

## **RESOLUTION NO. 692**

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 14.03 ACRES DESCRIBED AS TAX LOT 2200 OF TAX MAP 3-1E-34B LOCATED ON THE SOUTH SIDE OF HIGHWAY 99E, NORTH OF SE 1<sup>ST</sup> AVENUE AND EAST OF REDWOOD STREET TO THE CITY OF CANBY; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE MAY 18, 1999 GENERAL ELECTION.**

**WHEREAS**, the Canby City Council has heretofore approved an application filed by Irene Burden to annex approximately 14.03 acres of land into the City of Canby; and

**WHEREAS**, pursuant to the provisions of the Canby City Charter, the approval of the proposed annexation must be referred to the electorate of the City of Canby for an election; and

**WHEREAS**, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by March 18, 1999 in order to appear on the ballot for the May 18, 1999 general election; and

**WHEREAS**, pursuant to the Canby Municipal Code, the Canby City Attorney has prepared a Notice of City Measure Election and Summary for Voter's Pamphlet to be submitted to the Elections Department;

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Canby, as follows:

1. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the May 18, 1999 general election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by the City.
2. The City Recorder of the City of Canby is further authorized and directed to submit a Summary of the Measure to be placed in the voter's pamphlet explaining in clear and concise language the affect of such ballot measure. Such summary is attached to this Resolution in proper form and adopted by the City.
3. The City Recorder, the City Administrator and the City Attorney are hereby

authorized to do all other necessary and proper acts to place the ballot measure before the voters at the May 18, 1999 general election.

ADOPTED this 3<sup>rd</sup> day of March, 1999, by the Canby City Council.

Walt Daniels  
Walt Daniels - Council President

ATTEST:

Chauncey F. Seifried  
Chauncey Seifried,  
City Recorder, Pro-Tem

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET  
MEASURE APPROVING ANNEXATION OF 14.03 ACRES  
INTO THE CITY OF CANBY

Measure No. 3-54

Word Total 305 (500 max)

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This measure would approve the annexation of 14.03 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lot 2200 of Tax Map 3-1E-34B and is located south of Highway 99E, north of SE 1<sup>st</sup> Avenue and east of Redwood Street. Tax lot 2200 is currently zoned RRFF5 (Rural Residential Farm and Forest - 5 acre Minimum Lot Size). If annexation into the City is approved by the voters, the property would be zoned Highway Commercial as required under the City's Comprehensive Land Use Plan (Comp Plan). Currently, the property contains a tavern, a farm supply store, a nursery and three homes with several accessory structures.

Irene Burden, as owner and applicant, applied to the City of Canby for approval of her annexation request as allowed by Oregon law. The City, following its Charter, has put this matter before the voters for approval.

Under the City of Canby's Comp Plan, the zoning for this property, should it be annexed, is highway commercial. However, annexation alone does not set the future uses to be built on the property. Any development would have to comply with state and local land use laws and would be subject to public review.

The Canby Comp Plan also designates properties for annexation as Priority "A", "B" or "C". Priority "A" properties shall generally be annexed prior to those areas shown as Priority "B" which, in turn, shall generally be annexed prior to those areas shown as Priority "C". The proposed annexation by Irene Burden is designated Priority "B" property, but is the only remaining property zoned Highway Commercial that is not in the City. The Canby Planning Commission approved this annexation application by a 5-0 vote and the City Council approved this application by a 6-0 vote.

CITY OF CANBY

Chaunee F. Seifried  
Chaunee Seifried,  
Canby City Recorder - Pro tem

3-3-99  
Date

## NOTICE OF CITY MEASURE ELECTION

### CITY OF CANBY

Notice is hereby given that on Tuesday, May 18, 1999, an election will be held at the polls in the City of Canby, Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the City's voters on this date:

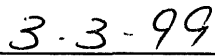
**CAPTION: MEASURE APPROVING ANNEXATION OF 14.03 ACRES INTO CITY OF CANBY**

**QUESTION:** SHALL 14.03 ACRES LOCATED ON THE SOUTH SIDE OF HIGHWAY 99E, NORTH OF SE 1<sup>ST</sup> AVENUE AND EAST OF REDWOOD STREET BE ANNEXED INTO THE CANBY CITY LIMITS?

**SUMMARY:** Annexation is the legal process to bring property inside the City limits. Irene Burden, as applicant, has asked the City to bring 14.03 acres of land into the City limits. The legal description of the property is Tax Lot 2200 of Tax Map 3-1E-34B. It is located on the south side of Highway 99E, north of SE 1<sup>st</sup> Avenue and east of Redwood Street. Properties to the east and north of the subject parcel are outside the City limits. Properties to the south are within the City's Logging Road Industrial Park and property to the south and west is the Graymor/Fred Meyer development. This application has previously been approved by the City Council. The proposal could allow development of the property for highway commercial use. Future development requires City review and must comply with land use laws.

The following authorized local government official hereby certifies that the above ballot title is true and complete.

  
\_\_\_\_\_  
Chaunee Seifried,  
Canby City Recorder - ProTem

  
\_\_\_\_\_  
Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

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INTO THE CITY OF CANBY

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CITY OF CANBY

Chaunce F. Seifried  
Chaunce Seifried,  
Canby City Recorder - Pro tem

3-3-99  
Date