

RESOLUTION NO. 526

A RESOLUTION RECOMMENDING APPROVAL TO THE PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION OF THE ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF TONY PIZZUTI), OF TAX PARCELS 600 AND 601 OF TAX MAP 3S-1E-28DB, APPROXIMATELY 4.7 ACRES, LOCATED ON THE WEST SIDE OF N. MAPLE STREET, BETWEEN N.E. 20TH AVENUE AND N.E. 21ST PLACE.

WHEREAS, the annexation of real property hereinafter described as Tax Lots 600 and 601 of Tax Map 3-1E-28DB, and depicted as Exhibit "1", has been initiated by the petition of Tony Pizzuti, owner of tax parcel 600 and representing Darrell and Darlene Woolhiser, owners of tax parcel 601; 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 December 14, 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. All City and service provider regulations are to be adhered to at the time of development.

3. Any large scale development of the property must be preceded by a Subdivision review or Design Review.
4. If only one single family residential structure is constructed for the 4.24 acre parcel, it must be situated so as not to inhibit further development of the parcel.
5. Both parcels will need to dedicate ten (10) feet of land for road widening purposes, prior to connecting to the city sewer system.
6. The existing residential structure on tax lot 601 will need to be connected to the city sewer system upon annexation, in accordance with City Ordinance section 13.12.010.
7. Road improvements to the whole street frontage along N. Maple Street will be required as a part of any development of tax lot 600, beyond one single family residential structure.

WHEREAS, the Canby City Council conducted a public hearing on this proposal on December 16, 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.

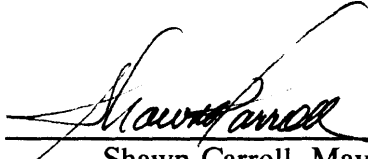
3. All affected service providing entities have ample services available.
4. This application complies with, all applicable sections of Oregon Revised Statutes.
5. This application is in the "Priority A" location, as defined by the Comprehensive Plan, which is the first phase of land area for proposed 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 annexation requirements listed above and has set the boundary of the territory proposed for annexation, as shown in Exhibit "1", 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 Lots 600 and 601 of Tax Map 3-1E-28DB, and depicted in Exhibit "1".

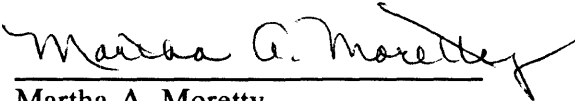
The Canby City Council requests the Portland Metropolitan Area Local Government Boundary Commission to approve and effect this annexation as soon as possible upon the applicant filing with the Commission the appropriate petition; and the City Recorder is hereby directed to file a certified copy of this 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 December 16, 1992.


Shawn Carroll, Mayor

ATTEST:


Martha A. Moretty
Acting City Recorder