

## **ORDINANCE NO. 1009**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON TO ADD AN INDUSTRIAL OVERLAY ZONE TO PROPERTIES WITHIN THE INDUSTRIAL MASTER PLAN AREA GENERALLY BOUND BY SE 1ST AVENUE AND HIGHWAY 99-E TO THE NORTH, MULINO ROAD TO THE EAST, SE 13TH AVENUE TO THE SOUTH AND THE MOLALLA FOREST ROAD TO THE WEST (TAX LOTS 700, 900, 901, 1000, 1100, 1700, AND 3400 OF TAX MAP 3-1E-34).**

**PURPOSE:** to amend the zoning map for the purpose of adopting the City's Industrial Area Master Plan (Master Plan), rezoning properties in the City Limits within the Master Plan area, and adding an Industrial Overlay (I-O) zone to the City's zoning designations.

**WHEREAS,** the City has pursued a legislative Comprehensive Plan Amendment, Municipal Code Text Amendment, and Zone Change to adopt the Master Plan, and

**WHEREAS,** the Master Plan includes the preparation of land use, site design, traffic circulation, and infrastructure recommendations for approximately 400 acres of potential commercial and industrial land within the Urban Growth Boundary of the City of Canby, and

**WHEREAS,** the Master Plan area is bounded by SE 1st Avenue to the north, Mulino Road to the east, the Molalla Forest Road to the west, and SE 13th Avenue to the south (see Master Plan document), and

**WHEREAS,** within the Master Plan area, Tax Lots 700, 900, 901, 1000, 1100, 1700, and 3400 of Tax Map 3-1E-34 are currently in the City Limits, and

**WHEREAS,** a public hearing was conducted by the Canby Planning Commission on April 27, 1998, May 11, 1998, July 13, 1998, and July 27, 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 April 22, 1998 and August 19, 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 Planning and Building Department; and

**WHEREAS,** the Canby Planning Commission heard and considered public testimony regarding the proposed zone change at the public hearings of April 27, 1998, May 11, 1998, July 13, 1998, and July 27, 1998. At the conclusion of the public hearing, the Planning Commission voted four (4) to zero (0) to recommend that the City Council adopt the Master Plan and rezone the Master

Plan area to Industrial Overlay (I-O), and

**WHEREAS**, the Canby City Council considered the matter and the recommendation of the Planning Commission at a regular meeting on August 19, 1998, and thoroughly reviewed the record and heard arguments on the record pursuant to the Canby Municipal Code; and

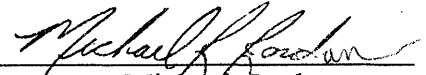
**WHEREAS**, the Canby City Council, after concluding its review and discussion on this matter and by motion duly made and seconded, voted to accept the Planning Commission's recommendation; and

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

Section 1. The boundaries of the Industrial Overlay (I-O) zone as described in the Industrial Area Master Plan shall include Tax Lots 700, 900, 901, 1000, 1100, 1700, and 3400 of Tax Map 3-1E-34.

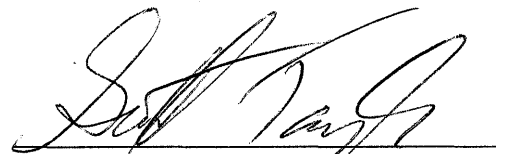
Section 2. The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate change on the City's zoning map in accordance with the dictates of Section 1 of this Ordinance.

**SUBMITTED** to the Council and read the first time at a regular meeting thereof on September 2, 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 September 16, 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.

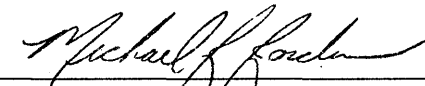
  
\_\_\_\_\_  
Michael Jordan  
City Recorder Pro Tem

**ENACTED** by the Canby City Council at a regular meeting thereof on September 16, 1998, by the following vote:

YEAS 5 NAYS 0

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

ATTEST:

  
\_\_\_\_\_  
Michael Jordan, City Recorder Pro Tem