

## RESOLUTION NO. 714

**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 1.45 ACRES DESCRIBED AS TAX LOT 402 OF TAX MAP 3-1E-28DB LOCATED ON THE SOUTHEAST CORNER OF NE 22<sup>nd</sup> AVENUE AND N. LOCUST 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 NOVEMBER 2, 1999 GENERAL ELECTION.**

**WHEREAS**, the Canby City Council has heretofore approved an application filed by Bud and JoAnn Fawver to annex approximately 1.45 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 September 2, 1999 in order to appear on the ballot for the November 2, 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 November 2, 1999 general election, the Notice of City Measure Election. 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 November 2, 1999 general election.

ADOPTED this 18<sup>th</sup> day of August, 1999, by the Canby City Council.

Walt Daniels  
Walt Daniels - Council President

ATTEST:

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

## NOTICE OF CITY MEASURE ELECTION

### CITY OF CANBY

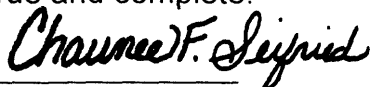
Notice is hereby given that on Tuesday, November 2, 1999, an election will be held at the polls in the City of Canby, Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the City's voters on this date:

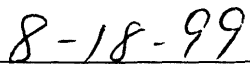
**CAPTION: MEASURE APPROVING ANNEXATION OF 1.45 ACRES INTO CITY OF CANBY**

**QUESTION: SHALL 1.45 ACRES LOCATED ON THE SOUTHEAST CORNER OF NE 22<sup>ND</sup> AVENUE AND N. LOCUST STREET BE ANNEXED INTO THE CANBY CITY LIMITS?**

**SUMMARY:** Annexation is the legal process to bring property inside the City limits. Bud and JoAnn Fawver, as applicants, have asked the City to bring 1.45 acres of land into the City limits. The legal description of the property is Tax Lot 402 of Tax Map 3-1E-28DB. It is located on the southeast corner of NE 22<sup>nd</sup> Avenue and N. Locust Street. Properties to the south and east of the site are inside the City and are designated low density residential. Property to the west is not within the City but is within the Urban Growth Boundary (UGB). Property to the north is both outside the City and the UGB. This application has previously been approved by the Planning Commission and City Council. The proposal could allow development of the property for low density residential 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

**MEASURE APPROVING ANNEXATION OF 1.45 ACRES  
INTO THE CITY OF CANBY**

Measure No. \_\_\_\_\_

Word Total 300 (500 max)

This measure would approve the annexation of 1.45 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 402 of Tax Map 3-1E-28DB and is located on the southeast corner of NE 22<sup>nd</sup> Avenue and N. Locust. Tax lot 402 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 Low Density Residential as required under the City's Comprehensive Land Use Plan (Comp Plan). Currently, the property contains three residences and other outbuildings.

Bud and JoAnn Fawver, as owners and applicants, applied to the City of Canby for approval of their 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 low density residential. The maximum number of single-family homes that could be built on this property is a total of seven (7). 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 the Fawvers is designated Priority "A" property. The Canby Planning Commission approved this annexation application by a 7-0 vote and the City Council approved the application by a 5-0 vote.

CITY OF CANBY

*Chaunee F. Seifried*

Chaunee Seifried,  
Canby City Recorder - Pro tem

*8-18-99*

Date