

ORDINANCE NO. 560

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY
(Application of Basic Builders, Inc. - Part of Tract 38,
CANBY GARDENS)

WHEREAS, an Application was filed with the Canby City Recorder by Basic Builders, Inc. of Salem, Oregon, 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 an R-2 (Medium Density Residential 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:

Part of Tract 38, Canby Gardens, in the City of Canby, County of Clackamas, State of Oregon, more particularly described as follows:

Beginning on the east line of said Tract 38, Canby Gardens, 75 feet north of the southeast corner thereof; thence north on Tract line 75 feet; thence west parallel with the south line of said tract, 200 feet to the west line thereof; thence south on tract line 75 feet; thence east parallel with the south line of said tract, 200 feet to the place of beginning.

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 Tuesday, August 8, 1972, at the hour of 8:05 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) (b) of the Canby City Zoning Ordinance No. 452. Said Notice was given by the Canby City Recorder by mailing written notice to all owners of property within lines parallel to and 200 feet from the exterior boundaries of the property involved, and the Canby 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 arguments for and against the proposed zone change; and upon the conclusion of the hearing by motion duly made, seconded and carried, recommended to the Canby City Council that the Application of Basic Builders, Inc. 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 R-2 (Medium Density Residential 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 the ^{AUG 31 1972} ~~1st day of September~~, 1972, at the hour of 8:00 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 ORS 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, No one appeared before the Canby City Council to protest or object to the proposed zone change on the Application of Basic Builders, Inc.; and after public discussion of the matter, the Council, after due consideration and deliberation and after further review and consideration of the reports and recommendations of the Canby City Planning Commission, 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 R-2 (Medium Density Residential Zone) shall now include the following described real property, to-wit:

Part of Tract 38, Canby Gardens, in the City of Canby, County of Clackamas, State of Oregon, more particularly described as follows:

Beginning on the east line of said Tract 38, Canby Gardens, 75 feet north of the southeast corner thereof; thence north on Tract line 75 feet; thence west parallel with the south line of said tract, 200 feet to the west line thereof; thence south on tract line 75 feet; thence east parallel with the south line of said tract, 200 feet to the place of beginning.

and upon the adoption of this Ordinance, said property shall thereupon be classified as an R-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 4th day of December, 1972; 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 Tuesday, January 2, 1973, at the hour of 8:00 o'clock p.m., Pacific Standard Time, at the Canby City Hall.

ATTEST:



J. R. RICHARDSON - City Recorder



CARL A. BRAMAN - Mayor

Passed on final reading of the Canby City Council at a regular meeting thereof held on the 2nd day of January, 1973, by the following vote: Yeas 6. Nays 0.

Paul N. Roth
PAUL N. ROTH - Mayor

ATTEST:

J. R. Richardson
J. R. RICHARDSON - Recorder