

**ORDINANCE NO. 1286**

**AN ORDINANCE AMENDING CANBY MUNICIPAL CODE SECTION 16.40.014  
CONCERNING FLOOD HAZARD PROTECTION.**

**WHEREAS**, the Federal Emergency Management Agency (FEMA) recently completed a re-evaluation of flood hazards and has completed a new Flood Insurance Study effective June 17, 2008; and

**WHEREAS**, the Land Development and Planning Ordinance (Title 16) must be updated to reflect the new Flood Insurance Study; and

**WHEREAS**, the Planning Commission held a public hearing concerning the text amendment on May 27, 2008, and adopted findings of approval, set forth in Exhibit "A", on June 09, 2008, and recommended that City Council approve the text amendment; and

**WHEREAS**, the City Council adopts the findings and conclusions set forth in Exhibit "A", and approves the text amendment based on those findings and conclusions; now therefore,

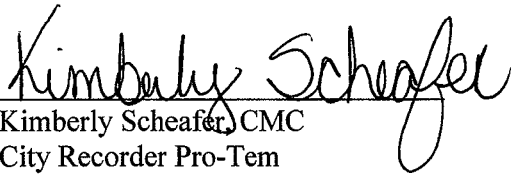
**THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. The City Council hereby amends Canby Municipal Code Section 16.40.014 to read as follows:

**16.40.014 Flood insurance study.**

**The flood insurance study, including the flood insurance rate map, dated June 17, 2008, as presently adopted, and as may be amended by the Federal Emergency Management Agency, are adopted by reference and declared to be part of this chapter. Copies of the flood insurance rate maps shall be kept on file with the official zoning map of the city.**

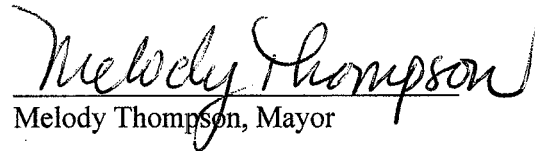
**SUBMITTED** to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, July 16, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, August 06, 2008, commencing at the hour of 7:30 pm at the Council Meeting Chambers located at 155 N.W. 2<sup>nd</sup> Avenue, Canby, Oregon.

  
Kimberly Scheafer, CMC  
City Recorder Pro-Tem

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 6<sup>th</sup> of August, 2008, by the following vote:

YEAS 4

NAYS 0

  
Melody Thompson, Mayor

ATTEST:

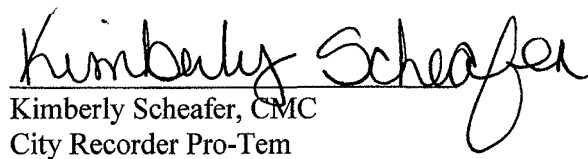
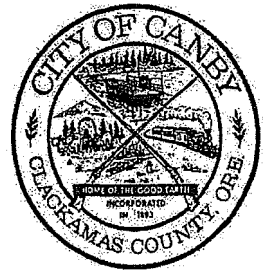
  
Kimberly Scheafer, CMC  
City Recorder Pro-Tem

EXHIBIT "A"

**FINDINGS, CONCLUSION & ORDER TA 08-02**

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**BEFORE THE PLANNING COMMISSION  
OF THE  
CITY OF CANBY**

<b>A REQUEST FOR AN AMENDMENT ) TO THE LAND DEVELOPMENT &amp; ) PLANNING TITLE IN ORDER TO ) UPDATE CHAPTER 16.40 CONCERNING ) FLOOD HAZARD PROTECTION )</b>	<b>FINDINGS, CONCLUSION &amp; ORDER TA 08-02 (City of Canby)</b>
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**NATURE OF APPLICATION**

The Planning Commission initiated a Text Amendment (TA 08-02) on April 14, 2008, in order to amend Chapter 16.40 of the Land Development & Planning Title (Title 16). The purpose of the amendment is to update the City's floodplain management regulations to ensure they meet National Flood Insurance Program standards.

**HEARINGS**

The Planning Commission held a public hearing to consider this application at its meeting of May 27, 2008.

**CRITERIA AND STANDARDS**

**Section 16.88.160 – Amendments to text of title**

This is a legislative land use amendment. In judging whether or not this title should be amended, the Planning Commission and City Council shall consider:

1. The Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;
3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;

4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;
5. Statewide planning goals.

## **FINDINGS AND REASONS**

The Planning Commission, after holding a public hearing on May 27, 2008, and considering the April 23, 2008 staff report, deliberated and reached a decision approving the text amendment application of TA 08-02. The Commission adopted the findings and conclusions contained in the April 23, 2008 staff report, written in the Order below:

## **CONCLUSION**

The Planning Commission of the City of Canby concludes that:

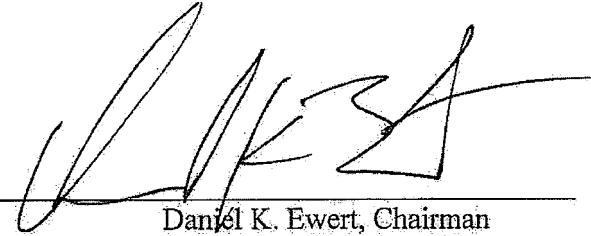
1. The amendment complies with the Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, and will preserve functions and local aspects of land conservation and development.
2. There is a public need for the change.
3. The change will serve the public need better than any other change which might be expected to be made.
4. The change will preserve and protect the health, safety, and general welfare of the residents in the community.
5. The amendment complies with the Statewide Planning Goals.

## **ORDER**

**IT IS RECOMMENDED BY THE PLANNING COMMISSION** of the City of Canby that the Canby City Council approve TA 08-02.

**I CERTIFY THAT THIS ORDER** recommending approval of **TA 08-02** to the Canby City Council was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 9<sup>th</sup> day of June, 2008.



Daniel K. Ewert, Chairman  
Canby Planning Commission



Melissa Hardy  
Associate Planner

**ATTEST:**

**ORAL DECISION – May 27, 2008**

**AYES:** Ewert, Milne, Slagle, Taylor

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Holte

**WRITTEN DECISION – June 9, 2008**

**AYES:** Ewert, Milne, Slagle, Taylor

**NOES:** None

**ABSTAIN:** Holte

**ABSENT:** None