

## **ORDINANCE NO. 991**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON FROM A MIX OF LOW AND HIGH DENSITY RESIDENTIAL TO A MEDIUM DENSITY RESIDENTIAL ZONE DISTRICT FOR TAX LOTS 502 AND 700 OF TAX MAP 4-1E-3BB AND TAX LOT 4401 OF TAX MAP 4-1E-3BC.**

**PURPOSE:** to amend the zoning map for the purpose of recording an approved application by The Picullel-Chimento Group and Willamette Valley Homes (applicants) and Sharon R. Wright and Heirs of Arthur Wright (owners) to change Tax Lots 502 and 700 of Tax Map 4-1E-3BB and Tax Lot 4401 of Tax Map 4-1E-3BC from a mix of Low Density (R-1) and High Density (R-2) Residential to Medium Density Residential (R-1.5); and

**WHEREAS,** an application was filed with the City Planner on December 12, 1997 by The Picullel-Chimento Group and Willamette Valley Homes for the above described property, consisting of approximately 16.28 acres; and

**WHEREAS,** a public hearing was conducted by the Canby Planning Commission on January 26, 1998 after public notices were mailed and posted, as required by law; and

**WHEREAS,** a notice of the Planning Commission hearing was made by publication in the Canby Herald newspaper on January 21, 1998. The newspaper's affidavit of publication of the notice is on file in the records and file of this zone change matter in the City's Community Services Department; and

**WHEREAS,** the Canby Planning Commission heard and considered public testimony regarding the proposed zone change at the public hearing of January 26, 1998. At the conclusion of the public hearing, the Planning Commission voted six (6) to zero (0) to recommend that the City Council rezone the 16.28 acres to Medium Density Residential (R-1.5). The Findings, Conclusions and Final Order was approved by the Planning Commission and forwarded to the Council with its recommendation; and

**WHEREAS,** the Canby City Council considered the matter and the recommendation of the Planning Commission at a regular meeting on March 4, 1998, and thoroughly reviewed the record and heard arguments on the record pursuant to the Canby Municipal Code; and

**WHEREAS**, the Canby City Council, after concluding its review and discussion on this matter and by motion duly made and seconded, voted to deny the Planning Commission's recommendation; and

**WHEREAS**, the Canby City Council, at their regular meeting of March 18, 1998, by motion duly made and seconded, voted to reconsider their decision to deny the Planning Commission's recommendation; and

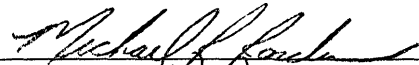
**WHEREAS**, the Canby City Council, after concluding its review and discussion on this matter and by motion duly made and seconded, voted to approve the Planning Commission's recommendation.

**NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. The Boundaries of the Medium Density Residential (R-1.5) Zone shall be amended to include the subject property, Tax Lots 502 and 700 of Tax Map 4-1E-3BB and Tax Lot 4401 of Tax Map 4-1E-3BC, which is hereby removed from the boundaries of the Low Density (R-1) and High Density (R-2) Residential zones.

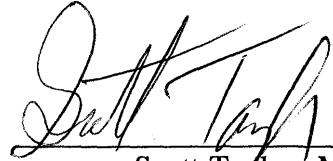
Section 2. The Mayor, attested by the City Administrator, is hereby authorized and directed to make the appropriate change on the City's zoning map in accordance with the dictates of Section 1 of this Ordinance.


**SUBMITTED** to the Council and read the first time at a regular meeting thereof on March 18, 1998, 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 April 1, 1998, commencing after the hour of 7:30 p.m., at the Council's regular meeting chambers at the Canby City Hall in Canby, Oregon.

  
\_\_\_\_\_  
City Administrator  
Mike Jordan

**ENACTED** by the Canby City Council at a regular meeting thereof on March 18, 1998,  
by the following vote:

YEAS   4        NAYS   0  

  
\_\_\_\_\_  
Scott Taylor, Mayor

ATTEST:  
  
\_\_\_\_\_  
Mike Jordan, City Administrator