



CITY COUNCIL Agenda

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

JULY 22, 2026

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 may speak at the meeting virtually by contacting the Deputy City Recorder; ridgleyt@canbyoregon.gov
or call 503-266-0637. No pre-registration is required to speak in person.

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

SPECIAL CALLED REGULAR MEETING – 7:00 PM

1. CALL TO ORDER

2. 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 July 22, 2026, 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. Consider Adopting **Order 26-04**: An Order Granting a Noise Variance Application to the Zuniga Household to host a family gathering with music and socializing at 840 N. Grant Street from approximately 10:00pm on August 1, 2026, to 3:00am on August 2, 2026. Pg. 1

3. ADJOURNMENT

SPECIAL CALLED JOINT WORK SESSION – 7:05 PM

(After the Regular Meeting adjourns)

1. CALL TO ORDER

2. STREET MAINTENANCE FEE – Presentation by Kittleson & Associates

3. ADJOURNMENT

*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

Meeting Date: 7/22/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: Maya Benham, Administrative Director/ City Recorder
Agenda Item: Consider **Order 26-04**: An Order Granting a Noise Variance Application to the Zuniga Household

Summary

Consider Adopting **Order 26-04**: An Order Granting a Noise Variance Application to the Zuniga Household to host a family gathering with music and socializing at 840 N. Grant Street from approximately 10:00pm on August 1, 2026, to 3:00am on August 2, 2026.

Attachments

Noise Variance Request
Order 26-04
Noise Variance Notice
Posting Notice

Options

1. Adopt Order 26-04
2. Do not adopt Order 26-04

Proposed Motion

"I move to adopt **Order 26-04**, An Order Granting a Noise Variance Application to the Zuniga Household to host a family gathering with music and socializing at 840 N. Grant Street from approximately 10:00pm on August 1, 2026, to 3:00am on August 2, 2026.

From: [Canby OR](#)
To: [Maya Benham](#)
Subject: Form submission from: Noise Variance Request
Date: Thursday, July 2, 2026 11:56:26 AM

Submitted on Thursday, July 2, 2026 - 11:56am

Submitted by anonymous user: [65.182.241.88](#)

Submitted values are:

Applicant Information

Name Jezebel Zuniga
Address 840 North Grant St. Canby, OR 97013
Phone [REDACTED]

Event Information

Address of Noise Variance Request 840 North Grant St. Canby, OR 97013
Name of Property/Business Owner Variance Request Zuniga Household
Type of Event Birthday
Acoustical Nature of Sound to be Emitted music & people socializing
Will you be continually present at this event? Yes

Additional Comments/Information

The birthday party is being held at another location in town. This will be for everyone to come back, relax and reminisce. I have a lot of family from out of town visiting for my daughters birthday. We will be laughing together and enjoying our time before they fly out the next day. Thank you.

Date(s)/Time(s) of Event & Requested Hours of Variance August 1st, 2026, 10:00 PM – 3:00 AM

Adjacent Property Owner List

[REDACTED], Canby, OR 97013
[REDACTED] Canby, OR 97013
[REDACTED], Canby, OR 97013
[REDACTED] Canby, OR 97013
[REDACTED], Canby, OR 97013
[REDACTED], Canby, OR 97013
[REDACTED], Canby, OR 97013
[REDACTED] Canby, OR 97013
[REDACTED] Canby, OR 97013
[REDACTED], Canby, OR 97013
[REDACTED], Canby, OR 97013
[REDACTED] OR 97013

Upload a Document

Today's Date & Time 07/02/2026 - 11:48am

Signature Jezebel Zuniga

Acknowledgement I Accept

The results of this submission may be viewed at:

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

In the Matter of the Zuniga Household's
Noise Variance Application,
Submitted July 2, 2026

ORDER GRANTING APPLICATION FOR
NOISE VARIANCE

WHEREAS, the Applicant, Jezebel Zuniga on behalf of the Zuniga Household, submitted an application for a noise variance pursuant to Canby Municipal Code (CMC) 9.48.050 in order to host a family gathering with music and socializing at 840 N Grant Street, Canby, OR 97013, from 10:00 PM on August 1, 2026, to 3:00 AM on August 2, 2026, that would otherwise be in violation of CMC 9.48; and

WHEREAS, the City Council, on July 22, 2026, conducted a duly-noticed public hearing on the Application in accordance with CMC 9.48.050.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

Section 1. The Council GRANTS the Application for Noise Variance.

Section 2. In support of this Order, the City Council adopts the findings set forth the attached Exhibit A, which is incorporated herein by this reference.

SO ORDERED by the City Council this July 22, 2026, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF CANBY, OREGON

Brian Hodson, Mayor

ATTEST:

Maya Benham, CMC
City Recorder

EXHIBIT A

FINDINGS IN SUPPORT OF ORDER GRANTING NOISE VARIANCE APPLICATION

1. Factual Background.

On July 2, 2026, the Applicant, Jezebel Zuniga on behalf of the Zuniga Household, submitted an application for a noise variance pursuant to Canby Municipal Code (CMC) 9.48.050 in order to host a family gathering with music and socializing at 840 N Grant Street, Canby, OR 97013, from 10:00 PM on August 1, 2026, to 3:00 AM on August 2, 2026, that would otherwise be in violation of CMC 9.48.

On July 22, 2026, the City Council conducted a public hearing in which it received the staff report, testimony from the Applicant, and public testimony on the Application. This evidence comprises the record.

1. Procedural Requirements.

CMC 9.48.030 and 9.48.040 regulate the types, amounts, levels, duration, and times of the emission of noises within the City. CMC 9.48.050 permits the granting of variances to the noise regulations and establishes the procedural and substantive criteria for the review of applications for noise variances.

a. Application Requirements.

CMC 9.48.050(B)(1) requires an application for a noise variance to be submitted to the City on the form prescribed by the City Recorder and shall contain all required information, fees, and a list of all property owners within 200 feet of the location of the variance. The Application meets these requirements.

b. Hearing Requirements.

CMC 9.48.050(B)(4) requires the City Council to conduct a public hearing before granting an application for a noise variance. Notice of the public hearing must be published in a newspaper at least 10 days prior to the public hearing. Notice of the public hearing must also be mailed to all property owners within 200 feet of the location for the variance at least 10 days prior to the public hearing. The public hearing meets these requirements.

2. Findings.

The Council makes the following findings on the Application based on its consideration of the evidence in the record under the factors established by CMC 9.48.050(B)(2):

- The protection of health, safety and welfare of citizens as well as the feasibility and cost of noise abatement;

- The surrounding type of existing land use;
- The acoustical nature of the sound emitted; and
- Whether compliance with the provision would produce a benefit to the public.

- a. FINDING: Granting the Application will not be materially detrimental to other property within the same vicinity.

Under CMC 9.48.050(B)(5)(a), the Council shall not grant an application for a noise variance that will be materially detrimental to other property within the same vicinity.

The Council finds that granting the Application will not be materially detrimental to the other property within the same vicinity because the noise that the Applicant would emit would be of a one-time and limited duration, lasting for no more than five hours.

- b. FINDING: Strict compliance with the rule, regulations or order is inappropriate because of conditions beyond the control of the persons requesting the variance and because special circumstances render strict compliance unreasonable or impractical due to special physical conditions or cause.

CMC 9.48.050(B)(5)(a) permits, but does not require, the Council to grant an application for a noise variance if the Council finds any one of the following:

- Strict compliance with the rule, regulations or order is inappropriate because of conditions beyond the control of the persons requesting the variance; or
- Special circumstances render strict compliance unreasonable or impractical due to special physical conditions or cause; or
- Strict compliance would result in substantial curtailment or closing down of a business, plant or operation; or
- No other alternative facility or method of handling is yet available.

The Council finds that special circumstances render strict compliance unreasonable or impractical due to special physical conditions or cause:

The Applicant's family gathering will include music and socializing immediately after a birthday celebration which will be held off site. CMC 9.48.030(1) does not allow the Applicant to use radios, phonographs, tape players, television sets, or stereo systems in a manner that is plainly audible between 10:00 p.m. and 7:00 a.m. The request for variance is due, in part, to special circumstances with members of the gathering visiting and traveling home the following day.

- c. FINDING: The variance requested by the Applicant is the minimum that will alleviate the Applicant's hardship.

CMC 9.48.050(B)(5)(a) requires that any variance granted shall be no more than the minimum that that will alleviate the Applicant's hardship. Based on the facts listed in finding (b), above,

the Council finds that granting a noise variance as requested by the Applicant is the minimum to alleviate the Applicant's hardship described in finding (b), above.

3. Conclusion.

The Council GRANTS the Application.

CITY OF CANBY NOTICE OF PUBLIC HEARING - NOISE VARIANCE

Variance Dates & Times Requested: August 1, 2026—10:00pm—3:00am: Noise of music & people socializing
Address of Variance: 840 N Grant Street, Canby, Oregon 97013
Name of Business: Residence of Applicant, Jezebel Zuniga
Contact Person: Jezebel Zuniga

A public hearing conducted by the Canby City Council will be held on Wednesday, July 22, 2026, at 7:00 PM, Canby Council Chamber, 222 NE 2nd Ave, Canby. Register to attend via zoom by contacting the Deputy City Recorder at ridgleyt@canbyoregon.gov or 503-266-0637. You may also submit written comments by sending an email to ridgleyt@canbyoregon.gov.

The purpose of this hearing is to consider the granting of a Noise Variance to allow music and socialization of visiting family members after a birthday party (which will be at another location).

Dated this 7th day of July, 2026.

Maya Benham, CMC
Administrative Director/ City Recorder

AD#: 0011107990

State of New Jersey,) ss
County of Hunterdon)

Maria Nunez being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

Oregonian 07/10/2026

Principal Clerk of the Publisher

Sworn to and subscribed before me this 10th day of July 2026



Notary Public

CITY OF CANBY
NOTICE OF PUBLIC HEARING NOISE VARIANCE
Variance Date & Time Requested : August 1, 2026, from 10:00 pm – 3:00 am.
Address of Variance: 840 N Grant Street, Canby, Oregon 97013
Name of Business : Residence of Applicant, Jezebel Zuniga
Contact Person: Jezebel Zuniga
A public hearing conducted by the Canby City Council will be held on Wednesday, July 22, 2026, at 7:00 PM, Canby Council Chambers, 222 NE 2nd Ave, Canby. Register to attend via zoom by contacting the Deputy City Recorder at ridgleyt@canbyoregon.gov or 503-266-0637. You may also submit written comments by sending an email to ridgleyt@canbyoregon.gov. The purpose of this hearing is to consider the granting of a Noise Variance to allow music and socialization of visiting family members after a birthday party (which will be at another location) from 10:00pm – 3:00am, August 1, 2026.
Dated this 7th day of July, 2026.
Maya Benham, CMC Administrative Director/ City Recorder