

ORDINANCE NO. 528

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY.
(Application of Globe-Union, Inc.)

WHEREAS, an application was filed with the Canby City Recorder on June 9, 1970, by Globe-Union, Inc. and approved by D & S Farms, Inc., owner of the hereinafter described property, 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 R-1 (Low Density Residential Zone) to an M-1 (Light Industrial 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 approximately 30.16 acres of land and for which the APPLICATION FOR ZONE CHANGE was filed, to-wit:

Approximately 30.16 acres located North of N. W. 3rd Avenue and West of N. Cedar Street and being a part of Section 32, Township 3 South, Range 1 East of the Willamette Meridian in 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, July 1, 1970, at the hour of 8:30 o'clock p.m., Oregon Daylight Saving 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)-(a) of the City Zoning Ordinance No. 452, and the Affidavit of Publication of Notice of said Public Hearing in the Canby Herald for the issues of June 18 and June 25, 1970, is on file in the City Recorder's 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 both the proponents for the change and also those who were opposed, and at the conclusion of the hearing by motion duly made, seconded and carried, it was recommended to the Canby City Council that the request for the said zone change be allowed with the exception of the Northernmost 150 feet, which would allow a buffer zone

between the M-1 and the existing R-1 Zones. At the conclusion of the Planning Commission's meeting and public hearing of July 1, 1970, a written report and recommendation of the 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, July 17, 1970, at the hour of 7:30 o'clock p.m., Oregon Daylight Saving 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 some objections raised to the said application and the proposed amendment at the hearing before the Canby City Council on July 17, 1970, but after hearing the remarks of all persons present who wanted to speak on the matter and after due consideration and deliberation on 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 for a part of the land and as recommended by the Planning Commission; 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 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 M-1 (Light Industrial Zone) shall now include the following described real property, to-wit:

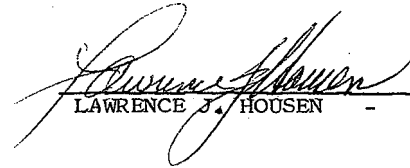
Approximately 30.16 acres located North of N. W. 3rd Avenue and West of N. Cedar Street and being a part of Section 32, Township 3 South, Range 1 East of the Willamette Meridian in Clackamas County, State of Oregon; EXCEPT the Northerly 150 feet thereof;

and upon the final adoption of this Ordinance, said property shall thereupon be classified as an M-1 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 August, 1970; 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 the 8th day of September, 1970, at the hour of 8:00 o'clock p.m., Oregon Daylight Saving Time, at the Canby City Hall.


LAWRENCE J. HOUSEN - Mayor

ATTEST:



J. R. RICHARDSON - City Recorder

Passed on final reading of the Canby City Council at a regular meeting thereof held on this 8th day of September, 1970, by the following vote:

Yeas 6. Nays 0.


LAWRENCE J. HOUSEN - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder