



**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

A REQUEST FOR CONDITIONAL USE)	FINDINGS, CONCLUSION & FINAL ORDER
PERMIT AND SITE AND DESIGN REVIEW)	DR 23-04 & CUP 23-02
APPROVAL IN ORDER TO DEVELOP)	PUBLIC WORKS FUELING FACILITY
CARDLOCK FUEL STATION AT PUBLIC)	
WORKS OPERATIONS CENTER AND)	
IMPROVE THE PARKING LOT)	

NATURE OF THE APPLICATION

The applicant, City of Canby Public Works, requests Planning Commission approval to construct a cardlock fueling station and two above-ground fuel storage tanks, and to formalize the parking for employees and customers. The new cardlock facility will not allow public access and will only service City of Canby Departments and partner agencies; specifically Public Works, Canby Area Transit, Canby Fire District, Canby Police, and Canby Utility. The project is proposed to be completed in two phases. Phase 1 is the construction of the fueling facility and three (3) above ground fuel storage tanks. Phase 2 includes parking lot improvements, with new striping and landscaping for the primary parking lot at the Public Works Operations Center. The property is zoned R-1. Major public facilities, such as the fueling facility are conditional use.

HEARINGS

The Planning Commission considered applications **DR 23-04 and CUP 23-02** at the duly noticed hearing on October 23, 2023, and approved the project by a 7/0 vote. These Findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not the aforementioned applications shall be approved, the Planning Commission determines whether criteria from the City of Canby Land Development and Planning Ordinance are met or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report dated October 10, 2023, and presented at the October 23, 2023, meeting of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented and written and oral testimony was received at the public hearing. Staff recommended approval of the Site and Design Review application and the Conditional Use Permit, and applied Conditions of Approval in order to ensure that the proposed project will meet all required City of Canby Land Development and Planning Ordinance approval criteria.

Three (3) additional Conditions of Approval were added by the Planning Commission and are included in the list below; see Conditions 10 - 12. The Planning Commission requested striping and arrow markings on the pavement to direct vehicle flow on the site to improve the safety and flow of on-site circulation. In an effort to protect the natural areas and resources neighboring the site, the Planning Commission also requested the stormwater swale have a minimum capacity of 12,000 gallons to act as an additional buffer if there was a major spill from the storage tanks. Lastly, the Planning Commission requested Public Works notify fuel providers that deliveries must take a specific route through Canby, Hwy 99E to Territorial Road, to avoid fuel trucks driving through residential areas.

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the Staff Report, concluding the application met all applicable approval criteria to the extent feasible, and recommending the **Public Works Fueling Facility (DR 23-04 and CUP 23-02)** be approved with the Conditions of Approval reflected in the written Order below.

ORDER

The Planning Commission concludes that, with the following conditions, the application meets the requirements for Site and Design Review and Conditional Use Permit approval. Therefore, IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby that the **Public Works Fueling Facility** project (**DR 23-04 and CUP 23-02**) is approved, subject to the following conditions:

CONDITIONS OF APPROVAL

Project Design/Site Plan Approval:

1. The applicant shall work with Canby Utility, DirectLink, and the Public Works in order to provide the appropriate connections to all required utilities prior to or during Site Plan Review approval.
2. A Stormwater Management Plan consistent with City and Clackamas County Building standards shall be provided prior to Site Plan Review approval.
3. An updated Landscaping Plan that includes a drought tolerant species list consistent with the points achieved in the Site Design Review Matrix (see Attachment B of the Staff Report) must be provided prior to or during Site Plan Review.
4. A turning radius plan showing the radius of the refueling truck at the above-ground storage tanks must be provided prior to or during Site Plan Review.

Building Permits:

5. An erosion control permit will be required from the City of Canby prior to any on-site disturbance. Erosion control plans shall demonstrate that construction activities will not discharge materials or pollutants into the in-street storm drain.
6. The project applicant shall apply for a City of Canby Site Plan Permit, Clackamas County Building permits (including grading permits), and a City of Canby Erosion Control Permit prior to project construction.
7. Clackamas County Building Services will provide structural, electrical, plumbing, and mechanical plan review and inspection services.

Prior to Occupancy:

8. A narrative with accompanying materials shall be provided during the final certificate of occupancy process that demonstrates how the project is consistent with the conditions of approval stated in this Staff Report.
9. Prior to occupancy, all parking striping, wheel stops, ADA space requirements and signage, and all pedestrian infrastructure shall be installed.

Conditions added by Planning Commission:

10. Add striping and arrows to pavement to direct traffic flow within the fueling and the parking areas.
11. Provide plans for a stormwater swale that accommodates a minimum capacity of 12,000 gallons to allow the swale to catch fuel in the case of a major spill from the fuel storage tanks.
12. Public Works shall notify their fuel suppliers that they must access the site via Hwy 99E to NE Territorial Road and not use routes through residential neighborhoods.

I CERTIFY THAT THIS ORDER, DR 23-04 / CUP 23-02 PW Fueling Facility, was presented to and APPROVED by the Planning Commission of the City of Canby on the 23rd of October 2023.

 Matt Ellison
 Planning Commission Chair

 Don Hardy
 Planning Director

 Laney Fouse Lawrence, Attest
 Recording Secretary

ORAL DECISION: October 23, 2023

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>Matt Ellison, Chair</i>	<i>x</i>			
<i>Dan Ewert, Vice-Chair</i>	<i>x</i>			
<i>Michael Hutchinson</i>	<i>x</i>			
<i>Jennifer Driskill</i>	<i>x</i>			
<i>Judi Jarosh</i>	<i>x</i>			
<i>Hannah Ellison</i>	<i>x</i>			
<i>Craig Lewelling</i>	<i>x</i>			

WRITTEN DECISION: November 13, 2023

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>Matt Ellison, Chair</i>				
<i>Dan Ewert, Vice-Chair</i>				
<i>Michael Hutchinson</i>				
<i>Jennifer Driskill</i>				
<i>Judi Jarosh</i>				
<i>Hannah Ellison</i>				
<i>Craig Lewelling</i>				