

ORDINANCE NO. 522

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY.
(Application of Dave Anderson, Agent for Herman Hellhake,
et ux and Willy Delforge - South of Highway 99E and West
of S. Neff Road)

WHEREAS, an Application was filed with the Canby City Recorder on January 7, 1969, by Dave Anderson, authorized agent of Herman Hellhake and Clara B. Hellhake, husband and wife, and Willy Delforge, 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 R-1 (Low Density Residential Zone) to a C-2 (Highway Commercial Zone), and the application fee as required by Section 32 of Ordinance No. 452 (the City's Zoning Ordinance) has been paid. The following is a description of the area which consists of less than ten (10) acres of land for which the Application was filed for a zone change, to-wit:

Beginning at a point on the southerly side of U.S. Highway No. 99E, 810 feet more or less from the easterly side of South Locust Street, and continuing along the said Highway for a distance of 443 feet to a point 1253 feet from the easterly side of South Locust Street; thence 823 feet more or less in a southerly direction; thence 443 feet westerly; thence northerly to the point of beginning, totaling approximately 8.4 acres in Canby, Clackamas County, State of Oregon.

WHEREAS, before taking final action on said Application and the proposed amendment, the Canby City Planning Commission held a public hearing thereon and said hearing was conducted on Wednesday, January 22, 1969, at the hour of 8:00 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. Said Notice was given by the Canby City Recorder by mailing written notice on January 11, 1969, to all owners of property within lines parallel to and 200 feet from the exterior boundaries of the property involved, and the City Recorder's Affidavit of such

mailing is on file at the Canby City Hall in the records and file of this matter.

WHEREAS, the Canby City Planning Commission at the time and place of the public hearing on such matter heard and considered discussion for the proposed zone change and no objections were raised thereto; and upon the conclusion of the hearing by motion duly made, seconded and unanimously carried, recommended to the Canby City Council that the Application 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 R-1 (Low Density Residential Zone) to that of C-2 (Highway Commercial Zone); whereupon a written report and recommendation 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 said Application and the proposed amendment as required by the provisions of Section 33 (3) of the City Zoning Ordinance No. 452, and said public hearing was held on Friday, February 14, 1969, at the hour of 7:00 o'clock p.m., Pacific Standard Time, at the Canby City Hall in Canby, Clackamas County, State of Oregon, after proper notice thereof was first 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, Clackamas County, State of Oregon, is on file in the office of the Canby City Recorder at the Canby City Hall and is a part of the records and file of this matter; and

WHEREAS, there were no objections raised to said Application or the proposed amendment at said hearing, and after hearing remarks from the proponents of the proposed zone change and after due consideration and deliberation of the reports and recommendations of the City Planning Commission, the Canby City Council determined that

it would be in the best interest 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 real property, to-wit:

Beginning at a point on the southerly side of U. S. Highway No. 99E, 810 feet more or less from the easterly side of South Locust Street, and continuing along the said Highway for a distance of 443 feet to a point 1253 feet from the easterly side of South Locust Street; thence 823 feet more or less in a southerly direction; thence 443 feet westerly; thence northerly to the point of beginning, totaling approximately 8.4 acres in Canby, Clackamas County, State of Oregon;


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

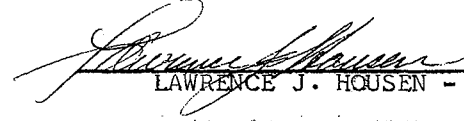
Passed on first reading of the Canby City Council at a regular meeting thereof held on the 3rd day of March, 1969; ordered posted as provided by the Canby City Charter and to come up for final reading and action of the Canby City Council at a regular meeting thereof to be held on Monday, the 7th day of April, 1969, at the hour of 8:00 o'clock p.m., Pacific Standard Time, at the Canby City Hall.

ATTEST:

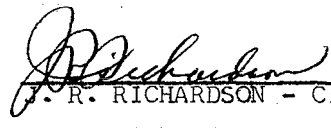

J. R. RICHARDSON - City Recorder


LAWRENCE J. HOUSEN - Mayor

Passed on final reading of the Canby City Council at a regular meeting thereof held on this 7th day of April, 1969, by the following vote: Yeas 6. Nays 0.


LAWRENCE J. HOUSEN - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder