

RESOLUTION NO. 643

A RESOLUTION INITIATING ANNEXATION OF 6.12 ACRES OF "THE LOGGING ROAD" TERRITORY TO THE CITY OF CANBY

WHEREAS, the annexation of real property hereinafter described as Tax Lots 100 and 190 of Tax Map 3-1E-34C, and as described in attached Exhibit "A", having been initiated by the petition of the City of Canby (applicant and owner); and,

WHEREAS, the City Council is authorized by ORS 199.490(2)(a)(B) to initiate 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,

WHEREAS, the City Council has received the necessary "consents" in sufficient numbers to meet so-called "double majority" annexation requirements listed above and has set the boundary of the territory proposed for annexation as authorized by ORS 199.490(2)(a)(B); 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 June 23, 1997; 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 approval 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 July 16, 1997; and,

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

WHEREAS, the Canby City Council having accepted the Planning Commission findings, as found in the June 13, 1997 Staff Report, except that the City Council found that it was inappropriate at this time to annex Tax Lot 301 of Tax Map 4-1E-3 for the following reasons:

1. Tax Lot 301 is designated as Type "C" for annexation prioritization, and sufficient justification for annexation of the property at this time has not been provided;
2. There is no public need to annex Tax Lot 301 at this time;

and,

WHEREAS, the property to be developed, along with the adjacent right-of-way, as described in exhibit "A", is to be zoned for commercial manufacturing, industrial, and residential development, in accordance with the Comprehensive Plan Land Use Map; and,

WHEREAS, the City Council requests that the proposed annexation be approved without the study, public hearing and the adoption of a final order by the Portland Metropolitan Area Local Government Boundary Commission, as authorized by ORS 199.466; and,

WHEREAS, the City Council, in consideration of the above-stated findings, concludes that:

1. The annexation proposal is compatible with the text and maps of the Comprehensive Plan, giving special consideration to those portions of policies relating to the Urban Growth Boundary.
2. The annexation proposal is in compliance with other applicable City ordinances or policies.
3. The City and other affected service-providing entities have the capability to amply provide the area of the proposed annexation with urban level services.
4. The annexation proposal complies with, all applicable sections of Oregon Revised Statutes.
5. Due to the fact that there are no other "Type A" industrial lands left to be annexed, the annexation proposal, being a "Type B" annexation priority area, is appropriate for annexation, when compared to other properties of the same development potential (industrial) that may be annexed to the City.
6. There are no apparent natural hazards on the subject property.
7. The effect of urbanization of the subject property to designated open space, scenic, historic or natural resource areas is limited, in that the open space designation and requirements as found in the Parks Master Plan will be adhered to.
8. No adverse economic impacts are likely to result from the annexation of the subject property.


NOW THEREFORE, BE IT RESOLVED that the Canby City Council recommends to the PMALGBC:

1. that the approval of the annexation to the City of Canby, with the understandings that follow, of the property described as Tax Lots 100 and 190 of Tax Map 3-1E-34C, and described in Exhibit "A"; and,
2. that the proposed annexation be approved by the Boundary Commission without study, public hearing and adoption of a final order as authorized by ORS 199.466; and,
3. that 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.

UNDERSTANDINGS

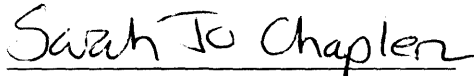
1. The zoning classification for the property upon annexation will be in accordance with the Comprehensive Plan's Land Use Map: C-M, Commercial Manufacturing for the first 1400 feet from Highway 99E (to Tax Lot 1800 of Tax Map 3-1E-34C) and M-1, Light Industrial for the remaining portion of the Logging Road to S.E. Township Road.

ADOPTED BY THE CANBY CITY COUNCIL at a regular meeting thereof on August 6, 1997.



Scott Taylor, Mayor

ATTEST:



Sarah Jo Chaplen
Director of Finance and Administration

TAX LOT 100, S.W. $\frac{1}{4}$ SECTION 34, T.3S., R.1E., W.M.

Beginning at the north corner of Tax Lot 100 in the S.W. $\frac{1}{4}$ of Section 34, T.3S., R.1E., W.M.; thence southeasterly along the southwest line of Oregon Pacific Railroad approximately 2,600 feet to the southeast corner of Tax Lot 100; thence westerly along the south line of Tax Lot 100 approximately 45 feet to the southwest corner of Tax Lot 100; thence northwesterly along the southwest line of Tax Lot 100 approximately 2,700 feet to the point of beginning.

TAX LOT 190, S.W. $\frac{1}{4}$ SECTION 34, T.3S., R.1E., W.M.

Beginning at the northeast corner of Tax Lot 190 in the S.W. $\frac{1}{4}$ of Section 34, T.3S., R.1E., W.M.; thence southeasterly along the southwest line of Oregon Pacific Railroad approximately 950 feet to the north right-of-way line of Township Road; thence westerly along the north right-of-way line of Township Road approximately 140 feet to the southeast corner of Tax Lot 1804; thence northwesterly along the east line of Tax Lot 1804 approximately 865 feet to the northwest corner of Tax Lot 190; thence easterly along the north line of Tax Lot 190 approximately 85 feet to the point of beginning.

