2025	7/1/2018
Police	Suspension Reinstatement Fee and Mailing Costs	\$200 + \$10 per customer if contacted				Res 14XX	7/1/2025	7/1/2018
Police	Appeal fee per request	\$25 per request				Res 14XX	7/1/2025	7/1/2018
Police	Citation - Copy	\$10				Res 14XX	7/1/2025	7/1/2021
Police	Fingerprinting	\$25 plus \$10 each add'l card				Res 14XX	7/1/2025	7/1/2024
Police	Name Check Response Letter	\$10 for a no record form letter or a list of reports				Res 14XX	7/1/2025	7/1/2021
Police	Photos/Videos	\$25				Res 14XX	7/1/2025	7/1/2021
Police	Police Report - Copy	\$10 DMV accident Report \$15 Police Reports (plus 25¢ per pg. after 10 pages)				Res 14XX	7/1/2025	7/1/2015
Police	Public Records - Admin Research	Staff rate + materials cost				Res 14XX	7/1/2025	7/1/2018
Police	Radar Certification	\$10				Res 14XX	7/1/2025	7/1/2021
Police	Secondhand Dealer Application Fee	\$50				Res 14XX	7/1/2025	11/6/2013
Police	Secondhand Dealer Annual Permit Fee	\$100				Res 14XX	7/1/2025	11/6/2013
Police	Special Event Security	Staff rate				Res 14XX	7/1/2025	7/1/2018
Police	Temporary/Special Event Liquor License	\$35				Res 14XX	7/1/2025	7/1/2013
Police	Vehicle Release	\$150				Res 14XX	7/1/2025	7/1/2021
Police	Impounded Animal Redemption Fee	\$50 plus cost of boarding				Res 14XX	7/1/2025	7/1/2019
Court	Notice of Appeal Fee	\$35				Res 14XX	7/1/2025	7/1/2024
Court	Civil Compromise Fee	\$150				Res 14XX	7/1/2025	3/29/2012
Court	Court Appointed Attorney Fee	\$250 per appointment for new cases & \$150 per appointment on PV cases				Res 14XX	7/1/2025	7/1/2024

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Court	Collections Referral Fee	25% of outstanding balance (by statute), not to exceed \$250				Res 14XX	7/1/2025	3/29/2012
Court	Discovery Request Fee	\$15 (reports, documents); \$25 CD/DVD; \$10 citations				Res 14XX	7/1/2025	7/1/2021
Court	DUII Diversion Filing Fee	\$200				Res 14XX	7/1/2025	4/1/2017
Court	Failure to Appear at Trial Fee	\$100				Res 14XX	7/1/2025	4/1/2017
Court	Failure to Appear Suspension Fee	\$50				Res 14XX	7/1/2025	7/1/2024
Court	Fix It Dismissal Fee	\$50				Res 14XX	7/1/2025	7/1/2018
Court	Guilty by Default Letter Fee	\$50				Res 14XX	7/1/2025	7/1/2018
Court	Juvenile Good Driver Deferred Sentence Fee	\$264, \$159, \$99, \$69 based on offense class				Res 14XX	7/1/2025	7/1/2024
Court	Late Payment Letter Fee	\$25				Res 14XX	7/1/2025	7/1/2018
Court	Minor in Possession Deferred Sentence Fee	\$150				Res 14XX	7/1/2025	3/29/2012
Court	Misdemeanor Deferred Sentence Fee	\$300				Res 14XX	7/1/2025	7/1/2021
Court	Motion to Reopen Case Fee	\$35				Res 14XX	7/1/2025	7/1/2018
Court	Parking Ticket	Fine Ranges \$15- \$25				Res 14XX	7/2/2025	7/2/2018
Court	Parking Ticket Late Fee	City fine doubles after 14 days				Res 14XX	7/1/2025	4/1/2017
Court	Payment Plan Fee	\$25, new or refinanced plan				Res 14XX	7/1/2025	7/1/2014
Court	Public Records Request Fee	\$5 plus .25 each additional page + postage				Res 14XX	7/1/2025	7/1/2021
Court	Returned Check Fee	\$50 (includes demand letter certified)				Res 14XX	7/1/2025	7/1/2018
Court	Show Cause/Order to Appear Fee	\$50				Res 14XX	7/1/2025	7/1/2018
Court	Warrant Issued Fee	\$50				Res 14XX	7/1/2025	7/1/2015
Library	Library Cards							
Library	Clackamas County residents	Free				Res 14XX	7/1/2025	3/1/2016

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Library	Out-of-County Fee*	\$95				Res 14XX	7/1/2025	3/1/2016
Library	*Residents who live in Oregon in Multnomah County, Washington County, Hood River County or those who reside in the Fort Vancouver Regional Library District or the City of Camas Washington, may obtain a LINCC library card without paying a non-resident fee.							
Library	Overdue Items							
Library	Print & Non-Print items	10¢ per day (\$1.00 maximum per item for all materials, except Library of Things and in-house only items)				Res 14XX	7/1/2025	7/1/2024
Library	Laptops and accessories	\$5 per hour up to replacement cost				Res 14XX	7/1/2025	7/1/2019
Library	Library of Things Items	\$5 per day up to replacement cost		\$1 per day up to replacement cost		Res 14XX	7/1/2025	7/1/2024
Library	Overdue Fee "Food for Fines" Exchange rate is \$1 waived per food item donated. Only overdue fines are eligible to be waived.	\$1 per food item donated				Res 14XX	7/1/2025	7/1/2024
Library	Overdue Fee "Half Off Fines" Patron pays their fine(s) and we waive a matching amount. Only overdue fines are eligible to be waived.	Half Off Fines				Res 14XX	7/1/2025	7/1/2024
Library	Lost Items or Damaged Items	Cost of material as indicated in the library's database				Res 14XX	7/1/2025	3/1/2016
Library	Books							
Library	Missing book jacket	\$3				Res 14XX	7/1/2025	3/1/2016
Library	CD Audiobooks							
Library	Disc	\$10 per disc		\$7.95 per disc		Res 14XX	7/1/2025	3/1/2016

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Library	CD case	\$5		\$3		Res 14XX	7/1/2025	3/1/2016
Library	DVDs							
Library	DVD case	\$3				Res 14XX	7/1/2025	3/1/2016
Library	Music CDs							
Library	Case	\$4		\$2		Res 14XX	7/1/2025	3/1/2016
Library	Children's Kits	Cost of each component as listed in the item record				Res 1409	7/1/2025	3/1/2016
Library	RFID Labels							
Library	Stingray Label	\$1				Res 1409	7/1/2025	7/1/2017
Library	Missing Barcodes	\$1				Res 1409	7/1/2025	3/1/2016
Library	Laptops	\$350		Replacement cost of the item		Res 14XX	7/1/2025	7/1/2019
Library	Headphones	\$20		Replacement cost of the item		Res 14XX	7/1/2025	7/1/2019
Library	USB Hub	\$30		Replacement cost of the item		Res 14XX	7/1/2025	7/1/2019
Library	Mouse	\$10		Replacement cost of the item		Res 14XX	7/1/2025	7/1/2019
Library	Library of Things items	Replacement cost of the item				Res 14XX	7/1/2025	7/1/2019
Library	Copying and Printing							
Library	Black and White (Self Serve)	15¢/page				Res 14XX	7/1/2025	3/1/2016
Library	Color (Self Serve)	50¢/page				Res 14XX	7/1/2025	3/1/2016
Canby Area Transit	General Public Dial-A-Ride	\$1.00 per boarding				Res 14XX	7/1/2025	1/2/2012

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current	Current	Proposed	Proposed	Authority	Effective Date	Last date change
		Amount FY2025 (A)	Amount FY2025 (B)	Amount FY2026 (A)	Amount FY2026 (B)			
Canby Area Transit	Complimentary Paratransit Dial-A-Ride	\$1.00 per boarding				Res 14XX	7/1/2025	1/2/2012
Canby Area Transit	Oregon City Dial-A-Ride	\$1.00 per boarding				Res 14XX	7/1/2025	1/2/2012
Canby Area Transit	Shopping Shuttle Services	no charge				Res 14XX	7/1/2025	1/2/2012
Canby Area Transit	Commuter and Fixed-Route Bus Service	\$1.00 per boarding				Res 14XX	7/1/2025	1/2/2012
Canby Area Transit	Monthly Pass	\$20/calendar month				Res 14XX	7/1/2025	4/1/2014
Canby Area Transit	Punch Pass (24 rides)	\$20 (no expiration)				Res 14XX	7/1/2025	7/1/2013
Canby Area Transit	Payroll and self-employment tax	6%				Res 14XX	7/1/2025	1/1/2002
Canby Area Transit	Missing Transit Tax Form	10% of total tax due				Res 14XX	7/1/2025	7/1/2024
Parks	Rentals	In City	Out of City	In City	Out of City			
Parks	Rental of Gazebo in Wait Park (waived for non-profits)	\$132	\$264			Res 14XX	7/1/2025	7/1/2019
Parks	Rental of Wait Park (waived for non-profits)	\$450	\$900			Res 14XX	7/1/2025	7/1/2019
Parks	Wait Park Banner Installation & Removal	\$176	\$176			Res 14XX	7/1/2025	7/1/2024
Public Works	Public Works Labor Rate	Staff Rate				Res 14XX	7/1/2025	7/1/2018
Public Works	Fleet Services Labor Rate	Staff Rate				Res 14XX	7/1/2025	7/1/2021
Public Works	Equipment Rates (Does not include operator, see staff rate)							
Public Works	Vactor Truck	\$85/hr				Res 14XX	7/1/2025	7/1/2019
Public Works	Street Sweeper	\$80/hr				Res 14XX	7/1/2025	7/1/2019
Public Works	TV Van	\$75/hr				Res 14XX	7/1/2025	7/1/2019
Public Works	High Ranger	\$40/hr				Res 14XX	7/1/2025	7/1/2019
Public Works	Dump Truck	\$65/hr				Res 14XX	7/1/2025	7/1/2019
Public Works	Backhoe	\$35/hr				Res 14XX	7/1/2025	7/1/2019
Public Works	Pickup truck	\$15/hr				Res 14XX	7/1/2025	7/1/2019
Public Works	Street Closure Request	\$100 (waived for non-profits)				Res 14XX	7/1/2025	7/1/2024
Public Works	Railroad Parking Lot Event Fee	\$50 (waived for non-profits)				Res 14XX	7/1/2025	7/1/2011
Public Works	Metal Street Barricade Delivery Fee	\$400 (waived for non-profits)				Res 14XX	7/1/2025	7/1/2024
Public Works	Map Copying and Research on Easements	Staff rate + printing change				Res 14XX	7/1/2025	7/1/2018
Public Works	Banner Installation	\$100				Res 14XX	7/1/2025	7/1/2024
Public Works	Grant Street Arch Banner Installation & Removal	\$220				Res 14XX	7/1/2025	7/1/2024

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Public Works	Inspections for Construction Projects (Development/Capital)	2.5% of final construction estimate or \$560, whichever is greater				Res 14XX	7/1/2025	7/1/2018
Public Works	Work-in-Right of Way Permit/Street Excavation (Construction) Permit Fee	\$125				Res 14XX	7/1/2025	7/1/2018
Public Works	Work in Right-of-Way Permit Fee (without street excavation)	\$75				Res 14XX	7/1/2025	7/1/2018
Public Works	Driveway Return, Street Curb or Public Sidewalk Construction Inspection Fee	\$100				Res 14XX	7/1/2025	7/1/2015
Public Works	Driveway Return, Street Curb or Public Sidewalk Re-Inspection Fee	\$75				Res 14XX	7/1/2025	7/1/2018
Public Works	Street Tree Fees for New Development	\$250 per tree, incl. planting & 1-year maintenance				Res 14XX	7/1/2025	10/17/2018
Public Works	Street Signs: New and Replacements	Charge shall be determined based on state contract for similar commodity, quoted at time of request				Res 14XX	7/1/2025	7/1/2015
Public Works	Design Exception	\$100				Res 14XX	7/1/2025	7/1/2019
Public Works	Encroachment Application Permit Fee	\$50				Res 14XX	7/1/2025	9/6/2000
Public Works	Building Number Installation Charge	\$50				Res 14XX	7/1/2025	6/1/2010
Public Works	Advance Finance Public Improvement Application Fee	\$150				Res 14XX	7/1/2025	6/1/2010
Public Works	Street Tree Removal Permit	\$25				Res 14XX	7/1/2025	6/1/2010
Public Works	Sewer Tap Fee (on-site connection)	\$100				Res 14XX	7/1/2025	6/1/2010
Public Works	House Move Permit	\$50				Res 14XX	7/1/2025	6/1/2010
Public Works	Erosion Control	Base Rate, to 4 inspections				Res 14XX	7/2/2025	6/2/2010
Public Works	Single Family	\$240				Res 14XX	7/1/2025	7/1/2018
Public Works	Duplex	\$300				Res 14XX	7/1/2025	7/1/2018
Public Works	Triplex	\$360				Res 14XX	7/1/2025	7/1/2018
Public Works	Single Family Additions (disturbing less than 500 sq. ft.)	\$240				Res 14XX	7/1/2025	7/1/2018
Public Works	Erosion Control	Base Rate, to 8 inspections				Res 14XX	7/2/2025	7/2/2018
Public Works	All Other Lots (Up to 1 acre)	\$500				Res 14XX	7/1/2025	7/1/2018

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Public Works	Each additional acre	\$85				Res 14XX	7/1/2025	7/1/2018
Public Works	Each additional inspection	\$60				Res 14XX	7/1/2025	7/1/2018
Public Works	Violations	\$1,000 per occurrence and \$250 per day if not corrected				Res 14XX	7/1/2025	7/1/2018
Utility Fees	Sewer/Stormwater							
Utility Fees	Combined Sewer/Stormwater Rates (monthly):							
Utility Fees	Residential Single Family	\$46				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Residential , apartment, per unit	\$46				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Mobile home	\$46				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Reduced Sewer Rate	\$33				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Elementary school, per student	\$2				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Middle & High school, per student	\$2				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Transient housing (1st unit)	\$46				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Each additional bed	\$24				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Nursing home (1st two beds)	\$46				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Each additional bed	\$24				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Commercial retail, minimum	\$46				Res 14XX	7/1/2025	7/1/2015
Utility Fees	per 100 cf of water use Nov-Mar	\$6				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Commercial government, minimum	\$46				Res 14XX	7/1/2025	7/1/2015
Utility Fees	per 100 cf of water use Dec & Jan	\$6				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Industrial, minimum	\$46				Res 14XX	7/1/2025	7/1/2015
Utility Fees	per 100 cf of water use	\$6				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Late fee	\$10 per month after 45 days delinquent				Res 14XX	7/1/2025	7/1/2014
Utility Fees	Delinquent Account Certification Fee	\$50				Res 14XX	7/1/2025	7/1/2014
Utility Fees	Landlord Tenant Agreement Setup Fee	\$25				Res 14XX	7/1/2025	7/1/2021
Utility Fees	Sanitary Sewer Extra Strength Charges							
Utility Fees	BOD:							
Utility Fees	Concentration 0 to 300 mg/L	Included in Base				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Concentration 301 to 600 mg/L	\$1.18 per pound		\$2		Res 14XX	7/1/2025	
Utility Fees	Concentration 601 to 1200 mg/L	\$2.36 per pound		\$4		Res 14XX	7/1/2025	
Utility Fees	Concentration greater than 1200 mg/L			\$4.24 +		Res 14XX	7/1/2025	
Utility Fees	TSS:							
Utility Fees	Concentration 0 to 300 mg/L	Included in Base				Res 14XX	7/1/2025	7/1/2015
Utility Fees	Concentration 301 to 600 mg/L	\$1.18 per pound		\$2		Res 14XX	7/1/2025	
Utility Fees	Concentration 601 to 1200 mg/L	\$2.36 per pound		\$4		Res 14XX	7/1/2025	

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Utility Fees	Concentration greater than 1200 mg/L			\$4.44 +		Res 14XX	7/1/2025	
Utility Fees	Industrial Pretreatment Program Fees							
Utility Fees	Industrial Wastewater Discharge Permit	\$5,000				Res 14XX	7/1/2025	4/17/2013
Utility Fees	Industrial Wastewater Discharge Permit Renewal Fee			\$2,500		Res 14XX	7/1/2025	
Utility Fees	Industrial Wastewater Discharge Permit application review fee	Staff rate		\$75/hour		Res 14XX	7/1/2025	
Utility Fees	Industrial Wastewater Discharge Permit Modification Fee			\$75/hour		Res 14XX	7/1/2025	
Utility Fees	Annual Pretreatment Program Inspection & Monitoring Fee			\$1,688		Res 14XX	7/1/2025	
Utility Fees	Annual F.O.G. (Fats Oils & Grease) Program Fee			\$338		Res 14XX	7/1/2025	
Utility Fees	Failure to Maintain Grease Control Equipment Fee			Economic Benefit x 2		Res 14XX	7/1/2025	
Utility Fees	Sampling and analysis fee - As Compliance Sampling and Analysis occurs. These fees are equal to Laboratory costs.	Actual Cost				Res 14XX	7/1/2025	
Utility Fees	Street Maintenance Fee, Monthly							
Utility Fees	Residential Single Family	\$5 per month				Res 14XX	7/1/2025	7/1/2008
Utility Fees	Multi-Family Residences	\$3.34/unit per month				Res 14XX	7/1/2025	7/1/2008
Utility Fees	Detached Senior Housing and Mobile Home Parks	\$2.09/unit per month				Res 14XX	7/1/2025	7/1/2008
Utility Fees	Attached Senior Housing and Congregate Care Facilities	\$1.04/unit per month				Res 14XX	7/1/2025	7/1/2008
Utility Fees	Non-residential	Varies: \$0.522 x trip value x units (\$5 min) per month				Res 14XX	7/1/2025	7/1/2008
Utility Fees	Park Maintenance Fee, Monthly							
Utility Fees	Residential and Multi-family	\$6.31 per dwelling unit per month		\$6.49 per dwelling unit per month		Res 14XX	7/1/2025	7/1/2024
Utility Fees	Reduced rate	\$3.16 per dwelling unit per month		\$3.25 per dwelling unit per month		Res 14XX	7/1/2025	7/1/2024
Utility Fees	Commercial and Industrial	\$6.31 per utility account per month		\$6.49 per utility account per month		Res 14XX	7/1/2025	7/1/2024
SDC's	*Increases based on Canby Finance Manual (2020) guidance, using the ENR Construction Cost Index 20-City Average.	2.702% increase to SDC fees		12.6% increase to SDC fees		Res 14XX	7/1/2025	7/1/2024

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
SDC's	Sanitary Sewer							
SDC's	Single-Family Residential SDC Per Dwelling Unit	\$3,389		\$3,816		Res 14XX	7/1/2025	7/1/2024
SDC's	Multi-Family Residential SDC Per Dwelling Unit	\$2,710		\$3,051		Res 14XX	7/1/2025	7/1/2024
SDC's	Commercial/industrial SDC Based on Wastewater Flow (Formula = Average Daily Volume of Wastewater Discharge / 155 Gallons Per Day x SDC Amount)	\$3,389		\$3,816		Res 14XX	7/1/2025	7/1/2024
SDC's	Stormwater SDC based on Cost Per Trip times the Number of Trips estimated by the ITE Trip Generation Manual and the linked trip factor (ELNDT) adopted by the City in the most recent Transportation SDC update. The SDC varies by average weekday Equivalent Length New Daily Trips (ELNDT) as published by ITE Trip Manual for most land use categories.							
SDC's	Stormwater							
SDC's	RESIDENTIAL	Amount	Per	Amount	Per			
SDC's	210 Single Family Dwelling / ELNDT 9.52	\$295	Dwelling unit	\$332	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	220 Multifamily / ELNDT 6.7	\$207	Dwelling unit	\$235	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	230 Condo/Townhouse / ELDNT 4.93	\$152	Dwelling unit	\$172	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	240 Mobile Home Park / ELDNT 3.54	\$110	Dwelling unit	\$124	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	254 Assisted Living / ELDNT 3.87	\$83	Dwelling unit	\$93	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	SELECTED LAND USES	Amount	Per*	Amount	Per*			
SDC's	110 General Light Industrial / ELNDT 7.0	\$217	TSFGFA	\$244	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	120 General Heavy Industrial / ELNDT 1.5	\$46	TSFGFA	\$52	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	130 Industrial Park / ELNDT 6.83	\$211	TSFGFA	\$238	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	140 Manufacturing / ELNDT 3.82	\$119	TSFGFA	\$134	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	150 Warehouse / ELNDT 5.0	\$155	TSFGFA	\$175	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	151 Mini-Warehouse / ELNDT 2.5	\$78	TSFGFA	\$88	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	160 Data Center / ELNDT .99	\$32	TSFGFA	\$36	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	310 Hotel / ELNDT 7.67	\$238	Room	\$268	Room	Res 14XX	7/1/2025	7/1/2024
SDC's	320 Motel / ELNDT 7.83	\$243	Room	\$274	Room	Res 14XX	7/1/2025	7/1/2024
SDC's	430 Golf Course / ELNDT 4.58	\$147	Acre	\$166	Acre	Res 14XX	7/1/2025	7/1/2024
SDC's	444 Movie Theater w/ Matinee / ELNDT 16.37	\$507	Screen	\$571	Screen	Res 14XX	7/1/2025	7/1/2024
SDC's	492 Health/Fitness Club / ELNDT 2.85	\$89	TSFGFA	\$100	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	520 Elementary School (Public) / ELNDT 0.5	\$15	Student	\$17	Student	Res 14XX	7/1/2025	7/1/2024
SDC's	522 Middle/Jr High School / ELNDT 8.68	\$269	Student	\$303	Student	Res 14XX	7/1/2025	7/1/2024
SDC's	530 High School / ELNDT 8.12	\$251	Student	\$283	Student	Res 14XX	7/1/2025	7/1/2024
SDC's	560 Church / ELNDT 6.8	\$210	TSFGFA	\$236	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	565 Day Care Center/Preschool / ELNDT 1.8	\$56	Student	\$63	Student	Res 14XX	7/1/2025	7/1/2024

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current	Current	Proposed	Proposed	Authority	Effective Date	Last date change
		Amount FY2025 (A)	Amount FY2025 (B)	Amount FY2026 (A)	Amount FY2026 (B)			
SDC's	620 Nursing Home / ELNDT 3.87	\$121	Bed	\$136	Bed	Res 14XX	7/1/2025	7/1/2024
SDC's	630 Clinic / ELNDT 33.4	\$1,035	TSFGFA	\$1,165	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	710 General Office Building / ELNDT 11.0	\$340	TSFGFA	\$383	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	720 Medical-Dental Office Building / ELNDT 36.1	\$1,118	TSFGFA	\$1,259	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	750 Office Park / ELNDT 9.70	\$300	TSFGFA	\$338	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	770 Business Park / ELNDT 10.57	\$328	TSFGFA	\$369	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	812 Building Materials/Lumber Store / ELNDT 32.17	\$996	TSFGFA	\$1,121	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	814 Specialty Retail Center / ELNDT 16.4	\$508	TSFGLA	\$572	TSFGLA	Res 14XX	7/1/2025	7/1/2024
SDC's	815 Free Standing Discount Store / ELNDT 17.10	\$529	TSFGLA	\$596	TSFGLA	Res 14XX	7/1/2025	7/1/2024
SDC's	820 Shopping Center / ELNDT 15.9	\$492	TSFGFA	\$554	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	841 Auto Sales / ELNDT 35.75	\$1,107	TSFGFA	\$1,246	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	848 Tire Store / ELNDT 10.74	\$333	TSFGFA	\$375	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	850 Supermarket / ELNDT 54.9	\$1,700	TSFGFA	\$1,914	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	853 Convenience Market / ELNDT 120.9	\$3,743	TSFGFA	\$4,215	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	862 Home Improvement Super Store / ELNDT 7.51	\$233	TSFGFA	\$262	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	880 Pharmacy/Drugstore / ELNDT 38.6	\$1,194	TSFGFA	\$1,344	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	881 Pharm/Drug w/ Drive Through / ELNDT 17.29	\$535	TSFGFA	\$602	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	890 Furniture Store / ELNDT 2.40	\$74	TSFGFA	\$83	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	911 Bank/Savings: Walk-in / ELNDT 69.7	\$2,158	TSFGFA	\$2,430	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	912 Drive in Bank / ELNDT 31.40	\$973	TSFGFA	\$1,096	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	925 Drinking Place / ELNDT 4.42	\$136	TSFGFA	\$153	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	931 Quality Restaurant / ELNDT 25.7	\$796	TSFGFA	\$896	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	932 High Turnover Sit Down Restaurant / ELNDT 36.	\$1,122	TSFGFA	\$1,263	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	934 Fast Food Restaurant / ELNDT 106.7	\$3,304	TSFGFA	\$3,720	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	938 Coffee/Donut Drive Through / ELNDT 243.0	\$7,523	TSFGFA	\$8,471	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	942 Automobile Care Center / ELNDT 14.8	\$458	TSFGLA	\$516	TSFGLA	Res 14XX	7/1/2025	7/1/2024
SDC's	943 Auto Parts (i.e. Autozone) / ELNDT 1.52	\$48	TSFGLA	\$54	TSFGLA	Res 14XX	7/1/2025	7/1/2024
SDC's	944 Gasoline/Service Station / ELNDT 30.4	\$880	VFP	\$991	VFP	Res 14XX	7/1/2025	7/1/2024
SDC's	945 Gas/Service Station w/ Market / ELNDT 17.9	\$554	VFP	\$624	VFP	Res 14XX	7/1/2025	7/1/2024
SDC's	946 Gas/Service Station w/ Car Wash / ELNDT 17.9	\$544	VFP	\$613	VFP	Res 14XX	7/1/2025	7/1/2024
SDC's	Abbreviations * T.S.F.G.F.A. - Thousand Square Feet Gross Floor Area * T.S.F.G.L.A. - Thousand Square Feet Gross Leasable Area * V.F.P. - Vehicle Fueling Position							
SDC's	Transportation		12.6% SDC Increase					

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current	Current	Proposed	Proposed	Authority	Effective Date	Last date change
		Amount FY2025 (A)	Amount FY2025 (B)	Amount FY2026 (A)	Amount FY2026 (B)			
SDC's	RESIDENTIAL	Amount	Per	Amount	Per			
SDC's	Single-Family per unit	\$4,096	Dwelling unit	\$4,612	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	Multi-Family per unit	\$2,868	Dwelling unit	\$3,229	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	230 Condo/Townhouse	\$2,255	Dwelling unit	\$2,539	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	240 Mobile Home Park	\$2,163	Dwelling unit	\$2,436	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	254 Assisted Living	\$1,135	Dwelling unit	\$1,278	Dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	SELECTED LAND USES	Amount	Per*	Amount	Per*			
SDC's	110 General Light Industrial	\$2,988	TSFGFA	\$3,364	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	120 General Heavy Industrial	\$642	TSFGFA	\$723	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	130 Industrial Park	\$2,374	TSFGFA	\$2,673	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	140 Manufacturing	\$1,343	TSFGFA	\$1,512	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	150 Warehouse	\$2,128	TSFGFA	\$2,396	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	151 Mini-Warehouse	\$1,070	TSFGFA	\$1,205	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	160 Data Center	\$448	TSFGFA	\$504	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	310 Hotel	\$3,482	Room	\$3,921	Room	Res 14XX	7/1/2025	7/1/2024
SDC's	320 Motel	\$2,506	Room	\$2,822	Room	Res 14XX	7/1/2025	7/1/2024
SDC's	430 Golf Course	\$3,619	Acre	\$4,075	Acre	Res 14XX	7/1/2025	7/1/2024
SDC's	444 Movie Theater w/ Matinee	\$99,460	Screen	\$111,992	Screen	Res 14XX	7/1/2025	7/1/2024
SDC's	492 Health/Fitness Clum	\$9,943	TSFGFA	\$11,196	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	520 Elementary School (Public)	\$221	Student	\$249	Student	Res 14XX	7/1/2025	7/1/2024
SDC's	522 Middle/Jr High School	\$664	Student	\$748	Student	Res 14XX	7/1/2025	7/1/2024
SDC's	530 High School	\$623	Student	\$701	Student	Res 14XX	7/1/2025	7/1/2024
SDC's	560 Church	\$2,925	TSFGFA	\$3,294	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	565 Day Care Center/Preschool	\$767	Student	\$864	Student	Res 14XX	7/1/2025	7/1/2024
SDC's	620 Nursing Home	\$2,234	Bed	\$2,515	Bed	Res 14XX	7/1/2025	7/1/2024
SDC's	630 Clinic	\$14,268	TSFGFA	\$16,066	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	710 General Office Building	\$4,713	TSFGFA	\$5,307	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	720 Medical-Dental Office Building	\$15,464	TSFGFA	\$17,412	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	750 Office Park	\$3,772	TSFGFA	\$4,247	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	770 Business Park	\$4,193	TSFGFA	\$4,721	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	812 Building Materials/Lumber Store	\$14,343	TSFGFA	\$16,150	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	814 Specialty Retail Center	\$7,011	TSFGFA	\$7,894	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	815 Free Standing Discount Store	\$3,162	TSFGFA	\$3,560	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	820 Shopping Center	\$6,792	TSFGFA	\$7,648	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	841 Auto Sales	\$14,923	TSFGFA	\$16,803	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	848 Tire Store	\$4,157	TSFGFA	\$4,681	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	850 Supermarket	\$23,525	TSFGFA	\$26,489	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	853 Convenience Market	\$51,735	TSFGFA	\$58,254	TSFGFA	Res 14XX	7/1/2025	7/1/2024

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current	Current	Proposed	Proposed	Authority	Effective Date	Last date change
		Amount FY2025 (A)	Amount FY2025 (B)	Amount FY2026 (A)	Amount FY2026 (B)			
SDC's	862 Home Improvement Super Store	\$2,748	TSFGFA	\$3,094	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	880 Pharmacy/Drugstore	\$16,513	TSFGFA	\$18,594	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	881 Pharm/Drug w/ Drive Through	\$5,206	TSFGFA	\$5,862	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	890 Furniture Store	\$227	TSFGFA	\$256	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	911 Bank/Savings: Walk-in	\$29,816	TSFGFA	\$33,573	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	912 Drive in Bank	\$2,234	TSFGFA	\$2,515	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	925 Drinking Place	\$45,978	TSFGFA	\$51,771	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	931 Quality Restaurant	\$10,972	TSFGFA	\$12,354	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	932 High Turnover Sit Down Restaurant	\$4,629	TSFGFA	\$5,212	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	934 Fast Food Restaurant	\$45,653	TSFGFA	\$51,405	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	938 Coffee/Donut Drive Through	\$12,216	TSFGFA	\$13,755	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	942 Automobile Care Center	\$6,124	TSFGFA	\$6,896	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	943 Auto Parts (ie. Autozone)	\$4,742	TSFGFA	\$5,339	TSFGFA	Res 14XX	7/1/2025	7/1/2024
SDC's	944 Gasoline/Service Station	\$13,321	VFP	\$14,999	VFP	Res 14XX	7/1/2025	7/1/2024
SDC's	945 Gas/Service Station w/ Market	\$546	VFP	\$615	VFP	Res 14XX	7/1/2025	7/1/2024
SDC's	946 Gas/Service Station w/Car Wash	\$1,549	VFP	\$1,744	VFP	Res 14XX	7/1/2025	7/1/2024
SDC's	Abbreviations: 1 T.S.F.G.F.A. = Thousand Square Feet Gross Floor Area 2 T.S.F.G.L.A. = Thousand Square Feet Gross Leasable Area 3 V.F.P. = Vehicle Fueling Position							
SDC's	Parks			12.6% SDC Increase				
SDC's	Residential - per dwelling unit							
SDC's	Single Family	\$6,913		\$7,784	per dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	Multi-Family	\$7,197		\$8,068	per dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	Manufactured Housing	\$5,774		\$6,645	per dwelling unit	Res 14XX	7/1/2025	7/1/2024
SDC's	Non-Residential	\$558	per employee	\$628	per employee	Res 14XX	7/1/2025	7/1/2024
SDC's	Note: If the total number of employees cannot be ascertained the following calculation can be used instead. Divide the total sq. ft. of building space by the number of sq. ft. per employee from below, then multiply by the current Parks SDC fee of \$628 (Example: 25,000 SF/700 (Manufacturing-General) = 35.7 x \$628 = \$22,428.57 SDC)			These #s are fixed employees per SF count. They do not change with inflation.				
SDC's		Square feet per employee		Square feet per employee				
SDC's	Manufacturing							
SDC's	General (700)	\$700				Res 14XX	7/1/2025	7/1/2016

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current	Current	Proposed	Proposed	Authority	Effective Date	Last date change
		Amount FY2025 (A)	Amount FY2025 (B)	Amount FY2026 (A)	Amount FY2026 (B)			
SDC's	Food Related (775)	\$775				Res 14XX	7/1/2025	7/1/2016
SDC's	Textile, Apparel (575)	\$575				Res 14XX	7/1/2025	7/1/2016
SDC's	Lumber, Wood Products (560)	\$560				Res 14XX	7/1/2025	7/1/2016
SDC's	Paper & Related (1,400)	\$1,400				Res 14XX	7/1/2025	7/1/2016
SDC's	Printing & Publishing (600)	\$600				Res 14XX	7/1/2025	7/1/2016
SDC's	Chemicals, Petrol, Rubber, Plastics (850)	\$850				Res 14XX	7/1/2025	7/1/2016
SDC's	Cement, Stone, Clay, Glass (800)	\$800				Res 14XX	7/1/2025	7/1/2016
SDC's	Furniture & Furnishings (600)	\$600				Res 14XX	7/1/2025	7/1/2016
SDC's	Primary Metals (1,000)	\$1,000				Res 14XX	7/1/2025	7/1/2016
SDC's	Secondary Metals (800)	\$800				Res 14XX	7/1/2025	7/1/2016
SDC's	Non-Electrical Machinery (600)	\$600				Res 14XX	7/1/2025	7/1/2016
SDC's	Electrical Machinery (375)	\$375				Res 14XX	7/1/2025	7/1/2016
SDC's	Electrical Design (325)	\$325				Res 14XX	7/1/2025	7/1/2016
SDC's	Transportation Equipment (500)	\$500				Res 14XX	7/1/2025	7/1/2016
SDC's	Other (400)	\$400				Res 14XX	7/1/2025	7/1/2016
SDC's	Wholesale Trade							
SDC's	Durable Goods (1,000)	\$1,000				Res 14XX	7/1/2025	7/1/2016
SDC's	Non-Durable Goods (1,100)	\$1,150				Res 14XX	7/1/2025	7/1/2016
SDC's	Warehousing							
SDC's	Storage (20,000)	\$20,000				Res 14XX	7/1/2025	7/1/2016
SDC's	Distribution (2,500)	\$2,500				Res 14XX	7/1/2025	7/1/2016
SDC's	Trucking (1,500)	\$1,500				Res 14XX	7/1/2025	7/1/2016
SDC's	Communications (250)	\$250				Res 14XX	7/1/2025	7/1/2016
SDC's	Utilities (225)	\$225				Res 14XX	7/1/2025	7/1/2016
SDC's	Retail							
SDC's	General (700)	\$700				Res 14XX	7/1/2025	7/1/2016
SDC's	Hardware (1,000)	\$1,000				Res 14XX	7/1/2025	7/1/2016
SDC's	Food Stores (675)	\$675				Res 14XX	7/1/2025	7/1/2016
SDC's	Restaurant/Bar (225)	\$225				Res 14XX	7/1/2025	7/1/2016
SDC's	Appliance/Furniture (1,000)	\$1,000				Res 14XX	7/1/2025	7/1/2016
SDC's	Auto Dealership (650)	\$650				Res 14XX	7/1/2025	7/1/2016
SDC's	Gas/Station - Gas Only (300)	\$300				Res 14XX	7/1/2025	7/1/2016
SDC's	Gas/Station - Gas & Service (400)	\$400				Res 14XX	7/1/2025	7/1/2016
SDC's	Regional Shopping Center (600)	\$600				Res 14XX	7/1/2025	7/1/2016
SDC's	Services							
SDC's	Hotel/Motel (1,500)	\$1,500				Res 14XX	7/1/2025	7/1/2016
SDC's	Health Services - Hospital (500)	\$500				Res 14XX	7/1/2025	7/1/2016
SDC's	Health Services - Clinic (350)	\$350				Res 14XX	7/1/2025	7/1/2016

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
SDC's	Educational (1,300)	\$1,300				Res 14XX	7/1/2025	7/1/2016
SDC's	Cinema (1,100)	\$1,100				Res 14XX	7/1/2025	7/1/2016
SDC's	Personal Services - Office (600)	\$600				Res 14XX	7/1/2025	7/1/2016
SDC's	Finance, Insurance, Real Estate, Business Services- Office (350)	\$350				Res 14XX	7/1/2025	7/1/2016
SDC's	Government Administration (300)	\$300				Res 14XX	7/1/2025	7/1/2016
Planning	Staff Rate for Projects, Research and Miscellaneous Work not Captured by Normal Fees	\$125 per hour				Res 14XX	7/1/2025	
Planning	Addressing							
Planning	Addressing Fees (new or change of)	\$125 Base Fee Plus \$10 per lot or parcel above 1				Res 14XX	7/1/2025	7/1/2021
Planning	Addressing (Prior to Recorded Plat)	\$250 Base Fee Plus \$10 per lot or parcel above 1				Res 14XX	7/1/2025	
Planning	Annexations without a Development Concept Plan (DCP)							
Planning	Annexation – Less than 1 acre	\$3,000 - (Base Fee)		\$4,400 (base fee)		Res 14XX	7/1/2025	7/1/2021
Planning	Annexation – 1 – 10 Acres	Plus \$150 per Acre		Plus \$175 per acre or fraction thereof		Res 14XX	7/1/2025	7/1/2019
Planning	Annexation – 10.1 + Acres	Plus \$100 per Acre		Plus \$150 per acre or fraction thereof		Res 14XX	7/1/2025	7/1/2019
Planning	Annexations with a Development Concept Plan (DCP)							
Planning	Annexation – Less than 1 acre			\$7,300 (base fee)		Res 14XX	7/1/2025	
Planning	Annexation – 1 – 10 Acres			Plus \$175 per acre or a fraction thereof		Res 14XX	7/1/2025	
Planning	Annexation – 10.1 + Acres			Plus \$150 per acre or a fraction thereof		Res 14XX	7/1/2025	
Planning	Appeals							
Planning	Type I & Type II Land Use Decision (refunded if appellant prevails at hearing)	\$250		\$500		Res 14XX	7/1/2025	7/1/2024
Planning	Type III Land Use Decision	\$1,980		\$2,000		Res 14XX	7/1/2025	7/1/2024
Planning	Building Permit Site Plan Review							

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Planning	Single Family House	\$275 per application				Res 14XX	7/1/2025	7/1/2021
Planning	Duplex (including conversions of single family to duplex)	\$275 per application				Res 14XX	7/1/2025	7/1/2019
Planning	Non-Living Space addition (garage, carport, porch, etc)	\$150 per application		\$175		Res 14XX	7/1/2025	7/1/2021
Planning	Living Space Expansion/Addition	\$175 Plus SDC's, if applicable		\$200		Res 14XX	7/1/2025	7/1/2021
Planning	Accessory Dwelling Unit (ADU) \$200 Plus SDC,s if applicable	\$200 Plus SDC's, if applicable		\$225		Res 14XX	7/1/2025	
Planning	Multifamily	\$60 per unit (first 20 units)/\$12 per each additional unit)		\$300 base fee plus \$60 per unit over 4		Res 14XX	7/1/2025	7/1/2017
Planning	Demolitions (Residential)	\$100		\$175		Res 14XX	7/1/2025	7/1/2021
Planning	Demolitions (Commercial or Industrial)	\$100		\$350		Res 14XX	7/1/2025	7/1/2021
Planning	Residential or commercial tenant improvements and remodels not involving additional square footage or exterior alterations of the structure			\$125		Res 14XX		
Planning	Signs	\$150 (\$25 for each additional sign)		\$200 (\$50 for each additional sign)		Res 14XX	7/1/2025	7/1/2021
Planning	Existing Wireless Telecommunications System Facility/Modification	\$500				Res 14XX	7/1/2025	7/1/2021
Planning	Small Cell Wireless Deployment in the Right-of-Way	\$100 per location plus any additional actual cost required for outside consult or technical review by consulting engineer		\$200 per location + 2 hours charged at engineering review rate		Res 14XX	7/1/2025	7/1/2021
Planning	All other commercial and industrial site plan review:							
Planning	0 to 2,000 square feet	\$300		\$700		Res 14XX	7/1/2025	7/1/2021
Planning	2,001 to 5,000 square feet	\$350		\$900		Res 14XX	7/1/2025	7/1/2021
Planning	5,001 to 10,000 square feet	\$500		\$1,100		Res 14XX	7/1/2025	7/1/2021
Planning	10,001 to 50,000 square feet	\$650		\$1,400		Res 14XX	7/1/2025	7/1/2021

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current	Current	Proposed	Proposed	Authority	Effective Date	Last date change
		Amount FY2025 (A)	Amount FY2025 (B)	Amount FY2026 (A)	Amount FY2026 (B)			
Planning	50,001 to 100,000 square feet	\$900		\$1,800		Res 14XX	7/1/2025	7/1/2021
Planning	100,001 square feet and up	\$1,050		\$2,000		Res 14XX	7/1/2025	7/1/2021
Planning	Legislative Text	\$6,000		\$7,500		Res 14XX	7/1/2025	7/1/2019
Planning	Legislative Map or Quasi-Judicial Map	\$4,000		\$6,500		Res 14XX	7/1/2025	7/1/2021
Planning	Conditional Use Permit	\$3,000		\$3,800		Res 14XX	7/1/2025	7/1/2017
Planning	Construction Excise Tax (not subject to annual CPI-U increase)							
Planning	Residential, per dwelling unit	\$1.00/sq ft				Res 14XX	7/1/2025	7/1/2019
Planning	Final Plat Review:							
Planning	Property Line Adjustment/Lot Consolidation			\$500		RES 14XX	7/1/2025	
Planning	Partition - Up to 3 lots			\$775		RES 14XX	7/1/2025	
Planning	Subdivision - 4 or more lots			\$1,500		RES 14XX	7/1/2025	
Planning	Food Cart Pods	\$2,000				Res 14XX	7/1/2025	
Planning	Food Cart Pod Modification			\$1,000		Res 14XX	7/1/2025	
Planning	Hardship	\$105		\$125		Res 14XX	7/1/2025	
Planning	House Move			\$150 per hour of staff time		Res 14XX	7/1/2025	
Planning	Interpretation of Development Code by Planning Director	\$1,500				Res 14XX	7/1/2025	
Planning	Appeal of Written Director's Interpretation to the Planning Commission	\$2,500		verbiage update		Res 14XX	7/1/2025	
Planning	Mandatory Adjustment (SB 1537)			\$750 per type of adjustment		Res 14XX	7/1/2025	
Planning	Measure 56 Notice			\$750 for up to 250 notices, \$3 per notice above 250		Res 14XX	7/1/2025	
Planning	Mobile Food Vendor			\$175		Res 14XX	7/1/2025	
Planning	Mobile Food Vendor - Renewal in same location			\$100		Res 14XX	7/1/2025	
Planning	Modifications to approved applications					Res 14XX		7/1/2019
Planning	Minor	\$400		\$600		Res 14XX	7/1/2025	
Planning	Intermediate	\$2500 + Staff Time Over 20hrs @ \$125/hr		\$2,500		Res 14XX	7/1/2025	7/1/2024
Planning	Major	\$2500 + Cost of New Applications of That Type		\$3,100 + staff time over 20 hours		Res 14XX	7/1/2025	7/1/2024
Planning	Modification to a Development Concept Plan			\$5,000		Res 14XX	7/1/2025	
Planning	Non-conforming Uses:							

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current	Current	Proposed	Proposed	Authority	Effective Date	Last date change
		Amount FY2025 (A)	Amount FY2025 (B)	Amount FY2026 (A)	Amount FY2026 (B)			
Planning	Verification of use	\$750		\$775		Res 14XX	7/1/2025	7/1/2024
Planning	Alteration or expansion of use	\$2,500		\$1,500		Res 14XX	7/1/2025	7/1/2024
Planning	Property Line Adjustment	\$750		\$850		Res 14XX	7/1/2025	
Planning	Parking Lot/Paving Projects	\$310				Res 14XX	7/1/2025	7/1/2017
Planning	Partition	\$1,400		\$2,500		Res 14xx	7/1/2025	7/1/2021
Planning	Planned Unit Development (PUD)	\$3,250		\$3,500		Res 14xx	7/1/2025	7/1/2021
Planning	Pre-Application Conference:							
Planning	Type II	\$720		\$800		Res 14xx	7/1/2025	7/1/2023
Planning	Types III or IV	\$1,500				Res 14XX	7/1/2025	7/1/2017
Planning	Link to video recording of the pre-application conference (available upon request)			\$0		Res 14XX	7/1/2025	
Planning	Written meeting minutes	\$250		\$300		Res 14XX	7/1/2025	7/1/2023
Planning	Pre-Construction Conference:	\$1,000 (+Staff rate over 2 hrs)		\$1,500		Res 14xx	7/1/2025	7/1/2021
Planning	Link to video recording of the pre-construction conference (available upon request)			\$0		Res 14xx	7/1/2025	
Planning	Written meeting minutes			\$300		Res 14xx	7/1/2025	
Planning	Public Improvement Engineering Plan Review Fee							
Planning	Public Improvement Estimated Cost							
Planning	\$50,000 or less			\$2,000		Res 14xx	7/1/2025	
Planning	\$50,001 to \$150,000			\$2,000 for the first \$50,000, plus .04 x the amount over \$50,000		Res 14xx	7/1/2025	
Planning	\$150,001 to \$500,000			\$6,000 for the first \$150,000, plus .03 x the amount over \$150,000		Res 14xx	7/1/2025	
Planning	\$500,001 to \$1,000,000			\$16,500 for the first \$500,000, plus .02 x the amount over \$500,000		Res 14xx	7/1/2025	

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Planning	\$1,000,001 and up			\$26,500 for the first \$1,000,000, plus .01 x the amount over \$1,000,000 to a maximum of \$30,000		Res 14xx	7/1/2025	
Planning	Right of Way Vacation Fee	\$2,500				Res 14XX	7/1/2025	7/1/2021
Planning	Sidewalk Café Annual Permit**	\$50				Res 14XX	7/1/2025	7/1/2019
Planning	Sidewalk Café Annual Right of Way Rental**	\$2				Res 14XX	7/1/2025	7/1/2019
Planning	Site and Design Review (Type II)	\$1,000 plus 0.2% of estimated total project cost, max \$15,000		\$2,400 plus 0.02% of project cost, max \$20,000		Res 14xx	7/1/2025	7/1/2023
Planning	Site and Design Review (Type III)	\$2,500 plus 0.2% of estimated total project cost, max \$20,000		\$4,600 plus 0.02% pf project, max \$25,000		Res 14xx	7/1/2025	7/1/2023
Planning	Site Plan Development Engineering Plan Review Fee: ***							
Planning	Up to 0.25 acres	\$500		\$1,000		Res 14xx	7/1/2025	7/1/2019
Planning	Over 0.25 up to 2 acres	\$1,000		\$1,250		Res 14xx	7/1/2025	7/1/2019
Planning	Over 2 acres up to 5.0 acres	\$1,500		\$1,750		Res 14xx	7/1/2025	7/1/2019
Planning	Over 5.0 acres up to 8 acres	\$2,000		\$2,250		Res 14xx	7/1/2025	7/1/2019
Planning	Over 8 acres	\$2,500 maximum		\$2,750		Res 14xx	7/1/2025	7/1/2019
Planning	Hourly rates for research or review not covered by other listed fees:							
Planning	Planning Staff			\$150 per hour		Res 14xx	7/1/2025	
Planning	Consulting Engineer			\$200 per hour		Res 14xx	7/1/2025	
Planning	Consulting Attorney			Applicant pays actual cost (Estimate provided upon request)		Res 14xx	7/1/2025	
Planning	Subdivision – 4 or more lots	\$3,500 (Base Fee) Base Fee Plus \$115 per lot		\$4,500 plus \$150 per lot		Res 14xx	7/1/2025	7/1/2021
Planning	Temporary Vendor Permit	\$100 (\$50 non-profit)		\$200 (\$100 for nonprofit)		Res 14xx	7/1/2025	10/16/2009

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Planning	Temporary Vendor Permit Renewal	\$50 (\$25 non-profit)		\$100 (\$50 for nonprofit)		Res 14xx	7/1/2025	7/1/2012
Planning	Transportation Review:							
Planning	Traffic Engineering Scope	\$800 min. \$1,000 max. deposit		\$1,000 deposit		Res 14xx	7/1/2025	7/1/2011
Planning	Exception Application for Access Management Plan (16.46.070.B)	\$100		\$750		Res 14xx	7/1/2025	7/1/2019
Planning	Traffic Analysis Letter	Applicant pays actual cost		verbiage update		Res 14xx	7/1/2025	7/1/2011
Planning	Transportation Impact Statement	Applicant pays actual cost		verbiage update		Res 14xx	7/1/2025	6/1/2010
Planning	Variance:							
Planning	Major	\$3,000		\$5,700		Res 14xx	7/1/2025	7/1/2017
Planning	Minor Setback	\$700		\$2,000		Res 14xx	7/1/2025	7/1/2021
Planning	Minor Sign	\$250		\$600		Res 14xx	7/1/2025	7/1/2021
Planning	Withdrawal of Territory:							
Planning	< 1 acre	\$3,000 (base fee)		\$3,100		Res 14xx	7/1/2025	7/1/2021
Planning	1-10 acres	Plus \$79 per acre		\$80		Res 14xx	7/1/2025	2/2/2011
Planning	11-50 acres	Plus \$41 per acre		\$50		Res 14xx	7/1/2025	2/2/2011
Planning	51+ acres	Plus \$8 per acre		\$10		Res 14xx	7/1/2025	2/2/2011
Planning	Zoning Letter:							
Planning	Basic, includes LUCs and DMV Location Review (zone and use verification)	\$200		\$220		Res 14xx	7/1/2025	7/1/2021
Planning	Expansive (conformance research)	\$1,000				Res 14XX	7/1/2025	7/1/2021
Planning	Zoning Map Amendment	\$4,000				Res 14XX	7/1/2025	7/1/2021
Planning	Zoning Text Amendment	\$4,000		\$5,500		Res 14XX	7/1/2025	7/1/2021
Planning	NOTES:							
Planning	All SDCs are calculated and charged separately							
Planning	Planning Fees are subject to annual increases based on the CPI-U.							
Planning	*Fee collected with Pre-Construction submittal. Includes the following Right of Way infrastructure: Street pavement, curbs, driveway returns, sewer, storm drainage, sidewalks and street trees.							
Planning	**Program is run and regulated by Canby Economic Development Department							
Planning	***Fee collected with initial land use application							
Building	Building Application:							

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Building	\$0 to \$3,000 valuation	\$80				Res 14XX	7/1/2025	11/1/2008
Building	\$3,001 to \$25,000 valuation	\$80 for the first \$3,000 and \$12 for each additional \$1,000 or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	\$25,001 to \$50,000 valuation	\$344 for the first \$25,000 and \$9 for each additional \$1,000 or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	\$50,001 to \$100,000 valuation	\$569 for the first \$50,000 and \$6 for each additional \$1,000 or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	\$100,001 and up	\$869 for the first \$100,000 and \$5 for each additional \$1,000 or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	Plan Review Fee	100% of Building Permit fee				Res 14XX	7/1/2025	11/1/2008
Building	Temporary Certificate of Occupancy	\$250				Res 14XX	7/1/2025	11/1/2008
Building	Final Certificate of Occupancy	\$125				Res 14XX	7/1/2025	
Building	Deferred submittal processing and reviewing fee	Equal to the building permit fee for the valuation of the particular deferred portion or portions of the project, with a set minimum fee of \$300				Res 14XX	7/1/2025	11/1/2008

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Building	Phased or Partial Building Permit plan review fee	\$300 plus 10% of the total project building permit fee not to exceed \$2,000 for each phase in addition to above fees				Res 14XX	7/1/2025	11/1/2008
Building	Inspections outside of normal business hours	\$160/hr (minimum charge – two hours)				Res 14XX	7/1/2025	11/1/2008
Building	Re-inspection Fees	\$80				Res 14XX	7/1/2025	11/1/2008
Building	Inspections for which no fee is specifically indicated	\$160/hr (minimum charge – 1/2 hour)				Res 14XX	7/1/2025	11/1/2008
Building	Additional plan review required by changes, additions or revisions to proposed or approved plans	\$160/hr (minimum charge – 1/2 hour)				Res 14XX	7/1/2025	11/1/2008
Building	Demolition (residential)			\$80		Res 14XX	7/1/2025	
Building	Demolition (commercial and industrial)			\$160		Res 14XX	7/1/2025	
Building	Manufactured Dwelling Installation							
Building	Installation and set up	\$350				Res 14XX	7/1/2025	11/1/2008
Building	Earthquake bracing when not part of original installation	\$280				Res 14XX	7/1/2025	11/1/2008
Building	Prescriptive Flat Fee Solar Installation	\$240				Res 14XX	7/1/2025	7/1/2011
Building	Residential Fire Suppression Systems Combines Plan Permit and Plan Check Fees							
Building	0 sq. ft to 2,000 sq. ft	\$160				Res 14XX	7/1/2025	11/1/2008
Building	2001 sq. ft. to 3600 sq. ft.	\$210				Res 14XX	7/1/2025	11/1/2008
Building	3601 sq. ft. to 7200 sq. ft.	\$269				Res 14XX	7/1/2025	11/1/2008
Building	7201 sq. ft. and greater	\$377				Res 14XX	7/1/2025	11/1/2008
Building	Mechanical Fee Schedule for New, Additions to, or Alterations to One and Two Family Dwellings							
Building	Install/Replace Furnace: Up to 100,000btu	\$24.75 per appliance				Res 14XX	7/1/2025	11/1/2008
Building	Install/Replace Furnace: Over 100,000btu	\$31.50 per appliance				Res 14XX	7/1/2025	11/1/2008
Building	Install/Replace/Relocate Heaters: Suspended, Wall or Floor Mounted.	\$24.75 per appliance				Res 14XX	7/1/2025	11/1/2008

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Building	Appliance Vent	\$12.50 per appliance				Res 14XX	7/1/2025	11/1/2008
Building	Hood	\$18.75 per appliance				Res 14XX	7/1/2025	11/1/2008
Building	Exhaust Fan Connected To A Single Duct	\$12.50 per appliance				Res 14XX	7/1/2025	11/1/2008
Building	Gas Piping: 1 To 4 Outlets	\$8				Res 14XX	7/1/2025	11/1/2008
Building	Gas Piping: Each Additional Outlet	\$2.25 per outlet				Res 14XX	7/1/2025	11/1/2008
Building	Fireplace	\$18.75 per appliance				Res 14XX	7/1/2025	11/1/2008
Building	Wood Stove	\$18.75 per appliance				Res 14XX	7/1/2025	11/1/2008
Building	Other	\$18.75 per appliance				Res 14XX	7/1/2025	11/1/2008
Building	Minimum Permit Fee	\$80				Res 14XX	7/1/2025	11/1/2008
Building	Plan Review Fee (Mechanical)	100% of Mechanical Permit fee				Res 14XX	7/1/2025	11/1/2008
Building	Alteration Of Existing HVAC System	\$25				Res 14XX	7/1/2024	11/1/2008
Building	Air Handling Units	\$18.75 per appliance				Res 14XX	7/1/2024	11/1/2008
Building	Air Conditioning under 100,000btu	\$24.75 per appliance				Res 14XX	7/1/2024	11/1/2008
Building	Air Conditioning over 100,000btu	\$46.50 per appliance				Res 14XX	7/1/2024	11/1/2008
Building	Dryer Exhaust	\$18.75 per appliance				Res 14XX	7/1/2024	11/1/2008
Building	Mechanical Fee Schedule for New, Additions to or Alterations to Commercial, Multi-Family and Industrial Projects							
Building	\$0 to \$5,000 valuation	\$80				Res 14XX	7/1/2025	11/1/2008
Building	\$5,001 to \$10,000 valuation	\$80 for the first \$5000 and \$3 for each additional \$100 or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	\$10,001 to \$100,000 valuation	\$230.00 for the first \$10,000.00 and \$12.00 for each additional \$1,000.00 or fraction thereof				Res 14XX	7/1/2025	11/1/2008

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Building	\$100,001 and up	\$1,310 for the first \$100,000 and \$10 for each additional \$1,000 or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	Plan Review Fee (Mechanical)	37% of Mechanical Permit fee				Res 14XX	7/1/2025	11/1/2008
Building	Grading Permit Fee Schedule							
Building	50 cubic yards or less	\$80				Res 14XX	7/1/2025	11/1/2008
Building	51 to 100 cubic yards	\$117				Res 14XX	7/1/2025	11/1/2008
Building	101 to 1,000 cubic yards	\$117 for the first 100 cubic yards, plus \$55 for each additional 100 cubic yards or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	1,001 to 10,000 cubic yards	\$612 for the first 1,000 cubic yards, plus \$46 for each additional 1,000 cubic yards or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	10,001 to 100,000 cubic yards	\$1,026 for the first 10,000 cubic yards, plus \$210 for each additional 10,000 cubic yards or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	100,001 cubic yards and up	\$2,916 for the first 100,000 cubic yards, plus \$115 for each additional 10,000 cubic yards or fraction thereof				Res 14XX	7/1/2025	11/1/2008
Building	Plan Review Fee (Grading)	65% of Grading Permit fee				Res 14XX	7/1/2025	11/1/2008

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025	Current Amount FY2025	Proposed Amount FY2026	Proposed Amount FY2026	Authority	Effective Date	Last date change
		(A)	(B)	(A)	(B)			
Swim Center		In City	Out of City	In City	Out of City			
Swim Center	Daily Admission - Youth	\$3	\$4			Res 14XX	7/1/2025	6/1/2010
Swim Center	Daily Admission - Senior	\$3	\$4			Res 14XX	7/1/2025	6/1/2010
Swim Center	Daily Admission - Adult	\$3	\$5			Res 14XX	7/1/2025	6/1/2010
Swim Center	Daily Admission - Family	\$8	\$12			Res 14XX	7/1/2025	6/1/2010
Swim Center	Tickets - 10 Swims Youth/Senior	\$25	\$38			Res 14XX	7/1/2025	6/1/2010
Swim Center	Tickets - 10 Swims Adult	\$33	\$45			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 3 month - Youth	\$50	\$75			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 3 month - Senior	\$50	\$75			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 3 month - Adult	\$65	\$90			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 3 month - 1 + 1	\$98	\$135			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 3 month - Family	\$130	\$180			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 12 month - Youth	\$138	\$206			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 12 month - Senior	\$138	\$206			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 12 month - Adult	\$179	\$248			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 12 month - 1 + 1	\$268	\$371			Res 14XX	7/1/2025	6/1/2010
Swim Center	Pass 12 month - Family	\$358	\$495			Res 14XX	7/1/2025	6/1/2010
Swim Center	Water Exercise - Youth	\$3	\$4			Res 14XX	7/1/2025	6/1/2010
Swim Center	Water Exercise - Senior	\$3	\$4			Res 14XX	7/1/2025	6/1/2010
Swim Center	Water Exercise - Adult	\$3	\$5			Res 14XX	7/1/2025	6/1/2010
Swim Center	Lessons - Public Lessons	\$4	\$6			Res 14XX	7/1/2025	7/1/2017
Swim Center	Lessons - Spring Penguin	\$50	\$70			Res 14XX	7/1/2025	6/1/2010
Swim Center	Lessons - Summer Penguin	\$80	\$100			Res 14XX	7/1/2025	6/1/2010
Swim Center	Lessons - School Programs	by contract	\$100/hr			Res 14XX	7/1/2025	7/1/2017
Swim Center	Rentals - Public - 2 hours, up to 30 persons	\$55.00 per hr	\$75.00 per hr			Res 14XX	7/1/2025	7/1/2019
Swim Center	Rentals - Public - additional charge for 31-60 persons, then additional \$50 per each additional group of 30.	\$50	\$50			Res 14XX	7/1/2025	7/1/2019
Swim Center	Rentals - Canby Gators	by contract	by contract			Res 14XX	7/1/2025	6/1/2010
Cemetery	Grave Lots	Property	Perpetual Care Fee	Property	Perpetual Care Fee			
Cemetery	Standard Grave Lot	\$600	\$900			Res 14XX	7/1/2025	7/1/2019
Cemetery	Child Grave Lot (1/2 sp)	\$240	\$360			Res 14XX	7/1/2025	7/1/2019
Cemetery	Baby Grave Lot (1/4 sp)	\$200	\$300			Res 14XX	7/1/2025	7/1/2019
Cemetery	Cremains Lot	\$200	\$300			Res 14XX	7/1/2025	7/1/2019
Cemetery	Grave Marking & Recording Fee	\$100				Res 14XX	7/1/2025	7/1/2018

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current Amount FY2025 (A)	Current Amount FY2025 (B)	Proposed Amount FY2026 (A)	Proposed Amount FY2026 (B)	Authority	Effective Date	Last date change
Cemetery	Cremains Opening & Closing (includes marking and recording)	\$300				Res 14XX	7/1/2025	6/1/2010
Cemetery	Headstone Marking Fee	\$50				Res 14XX	7/1/2025	7/1/2018
Cemetery	Set up and take down of tent and chairs	\$150				Res 14XX	7/1/2025	7/1/2018
Cemetery	Mausoleum Phase I	Property	Perpetual Care Fee	Property	Perpetual Care Fee			
Cemetery	Single Crypts (1 space)	\$2,375	\$125			Res 14XX	7/1/2025	7/1/2019
Cemetery	Tandem Crypts (2 spaces)	\$6,650	\$350			Res 14XX	7/1/2025	7/1/2019
Cemetery	Side by Side Crypts (4 space)	\$7,600	\$400			Res 14XX	7/1/2025	7/1/2019
Cemetery	Niche Spaces	\$630	\$70			Res 14XX	7/1/2025	7/1/2019
Cemetery	Mausoleum Phase II							
Cemetery	Single Crypts (1 space)							
Cemetery	Sixth Level F	\$2,375	\$125			Res 14XX	7/1/2025	7/1/2019
Cemetery	Fifth Level E	\$2,850	\$150			Res 14XX	7/1/2025	7/1/2019
Cemetery	Fourth Level D	\$3,420	\$180			Res 14XX	7/1/2025	7/1/2019
Cemetery	Third Level C	\$4,085	\$215			Res 14XX	7/1/2025	7/1/2019
Cemetery	Second Level B	\$4,085	\$215			Res 14XX	7/1/2025	7/1/2019
Cemetery	First and Westminster Level A (2 spaces)	\$5,700	\$300			Res 14XX	7/1/2025	7/1/2019
Cemetery	Tandem Crypts (2 spaces)							
Cemetery	Sixth Level F	\$3,800	\$200			Res 14XX	7/1/2025	7/1/2019
Cemetery	Fifth Level E	\$4,560	\$240			Res 14XX	7/1/2025	7/1/2019
Cemetery	Fourth Level D	\$5,415	\$285			Res 14XX	7/1/2025	7/1/2019
Cemetery	Third Level C	\$6,460	\$340			Res 14XX	7/1/2025	7/1/2019
Cemetery	Second Level B	\$6,460	\$340			Res 14XX	7/1/2025	7/1/2019
Cemetery	First and Westminster Level A (4 spaces)	\$7,695	\$405			Res 14XX	7/1/2025	7/1/2019
Cemetery	Side by Side Crypts (2 Sp)							
Cemetery	Sixth Level F	\$3,895	\$205			Res 14XX	7/1/2025	7/1/2019
Cemetery	Fifth Level E	\$4,655	\$245			Res 14XX	7/1/2025	7/1/2019
Cemetery	Fourth Level D	\$5,605	\$295			Res 14XX	7/1/2025	7/1/2019
Cemetery	Third Level C	\$6,650	\$350			Res 14XX	7/1/2025	7/1/2019
Cemetery	Second Level B	\$6,650	\$350			Res 14XX	7/1/2025	7/1/2019
Cemetery	First and Westminster Level A (4 spaces)	\$7,980	\$420			Res 14XX	7/1/2025	7/1/2019
Cemetery	Opening & Closing for Crypts							
Cemetery	Single Entombment	\$600				Res 14XX	7/1/2025	7/1/2018
Cemetery	Tandem or Side by Side Entombment	\$650				Res 14XX	7/1/2025	7/1/2018
Cemetery	Westminster Single Entombment	\$750				Res 14XX	7/1/2025	7/1/2018
Cemetery	Westminster Tandem or Side by Side Entombment	\$800				Res 14XX	7/1/2025	7/1/2018
Cemetery	Disentombment	\$1,000				Res 14XX	7/1/2025	7/1/2018

CITY OF CANBY MASTER FEE SCHEDULE EXHIBIT "B"

Department	Fee Description	Current	Current	Proposed	Proposed	Authority	Effective Date	Last date change
		Amount FY2025 (A)	Amount FY2025 (B)	Amount FY2026 (A)	Amount FY2026 (B)			
Cemetery	Opening & Closing for Niches	\$350				Res 14XX	7/1/2025	7/1/2018
Cemetery	Crypt Name Bar Installation	\$500				Res 14XX	7/1/2025	7/1/2018
Cemetery	Niche Name Bar Installation	\$400				Res 14XX	7/1/2025	7/1/2018
Cemetery	Emblems (Elks, Rotary, Cross, etc)	\$100				Res 14XX	7/1/2025	7/1/2018
Cemetery	Extra Plastic Vase & Holder	\$90				Res 14XX	7/1/2025	9/1/2005
Cemetery	Replace Plastic Vase	\$45				Res 14XX	7/1/2025	9/1/2005
Cemetery	Weekend or Holiday Service, or Emergency Call Out for Funeral Services (additional fee)	\$300				Res 14XX	7/1/2025	9/1/2005
Cemetery	Cemetery Title Transfer	\$100				Res 14XX	7/1/2025	7/1/2018



CITY OF CANBY

MASTER FEE SCHEDULE

Effective 7/1/2025
Resolution No. 1437

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General Fees

• Staff Rates for all Departments	Twice the hourly rate for Step 1 of the position
• Photocopies or Printouts-Black and White, sizes to 8 1/2 x 14, single or double-sided	25¢ per sheet
• Photocopies or Printouts-Color, sizes to 8 1/2 x 14, single or double-sided	75¢ per sheet
• Photocopies or Printouts-Black and White, size 11x17, single sided only	\$1.00 per sheet
• Photocopies or Printouts-Color, size 11x17, single sided only	\$1.25 per sheet
• Records on CD/DVD/USB	\$10 plus staff time
• Public Records	Staff rate + materials costs (first 30 minutes no charge)
• Public Records-Faxing	50¢ per page sent
• Public Records-Mailing costs	Postage + \$1.00 handling fee
• Returned check fee	\$25
• Returned Electronic Payment Fee	\$15
• Electronic Lien Search fee	\$35
• License/Permit/Certificate replacement fee	\$10

Administration Fees

• Business License-Annual	\$100
• Business License-Past Due	\$10 per month up to \$50
• Business License-Transfer or Assign	\$50
• Business Closure Without Notifying City	\$20
• Operating a Business without a License Penalty	\$100
• Liquor License Application New	\$100
• Liquor License Change of Ownership, Location, or Privilege	\$75
• Small Animal Permit	\$10
• Noise Variance fee	\$75
• Franchise Application and Review Fee-Telecommunications	Actual expenses (requires \$2,000 deposit)
• Registration Application Fee-Telecommunications Providers	\$100
• Annual Registration Fee-Telecommunications Providers	4% of gross revenues
• Right-of-Way Use Fee-Telecommunications Providers	\$2 per linear foot occupied (if no revenues earned in City)
• Franchise Fees-Telecommunications	7% gross revenue
• Franchise Fees-Cable	5% gross revenue
• Franchise Fees-Natural Gas	5% gross revenue
• Franchise Fees-Telephone	7% gross revenue
• Franchise Fees-Solid Waste	5% gross revenue
• In-lieu of Franchise Fees-Water/ Electric	5% of commodity sales
• In-lieu of Franchise Fees-Wastewater/ Stormwater	7% of service charge collected
• Transient Room Tax	6%

Main Street Fees

Canby Independence Day Celebration Vendor Fees

- Food Vendor Application
 - Early Bird (Before April 1) \$125
 - Regular Rate (April 1 - May 1) \$175
 - Advanced Rate (May 2 - May 31) \$250
 - Final Rate (June 1 - July 1) \$500
 - Specific Location \$50 (extra)
 - Electricity \$25 (per outlet)
- Beer/Wine Garden Vendor Application 10% of total sales
- Local Arts/Crafts Vendor Application
 - Regular Rate \$45
 - Advanced Rate (May 2 - May 31) \$65
 - Specific Location \$50 (extra)
- Outside City Limits Arts/Crafts
 - Regular Rate \$65
 - Advanced Rate (May 2 - May 31) \$85
 - Specific Location \$50 (extra)
- Parade Fee (Campaigns/Businesses) \$25
- Tie-dyed Shirts \$5
- Car Show \$20

Canby's Big Weekend Street Dance Vendor Fee

- Food Vendor Application \$50
- Beer/Wine Garden Vendor Application \$250 or 15% of total sales (whichever is greater)

Canby Area Transit Fees

- General Public Dial-A-Ride \$1.00 per boarding
- Complimentary Paratransit Dial-A-Ride \$1.00 per boarding
- Oregon City Dial-A-Ride \$1.00 per boarding
- Shopping Shuttle Services no charge
- Commuter and Fixed-Route Bus Service \$1.00 per boarding
- Monthly Pass \$20/calendar month
- Punch Pass (24 rides) \$20 (no expiration)
- Payroll and self-employment tax 0.6%
- Missing Transit Tax Form 10% of total tax amount due

Police Fees

- Alarm User Fees
 - Permit Registration and Annual Renewal
 - Seniors 65+ and Government entities
 - \$25 annually
 - \$10 annually
 - Appeal Fee
 - \$25 per request
 - Late Payment Fee
 - \$25
 - Reinstatement Fee for a suspended alarm
 - \$25
 - False Alarm
 - First False Alarm
 - Alarm School or \$50
 - Second False Alarm
 - \$75
 - Third False Alarm
 - \$100
 - Fourth or more False Alarms
 - \$150 each
 - Operating an Alarm System that is Suspended
 - First Time
 - \$200
 - Second and Subsequent Times
 - \$300
- Alarm Companies
 - Failure to report new install
 - \$50
 - False Alarm caused by Alarm Company
 - \$100
 - Calling on Suspended Alarm Site
 - First Time
 - \$100
 - Second and Subsequent Times
 - \$200
 - Failure to use Enhanced Call Confirmation Procedures
 - \$100
 - All Late Charges
 - \$25
 - Suspension Reinstatement Fee and Mailing Costs
 - \$200 + \$10 per customer if contacted
 - Appeal Fee
 - \$25 per request
- Citation - Copy
 - \$10
- Fingerprinting
 - \$25 plus \$10 each additional card
- Name Check Response Letter
 - \$10 for a no record form letter or a list of reports
- Photos/Videos on CD
 - \$25
- Police Report - Copy
 - \$10 DMV accident Report, \$15 Police Reports (plus 25¢ per pg. after 10 pages)
- Public Records - Admin Research
 - Staff rate + materials costs
- Radar Certification
 - \$10
- Impounded Animal Redemption Fee
 - \$50 plus cost of boarding
- Secondhand Dealer Application Fee
 - \$50
- Secondhand Dealer Annual Permit Fee
 - \$100
- Special Event Security
 - Staff rate
- Temporary/Special Event Liquor License
 - \$35
- Vehicle Release
 - \$150

Court Fees

• Notice of Appeal Fee	\$35
• Civil Compromise Fee	\$150
• Court Appointed Attorney Fee	\$250 per Appointment & \$150 per appointment on PV cases
• Collections Referral Fee	25% of outstanding balance (by statute), not to exceed \$250
• Discovery Fee	\$15 reports; \$25 CD/DVD; \$10 citations
• DUII Diversion Filing Fee	\$200
• Failure to Appear at Trial Fee	\$100
• Failure to Comply Suspension Fee	\$100
• Failure to Appear Suspension Fee	\$50
• Fix It Dismissal Fee	\$50
• Guilty by Default Letter Fee	\$50
• Juvenile Good Driver Deferred Sentence Fee	\$264, \$159, \$99 or \$69 based on offense class
• Late Payment Letter Fee	\$25
• Minor in Possession Deferred Sentence Fee	\$150
• Misdemeanor Deferred Sentence Fee	\$300
• Motion to Reopen Case Fee	\$35
• Parking Ticket	Fine Ranges from \$15-\$25
• Parking Ticket Late Fee	City fine doubles after 14 days
• Payment Plan Fee	\$25, new or refinanced plan
• Public Records Request Fee	\$5 plus .25 each additional page + postage
• Returned Check Fee	\$50 (includes demand letter certified)
• Show Cause Fee/Order to Appear Fee	\$50
• Warrant Issued Fee	\$50

Library Fees

- Library Cards

- Clackamas County residents Free
- Out-of-County Fee* \$95

**Residents who live in Oregon in Multnomah County, Washington County, Hood River County, or those who reside in the Fort Vancouver Regional Library District or the City of Camas Washington, may obtain a LINCC library card without paying a non-resident fee.*

- Overdue Items

- Adult and Children's print & non-print items 10¢ per day (\$1.00 maximum per item for all materials, except Library of Things and in-house only items)
- Laptops and accessories \$5 per hour up to replacement cost
- Library of Things items \$1 per day up to replacement cost
- Overdue Fee "Food for Fines" \$1 per food item donated
- Overdue Fee "Half Off Fines" Patron pays their fine(s) and we waive a matching amount. Only overdue fines are eligible to be waived.

- Lost or Damaged Items

- Books (Missing book jacket) Cost of material as indicated in the library's database \$3
- CD Audiobooks
 - Disc \$7.95 per disc
 - CD case \$3
- DVDs
 - DVD case \$3
- Music CDs
 - Case \$2
- Children's Kits Cost of each component as listed in the item record
- RFID Labels
 - Stingray Label \$1
 - Missing Barcodes \$1
- Laptops Replacement cost of the item
- Headphones Replacement cost of the item
- USB hub Replacement cost of the item
- Mouse Replacement cost of the item
- Library of Things items Replacement cost of the item
- Copying and Printing
 - Black and White (Self-Serve) 15¢/page
 - Color (Self-Serve) 50¢/page

Park Fees

	In City	Out of City
• Rental of Gazebo in Wait Park (waived for non-profits)	\$132	\$264
• Rental of Wait Park (waived for non-profits)	\$450	\$900
• Wait Park Banner Installation & Removal	\$176	\$176

Swim Center Fees

	In City	Out of City
• Daily Admission		
o Youth	\$2.50	\$3.75
o Senior	\$2.50	\$3.75
o Adult	\$3.25	\$4.50
o Family	\$8.25	\$12.00
• Tickets		
o 10 Swims Youth/Senior	\$25.00	\$37.50
o 10 Swims Adult	\$32.50	\$45.00
• Passes		
o 3 month - Youth	\$50.00	\$75.00
o 3 month - Senior	\$50.00	\$75.00
o 3 month - Adult	\$65.00	\$90.00
o 3 month - 1 + 1	\$97.50	\$135.00
o 3 month - Family	\$130.00	\$180.00
o 12 month - Youth	\$137.50	\$206.25
o 12 month - Senior	\$137.50	\$206.25
o 12 month - Adult	\$178.75	\$247.50
o 12 month - 1 + 1	\$268.00	\$371.25
o 12 month - Family	\$357.50	\$495.00
• Water Exercise		
o Youth	\$2.50	\$3.75
o Senior	\$2.50	\$3.75
o Adult	\$3.25	\$4.50
• Lessons		
o Public Lessons	\$4.00	\$6.00
o Spring Penguin	\$50.00	\$70.00
o Summer Penguin	\$80.00	\$100.00
o School Programs	by contract	\$100.00 per hr
• Rentals		
o Public - 2 hours, up to 30 persons	\$55 per hr	\$75 per hr
o Public - additional charge for 31-60 persons, then additional \$30 per each additional group of up to 30.	\$50	\$50
o Canby Gators	by contract	

Cemetery Fees

• Grave Marking & Recording Fee		\$100
• Cremains Opening & Closing (includes marking and recording)		\$300
• Opening & Closing for Crypts		
○ Single Entombment		\$600
○ Tandem or Side by Side Entombment		\$650
○ Westminster Single Entombment		\$750
○ Westminster Tandem or Side by Side Entombment		\$800
○ Disentombment		\$1,000
• Opening & Closing for Niches		\$350
• Headstone Marking Fee		\$50
• Set up and take down of tent and chairs		\$150
• Crypt Name Bar Installation		\$500
• Niche Name Bar Installation		\$400
○ Emblems (Elks, Rotary, Cross, etc.)		\$100
• Extra Plastic Vase & Holder		\$90
• Replacement of Plastic Vase		\$45
• Weekend or Holiday Services or Emergency Call Out for Funeral Services (additional fee)		\$300
• Cemetery Title Transfer		\$100
• Grave Lots	Property	Perpetual Care Fee
○ Standard Grave Lot	\$600	\$900
○ Child Grave Lot (1/2 sp)	\$240	\$360
○ Baby Grave Lot (1/4 sp)	\$200	\$300
○ Cremains Lot	\$200	\$300
• Niche Spaces	\$630	\$70
• Mausoleum Phase I		
○ Single Crypts (1 space)	\$2,375	\$125
○ Tandem Crypts (2 spaces)	\$6,650	\$350
○ Side by Side Crypts (4 Spaces)	\$7,600	\$400
• Mausoleum Phase II		
○ Single Crypts (1 space)		
• Sixth Level F	\$2,375	\$125
• Fifth Level E	\$2,850	\$150
• Fourth Level D	\$3,420	\$180
• Third Level C or Second Level B	\$4,085	\$215
• First and Westminster Level A (2 spaces)	\$5,700	\$300
○ Tandem Crypts (2 spaces)		
• Sixth Level F	\$3,800	\$200
• Fifth Level E	\$4,560	\$240
• Fourth Level D	\$5,415	\$285
• Third Level C or Second Level B	\$6,460	\$340
• First and Westminster Level A (4 spaces)	\$7,695	\$405
○ Side by Side Crypts (2 Spaces)		
• Sixth Level F	\$3,895	\$205
• Fifth Level E	\$4,655	\$245
• Fourth Level D	\$5,605	\$295
• Third Level C or Second Level B	\$6,650	\$350
• First and Westminster Level A (4 spaces)	\$7,980	\$420

Utility Fees

Street Maintenance Fee

- Residential Single Family \$5 per month
- Multi-Family Residences \$3.34/unit per month
- Detached Senior Housing and Mobile Home Parks \$2.09/unit per month
- Attached Senior Housing and Congregate Care Facilities \$1.04/unit per month
- Non-residential Varies: \$0.522 x trip value x units (\$5 min) per month

Park Maintenance Fee

- Residential and Multi-family \$6.49 per dwelling unit per month
- Residential reduced rate (must meet criteria to qualify) \$3.25 per dwelling unit per month
- Commercial and Industrial \$6.49 per utility account per month

Sewer and Stormwater Fees

- Combined Sewer/Stormwater Rates (monthly):
 - Residential Single Family \$46.20
 - Residential, apartment, per unit \$46.20
 - Mobile home \$46.20
 - Reduced Sewer Rate (must meet criteria to qualify) \$32.92
 - Elementary school, per student \$1.82
 - Middle & High school, per student \$2.41
 - Transient housing (1st unit) \$46.20
 - Each additional bed \$24.26
 - Nursing home (1st two beds) \$46.20
 - Each additional bed \$24.26
 - Commercial retail, minimum \$46.20
 - per 100 cf of water use Nov-Mar \$5.78
 - Commercial government, minimum \$46.20
 - per 100 cf of water use Dec & Jan \$5.78
 - Industrial, minimum \$46.20
 - per 100 cf of water use \$5.78
- Late fee \$10 per month after 45 days delinquent
- Landlord Tenant Agreement Setup Fee \$25
- Delinquent Account Certification Fee \$50
- Sanitary Sewer Extra Strength Charges BOD and TSS
 - BOD
 - Concentration 0 to 300 mg/L Included in Base
 - Concentration 301 to 600 mg/L \$2.12 per pound
 - Concentration 601 to 1200 mg/L \$4.24 per pound
 - Concentration greater than 1200 mg/L * \$4.24 per pound

*City may require discharger to install pretreatment equipment
 - TSS
 - Concentration 0 to 300 mg/L Included in Base
 - Concentration 301 to 600 mg/L \$2.22 per pound

Utility Fees (Continued)

• Concentration 601 to 1200 mg/L	\$4.44 per pound
• Concentration greater than 1200 mg/L	* 4.44 per pound
*City may require discharger to install pretreatment equipment	
• Industrial Pretreatment Program Fees	
o Industrial Wastewater Discharge Permit	\$5,000
o Industrial Wastewater Discharge Renewal	\$2,500
o Industrial Wastewater Discharge Permit application review	\$75/hour
o Industrial Wastewater Discharge Permit Modification	\$75/hour
o Annual Pretreatment Program Inspection & Monitoring	\$1,687.50
o Annual F.O.G. (Fats, Oils & Grease) Program	\$337.50
o Failure to Maintain Grease Control Equipment	Economic Benefit x 2
o Sampling & Analysis – As compliance sampling and analysis occurs.	
These fees are equal to laboratory costs.	Actual Cost

Public Works Fees

• Public Works Labor Rate	Staff Rate
• Fleet Services Labor Rate	Staff Rate
• Equipment Rates (does not include operator, see staff rate):	
o Vactor Truck	\$85 per hour
o Street Sweeper	\$80 per hour
o TV Van	\$75 per hour
o High Ranger	\$40 per hour
o Dump Truck	\$65 per hour
o Backhoe	\$35 per hour
o Pickup truck	\$15 per hour
• Street Closure Request	\$100 (waived for non-profits)
• Railroad Parking Lot Event Fee	\$50 (waived for non-profits)
• Metal Street Barricade Delivery Fee	\$400 (waived for non-profits)
• Map Copying and Research on Easements	staff rate + printing charge
• Banner Installation	\$100
• Grant Street Arch Banner Installation & Removal	\$220
• Inspections for Construction Projects (Development/Capital)	Greater of 2.5% of final construction estimate or \$560
• Work-in-Right of Way Permit/ Street Excavation (Construction)	\$125
• Work in Right-of-Way Permit Fee without street excavation	\$75
• Driveway Return, Street Curb or Public Sidewalk Construction Inspection Fee	\$100
• Driveway Return, Street Curb or Public Sidewalk Re-Inspection Fee	\$75
• Street Tree Fees for New Development	\$250 per tree, incl. planting & 1-year maintenance
• Street Signs: New and Replacements	Charge shall be determined based on state contract for similar commodity, quoted at time of request
• Design Exception	\$100
• Encroachment Application Permit Fee	\$50

• Building Number Installation Charge	\$50
Public Works Fees (Continued)	
• Advance Finance Public Improvement Application Fee	\$150
• Street Tree Removal Permit	\$25
• Sewer Tap Fee (on-site connection)	\$100
• House Move Permit	\$50
• Erosion Control	Base Rate, to 4 inspections
○ Single Family	\$240
○ Duplex	\$300
○ Triplex	\$360
○ Single Family Additions (disturbing < 500 sq. ft.)	\$240
	Base Rate, to 8 inspections
○ All Other Lots (Up to 1 acre)	\$500
• Each additional acre	\$85
• Each additional inspection	\$60
• Violations	\$1,000 per occurrence and \$250 per day if not corrected

System Development Charges

Park SDC's

• Single Family	\$7,784 per dwelling unit
• Multi-Family	\$8,068 per dwelling unit
• Manufactured Housing	\$6,645 per dwelling unit
• Non-Residential	\$628 per employee

Note: If the total number of employees cannot be ascertained the following calculation can be used instead.

Divide the total sq. ft. of building space by the number of sq. ft. per employee from below, then multiply by the current Parks SDC fee of \$628 (Example: 25,000 SF/700 (Manufacturing-General) = 35.7 x \$628 = \$22,419.60 SDC)

• Manufacturing:	Square Feet per Employee
○ General	\$700
○ Food Related	\$775
○ Textile, Apparel	\$575
○ Lumber, Wood Products	\$560
○ Paper & Related	\$1,400
○ Printing & Publishing	\$600
○ Chemicals, Petrol, Rubber, Plastics	\$850
○ Cement, Stone, Clay, Glass	\$800
○ Furniture & Furnishings	\$600
○ Primary Metals	\$1,000
○ Secondary Metals	\$800
○ Non-Electrical Machinery	\$600
○ Electrical Machinery	\$375
○ Electrical Design	\$325
○ Transportation Equipment	\$500
○ Other	\$400
• Warehousing:	
○ Storage	\$20,000
○ Distribution	\$2,500
○ Trucking	\$1,500
○ Communications	\$250
○ Utilities	\$225

• Wholesale Trade:	
○ Durable Goods	\$1,000
○ Non-Durable Goods	\$1,150
• Retail:	
○ General	\$700
○ Hardware	\$1,000
○ Food Stores	\$675
○ Restaurant/Bar	\$225
○ Appliance/Furniture	\$1,000
○ Auto Dealership	\$650
○ Gas/Station - Gas Only	\$300
○ Gas/Station - Gas & Service	\$400
○ Regional Shopping Center	\$600
• Services:	
○ Hotel/Motel	\$1,500
○ Health Services - Hospital	\$500
○ Health Services - Clinic	\$350
○ Educational	\$1,300
○ Cinema	\$1,100
○ Personal Services - Office	\$600
○ Government Administration	\$300
○ Finance, Insurance, Real Estate, Business Services- Office	\$350

Sanitary Sewer SDC's

• Single-Family Residential SDC	\$3,816 per Dwelling Unit
• Multi-Family Residential SDC	\$3,051 per Dwelling Unit
• Commercial/industrial SDC Based on Wastewater Flow	\$3,816

(Formula = Average Daily Volume of Wastewater Discharge / 155 Gallons Per Day x SDC)

Stormwater and Transportation SDC's

Stormwater SDC based on Cost Per Trip times the Number of Trips estimated by the ITE Trip Generation Manual, and the linked trip factor (ELNDT) adopted by the City in the most recent Transportation SDC update. The SDC varies by average weekday Equivalent Length New Daily Trips (ELNDT) as published by ITE Trip Manual for most land use categories.

Abbreviations

TSFGFA - Thousand Square Feet Gross Floor Area

TSFGLA - Thousand Square Feet Gross Leasable Area

VFP - Vehicle Fueling Position

	Stormwater	Transportation	Per
• RESIDENTIAL			
○ 210 Single Family Dwelling / ELNDT 9.52	\$332	\$4,612	Dwelling Unit
○ 220 Multifamily / ELNDT 6.7	\$235	\$3,229	Dwelling Unit
○ 230 Condo/Townhouse / ELDNT 4.93	\$172	\$2,539	Dwelling Unit
○ 240 Mobile Home Park / ELDNT 3.54	\$124	\$2,436	Dwelling Unit
○ 254 Assisted Living / ELDNT 3.87	\$93	\$1,278	Dwelling Unit
• SELECTED LAND USES			
○ 110 General Light Industrial / ELNDT 7.0	\$244	\$3,364	TSFGFA
○ 120 General Heavy Industrial / ELNDT 1.5	\$52	\$723	TSFGFA
○ 130 Industrial Park / ELNDT 6.83	\$238	\$2,673	TSFGFA
○ 140 Manufacturing / ELDNT 3.82	\$134	\$1,512	TSFGFA
○ 150 Warehouse / ELNDT 5.0	\$175	\$2,396	TSFGFA
○ 151 Mini-Warehouse / ELNDT 2.5	\$88	\$1,205	TSFGFA

○ 160 Data Center / ELDNT .99	\$36	\$504	TSFGFA
○ 310 Hotel / ELDNT 7.67	\$268	\$3,921	Room
○ 320 Motel / ELDNT 7.83	\$274	\$2,822	Room
○ 430 Golf Course / ELDNT 4.78	\$166	\$4,075	Acre
○ 444 Movie Theater w/ Matinee / ELDNT 16.37	\$571	\$111,992	Screen
○ 492 Health/Fitness Club / ELDNT 2.85	\$100	\$11,196	TSFGFA
○ 520 Elementary School (Public) / ELNDT 0.5	\$17	\$249	Student
○ 522 Middle/Jr High School / ELDNT 8.68	\$303	\$748	Student
○ 530 High School / ELDNT 8.12	\$283	\$701	Student
○ 560 Church / ELNDT 6.8	\$236	\$3,294	TSFGFA
○ 565 Day Care Center/Preschool / ELNDT 1.8	\$63	\$864	Student
○ 620 Nursing Home / ELDNT 3.87	\$136	\$2,515	Bed
○ 630 Clinic / ELNDT 33.4	\$1,165	\$16,066	TSFGFA
○ 710 General Office Building / ELNDT 11.0	\$383	\$5,307	TSFGFA
○ 720 Medical-Dental Office Building / ELNDT 36.1	\$1,259	\$17,412	TSFGFA
○ 750 Office Park / ELDNT 9.7	\$338	\$4,247	TSFGFA
○ 770 Business Park / ELDNT 10.57	\$369	\$4,721	TSFGFA
○ 812 Building Materials/Lumber Store / ELDNT 32.17	\$1,121	\$16,150	TSFGFA
○ 814 Specialty Retail Center / ELNDT 16.4	\$572	\$7,894	TSFGFA
○ 815 Free Standing Discount Store / ELDNT 17.1	\$596	\$3,560	TSFGLA
○ 820 Shopping Center / ELDNT 15.9	\$554	\$7,648	TSFGLA
○ 841 Auto Sales / ELDNT 35.75	\$1,246	\$16,803	TSFGFA
○ 848 Tire Store / ELDNT 10.74	\$375	\$4,681	TSFGFA
○ 850 Supermarket / ELDNT 54.9	\$1,914	\$26,489	TSFGFA
○ 853 Convenience Market / ELDNT 120.9	\$4,215	\$58,254	TSFGFA
○ 862 Home Improvement Super Store / ELDNT 7.51	\$262	\$3,094	TSFGFA
○ 880 Pharmacy/Drugstore / ELDNT 38.6	\$1,344	\$18,594	TSFGFA
○ 881 Pharm/Drug w/ Drive Through / ELDNT 17.29	\$602	\$5,862	TSFGFA
○ 890 Furniture Store / ELDNT 2.4	\$83	\$256	TSFGFA
○ 911 Bank/Savings: Walk-in / ELDNT 69.7	\$2,430	\$33,573	TSFGFA
○ 912 Drive in Bank / ELDNT 31.4	\$1,096	\$2,515	TSFGFA
○ 925 Drinking Place / ELDNT 4.42	\$153	\$51,771	TSFGFA
○ 931 Quality Restaurant / ELDNT 25.7	\$896	\$12,354	TSFGFA
○ 932 High Turnover Sit Down Restaurant / ELDNT36.23	\$1,263	\$5,212	TSFGFA
○ 934 Fast Food Restaurant / ELDNT 106.7	\$3,720	\$51,405	TSFGFA
○ 938 Coffee/Donut Drive Through / ELDNT 243	\$8,471	\$13,755	TSFGFA
○ 942 Automobile Care Center / ELDNT 14.8	\$516	\$6,896	TSFGFA
○ 943 Auto Parts / ELDNT 1.52	\$54	\$5,339	TSFGLA
○ 944 Gasoline/Service Station / ELDNT 30.4	\$991	\$14,999	VFP
○ 945 Gas/Service Station w/ Market / ELDNT 17.9	\$624	\$615	VFP
○ 946 Gas/Service Station w Car Wash / ELDNT 17.9	\$613	\$1,744	VFP

Planning Fees

• Addressing Fees (New or Change Of)	\$125 Base Fee Plus \$10 per lot or parcel above 1
• Addressing (Prior to Recorded Plat)	\$250 Base Fee Plus \$10 per lot or parcel above 1
• Annexations without a Development Concept Plan (DCP)	
○ Less than 1 Acre	\$4,400 - (Base Fee)
○ 1 – 10 Acres	Plus \$175 per Acre or fraction thereof
○ 10.1 + Acres	Plus \$150 per Acre or a fraction thereof
• Annexations with a Development Concept Plan (DCP)	
○ Less than 1 Acre	\$7,300 – (Base Fee)
○ 1 – 10 Acres	Plus \$175 per Acre or fraction thereof
○ 10.1 + Acres	Plus \$150 per Acre or fraction thereof
• Appeals	
○ Type I & Type II Land Use Decision (refunded if appellant prevails at the hearing)	\$500
○ Type III Land Use Decision	\$2,000
• Building Permit Site Plan Review	
○ Single Family House	\$275 per application
○ Duplex (including conversions of single family to duplex)	\$275 per application
○ Non-Living Space addition (garage, carport, porch, etc)	\$175 per application
○ Living Space Expansion/Addition	\$200 Plus SDC's, if applicable
○ Accessory Dwelling Unit (ADU)	\$225 Plus SDC's, if applicable
○ Multifamily	\$300 Base Fee Plus \$60 per unit Over 4
○ Demolitions (Residential)	\$175
○ Demolitions (Commercial or Industrial)	\$350
○ Residential or Commercial tenant improvements and remodels not involving additional square footage or exterior alterations of the structure	\$125
○ Signs	\$200 (\$50 for each additional sign)
○ Existing Wireless Telecommunications System Facility/Tower Modification	\$500
○ Small Cell Wireless Deployment in the Right-of-Way	\$200 per location plus 2 hours charged at engineering review rate
○ All other commercial and industrial site plan review:	
• 0 to 2,000 square feet	\$700
• 2,001 to 5,000 square feet	\$900
• 5,001 to 10,000 square feet	\$1,100
• 10,001 to 50,000 square feet	\$1,400
• 50,001 to 100,000 square feet	\$1,800
• 100,001 square feet and up	\$2,000

• Comprehensive Plan Amendment	
○ Legislative Text	\$7,500
○ Legislative or Quasi-Judicial Map	\$6,500
• Conditional Use Permit	\$3,800
• Construction Excise Tax (not subject to annual CPI-U increase)	\$1 per sq. ft. per residential dwelling unit
• Final Plat Review	
○ Property Line Adjustment/Lot Consolidation	\$500
○ Partition – Up to 3 lots	\$775
○ Subdivision – 4 or more lots	\$1,500
• Food Cart Pods	\$2,000
• Food Cart Pod Modification	\$1,000
• Hardship	\$125
• House Move	\$150 per hour of Staff Time
• Interpretation of Development Code by Planning Director	\$1,500
• Appeal of Written Director’s Interpretation to the Planning Commission	\$2,500
• Mandatory Adjustment (SB 1537)	\$750 per type of adjustment
• Measure 56 Notice	\$750 for up to 250 notices, \$3 per notice above 250
• Mobile Food Vendor	\$175
• Mobile Food Vendor – Renewal in Same Location	\$100
• Modification to approved applications – Minor	\$600
• Modification to approved applications – Intermediate	\$2,500
• Modification to approved applications – Major	\$3,100 + Staff Time over 20hrs
• Modification to a Development Concept Plan	\$5,000
• Non-Conforming Uses	
○ Verification of Use	\$775
○ Alteration or Expansion of Use	\$1,500
• Property Line Adjustment	\$850
• Parking Lot/Paving Projects	\$310
• Partition	\$2,500
• Planned Unit Development (PUD)	\$3,500
• Pre-Application Conference	
○ Type II	\$800
○ Types III or IV	\$1,500
○ Written meeting minutes	\$300
• Preconstruction Conference	\$1,500
○ Link to video recording of the pre-application conference (available upon request)	\$0
○ Written meeting minutes	\$300
• Public Improvement Engineering Plan Review Fee	
<u>Public Improvement Estimated Cost</u>	
○ \$50,000 or less	\$2,000
○ \$50,001 to \$150,000	\$2,000 for the first \$50,000, + .04 x the amount over \$50,000

○ \$150,001 to \$500,000	\$6,000 for the first \$150,000 + .03 x the amount over \$150,000
○ \$500,001 to \$1,000,000	\$16,500 for the first \$500,000 + .02 the amount over \$500,000
○ \$1,000,001 and up	\$26,500 for the first \$1,000,000 + .01 the amount over \$1,000,000 to a maximum of \$30,000
• Right-of-Way Vacation Fee	\$2,500
• Sidewalk Café Annual Permit**	\$50
• Sidewalk Café Annual Right of Way Rental**	\$2
• Site and Design Review (Type II)	\$2,400 plus 0.02% of project cost max \$20,000
• Site and Design Review (Type III)	\$4,600 plus 0.02% of project max \$25,000
• Site Plan Development Engineering Plan Review Fee***	
○ Up to 0.25 Acres	\$1,000
○ Over 0.25 up to 2 Acres	\$1,250
○ Over 2 up to 5 Acres	\$1,750
○ Over 5 up to 8 Acres	\$2,250
○ Over 8 Acres	\$2,750
• Hourly rates for research or review not covered by other listed fees	
○ Planning Staff	\$150 per hour
○ Consulting Engineer	\$200 per hour
○ Consulting Attorney	Applicant pays actual cost (Estimate provided upon request)
• Subdivision – 4 or more lots	\$4,500 + \$150 per lot
• Temporary Vendor Permit	\$200 (\$100 for nonprofit)
• Temporary Vendor Permit Renewal	\$100 (\$50 for nonprofit)
• Transportation Review	
○ Traffic Engineering Scope	\$1,000 deposit
○ Exception application for access management plan (16.46.070.B)	\$750
○ Traffic Analysis Letter	Applicant pays actual cost
○ Transportation Impact Statement	Applicant pays actual cost
• Variance	
○ Major	\$5,700
○ Minor Setback	\$2,000
○ Minor Sign	\$600
• Withdrawal of Territory	
○ <1 Acre	\$3,100
○ 1-10 Acres	\$80
○ 11-50 Acres	\$50
○ 51 + Acres	\$10
• Zoning Letter	
○ Basic, includes LUCS and DMV Location Review (zone and use verification)	\$220
○ Expansive (Conformance research)	\$1,000

- Zoning Map Amendment \$4,000
- Zoning Text Amendment \$5,500

NOTES:

All SDCs are calculated and charged separately
 Planning Fees are subject to annual increases
 based on the CPI-U, except the Construction Excise
 Tax

* Fee collected with Pre-Construction submittal.
 Includes the following Right of Way infrastructure:
 Street Pavement, Curbs, Driveway Returns, Sewer,
 Storm Drainage, Sidewalks and Street Trees.

** Program is run and regulated by Canby
 Economic Department

*** Fee collected with initial land use application

Building Fees

- Building Permit Fee
 - \$0 to \$3,000 valuation \$80
 - \$3,001 to \$25,000 valuation \$80 for the first \$3,000 and \$12 for each additional \$1,000 or fraction thereof
 - \$25,001 to \$50,000 valuation \$344 for the first \$25,000 and \$9 for each additional \$1,000 or fraction thereof
 - \$50,001 to \$100,000 valuation \$569 for the first \$50,000 and \$6 for each additional \$1,000 or fraction thereof
 - \$100,001 and up \$869 for the first \$100,000 and \$5 for each additional \$1,000 or fraction thereof
 - Plan Review Fee 100% of Building Permit fee
- Temporary Certificate of Occupancy \$250
- Deferred submittal processing and reviewing fee Equal to the building permit fee for the valuation of the particular deferred portion or portions of the project, with a set minimum fee of \$300
- Phased or Partial Building Permit plan review fee \$300 plus 10% of the total project building permit fee not to exceed \$2,000 for each phase in addition to above fees
- Inspections outside of normal business hours \$160/hr (minimum charge – two hours)
- Re-inspection Fees \$80
- Demolition (Residential) \$80
- Demolition (Commercial & Industrial) \$160
- Inspections for which no fee is specifically indicated \$160/hr (minimum charge – 1/2 hour)
- Additional plan review required by changes, additions, or revisions to proposed or approved plans \$160/hr (minimum charge – 1/2 hour)
- Manufactured Dwelling Installation
 - Installation and set up \$350
 - Earthquake bracing when not a part of original installation \$280
- Prescriptive Flat Fee Solar Installation \$240
- Residential Fire Suppression Systems Combined Plan Permit and Plan Check Fees:
 - 0 sq. ft to 2,000 sq. ft. \$160
 - 2001 sq. ft. to 3600 sq. ft. \$210
 - 3601 sq. ft. to 7200 sq. ft. \$269
 - 7201 sq. ft. and greater \$377
- Mechanical Fee Schedule for New and Additions or Alterations, to One- and Two-Family Dwellings:
 - Install/Replace Furnace: Up to 100,000btu \$24.75 per appliance
 - Install/Replace Furnace: Over 100,000btu \$31.50 per appliance
 - Install/Replace/Relocate Heaters: \$24.75 per appliance
Suspended, Wall or Floor Mounted.
 - Appliance Vent \$12.50 per appliance
 - Alteration Of Existing HVAC System \$24.75
 - Air Handling Units \$18.75 per appliance
 - Air Conditioning under 100,000btu \$24.75 per appliance
 - Air Conditioning over 100,000btu \$46.50 per appliance
 - Dryer Exhaust \$18.75 per appliance

- Hood \$18.75 per appliance
- Exhaust Fan Connected To A Single Duct \$12.50 per appliance
- Gas Piping: 1 To 4 Outlets \$8.25
- Gas Piping: Each Additional Outlet \$2.25 per outlet
- Fireplace \$18.75 per appliance
- Wood Stove \$18.75 per appliance
- Other \$18.75 per appliance
- Minimum Permit Fee \$80
- Plan Review Fee (Mechanical) 100% of Mechanical Permit fee
- Mechanical Fees for New and Additions or Alterations to Commercial, Multi-Family and Industrial Projects
 - \$0.00 to \$5000.00 valuation \$80
 - \$5001.00 to \$10,000.00 valuation \$80 for the first \$5000 and \$3 for each additional \$100 or fraction thereof
 - \$10,001.00 to \$100,000 valuation \$230.00 for first \$10,000.00 and \$12.00 for each additional \$1,000.00 or fraction thereof
 - \$100,001.00 and up \$1,310 for the first \$100,000 and \$10 for each additional \$1,000 or fraction thereof
 - Plan Review Fee (Mechanical) 37% of Mechanical Permit fee
- Grading Permit Fee Schedule
 - 50 cubic yards or less \$80
 - 51 to 100 cubic yards \$117
 - 101 to 1,000 cubic yards \$117 for the first 100 cubic yards, plus \$55 for each additional 100 cubic yards or fraction thereof
 - 1,001 to 10,000 cubic yards \$612 for the first 1,000 cubic yards, plus \$46 for each additional 1,000 cubic yards or fraction thereof
 - 10,001 to 100,000 cubic yards \$1026 for the first 10,000 cubic yards, plus \$210 for each additional 10,000 cubic yards or fraction thereof
 - 100,001 cubic yards and up \$2916 for the first 100,000 cubic yards, plus \$115 for each additional 10,000 cubic yards or fraction thereof
 - Plan Review Fee (Grading) 65% of Grading Permit fee

RESOLUTION NO. 1438

A RESOLUTION AUTHORIZING AN INTERFUND LOAN FROM THE CEMETERY PERPETUAL CARE FUND TO THE LIBRARY FUND IN THE AMOUNT OF \$500,000 AND AUTHORIZING REPAYMENT OF THE INTERFUND LOAN IN FISCAL YEAR 2026.

WHEREAS, the City of Canby adopted a budget and appropriated funds for Fiscal Year 2026 by Resolution 1439, which provided for an interfund loan from the Cemetery Perpetual Care Fund to the Library Fund, and provided for repayment of the interfund loan;

WHEREAS, ORS 294.460 provides that one fund may loan funds to another fund for operational purposes, provided that the loan is approved by resolution of the governing body and that such loan is scheduled to be repaid no later than the subsequent fiscal year;

WHEREAS, The Library Fund does not have sufficient reserves to cover the anticipated operating costs prior to the receipt of property tax revenue from Clackamas County in January 2026; and

WHEREAS, it is the intent of the City to loan these funds at the rate earned by the State of Oregon Local Investment Pool during the period these funds are outstanding.

NOW, THEREFORE, BE IT RESOLVED BY the Canby City Council as follows:

1. The Cemetery Perpetual Care Fund is authorized to loan to the Library Fund an amount up to \$500,000 in FY 2026.
2. The loan shall be repaid in FY 2026 with interest bearing at the rate earned by the State of Oregon Local Investment Pool.
3. The Library Fund is authorized to repay to the Cemetery Perpetual Care Fund the principal amount borrowed in FY 2026 plus interest at the rate earned by the State of Oregon Local Investment Pool.

This Resolution shall take effect on July 1, 2025.

ADOPTED this 18th day of June, 2025, by the Canby City Council.

ATTEST:

Brian Hodson
Mayor

Teresa Ridgley
Deputy City Recorder



CITY COUNCIL Staff Report

Meeting Date: 6/18/2025

To: The Honorable Mayor Hodson & City Council
Thru: Jorge Tro, Acting City Administrator
From: Same as above
Agenda Item: Consider **Resolution No. 1439**: A Resolution Extending Workers Compensation Coverage to Volunteers of the City of Canby and repealing Resolution 1413.

Summary

The City of Canby provides workers compensation coverage to volunteers, elected City officials and City boards and commissions. Coverage is provided through a resolution, which is reviewed annually to capture any changes from current or prior year(s) or as a result of new legislation or mandated changes. The City's insurance provider, SAIF, requires the City to have a current volunteer resolution on file. The volunteer resolution specifically lists which types of non-public safety volunteers will be covered. By insuring our volunteers, the City limits its liabilities and protects its financial standing.

Recommendation

Staff recommends the Council approve Resolution No. 1439.

Proposed Motion

"I move to approve **Resolution No. 1439**, A Resolution Extending Workers Compensation Coverage to Volunteers of the City of Canby and Repealing Resolution 1413."

RESOLUTION NO. 1439

A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF CANBY AND REPEALING RESOLUTION NO.1413.

WHEREAS, the Canby City Council elects the following:

Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteer workers listed on the Volunteer Election Form, noted on SAIF payroll schedule, and verified at audit.

1. Public Safety Volunteers.

☐Applicable

☒Non-applicable

An assumed monthly wage of \$800 per volunteer will be used for public safety volunteers in the following volunteer positions:

☒ Police reserve

2. Volunteer boards, commissions, and councils for the performance of administrative duties.

☒Applicable

☐Non-applicable

An aggregate assumed annual wage of \$2,500 will be used per each volunteer board, commission, or council for the performance of administrative duties. The covered bodies are (list each body):

- a. Bike and Pedestrian Committee
- b. City Council & Mayor
- c. Library Board
- d. Parks and Recreation Advisory Board
- e. Planning Commission
- f. Public Transit Advisory Committee
- g. Traffic Safety Commission

3. Non-public safety volunteers.

☒Applicable

☐Non-applicable

All non-public safety volunteers listed below will track their hours and Oregon minimum wage will serve as assumed wage for both premium and benefits calculations. SAIF will assign the appropriate classification code according to the type of volunteer work being performed.

☒ General administrative/clerical

☒ Library

☒ Parks / Public Works

4. Public Events

☒Applicable

☐Non-applicable

City volunteers at the following public events will be covered under workers' compensation coverage using verified hourly Oregon minimum wage as basis for premium and/or benefit calculation:

- a. Canby Independence Day Celebration
- b. Canby Street Dance
- c. Tree Lighting Event

5. Community Service Volunteers/Inmates ☒ **Applicable** ☐ **Non-applicable**
Pursuant to ORS 656.041, workers' compensation coverage will be provided to community service volunteers commuting their sentences by performing work authorized by the City of Canby Municipal Court. Oregon minimum wage tracked hourly will be used for both premium and benefit calculations, verifiable by providing a copy of the roster and/or sentencing agreement from the court.

6. Other Volunteers

Volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided, that the City of Canby:

- a. Provides at least two weeks' advance written notice to SAIF underwriting requesting the coverage
- b. SAIF approves the coverage and date of coverage
- c. SAIF provides written confirmation of coverage

City of Canby agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service, and hours of service and make them available at the time of a claim or audit to verify coverage.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canby to provide for workers' compensation insurance coverage as indicated above. This resolution will be reviewed annually.

This resolution shall take effect July 1, 2025.

ADOPTED this 18th day of June, 2025, by the Canby City Council.

ATTEST:

Teresa Ridgley
Deputy City Recorder

Brian Hodson
Mayor



CITY COUNCIL Staff Report

Meeting Date: 6/18/2025

To: The Honorable Mayor Hodson & City Council
Thru: Jorge Tro, Acting City Administrator
From: Scott Schlag, Finance Director
Agenda: Consider **Resolution No. 1440**: A Resolution adopting a transfer of Sewer Not Allocated contingency funds for the fiscal year 2024-2025.

Summary

Adoption of Resolution No. 1440 to transfer appropriated contingency funds.

Background

To maintain compliance with local budget law, a resolution must be adopted to allow the transfer of contingency funds for the increase in expenditure appropriations unforeseen at the time the original budget was adopted.

Discussion

An appropriation is needed in the Sewer Not Allocated Fund to cover additional costs for sewer billing under Materials & Services Not Allocated. The budgeted amount of \$53,000 was not enough to cover the additional expenses for printing services for the sewer bills and a \$22,000 transfer from Contingency is needed to provide adequate appropriation levels to expend the costs.

Attachments

1. Resolution No. 1440

Fiscal Impact

A \$22,000 reduction to contingency appropriation category and subsequent \$22,000 increase in the materials & services appropriation category.

Options

1. Approve the budget appropriation transfer.
2. Do not approve the budget appropriation transfer

Proposed Motion

"I move to adopt **Resolution No. 1440**, A Resolution authorizing the transfer of appropriated funds within the FY24-25 Sewer Not Allocated Fund Budget."

RESOLUTION NO. 1440

A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS WITHIN THE FY24-25 SEWER NOT ALLOCATED FUND BUDGET

WHEREAS, the City adopted a budget and appropriated funds for fiscal year 2024-25 on June 19th, 2024 by Resolution 1411a;

WHEREAS, certain expenditures are expected to exceed the original adopted budget in the City's Sewer Not Allocated Fund and a budgetary transfer is necessary within that fund to provide adequate appropriation levels to expend the costs;

WHEREAS, ORS 294.450 provides that a city may transfer appropriations within appropriation categories provided the enabling resolution states the need for the transfer, purpose of the expenditure and corresponding amount of appropriation;

WHEREAS, all transfers from contingencies within the fiscal year to date aggregate to not more than fifteen percent (15%) of the fund's total appropriation; and

WHEREAS, the Sewer Fund contingency account has sufficient funds to appropriate the needed transfer for authority to expend funds.

NOW THEREFORE, BE IT RESOLVED by the City of Canby City Council as follows:

The FY24-25 Sewer Not Allocated Fund appropriations be adjusted as follows:

SUMMARY OF PROPOSED BUDGET CHANGES

AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED

	Current Appropriation	Change	Revised Appropriation
Sewer - Not Allocated			
Materials & Services	\$ 53,000	\$ 22,000	\$ 75,000
Contingency	166,118	(22,000)	144,118

ADOPTED this 18th day of June, 2025 by the City of Canby City Council.

Brian Hodson
Mayor

ATTEST:

Teresa Ridgley
Deputy City Recorder