

RESOLUTION NO. 5007

A RESOLUTION PROPOSING THE ANNEXATION OF PROPERTIES LOCATED BETWEEN THE EXISTING CITY LIMITS BOUNDARY AND THE CALAPOOIA RIVER, AND FORWARDING THE QUESTION OF ANNEXATION TO THE VOTERS ON THE NOVEMBER 2, 2004 BALLOT.

THE CITY COUNCIL OF THE CITY OF ALBANY resolves that the findings and conclusions contained in Resolution Exhibit B (which consists of the complete staff report to the Albany City Council, including attachments, and dated July 2004; File AN-A1-04), and by this reference incorporated herein, are hereby adopted.

THE CITY COUNCIL OF THE CITY OF ALBANY FURTHER RESOLVES that this annexation, which would annex approximately 300 acres of property between the existing city limits boundary and the Calapooia River, all within Linn County, Oregon, is to be submitted to the legal voters of Albany, Oregon, for their approval or rejection pursuant to Albany City Charter Chapter 54 at an election to be held on November 2, 2004. This election will be conducted by mail-in ballot.

The ballot title of this measure and the form in which it shall be printed on the official ballot is as follows:

CAPTION: MEASURE PROPOSING ANNEXATION OF PROPERTY IN WEST ALBANY

QUESTION: Shall property totaling approximately 300 acres between the existing city limits boundary and the Calapooia River be annexed?

SUMMARY: Approval of this measure would annex approximately 300 acres to the City of Albany. The property to be annexed is located in west Albany between the existing city limits boundary and the Calapooia River. The property is surrounded by the city limits of Albany and by the Calapooia River. Upon annexation, approximately 210 acres would be zoned OS (Open Space), and approximately 90 acres would be zoned RS-6.5 (Residential Single Family).

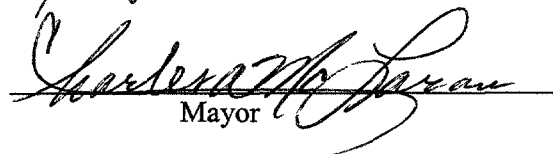
The text of the measure is as follows:

The following described real property, all located in Linn County, Oregon, shall be annexed to the City of Albany upon obtaining a favorable majority vote of the people.

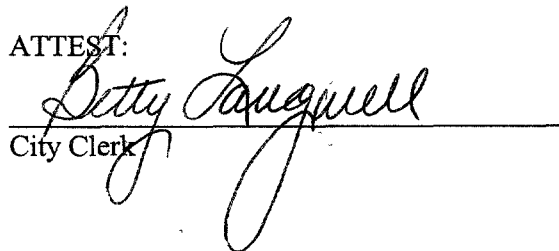
The property generally located in west Albany between the existing city limits boundary and the Calapooia River, as further described in the attached legal description labeled Resolution Exhibit A. The subject properties containing 300 acres, more or less.

The City Clerk is authorized and directed to give notice of the submission of this question to the voters, including a true copy of the complete text and the ballot title for the measure in the form in which it shall be printed on the official ballot and any other information required by law to be published. That notice shall be published in not less than two successive and consecutive weekly issues of the *Albany Democrat-Herald*.

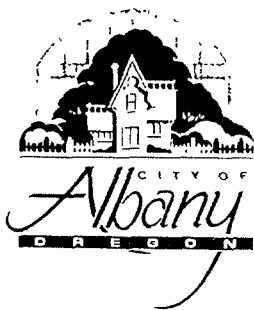
DATED AND EFFECTIVE THIS 28 DAY OF July, 2004.



Mayor

ATTEST:


City Clerk



July 15, 2004

CITY HALL
333 Broadalbin SW
P O Box 490
Albany OR 97321-0144
www.ci.albany.or.us

Darrel Porter
34861 Oakville Rd SW
Albany, OR 97321-9424

(541) 917-7500

Dear Darrel Porter:

ADMINISTRATIVE SERVICES

**City Manager/
Human Resources**
(541) 917-7501
FAX (541) 917-7511

Finance/Recorder
(541) 917-7520
FAX (541) 917-7511

Municipal Court
(541) 917-7740
FAX (541) 917-7748

Water/Sewer Billing
(541) 917-7547
FAX (541) 917-7511

**COMMUNITY
DEVELOPMENT
Planning**
(541) 917-7550
FAX (541) 917-7598

Building Inspection
(541) 917-7553
FAX (541) 917-7598

FIRE ADMINISTRATION
(541) 917-7700
FAX (541) 917-7716

**PARKS & RECREATION
ADMINISTRATION**
(541) 917-7777
FAX (541) 917-7776

**PUBLIC WORKS
Engineering**
(541) 917-7676
FAX (541) 917-7573

Transit
(541) 917-7667
FAX (541) 917-7573
TDD (541) 917-7678

"ISLAND" ANNEXATIONS

City records indicate that you own property that lies within one of several "islands" the Albany City Council is considering placing on the November 2004 ballot for annexation. State law (ORS 222.750) gives cities the authority to annex properties that are surrounded on all sides by property already in the city, or by city limits and bodies of water. The statute provides that island annexations can be done with or without the consent of the property owner or residents in the area to be annexed.

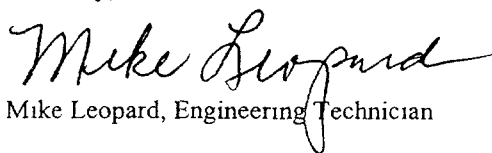
While the Council is not required to hold a public hearing on island annexations, they will hold one on July 28, 2004, at City Hall at 7:15 p.m. In deciding whether to put annexations on the ballot, the Council typically looks at whether an annexation is timely. The principal timeliness criterion is whether or not "an adequate level of urban services is available or can be made available in a timely manner." In the case of island annexations, state law presumes that the city may already be providing certain municipal services to these properties.

A primary reason the Council is pursuing island annexations is to create logical city limit lines for fire, ambulance and law enforcement response.

We have attached a staff report on this proposed annexation, including maps showing the existing Comprehensive Plan designations and proposed zoning. More than two-thirds of the property would be zoned Open Space. Most of this land is near the Calapooia River and would be left in its natural state. All of the other zoning would be low density residential (RS-6.5), in keeping with existing development patterns and surrounding zoning.

If you have comments regarding the potential annexation of your property, you are welcome to attend the public hearing on July 28 or to send written comments to me at the City of Albany Community Development Department, P.O. Box 490, Albany, OR 97321. If you have questions, please feel free to call me at 917-7641.

Sincerely,


Mike Leopard, Engineering Technician

MAL

Enclosure. Island Annexation Staff Report, Comprehensive Plan Map, Proposed Zoning Map
c Helen Burns Sharp, Community Development Director

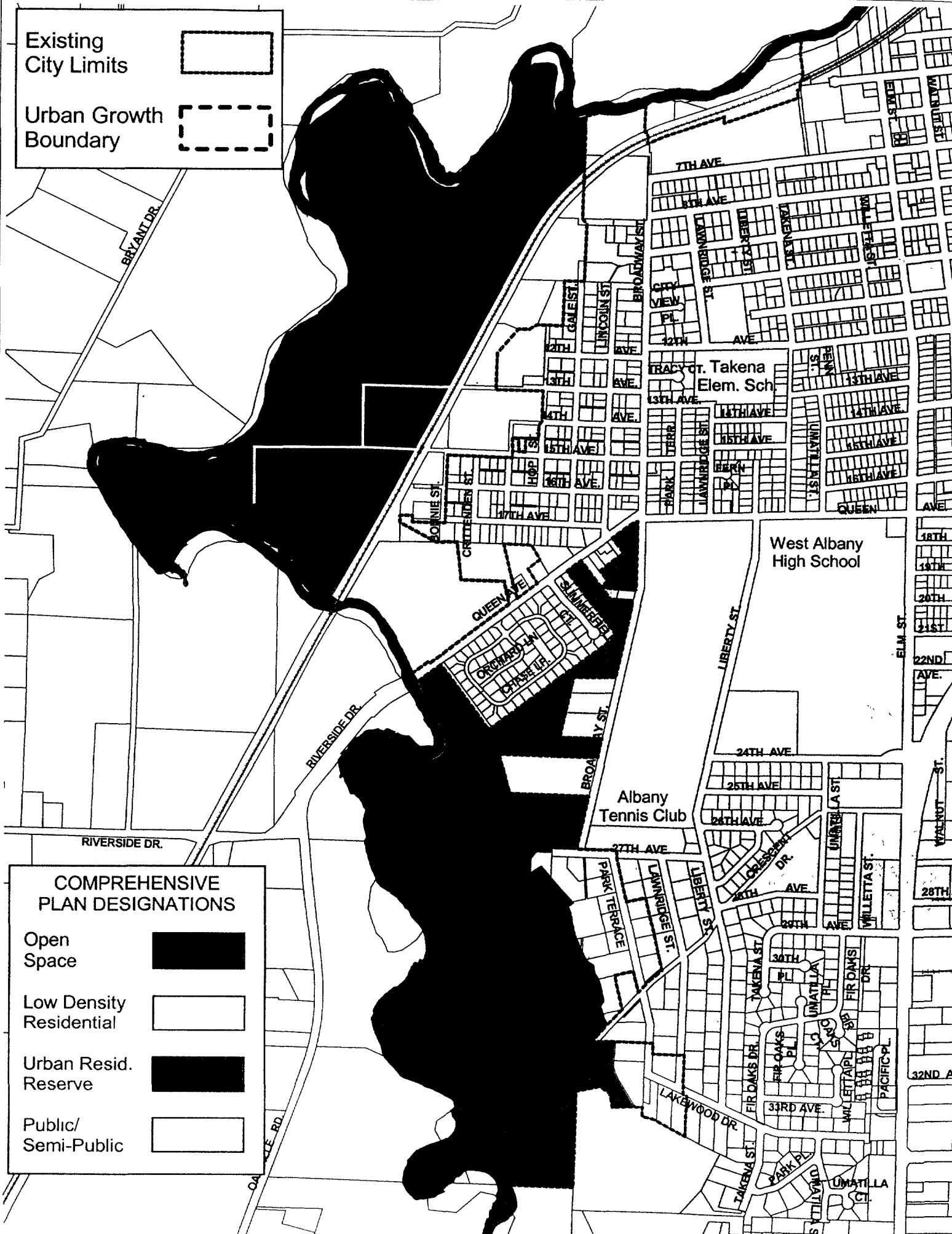
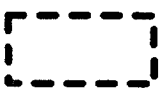
Island Annexation Staff Report
Resolution Exhibit B
 July 2004 (AN-A1-04)

<p align="center"><u>West Albany Area Island</u> (Map A Island 1)</p>																	
<p>Number of Parcels – 92 full parcels 2 portions of parcels</p>																	
<p>Gross Area – 300± acres (including rights-of-way, etc.)</p>																	
<p>Current Land Uses –</p> <table border="0"> <tr> <td>Single-Family Homes –</td> <td align="right">59</td> </tr> <tr> <td>Undeveloped Parcels –</td> <td align="right">30</td> </tr> <tr> <td>Electric Substation –</td> <td align="right">1</td> </tr> <tr> <td>Too Small to Develop –</td> <td align="right">3</td> </tr> </table>		Single-Family Homes –	59	Undeveloped Parcels –	30	Electric Substation –	1	Too Small to Develop –	3								
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Existing
City Limits



Urban Growth
Boundary

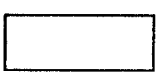


**COMPREHENSIVE
PLAN DESIGNATIONS**

Open
Space



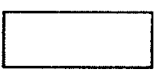
Low Density
Residential



Urban Resid.
Reserve



Public/
Semi-Public



Existing
City Limits



Urban Growth
Boundary



**PROPOSED ZONING
DESIGNATIONS**

Open
Space (OS)



Single-Family
Residential (RS-6.5)

