

ORDINANCE NO. 785

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY,  
OREGON, AND DECLARING AN EMERGENCY.

PURPOSE - To amend the zoning map for the purpose of recording an approved application by Daniel D. Onion to change from R-I, Low Density Residential, to C-R, Commercial/Residential, the zoning of 1.2 acres, described as Tax Lot 1300, Section 4AB T4S R1E, located at 780 S. Ivy Street, Canby, Oregon.

WHEREAS, an application was filed with the City Planner on February 20, 1986, by Daniel D. Onion on the hereinafter described property for the purpose of changing the zoning classification from R-I (Low Density Residential) to C-R (Commercial/Residential). The application fee has been paid. The following is a description of the real property consisting of 1.2 acres and described as Tax Lot 1300, Section 4AB, T4s, R1E, of the Willamette Meridian, Clackamas County, Oregon, located at 780 S. Ivy Street, Canby, Oregon; and

WHEREAS, the Planning Commission scheduled and held a public hearing on the zone change application on March 10, 1986, and notice of the time, place and purpose of said hearing was duly given by written notices mailed by the Planning Commission Secretary to all owners of property within lines parallel to and 200 feet from the exterior boundaries of the property involved as required by the Land Development and Planning Ordinance. Also, notice of said hearing was made by publication in the Canby Herald on February 28, 1986. A record of the property owners to whom notices were mailed and the newspaper's affidavit of publication of the notice are on file in the Planning Department's records and file of this zone change matter in the City's Public Works Department; and

WHEREAS, the Canby Planning Commission at the time and place of the public hearing on such matter, i.e., March 10, 1986, heard and considered testimony regarding the proposed zone change and upon conclusion of the public hearing by motion duly made and seconded and carried by a vote of six to zero (6-0), to recommend approval of the zone change to the City Council; and

WHEREAS, the Canby City Council considered the matter and the recommendation of the Planning Commission at a regular meeting held on March 19, 1986, and thoroughly reviewed the record and heard testimony on the record pursuant to the Land Development and Planning Ordinance; and

WHEREAS, the Canby City Council concluded its discussion on this matter and by motion duly made and seconded, voted 6 to 0 in favor of the requested zone change.

NOW THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The zone boundaries of the C-R, Commercial/Residential zone now include the hereinabove described property and upon the passage of this ordinance said property shall thereupon be classified as C-R, Commercial/Residential, and not R-I, Low Density Residential.

Section 2. The zone change as authorized by Section 1 of this ordinance is subject to the following conditions which were proposed by the Planning Commission and are conditions which shall run with the land, to-wit;

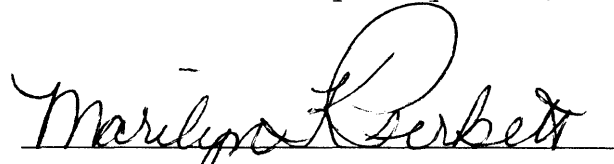
1. Other department reports to become conditions of approval.

Section 3. The Planning Commission's approval of the particular use of said premises (Onion Electric) as similar to other uses allowed within C-R zone is adopted.

Section 4. The Mayor attested by the City Recorder is hereby authorized and directed to make the appropriate changes on the City's Zoning Map in accordance with the dictates of Section 1 of this ordinance.

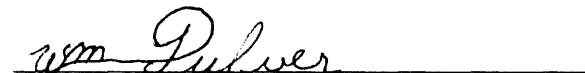
Section 5. In view of the necessity to develop the above described parcel and to better promote the safety, health and welfare of the citizens of Canby, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon final reading and passage by the Canby City Council.

SUBMITTED to the Council and read the first time at a regular meeting thereof on the 19th day of March, 1986, ordered posted in three (3) public and conspicuous places in the City for a period of five (5) days as authorized by the Canby City Charter; and to come up for final reading and action by the Canby City Council at a regular meeting thereof on the 2nd of April, 1986, commencing after the hour of 7:30 o'clock p.m., at the Council's regular meeting chambers at the Canby City Hall, in Canby, Oregon.

  
Marilyn K. Perkett, City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd day of April, 1986.

VOTE 5 Yea; 0 Nay & 0 Abstention

  
William F. Pulver, Mayor

ATTEST:

  
Marilyn K. Perkett, City Recorder