

RESOLUTION NO. 715

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 1.44 ACRES DESCRIBED AS TAX LOT 1700 OF TAX MAP 3-1E-27CB LOCATED ON THE SOUTHWEST CORNER OF NE TERRITORIAL ROAD AND N. 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 NOVEMBER 2, 1999 GENERAL ELECTION.

WHEREAS, the Canby City Council has heretofore approved an application filed by Asset Development Group to annex approximately 1.44 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 18th day of August, 1999, by the Canby City Council.

Walt Daniels
Walt Daniels - Council President

ATTEST:

Chauncey F. Seifried
Chauncey 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 1.44 ACRES INTO CITY OF CANBY

QUESTION: SHALL 1.44 ACRES LOCATED ON THE SOUTHWEST CORNER OF NE TERRITORIAL ROAD AND N. REDWOOD STREET BE ANNEXED INTO THE CANBY CITY LIMITS?

SUMMARY: Annexation is the legal process to bring property inside the City limits. Asset Development Group, as the applicant, and Dick and Joan Hawley as owners, have asked the City to bring 1.44 acres of land into the City limits. The legal description of the property is Tax Lot 1700 of Tax Map 3-1E-27CB. It is located on the southwest corner of NE Territorial Road and N. Redwood Street. Properties to the south and west are not within the City, but are within the Urban Growth Boundary (UGB). Those properties are designated high density residential should they be annexed into the City at some future time. Property to the north is inside the City and zoned low density residential. Properties to the east are inside the City with portions along Territorial Road designated high density residential and the rest low density residential. This application has previously been approved by the Planning Commission and City Council. The proposal could allow development of the property for high 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 F. Seifried
Chaunee Seifried,
Canby City Recorder - ProTem

8/18/99
Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 1.44 ACRES
INTO THE CITY OF CANBY**

Measure No. _____

Word Total 300 (500 max)

This measure would approve the annexation of 1.44 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 1700 of Tax Map 3-1E-27 CB and is located on the southwest corner of NE Territorial Road and N. Redwood Street. Tax lot 1700 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 High Density Residential as required under the City's Comprehensive Land Use Plan (Comp Plan). Currently, the property contains one residence and detached garage. The property owners reside at that location.

Asset Development Group, as the applicant, and Dick and Joan Hawley as owners, 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 high density residential. The maximum number of multifamily units that could be built on this property is approximately twenty (20). 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 Asset Development Group 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 6-0 vote.

CITY OF CANBY

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

8/18/99
Date