

CITY OF CANBY

**Resolution No. 738**

**A RESOLUTION DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 301 ACRES TO THE CITY OF CANBY; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AUTHORIZING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS FOR THE SEPTEMBER 19, 2000 ELECTION; AND REPEALING RESOLUTION 737.**

**WHEREAS**, the Canby City Council has heretofore adopted Resolution 737 approving annexation ANN 00-02, an application to annex approximately 301 acres of land into the City of Canby; and

**WHEREAS**, Resolution 737 includes a Notice of City Measure Election and Explanatory Statement for the Voter's Pamphlet that is forwarded to the County Elections Department; and

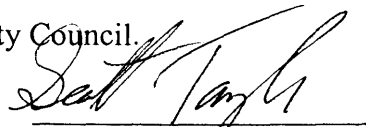
**WHEREAS**, whereas staff subsequently determined that additional language was required in the Notice of City Measure Election and Explanatory Statement for the Voter's Pamphlet to meet the requirements of this election; and

**WHEREAS**, Resolution 737 needs to be repealed.

**NOW THEREFORE, IT IS 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 September 19, 2000 election, the corrected Notice of City Measure attached to this Resolution.
2. The City Recorder of the City of Canby is further authorized and directed to submit the corrected Explanatory Statement to be placed in the voter's pamphlet attached to this Resolution in proper form.
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 September 19, 2000 election.
4. Resolution 737 is hereby repealed.

**ADOPTED** this 14<sup>th</sup> day of July, 2000 by the City of Canby City Council.

  
\_\_\_\_\_  
Scott Taylor, Mayor

ATTEST:

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

## NOTICE OF CITY MEASURE ELECTION

### CITY OF CANBY

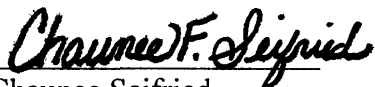
Notice is hereby given that on Tuesday, September 19, 2000, a vote by mail election will be held in the City of Canby, and territory proposed to be annexed in Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the City's voters on this date:

**CAPTION: MEASURE APPROVING ANNEXATION OF 301 ACRES INTO CITY OF CANBY.**

**QUESTION:** Shall approximately 301 acres located in the SE quadrant of Canby be annexed into the Canby City limits?

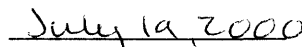
**SUMMARY:** Annexation is the legal process to bring property inside the City limits. The City of Canby has proposed an annexation of the following tax lots: lots 00100, 00200, 00300, 00301, 00400, 00500, 00600, 00800, 01200, 01300, 01400, 01500 01600, 01800, 01900, 02000, 02100, 02101, 02200, 02300, 02400, 02500, 02600, 02700, 02800, 02900, 03000, 03100, and 03300 of tax map 31E34, lot 02100 of tax map 31E34A and lots 00100, 00101, 00102, 00103, 00200, 00301, and 01001 of tax map 41E03. Five of the 37 lots are owned by the City of Canby, with the remainder in private ownership. The lots are all located within the Logging Road Industrial Park.. If annexed, the properties would assume the zoning assigned to them in Canby's Comprehensive Plan: a mix of Light Industrial, Heavy Industrial, and Heavy Commercial/Manufacturing. Any further development of the properties after annexation would require City approval and must comply with all applicable 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, Pro Tem

  
Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

MEASURE APPROVING ANNEXATION OF 301 ACRES INTO CITY OF CANBY

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

Word Total: 343 (500 max)

This measure would approve the annexation of 37 tax lots into the city limits of the City of Canby. The properties which would be included are: lots 00100, 00200, 00300, 00301, 00400, 00500, 00600, 00800, 01200, 01300, 01400, 01500, 01600, 01800, 01900, 02000, 02100, 02101, 02200, 02300, 02400, 02500, 02600, 02700, 02800, 02900, 03000, 03100, and 03300 of tax map 31E34, lot 02100 of tax map 31E34A, and lots 00100, 00101, 00102, 00103, 00200, 00301, and 01001 of tax map 41E03.

The properties are located between SE 1<sup>st</sup> Avenue on the north, S. Mulino Road on the east, SE 13<sup>th</sup> Avenue on the south, and the Molalla Forest Road on the west. The lots are currently zoned EFU (Exclusive Farm Use) by Clackamas County and are generally used for agriculture. Five of the lots are owned by the City of Canby and the rest are privately owned. The City-owned lots make up the Zion Memorial Cemetery and a portion of the Logging Road Trail.

Upon annexation, the properties would assume the zoning assigned to them in Canby's Comprehensive Plan: a mix of Light Industrial, Heavy Industrial, and Heavy Commercial/Manufacturing. Any further development of the properties after annexation would require City approval and would have to comply with all applicable land use laws. The entire area of the proposed annexation is covered by the 1998 Industrial Area Master Plan, which established design guidelines and a plan for providing public facilities and services to the area.

Following a public hearing before the Canby Planning Commission, the Commission recommended denial of this application to the Canby City Council. After a public hearing before the City Council, the Council, by majority vote, approved the application. Pursuant to the City Charter, the issue is referred to the Canby voters for approval/denial. In addition, under Oregon state law, this issue is also referred to the voters of the territory proposed for annexation for approval/denial. Approval of the annexation requires a majority vote in favor of the measure in both the City of Canby and the territory proposed for annexation.

City of Canby

Chauncey F. Seifried  
Chauncey Seifried

Canby City Recorder, Pro Tem

July 19, 2000  
Date