



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

<b>A REQUEST FOR A MAJOR VARIANCE TO CONSTRUCT A 10-FOOT-TALL SECURITY FENCE EMBEDDED WITH 11-FOOT-TALL VEHICULAR GATES</b>	)	<b>FINDINGS, CONCLUSION &amp; FINAL ORDER</b>
	)	<b>VAR 21-03</b>
	)	<b>CANBY UTILITY</b>
	)	

**NATURE OF THE APPLICATION**

The subject property is generally located at 1265 SE Third Ave, Canby OR 97013. The subject property is zoned M-1, Light Industrial and is correspondingly designated LI - Light Industrial in the Canby Comprehensive Plan. The southern half of the property is surrounded by a mixture of light industrial and residential uses. To the east are light industrial (Kittyhawk Products) and storage (Canby RV & Boat Storage) uses, both zoned M-1, Light Industrial. To the south and west are residential uses (The Orchards Apartments and the Pine Crossing manufactured home community) that are both zoned R-2, High Density Residential. The latter is located across S Pine Street.

The applicant is requesting approval of a Major Variance application for a previously approved eight-foot tall security fence. The original project design approved in 2017 included an eight-foot security fence for the secure portion of the project site. After a theft at the construction site of Phase I, Canby Utility installed a 10-foot wire mesh security fence around the secure area.

**HEARINGS**

The Planning Commission considered application **VAR 21-03** after the duly noticed hearing on June 14, 2021 during which the Planning Commission moved to approve the application by a 6/0 vote. These Findings are entered to document the approval.

**CRITERIA AND STANDARDS**

In judging whether or not the aforementioned application 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 June 4, 2021 and presented at the June 14, 2021 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 major variance.

### **CONCLUSION**

In summary, the Planning Commission reviewed the staff report and public hearing testimony and made a motion recommending approval of the Major Variance (VAR 21-03) by a 6/0 vote.

### **ORDER**

The Planning Commission concludes that, with the following conditions, the application meets the approval criteria. Therefore, IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby that **Canby Utility (VAR 21-03)** is approved.

### **CONDITIONS OF APPROVAL**

#### **Building Permits:**

1. The project applicant shall apply for a City of Canby Site Plan Permit showing the final fence and gate design. Planning Staff shall transmit a corresponding site plan release letter to Clackamas County Building Services, for release of the associated building permits. (R. Potter)