

ORDINANCE NO. 701

AN ORDINANCE AMENDING THE ZONING DESIGNATIONS OF CERTAIN PROPERTY IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT AND PLANNING ORDINANCE OF THE CITY OF CANBY.

WHEREAS, the City of Canby has undergone a thorough citizen involvement process which has included the participation of hundreds of area residents and property owners, spanning a period of several years; and

WHEREAS, Canby has been and continues to be a pleasant and peaceful community in spite of consistent rapid growth over the past 30 years; and

WHEREAS, it has become necessary to efficiently and effectively plan for such growth in a manner which allocates adequate space for all types of appropriate land uses and activities; and

WHEREAS, the City Council has considered the many complex characteristics of the community in adopting the Canby Comprehensive Plan, including: agricultural and forest productivity; scenic, historic, and other resources; natural hazards or constraints to development; recreational needs; economy; housing, public facilities and services; transportation systems; energy conservation; and urban growth needs and limitations; and

WHEREAS, the Statewide Planning Goals, as adopted by the Land Conservation and Development Commission, and ORS 197.175, clearly mandate and require the adoption of appropriate land

use and zoning ordinances which implement local Comprehensive Plans; and

WHEREAS, landmark court cases in recent years (i.e., Baker v. City of Milwaukie and Fasano v. Washington County) have clarified the requirement that zoning regulations conform with and support long-range Comprehensive Plans; and

WHEREAS, the present zoning of all of the properties described herein have been found to be in conflict with the Comprehensive Plan and, therefore, require zone changes to achieve conformity; and

WHEREAS, a public hearing regarding these proposed zone changes was held before both the Canby City Council and Planning Commission meeting jointly on March 9, 1981, after notice of said hearing was properly given in the manner prescribed by Section 34 of the City Zoning Ordinance (#659); and

WHEREAS, the testimony of those present was heard and considered; and

WHEREAS, the Canby Planning Commission, at the conclusion of the public hearing, voted to recommend approval of the proposed zone changes.

NOW, THEREFORE:

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: The zoning of the following tax lots is hereby changed to M-1 (Light Industrial):

1. The remainder of Tax Lot 200, T4S, R1E, 4BB, a portion of which was previously zoned C-2 (Highway Commercial).

2. Tax Lot 1800, T3S, R1E, 33AD, and Tax Lot 600, T3S, R1E, 33DA, which were previously zoned R-1 (Low Density Residential).

3. The remainder of Tax Lot 2000, 2100, 2200, and 2300, T3S, R1E, 33DB, portions of which were previously zoned R-2 (Medium Density Residential).

Section 2: The zoning of the following tax lot is hereby changed to M-1/PUD (Light Industrial/Planned Unit Development):

1. Tax Lot 1002, T3S, R1E, 32D, which was previously zoned R-1 (Low Density Residential).

Section 3: The zoning of the following tax lots is hereby changed to R-1/PUD (Low Density Residential/Planned Unit Development):

1. Tax Lot 100, T3S, R1E, 28, which was previously zoned R-1 (Low Density Residential).

2. Tax Lots 100, 200, and 203, T3S, R1E, 28A, which were previously zoned R-1 (Low Density Residential).

Section 4: The zoning of the following tax lots is hereby changed to Ag. (Agricultural):

1. Tax Lots 300, and 501, T3S, R1E, 33BB, which were previously zoned R-1 (Low Density Residential).

2. Tax Lot 6600, T3S, R1E, 33BC, which was previously zoned R-1 (Low Density Residential).

3. Tax Lots 100, 200 and 1700, T3S, R1E, 32AD, which were previously zoned R-1 (Low Density Residential).

4. Tax Lot 800, T3S, R1E, 32AA, which was previously zoned R-1 (Low Density Residential).

Section 5: The zoning of the following tax lots is hereby changed by the addition of the "H" (Hazard) overlay designation to the existing underlying base zones, for those portions of the listed properties which are below the indicated elevations and

located between the bluff line and the Molalla River (see attached exhibit "A" for illustrative purposes only):

1. Tax Lots 300 and 601, T4S, R1E, 5A, below the 150 foot, mean sea level, elevation.
2. Tax Lots 100 and 290, T4S, R1E, 5D, below the 160 foot, mean sea level, elevation.
3. Tax Lots 1000 and 1100, T4S, R1E, 4B, below the 160 foot, mean sea level, elevation.
4. Tax Lots 800, 900, 1001, 1100, and 1790, T4S, R1E, 4C, below the 160 foot, mean sea level, elevation.
5. Tax Lot 1390, T3S, R1E, 29D, below the 160 foot, mean sea level, elevation.
6. Tax Lots 100, 101, 1600, 1700, and 1800, T3S, R1E, 32AB, below the 160 foot, mean sea level, elevation.
7. Tax Lots 200 and 600, T3S, R1E, 32A, below the 160 foot, mean sea level, elevation.
8. Tax Lots 2700, 2800, 2900, 3000, 3100, 3200, 3300, and 3400, T3S, R1E, 32DB, below the 150 foot, mean sea level, elevation.
9. Tax Lots 300 and 600, T3S, R1E, 32D, below the 150 foot, mean sea level, elevation.
10. Tax Lot 100, T3S, R1E, 32DC, below the 150 foot, mean sea level, elevation.
11. Tax Lots 100, 300, and 400, T4S, R1E, 5, below the 150 foot, mean sea level, elevation.

Submitted to the Council and read the first time at a regular meeting on April 15, 1981; ordered posted as provided by the Canby City Charter and scheduled for second reading and action of the Canby City Council at a regular meeting thereof to be held on Wednesday, the 6th day of May, 1981, commencing at the hour of 7:30 o'clock P.M. at the Council Meeting Chambers at

the Canby City Hall in Canby, Oregon.

Harold A. Wyman

Harold A. Wyman, City Recorder

ENACTED by the Canby City Council at a regular meeting thereof
on the 6th day of May, 1981, by the following vote: YEAS 6 NAYS 0.

Robert A. Swayze

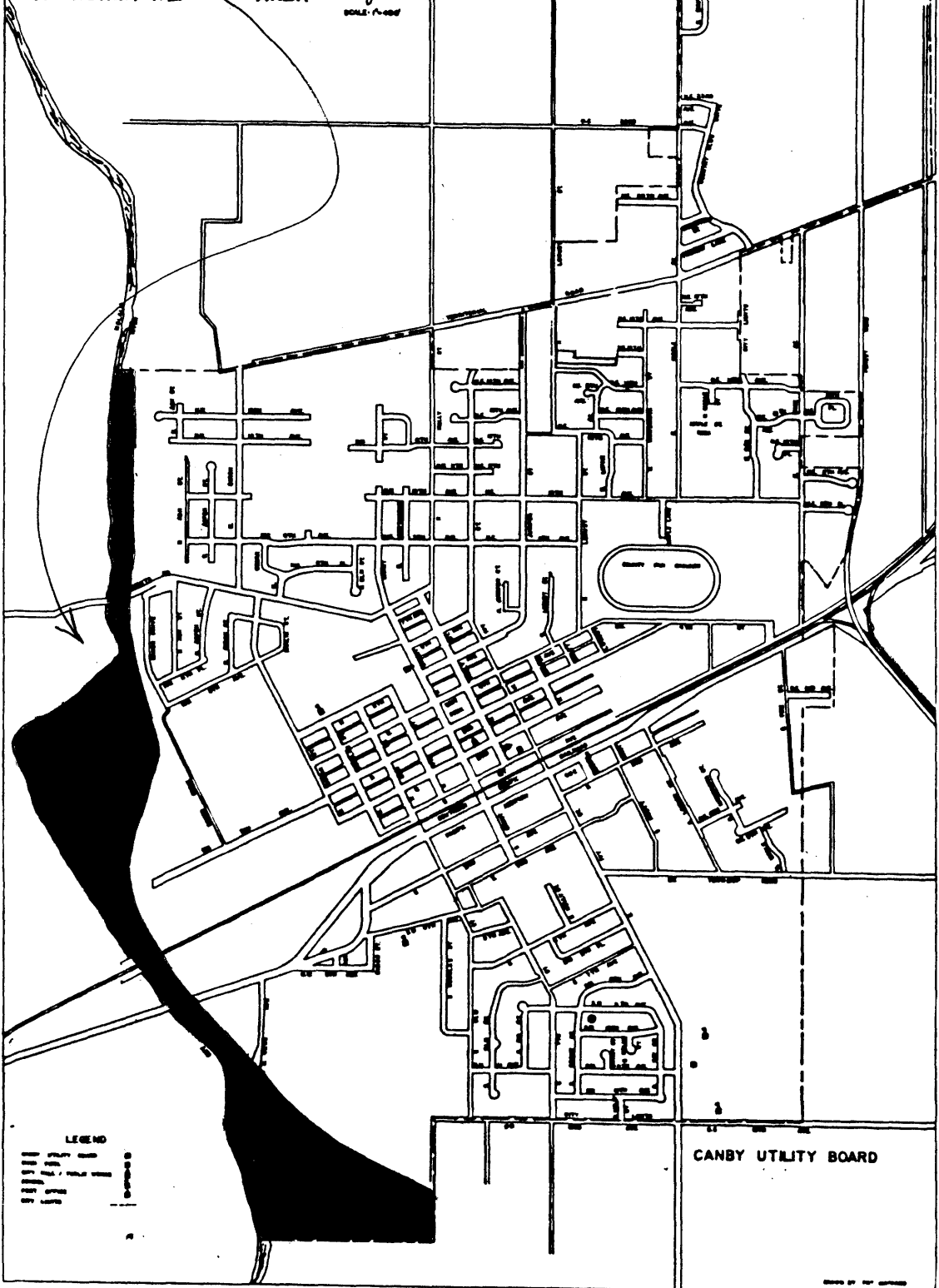
Robert A. Swayze, Mayor

ATTEST:

Harold A. Wyman
Harold A. Wyman, City Recorder

CITY OF CANBY
OREGON

"H" OVERLAY ZONE
APPROXIMATE AREA



CANBY UTILITY BOARD