

RESOLUTION NO. 679

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 4.78 ACRES DESCRIBED AS TAX LOT 1600 OF TAX MAP 3-1E-27C LOCATED ON THE WEST SIDE OF NORTH REDWOOD STREET, SOUTH OF NE TERRITORIAL ROAD 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 NOVEMBER 3, 1998 GENERAL ELECTION.

WHEREAS, the Portland Metropolitan Area Local Government Boundary Commission (PMALGBC) has approved a minor boundary change annexing 4.78 acres into the City of Canby identified as Tax Lot 1600 of Tax Map 3-1E-27C; and

WHEREAS, the Canby City Council, through Resolution No. 676, objected to the proposed minor boundary change and desires to refer the issue to a vote of the electorate pursuant to ORS 199.505(1)(b); and

WHEREAS, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by September 3, 1998 in order to appear on the ballot for the November 3, 1998 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 November 3, 1998 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 hereby 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 November 3, 1998 general election.

ADOPTED this 19th day of August, 1998, by the Canby City Council.


Scott Taylor, Mayor

ATTEST:



Michael Jordan, City Recorder, Pro-Tem

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 4.78 ACRES
INTO THE CITY OF CANBY**

Measure No. _____

Word Total 289 (500 max)

This measure would approve the annexation of 4.78 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 1600 of Tax Map 3-1E-27C and is located generally in the northeast part of the City. The parcel is located on the west side of N. Redwood Street just south of its intersection with NE Territorial Road. Tax lot 1600 is currently zoned Rural-Residential - Five acre Minimum Lot Size. If annexation into the City is approved by the voters, the property would be zoned High Density Residential along the northern 99 feet (about 1.5 acres) and as Single Family Low Density Residential on the remainder (about 3.28 acres) as required under the City's Comprehensive Land Use Plan (Comp Plan).

Walter and Helen West petitioned the Portland Metropolitan Area Local Government Boundary Commission (Boundary Commission) for annexation into the City of Canby as allowed by Oregon law. The City, following its Charter and the State of Oregon legal requirements has put this matter before the voters for approval.

Under the Canby's Comp Plan, the zoning for this property, should it be annexed, is residential. 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, should generally be annexed prior to those areas shown as Priority "C". The proposed annexation by Walter and Helen West is designated Priority "A" property.

CITY OF CANBY

Michael Jordan,
Canby City Recorder - Pro tem

Date

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

Notice is hereby given that on Tuesday, November 3, 1998, 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 4.78 ACRES INTO CITY OF CANBY.

QUESTION: SHALL 4.78 ACRES LOCATED ON WEST SIDE OF N. REDWOOD JUST SOUTH OF NE TERRITORIAL BE ANNEXED INTO CITY LIMITS?

SUMMARY: Annexation is the legal process used to bring property into the City limits. Walter and Helen West petitioned the Portland Metropolitan Area Local Government Boundary Commission (Boundary Commission) asking to annex 4.78 acres into the Canby city limits. The property is Tax Lot 1600 of Tax Map 3-1E-27C located on the west side of Redwood Street just south of NE Territorial Road. If the annexation is approved by the voters, Canby's Land Use Plan designates about 1.5 acres of the property as High Density Residential Zone and the remaining 3.28 acres as Single Family Low Density Residential Zone. Future development of the property 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 correct.



Michael Jordan, City Recorder, ProTem

9/3/98

Date

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INTO THE CITY OF CANBY

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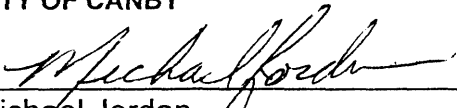
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CITY OF CANBY



Michael Jordan,
Canby City Recorder - Pro tem



Date