

RESOLUTION NO. 747

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 4.47 ACRES DESCRIBED AS TAX LOT 2400 OF TAX MAP 3-1E-27C LOCATED ON THE EAST SIDE OF N. PINE STREET SOUTH OF NE 19TH COURT 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 MAY 15, 2001 GENERAL ELECTION.

WHEREAS, the Canby City Council has heretofore approved an application filed by Mountain West Investment Corporation and Melvin Beck to annex approximately 4.47 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 March 15, 2001 in order to appear on the ballot for the May 15, 2001 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:

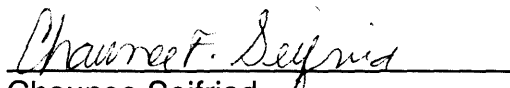
1. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the May 15, 2001 general election, the Notice of City Measure Election. Such Notice of City Measure Election is attached to this Resolution in proper form 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 May 15, 2001 general election.

ADOPTED this 21 day of February, 2001, by the Canby City Council.


Terry Prince - Mayor

ATTEST:


Chaunee Seifried,
City Recorder, Pro-Tem

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

Notice is hereby given that on Tuesday, May 15, 2001, an election will be held 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 4.47 ACRES INTO CITY OF CANBY

QUESTION: SHALL 4.47 ACRES LOCATED ON EAST SIDE OF N. PINE STREET NEAR NE 19th COURT BE ANNEXED INTO CANBY?

SUMMARY: Annexation is the legal process to bring property inside the City limits. Mountain West Investment and Melvin J. Beck have filed an application asking the City to bring 4.47 acres of property into the City limits. The legal description of the property is Tax Lot 2400 of Tax Map 3-1E-27C located on the east side of N. Pine Street south of NE 19th Court. Properties surrounding this tax lot on the east and north are within the City limits. Properties to the south and west are outside of the City, but within the Urban Growth Boundary. The Molalla Forest Road Bicycle and Pedestrian Trail runs along the eastern boundary of the tax lot. The site is currently vacant. The City's Zoning Map calls for high density residential zoning for this property upon annexation. The applicant's conceptual development plan proposes 76 multifamily units. Actual development requires City review and must comply with land use laws. This application has previously been approved by the Planning Commission by unanimous vote. The City Council approved the application by a 5-0 vote with one abstention.

The following authorized local government official hereby certifies that the above ballot title is true and complete.

Chaunee Seifried
Chaunee Seifried,
Canby City Recorder

2-21-01
Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 4.47 ACRES
INTO THE CITY OF CANBY**

Measure No. _____

Word Total 343 (500 max)

This measure would approve the annexation of one 4.47 acre parcel into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lot 2400 of Tax Map 3-1E- 27C and is located generally in the northeast part of the City. This tax lot is located on the east side of N. Pine Street, south of NE 19th Court. The parcel is currently zoned RRFF-5 (Rural Residential, Farm and Forest). If annexation into the City is approved by the voters, it would be rezoned High Density Residential as required under the City's Comprehensive Land Use Plan (Comp Plan).

Tax Lot 2400 is owned by Melvin J. Beck. The owner and Mountain West Investment Corporation have applied jointly to the City of Canby for approval of annexation as allowed by Oregon law. The City, following its Charter, has put this matter before the voters for approval.

Tax Lot 2400 is surrounded on the east and north by properties within the City limits. Property to the west and south are outside of the City's limits but within the City's Urban Growth Boundary. The Molalla Forest Road Bicycle and Pedestrian Trail runs along the eastern boundary of the tax lot. The site is currently vacant. A conceptual development plan has been submitted by the applicant proposing 76 multi-family residential units on the site. However, annexation alone does not set the future uses to be built on the property. Any further 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". This lot is designated Priority "A" property. The Canby Planning Commission unanimously approved this annexation application. The City Council approved the application by a 5-0 vote, with one abstention.

CITY OF CANBY

Chaunee Seifried
Chaunee Seifried,
Canby City Recorder - Pro tem

2-21-01
Date