

## **RESOLUTION NO. 482**

### **A RESOLUTION APPROVING ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF DAVID ANDERSON), APPROXIMATELY 4.5 ACRES LOCATED ON N. PINE**

**WHEREAS**, the annexation of real property hereinafter described as Tax Lot 1500 & 1501 of Tax Map 3-1E-34B, and depicted as Exhibit "A", has been initiated by the petition of David Anderson, with the agreement and full cooperation of property owners Clarence Lipinsky and Thomas & Rosemary Shiolas, pursuant to the provisions of ORS 199.490(1)(c); and

**WHEREAS**, the matter was submitted to the Canby Planning Commission for review, study, findings, report and recommendation to the Canby City Council, and the Planning Commission considered the matter at a regular meeting July 22, 1991, and;

**WHEREAS**, at the Planning Commission's meeting on this matter on July 22, 1991, the Commission considered the report of the City Planner and public testimony, and there were no objections to or remonstrances against the proposed annexation and at the conclusion of the discussion a motion was made, seconded and unanimously passed to recommend to the Canby City Council its approval of the proposed annexation subject to the following conditions:

1. All development and recording costs are to be borne by the developer when the property is developed.
2. All City and service provider regulations are to be adhered to at the time of development.
3. Any subsequent development must be preceded by a Subdivision review to ensure that all of the public facility improvements will be made.
4. All extensions of service will be the responsibility of the developer. This does not preclude an LID or Reciprocity Agreement
5. Upon annexation the property be zoned consistent with the Comprehensive Land Use Map.

**WHEREAS**, the Canby City Council conducted a public hearing on this proposal on August 21, 1991 and heard no remonstrances or objections; and

**WHEREAS**, the Canby City Council fully considered the record and file of this matter, and made the following

#### **FINDINGS**

1. This application is compatible with the text and maps of the Comprehensive Plan.
2. This application complies with all City ordinances and policies.
3. All affected service providing entities have ample services available.
4. This application complies with all applicable sections of Oregon Revised Statutes.
5. This application is in the "Priority A" location as defined by the Comprehensive Plan, which is the first phase of land area for proposed annexation and development.
6. There are no apparent natural hazards on this parcel.
7. The effect of urbanization on this parcel to designated open space, scenic, historic or natural resource areas is limited.
8. There are no negative economic impacts that will result from this annexation.
9. The Council is authorized by ORS 199.490(2)(B) to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed.

10. The Council has received the necessary "consents" in sufficient numbers to meet so-called "double majority" annexation requirements listed above and has set the boundary of the territory proposed for annexation, as shown in Exhibit "A", as authorized by ORS 199.490(2)(B). The applicant has submitted documents indicating that the involved property owners agreed to the annexation and there are no residents on the property.

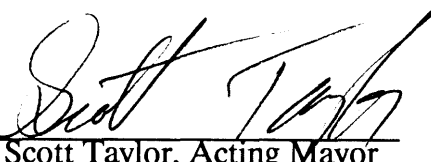
11. The territory proposed to be annexed is presently within the Canby Water District and/or Canby Sewer District and the Council intends to withdraw the territory from the Clackamas County District by authority of ORS 222.520 subsequent to consummation of the annexation.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Canby recommends the annexation to the City of Canby, described as Tax Lot 1500 & 1501 of Tax Map 3-1E-34B, and depicted in Exhibit "A".


The Canby City Council requests the Portland Metropolitan Area Local Government Boundary Commission to approve and effect this annexation as soon as possible upon the applicant filing with the Commission the appropriate petition; and the City Recorder is hereby directed to file a certified copy of this Resolution, together with a copy of the City's complete file of this matter, at once with said Commission.

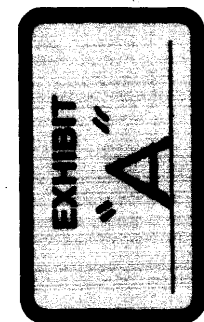
The Canby City Council hereby directs that, conditioned upon Portland Metropolitan Boundary Commission approval of the proposed annexation, the Zoning Map of the City of Canby be amended to propose the development of the subject property with Tax Lot 1500 & 1501 zoned under R-1, Low Density Residential Zone District requirements.

**ADOPTED BY THE CANBY CITY COUNCIL** at a regular meeting thereof this 21st day of August, 1991.

  
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Scott Taylor, Acting Mayor

ATTEST:

  
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Marilyn K. Perrett  
City Recorder



SEE MAP 3 IE 28

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