

ORDINANCE NO. 1535

AN ORDINANCE, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 10,878 SQUARE FEET OF REAL PROPERTY DESCRIBED AS A PORTION OF TAX LOT 100 OF NW ¼, SEC. 34, T.3S., R.1E., W.M. (TAX MAP 31E34B); AND APPROX. 350 SQUARE FEET OF ADJACENT NORTH REDWOOD STREET RIGHT-OF-WAY; AND AMENDING THE EXISTING COUNTY ZONING FROM RURAL RESIDENTIAL FARM FOREST FIVE ACRE (RRFF-5) TO CITY MEDIUM DENSITY RESIDENTIAL (R-1.5) FOR THE ENTIRE AREA; AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CANBY CITY LIMITS.

WHEREAS, on August 19, 2020, at a public hearing the City Council of the City of Canby approved by a vote of 5 to 0, Annexation (ANN/ZC 20-01) which called for the annexation of 10,878 square feet of real property and public right-of-way into the City of Canby. The applicant is Icon Construction and Development & Buchanan. A complete legal description and survey map of the property and adjacent right-of-way known as N. Redwood Road delineates the property to be annexed and is attached hereto as Exhibit A & B respectively and by this reference are incorporated herein; and

WHEREAS, Pursuant to CMC 16.84.080, the City must proclaim by ordinance or resolution, the annexation of said property into the City and set the boundaries of the property by legal description; and

WHEREAS, an application was filed by the City as the applicant listed above to annex the real property and right-of-way identified and bring said real property and right-of-way into the City's jurisdiction as previously negotiated with Clackamas County and included in an Inter-Governmental Agreement (IGA) adopted by the Canby City Council on December 5, 2018 as Resolution No. 1306; and

WHEREAS, a public hearing was conducted by the Canby Planning Commission on July 27, 2020 after public notices were mailed, posted and published in the Canby Herald, as required by law; and

WHEREAS, the Canby Planning Commission heard and considered testimony regarding the annexation for annexations by Figure 16.84.040 of Chapter 16.84 of the Land Development and Planning Ordinance at the public hearing and at the conclusion of the public hearing; the Planning Commission voted to recommend that the City Council approve the application; and

WHEREAS, the Canby City Council considered the matter and the recommendation of the Planning Commission following a public hearing held at its regular meeting on August 19, 2020; and

WHEREAS, the Canby City Council, after considering the applicant's submittal, the staff report, the Planning Commission's hearing record and their recommendation documented in their written Findings, Conclusions and Order, and after conducting its own public hearing; voted to

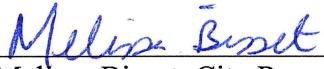
approve the annexation; and

WHEREAS, the written Findings, Conclusions and Order of the Council action is to be approved by the City Council at the next regular Council meeting on September 2, 2020; and

NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. It is hereby proclaimed by the City Council of Canby that 2.4 acres of right-of-way described, set, and shown in Exhibit A & B and attached hereto, is annexed into the corporate limits of the City of Canby, Oregon.


SUBMITTED to the Council and read the first time at a regular meeting thereof on August 19, 2020 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter, and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on September 2, 2020, commencing at the hour of 7:00 PM at the Council Meeting Chambers located at 222 NE 2nd Avenue, Canby, Oregon.



Melissa Bisset, City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on September 2, 2019 by the following vote:

YEAS 5 NAYS 0



Brian Hodson
Mayor

ATTEST:



Melissa Bisset, CMC
City Recorder

AFFIDAVIT OF POSTING

STATE OF OREGON)
)
County of Clackamas) ss:
)
CITY OF CANBY)

I, Melissa Bisset, being first duly sworn, depose and say that I am the City Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon.

That on the 19th day of August, 2020 the Council for said City of Canby held a Regular City Council Meeting, at which meeting Ordinance No. 1535 was read for the first time and passed by the vote of said Council and was then and there ordered posted in at least three (3) public and conspicuous places in said City for a period of five (5) days prior to the second reading and final vote on said Ordinance, as provided in Section 2 of Chapter 8 of the Charter of the City of Canby, and

Thereafter, on the 19th day of August, 2020, I personally posted said Ordinance in the following three (3) conspicuous places, all within the said City of Canby, to wit:

- 1. Canby Civic Building – Front Doors
- 2. Canby Post Office
- 3. City of Canby Web Page

That since said posting on the date aforesaid, the said Ordinance will remain posted in the said three (3) public and conspicuous places continuously for the period of five (5) days and until the very 2nd day of September, 2020.

Melissa Bisset
Melissa Bisset, City Recorder

Subscribed and sworn to before me this 21st day of August, 2020.

Erin Elizabeth Burckhard
Notary Public for Oregon
My Commission Expires: 9/4/2022

