

## **RESOLUTION NO. 541**

***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 THE HOSTETLERS), OF TAX LOTS 500 OF TAX MAP 4-1E-33DB, LOCATED ON THE WEST SIDE OF S. REDWOOD STREET, SOUTH OF TOWNSHIP ROAD, AND TAX LOTS 1100, 1700, 1701 OF TAX MAP 3-1E-34C, LOCATED ON THE NORTH SIDE OF TOWNSHIP ROAD, EAST OF S. PINE STREET.***

**WHEREAS**, the annexation of real property hereinafter described as Tax Lots 500 of Tax Map 4-1E-33BB, Tax Lots 11, 1700, 1701 of Tax Map 3-1E-34C, and depicted as Exhibit "1", has been initiated by the petition of Zarosinki-Tatone Engineers, applicant for the owners of Tax Lot 500 of tax map 4-1E-33BB and Tony Caragol, applicant for the owners of Tax Lots 1100, 1700, 1701 of Tax Map 3-1E-34C; 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 May 10, 1993, and;

**WHEREAS**, the annexation of Tax Lot 500 of Tax Map 4-1E-33BB will create an "island" of six (6) properties; and while the City Council recognizes that it cannot bind actions of future City Councils, there is no intention to force the annexation of the "islanded" properties; 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 properties must be preceded by a Subdivision review or Design Review.
4. Dedication of land for road widening purposes will be required with any development of the properties north of Township Road.
5. The existing residential structures will need to be connected to the city sewer system upon annexation, in accordance with City Ordinance section 13.12.010.

**WHEREAS**, the Canby City Council conducted a public hearing on this proposal on June 2, 1993; 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.

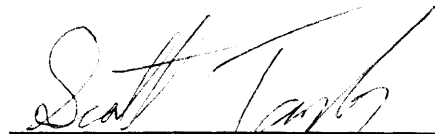
4. This application complies with, all applicable sections of Oregon Revised Statutes.
5. This application is in the "Priority A" location, as defined by the Comprehensive Plan, which is the first phase of land area for proposed annexation and development.
6. There are no apparent natural hazards on 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 territories proposed to be annexed and the 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 territories proposed for annexation, as shown in Exhibit "1", as authorized by ORS 199.490(2)(B). The applicants have submitted documents indicating that the involved property owners have agreed to the annexation.

**NOW THEREFORE, BE IT RESOLVED** that the Canby City Council recommends the annexation, to the City of Canby, or property described as Tax Lots 500 of Tax Map 4-1E-33BB and Tax Lots 1100, 1700, 1701 of Tax Map 3-1E-34C, and depicted in Exhibit "1".

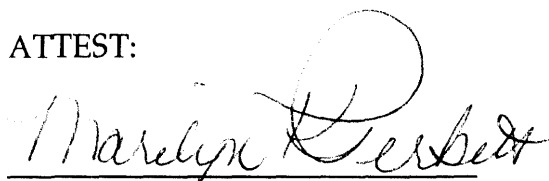
The Canby City Council requests the Portland Metropolitan Area Local Government Boundary Commission to approve and effect this annexation as soon as possible upon the applicants filing with the Commission the appropriate petition; and the City Recorder is hereby directed to file a certified copy of this 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 Tax Lots 500 of Tax Map 4-1E-33BB to be zoned R-1 (Low Density Residential) and Tax Lots 1100, 1700, 1701 of Tax Map 3-1E-34C to be zoned R-2 (Medium Density Residential).

**ADOPTED BY THE CANBY CITY COUNCIL** at a regular meeting thereof on June 2, 1993.

  
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Scott Taylor, Mayor

ATTEST:

  
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Marilyn K. Perkett  
City Recorder

