

RESOLUTION NO. 821

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 2.98 ACRES DESCRIBED AS TAX LOTS 602 and 700 OF TAX MAP 3-1E-27DB LOCATED IN THE NORTHEAST QUADRANT OF THE CITY, ON THE SOUTH SIDE OF NE TERRITORIAL ROAD, JUST EAST OF N VINE STREET NEAR VINE MEADOWS SUBDIVISION; 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 20, 2003 ELECTION.

WHEREAS, the Canby City Council has heretofore approved an application filed by Nick and Jamie netter, owners of tax lots 602 and 700 of Tax Map 3-1E-27DB, to annex 2.98 acres 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 20, 2003 in order to appear on the ballot for the May 20, 2003 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 20, 2003 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 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 20, 2003 election.

This Resolution shall take effect on February 19, 2003.

ADOPTED this 19 day of February, 2003, by the Canby City Council.


Melody Thompson - Mayor

ATTEST:


Chaunee Seifried
City Recorder, Pro-Tem

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

MEASURE APPROVING ANNEXATION OF ^{2.98 LOS}~~10.97~~ ACRES
INTO THE CITY OF CANBY

Measure No. 3-102

Word Total 327 (500 max)

This measure would approve the annexation of 2.98 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lots 602 and 700 of Tax Map 3-1E-27DB and is located generally in the northeast quadrant of the City. Tax lots 602 and 700 are currently zoned RRFF-5 Rural, Residential, Farm and Forest). If annexation into the City is approved by the voters, the property would be rezoned Low Density Residential as required under the City's Comprehensive Land Use Plan (Comp Plan).

Tax Lots 602 and 700 are owned by Nick and Jamie Netter. They have filed the application for annexation as allowed by Oregon law. The City, following its Charter, has put this matter before the voters for approval.

Properties to west of the subject parcel are located within the City and are zoned single family residential. Properties to north, east and south are outside the City, but within the Urban Growth Boundary and are being used for rural residential use. The lots are flat and are not being used for farming. There is presently located one single family residence, as well as outbuildings on the property. Under the current zoning regulations, future development would allow approximately twelve (12) lots to be developed. 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 "B" property. The Canby Planning Commission approved the application by a 2-1 vote and the Canby City Council unanimously approved this annexation application.

CITY OF CANBY

Chaunee Seifried
Chaunee Seifried,
Canby City Recorder - Pro tem

2-19-03
Date

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

3-102

Notice is hereby given that on Tuesday, May 20, 2003, 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 2.98 ACRES INTO CITY OF CANBY

QUESTION: SHALL 2.98 ACRES LOCATED SOUTH OF NE TERRITORIAL, EAST OF N VINE STREET BE ANNEXED INTO CANBY?

SUMMARY: Annexation is the legal process to bring property inside the City limits. Nick and Jamie Netter have filed an application asking the City to bring 2.98 acres of property into the City limits. The legal description of the property is Tax Lots 602 and 700 of Tax Map 3-1E-27DB. The two lots are adjoining and are located on the south side of NE Territorial Road, just east of N Vine Street near the Vine Meadows Subdivision. This application has previously been approved by the Planning Commission and City Council. The property currently contains one single family residence and outbuildings. The lots are flat and not being used for farming. The City's Zoning Map calls for low density residential for the property upon annexation. Although no development application is pending at this time, future development would allow approximately twelve (12) single family lots. Any further 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
Chaunee Seifried,
Canby City Recorder

2-19-03

Date