

RESOLUTION NO. 579

A RESOLUTION RECOMMENDING TO THE PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION DENIAL OF THE ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF THE FAIST PROPERTY), OF A PORTION OF TAX LOT 2000 OF TAX MAP 4-1E-3, LOCATED ON THE NORTH SIDE OF S.E. 13TH AVENUE, EAST OF THE VALLEY FARMS SUBDIVISIONS AND SOUTH OF TROST ELEMENTARY SCHOOL.

WHEREAS, the annexation of real property hereinafter described as Tax Lot 2000 of Tax Map 4-1E-3, and depicted as Parcel 2 in attached Exhibit "1", having been initiated by the petition of Oregon Development, Inc., applicant for the owners; and

WHEREAS, the matter having been submitted to the Canby Planning Commission for review, study, report, and recommendation to the Canby City Council, and the Planning Commission having considered the matter at a regular meeting on October 24, 1994, and;

WHEREAS, at the Planning Commission meeting on this matter, the Commission having considered the report of the Planning Staff and, at the conclusion of the deliberation, findings and conclusions having been made to support a motion to recommend that the City Council forward a recommendation of denial of the proposed annexation to the Portland Metropolitan Area Local Government Boundary Commission (PMALGBC), and;

WHEREAS, the Canby City Council having conducted a public hearing on this proposal on January 18, 1995; and

WHEREAS, the Canby City Council having fully considered the record and file of this matter, and;

WHEREAS, the Canby City Council having made the following additional findings:

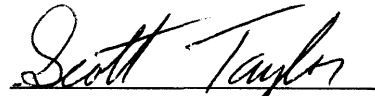
FINDINGS

1. This application is not compatible with the text and maps of the Comprehensive Plan, in that:
 - a. In reviewing Policies 1-R-A and 1-R-B of the Environmental Concerns Element of the Comprehensive Plan, the Planning Commission finds that the subject property is economically viable agricultural land in that the information supplied by the applicant did not support the applicant's position that the subject property is not economically viable agricultural land. Income producing crops were planted on 7 of the 30 acres, with the remaining 23 acres planted with crops used for feed for the farmer's livestock.
 - b. The Planning Commission finds that the annexation of the subject property at this time, being a "priority C" property in the Urban Growth Element phasing plan (pp. 25 & 28 of the Comprehensive Plan), will not procure "special benefits" to the City in that the more efficient use of the utility facilities located immediately adjacent to the subject property through the development of the property is not a "special benefit". Further, the Planning Commission finds that the reimbursement of the advanced financed public improvement, funded by the City and benefitting the subject property, does not constitute a "special benefit" in that the development of the subject property and therefore the reimbursement of the public improvement may occur at anytime, up to January 19, 2004, with interest.
 - c. In reviewing Policy 3 of the Urban Growth Element of the Comprehensive Plan, the Planning Commission finds that there is sufficient lands designated both "priority A" and "priority B" for annexation for residential development purposes within the Urban Growth Boundary in that approximately 60% of "priority A" lands, and approximately 60%-70% of "priority B" lands for residential development have yet to be annexed into the City.

- d. The Planning Commission finds that the annexation of the subject property further perpetuates an imbalance between annexation of lands designated for commercial/industrial development and residential development that is needed for the desired balance of City growth in that the last annexation of commercial/industrial land occurred in 1991.
 - e. The Planning Commission finds the annexation of the subject property further perpetuates a geographic imbalance in the residential growth of the City in that the residential growth over the past two years has been concentrated primarily in the southeastern quadrant of the City (the location of the subject property) creating an imbalance in the demand of public services that is more difficult to correct than a geographically balanced residential growth.
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- 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 "Type C" location, as defined by the Comprehensive Plan, which is the last 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. Annexation of this property will result in reduction of economically viable agricultural land.

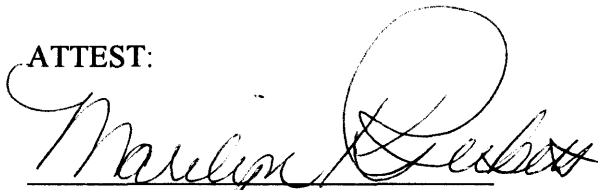
NOW THEREFORE, BE IT RESOLVED that the Canby City Council recommend to the PMALGBC, the denial of the annexation to the City of Canby, of the portion of property described as Tax Lot 2000 of Tax Map 4-1E-3, and depicted in Exhibit "1", and the City Recorder is hereby directed to file a certified copy of this Resolution, together with a copy of a summary of the City's file of this matter, at once, with said Commission.

ADOPTED BY THE CANBY CITY COUNCIL at a regular meeting thereof on January 18, 1995.



Scott Taylor, Mayor

ATTEST:



Marilyn K. Perkett
City Recorder

South Redwood

Tax Lot 1100
Public - Elementary
School

12750'

950'

R= 175'
L.A.= 128.357
 $\Delta = 42^{\circ}01'29''$

325'

Valley Farms
Single Family
Residential 1182.846

Unplatted
EFU 20

1300'

Parcel 2
A= 1309783.8 sq. feet

1300'

Parcel 1
A= 429000.0 sq. feet

1300'

995'

325'

South East 13TH Avenue

Unplatted - EFU 20

NORTH
1"=300'

EXHIBIT

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