

## **RESOLUTION NO. 1140**

**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 0.79 ACRES DESCRIBED AS TAX LOTS 1100 AND 1101 OF TAX MAP 4S-1E-4D LOCATED ADJACENT TO THE WEST SIDE OF THE 1600 BLOCK OF S. IVY STREET IN 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 6, 2012 ELECTION.**

**WHEREAS**, the Canby City Council has heretofore approved an application filed by Robert Price on behalf of Hope Village, the owners of tax lots 1100 and 1101 of Tax Map 4S-1E-4D, to annex 0.79 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 September 6, 2012 in order to appear on the ballot for the November 6, 2012 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 6, 2012 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 November 6, 2012 election.

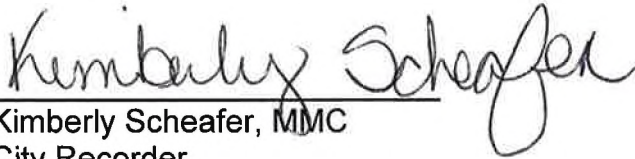
This Resolution shall take effect on August 15, 2012.

ADOPTED this 15<sup>th</sup> day of August, 2012, by the Canby City Council.



Randy Carson  
Mayor

ATTEST:



Kimberly Scheafer, MMC  
City Recorder

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 0.79 ACRES  
INTO THE CITY OF CANBY**

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

Word Total 353 (500 max)

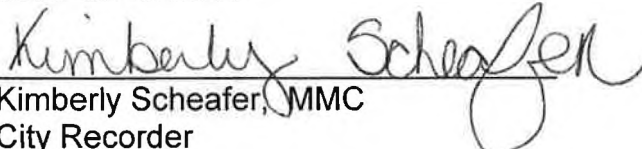
This measure would approve the annexation of 0.79 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lots 1100 and 1101 of Tax Map 4S-1E-4D and is located generally in the southern part of the City. Tax Lots 1100 and 1101 are currently zoned Exclusive Farm Use (EFU) under County zoning. If annexation into the City is approved by the voters, the parcels would be rezoned to R-2, High Density Residential, as will be required under the City's Comprehensive Land Use Plan (Comp Plan) and Zoning Map.

Tax Lots 1100 and 1101 are owned by Hope Village, Inc.. Robert Price has filed the application for annexation into the City of Canby on behalf of Hope Village. The City, following its Charter, has put this matter before the voters for approval.

The parcels are located adjacent to the west side of the 1600 block of S. Ivy Street in Canby. One tax lot is vacant land while the other currently has a manufactured home on it. Adjacent properties to the south and east are outside current city limits and are zoned Exclusive Farm Use (EFU). The adjacent property to the north is occupied by Hope Village and is located within the city limits. Under the Comp Plan, property to the north is zoned for Medium Density Residential. Property to the west is currently zoned High Density Residential and is vacant. As indicated above, the subject property would be rezoned upon annexation approval to R-2, High Density Residential. Under the R-2 zoning regulations, the applicant indicates they would construct a minimum of eleven additional senior housing units which would be allowed in that zone. 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 Planning Commission unanimously voted to approve the application and the Canby City Council unanimously voted to approve the application and refer it to a vote of the Canby electorate.

**CITY OF CANBY**

  
Kimberly Scheafer, MMC  
City Recorder

8/16/12  
Date

# Notice of City Measure Election

**SEL 802**

rev 01/10: ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465

## City and Notice Information

Notice is hereby given on August 16, , 20 12 , that a measure election will be held in

City of Canby

Oregon on November 6, , 20 12 .

Name of City or Cities

Date of Election

The following shall be the ballot title of the measure to be submitted to the city's voters:

**Caption** 10 words

MEASURE APPROVING ANNEXATION OF 0.79 ACRES INTO CITY OF CANBY

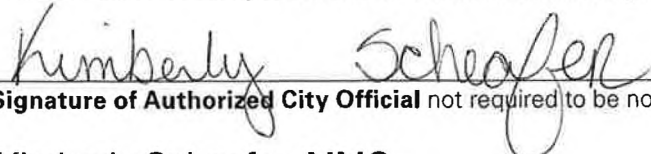
**Question** 20 words

SHALL 0.79 ACRES LOCATED ADJACENT TO THE SOUTH OF HOPE VILLAGE, ON S. IVY STREET, BE ANNEXED INTO CANBY?

**Summary** 175 words

Annexation is the legal process to bring property into the Canby City limits. Robert Price has filed an application on behalf of Hope Village, the owner of two parcels totaling 0.79 acres, asking the City to bring them into the City limits. The legal description of the parcels is Tax Lots 1100 and 1101 of Tax Map 4S-1E-4D. The tax lots are located adjacent to the southern boundary of Hope Village adjacent to the west side of the 1600 block of S. Ivy Street in Canby. This application has been approved by the City Planning Commission following a hearing on July 9, 2012 and further approved by the Canby City Council at its meeting of July 18, 2012. One tax lot is vacant land while the other currently has a manufactured home on it. It is currently zoned Exclusive Farm Use (EFU) by Clackamas County. Canby's Comprehensive Plan Map will designate the property for High Density Residential (R-2) zoning upon annexation. Any future development requires City review and must comply with land use laws.

*The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.*

  
Signature of Authorized City Official not required to be notarized

8/16/12  
Date Signed mm/dd/yy

Kimberly Scheafer, MMC

City Recorder

Printed Name of Authorized City Official

Title

## HOPE VILLAGE LOCATER MAP



**CITY FILE #:** Hope Village ANN 12-01; CPA 12-01; ZC 12-01

**PROPERTY SIZE:** The site is approximately 0.79 acres

**TAX LOT:** Map 4S-1E-4D Lot #'s 1100 & 1101

**OWNER/APPLICANT:** Hope Village, Inc.; Robert Price, Representative