

**RESOLUTION NO. 518**

**A RESOLUTION RECOMMENDING TO THE METROPOLITAN BOUNDARY COMMISSION, ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF THOMAS KENDALL) APPROXIMATELY 2.03 ACRES LOCATED ALONG THE EAST SIDE OF N. PINE STREET, APPROXIMATELY 2,500 FEET NORTH OF STATE HIGHWAY 99-E (BETWEEN 14TH AND 15TH AVENUES).**

**WHEREAS**, the annexation of real property hereinafter described as Tax Lot 4400 of Tax Map 3-1E-34BB, and depicted as Exhibit "A", has been initiated by the petition of Thomas Kendall, owner of the property; 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 on August 10, 1992, and;

**WHEREAS**, at the Planning Commission meeting on this matter, the Commission considered the report of the Planning Staff and, at the conclusion of the discussion, a motion was made, seconded and unanimously passed the recommendation that the City Council recommend approval of the proposed annexation to the Portland Metropolitan Area Local Government Boundary Commission, with the following understandings:

1. All development and recording costs are to be borne by the developer when the property is developed.
2. Development of the property will be constrained until an adequate storm water management plan for the site is designed, which is acceptable to the Director of Public Works.

3. All City and service provider regulations are to be adhered to at the time of development.
4. Any development of the property, other than one single-family residential structure, must be preceded by a Subdivision or Partition Review.
5. Dedication of land for the widening of N. Pine Street will be required at the time of development.
6. A waiver of the rights to remonstrance against the establishment of an L.I.D. for roadway or other improvements in N. Redwood Street will be required at time of development.

**WHEREAS**, the Canby City Council conducted a public hearing on this proposal on September 2, 1992; 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.

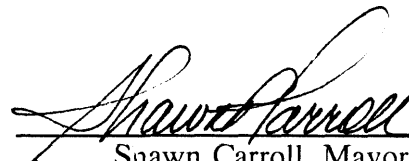
5. This application is in the "Priority A" location, as defined by the Comprehensive Plan, which is the first phase of land area for proposed annexation and development.
6. There are no apparent natural hazards on this parcel.
7. The effect of urbanization on this parcel to designated open space, scenic, historic or natural resource areas is limited.
8. There are no negative economic impacts that will result from this annexation.
9. The Portland Metropolitan Area Local Government Boundary Commission (PMALGBC) is authorized by ORS 199.490(2)(B) to approve 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, and such consent has been given.
10. The City has received the necessary "consents" in sufficient numbers to meet the so-called "double majority" annexation requirements listed above and has set the boundary of the territory proposed for annexation, as shown in Exhibit "2", 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.

**NOW THEREFORE, BE IT RESOLVED** that the Canby City Council recommends the annexation, to the City of Canby, or property described as Tax Lot 4400 of Tax Map 3-1E-34BB, and depicted in Exhibit "2".

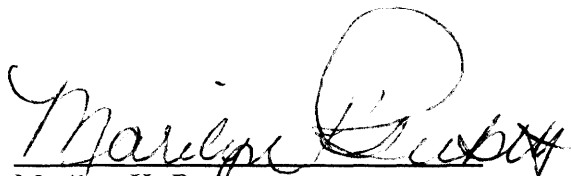
The Canby City Council requests the Portland Metropolitan Area Local Government Boundary Commission to approve and effect this annexation as soon as possible upon the applicant filing with the Commission the appropriate petition; and the City Recorder is hereby directed to file a certified copy of this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

The Canby City Council hereby directs that, conditioned upon Portland Metropolitan Area Local Government 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 to be zoned R-1 (Low Density Residential).

**ADOPTED BY THE CANBY CITY COUNCIL** at a regular meeting thereof on September 2, 1992.

  
Shawn Carroll, Mayor

ATTEST:

  
Marilyn K. Perrett  
City Recorder

1" = 100

TR B  
1142

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3300  
0.32 Ac  
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TAXPAYER'S SOCIAL SECURITY NUMBER: 1E-4B

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Blumberg No. 5119