

## ORDINANCE NO. 998

### **AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON FROM A LIGHT INDUSTRIAL TO A HEAVY INDUSTRIAL ZONE DISTRICT FOR A PORTION OF TAX LOT 407 OF TAX MAP 4-1E-5.**

**PURPOSE:** to amend the zoning map for the purpose of recording an approved application by Pacific Rock Products, LLC (applicant) and Adrian Fisher (owner) to change Tax Lot 407 of Tax Map 4-1E-5 from Light Industrial (M-1) to Heavy Industrial (M-2); in accordance with the property designation on the Canby Comprehensive Plan Land Use Map.

**WHEREAS,** an application was filed with the City Planner on February 9, 1998 by Pacific Rocks Products, LLC. for the above described property, consisting of approximately 12.74 acres; and

**WHEREAS,** a public hearing was conducted by the Canby Planning Commission on April 13, 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 March 11, 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 April 13, 1998. At the conclusion of the public hearing, the Planning Commission voted six (6) to zero (0) to recommend that the City Council deny the request to rezone 12.74 acres of a 14.4 acre parcel from Light Industrial to Heavy Industrial. 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 June 3, 1998, and thoroughly reviewed the record and heard arguments on the record pursuant to the Canby Municipal Code; and

**WHEREAS,** the Canby City Council having accepted the findings, as found in the April 3, 1998 Staff Report further finds that:

**WHEREAS,** the property as depicted in Exhibit "A", is to be zoned for heavy industrial development, in accordance with the Comprehensive Plan Land Use Map; and,

WHEREAS, the City Council, in consideration of the above stated findings, concludes that:

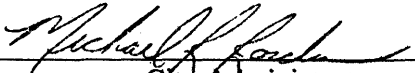
1. The zone change proposal is compatible with the text and maps of the Comprehensive Plan, giving special consideration to Land Use Policy #6; and
2. All required public facilities and services are available to serve the needs of any use or development which would be permitted by the new zoning designation in that means exist to facilitate the extension of services and facilities to the property over the planning period.

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

Section 1. The zone designation for 12.74 acres of a 14.4 acre parcel, described as Tax Map 4-1E-5, Tax Lot 407 and depicted on Exhibit "A", is hereby amended to be Heavy Industrial (M-2), in accordance with the property's designation set forth on the Comprehensive Plan Land Use Map.


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 June 17, 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 July 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 July 1, 1998, by the following vote:

YEAS 3 NAYS 0

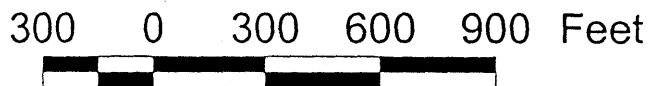
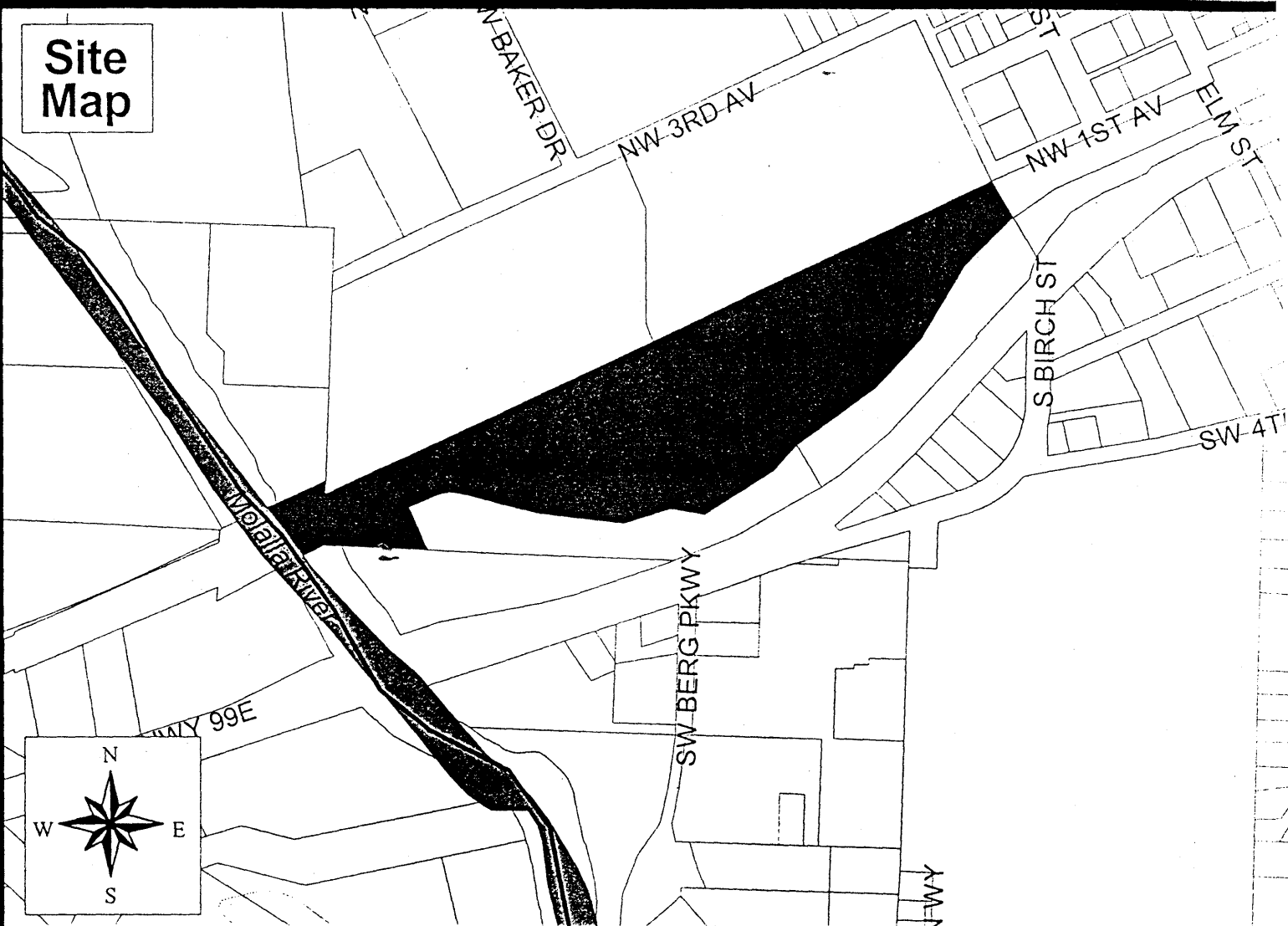
  
\_\_\_\_\_  
Scott Taylor, Mayor

ATTEST:

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

City of Canby  
**Site and Vicinity Map**

EXHIBIT  
ATTACHMENT  
A



## Zone Change

File Number: ZC 98-01

File Name: Pacific Rock Products

Taxlot Number(s): 407 of Map 4-1E-5

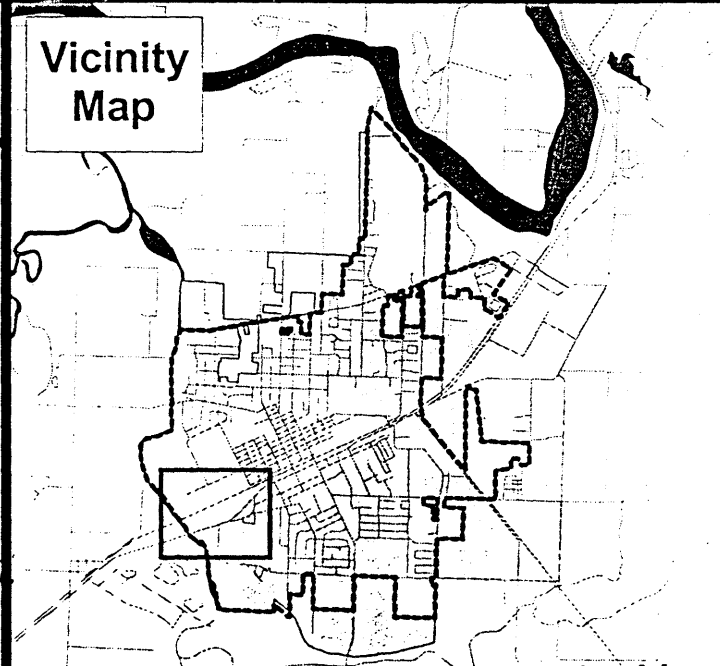
Owner: Adrian Fisher

Applicant: Pacific Rock Products, LLC.

Comp. Plan: Heavy (HI) & Light (LI) Indus

Zoning: M-1

Hearing Date: April 13, 1998



Grey Box Denotes area of Site Map