

ORDINANCE NO. 478

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY.

WHEREAS, an application was filed with the Canby City Recorder on December 14, 1964, by Wayne M. Bartholemy as authorized agent of the owners of the real property hereinafter described, to amend the zoning map of the City of Canby for the purpose of changing the classification of the zone in which the following described real property is located from an M-1 (LIGHT INDUSTRIAL ZONE) to a C-2 (HIGHWAY COMMERCIAL ZONE), and the application fee as required by Section 32 of the City's Zoning Ordinance has been paid. The following is a description of the area which consists of less than ten acres for which the application was filed for a zone change, to-wit:

Part of the Philander Lee D.L.C. No. 56, in T. 3 S., R. 1 E., of the W.M., in the County of Clackamas and State of Oregon, described as:

Beginning at the most Westerly corner of Weeds Addition to the Town of Canby, thence South 26° East along the Westerly plat line 212.68 feet to the most southerly corner of Lot 4, Block 3, said addition; thence South 64° West 52.73 feet; thence South 25° $32'$ East 130 feet, more or less, to the northerly line of South 2nd Avenue, extended; thence South 63° $50'$ West 99.56 feet; thence North 26° $04'$ West 318.57 feet to the southeasterly line of U. S. 99E; thence along a 1382 foot radius curve to the right 82.4 feet; thence North 63° $03'$ East 18.9 feet; thence North 25° $32'$ West 10 feet; thence North 63° $50'$ East 52.7 feet to the place of beginning, being all of that tract described in Deed Book 496, page 33 and a part of that tract described in Deed Book 495, page 396, as shown by survey on file in the County Surveyor's office, PS No. 1879.

WHEREAS, before taking final action on the said application and the proposed amendment, the Canby City Planning Commission held a public hearing thereon, and said hearing was conducted on Monday, December 28, 1964, at the hour of 8:30 o'clock p.m., Pacific Standard Time, at the Canby City Hall in Canby, Clackamas County, State of Oregon, and proper notice of the time, place and purpose of such hearing was duly given in the manner and for the time required by Section 33 (1) (b) of the City Zoning Ordinance No. 452, and proof of the mailing of the required notice to all persons required to be notified was made by the Affidavit of the Canby City Recorder

on file in his office in the records and file of this matter; and

WHEREAS, the Canby City Planning Commission at the time and place of the public hearing on such matter heard and considered arguments for and against the proposed zone change, and upon the conclusion of the hearing by motion duly made, seconded and unani- mously carried, recommended to the Canby City Council that the application of the said Wayne M. Bartholemy, agent, be approved, and that the proposed amendment to the City Zoning Map be made, and that the zone classification of the above described real property be changed from that of M-1 (LIGHT INDUSTRIAL ZONE) to that of C-2 (HIGHWAY COMMERCIAL) ZONE); whereupon a written report and recommen- dation of the Canby City Planning Commission was duly made and filed with the Canby City Council; and

WHEREAS, the Canby City Council held a public hearing on the said application and the proposed amendment as required by the pro- visions of Section 33 (3) of the City Zoning Ordinance No. 452, and said public hearing was held on the 8th day of January, 1965, at the hour of 12 o'clock noon, Pacific Standard Time, at the Canby City Hall after proper notice thereof was duly given in the manner and for the time required by the said Zoning Ordinance and O.R.S. 227.260, and proof of the publication of such notice in the Canby Herald, a newspaper of general circulation printed and published in Canby, Oregon, is on file in the office of the Canby City Recorder as a part of the records and file of this matter; and

WHEREAS, there were no objections or remonstrances made against the said application and the proposed amendment at said public hearing before the Canby City Council and the Council after due consideration and deliberation on the matter and after having reviewed and considered the reports and recommendations of the Canby City Planning Commission determined that it would be in the best interests of the City and the inhabitants thereof if the said application were approved and the proposed zone change and amendment to the City Zoning Map were made as applied for; NOW, THEREFORE,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. That the Zoning Map of the City of Canby dated July 15, 1963, and adopted as a part of the City Zoning Ordinance No. 452 adopted July 15, 1963, shall be and the same is hereby amended and changed so that the zone boundaries of the C-2 (HIGHWAY COMMERCIAL ZONE) shall now include the following described parcel of property, to-wit:

Part of the Philander Lee D.L.C. No. 56, in T. 3 S., R. 1 E., of the W.M., in the County of Clackamas and State of Oregon, described as:

Beginning at the most Westerly corner of Weeds Addition to the Town of Canby, thence South 26° East along the Westerly plat line 212.68 feet to the most southerly corner of Lot 4, Block 3, said addition; thence South 64° West 52.73 feet; thence South 25° $32'$ East 130 feet, more or less, to the northerly line of South 2nd Avenue, extended; thence South 63° $50'$ West 99.56 feet; thence North 26° $04'$ West 318.57 feet to the southeasterly line of U. S. 99E; thence along a 1382 foot radius curve to the right 82.4 feet; thence North 63° $03'$ East 18.9 feet; thence North 25° $32'$ West 10 feet; thence North 63° $50'$ East 52.7 feet to the place of beginning, being all of that tract described in Deed Book 496, page 33 and a part of that tract described in Deed Book 495, page 396, as shown by survey on file in the County Surveyor's office, PS No. 1879;

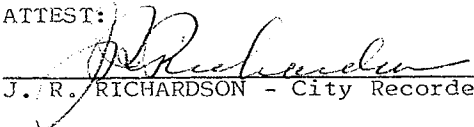
and upon the adoption of this Ordinance, said property shall thereupon be classified as a C-2 Zone and not as an M-1 Zone.

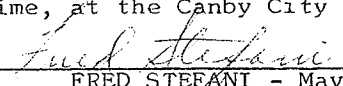
Section 2. The City Superintendent and the City Recorder are hereby authorized and directed to make the appropriate changes in the City Zoning Map.

Section 3. It being deemed by the Canby City Council that an emergency exists, this Ordinance shall take effect immediately upon its final reading and passage by the Canby City Council.

Passed on first reading of the Canby City Council at a recessed regular meeting thereof held on the 8th day of January, 1965; ordered posted as provided by the Canby City Charter and to come up for final reading and action by the Canby City Council at a regular meeting thereof to be held on the 1st day of February, 1965, at the hour of 8:00 o'clock p.m., Pacific Standard Time, at the Canby City Hall.

ATTEST:


J. R. RICHARDSON - City Recorder



FRED STEFANI - Mayor

Passed on final reading this 1st day of February, 1965, by
the following votes: Yeas 6. Nays 0.



FRED STEFANI - Mayor

ATTEST:



J. R. RICHARDSON - City Recorder