

ORDINANCE NO. 739

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY,
OREGON

PURPOSE - To amend the zoning map for the purpose of recording an approved application by Arlene Monen, Sally Culver, Julia Fisher, and Bethany Evangelical Free Church to change from R-2, High Density Residential, to C-R, Residential/Commercial, the zoning of 2.94 acres, described as Tax Lots 1600 and 1601, Section 33DC, T3S, R1E.

WHEREAS, an application was filed with the City Planner on November 21, 1983, by Arlene Monen, Sally Culver, Julia Fisher and Bethany Evangelical Free Church on the hereinafter described property for the purpose of changing the zoning classification from R-2, High Density Residential, to C-R, Residential/Commercial. The application fee as required by Article 8, 10.8.10, (B), (8), of Ordinance No. 690 (the Land Development and Planning Ordinance) has been paid. The following is a description of the real property consisting of 2.94 acres and described as Tax Lots 6000, 6100, 6200, and 6300, Section 33DC, T3S, R1E, of the Willamette Meridian, Clackamas County, Oregon.

WHEREAS, the Planning Commission scheduled and held a public hearing on the zone change application of Arlene Monen, Sally Culver, Julia Fisher and Bethany Evangelical Free Church on December 19, 1983, 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 Section 10.8.30 of the Land Development Planning Ordinance, No. 690. Also, notice of said hearing was made by publication in the Canby Herald on December 7, 1983. 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., December 19, 1983, heard and

considered testimony regarding the proposed zone change upon conclusion of the public hearing by motion duly made and seconded and carried by a vote of 6 to 0, moved to recommend approval subject to two conditions, and

WHEREAS, the Canby City Council considered the matter and the recommendation of the Planning Commission at a regular meeting held on January 4, 1984, and thoroughly reviewed the record and heard testimony on the record pursuant to Section 10.3.85 of 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 support of the requested zone change.

The Council in their motion to approve adopted the findings and conclusions presented by the Planning Commission. A copy of said findings and conclusions, by motion, are attached hereto as Exhibit A to this Ordinance.

NOW THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The zone boundaries of the C-R, Residential/Commercial, zone shall now include the hereinabove described property and upon the passage of this ordinance said property shall thereupon be classified as C-R, Residential/Commerical, and not R-2, High Density.

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. Dedication of ten (10) feet of property for street purposes along the projects south boundary, Township Road. This dedication to be from the Bethany Church property.
2. Waiver of Remonstrance against street improvements on S. Township Road.

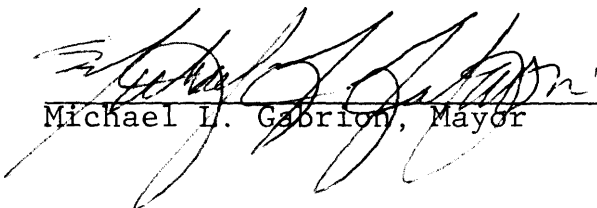
Section 3. The Mayor attested by the City Recorder is hereby authorized and directed to make the appropriate changes on the City's

Zoning Map in accordance with the dictates of Section 1 of this Ordinance.

Submitted to the Council and read the first time at a regular meeting thereof on the 18th day of January, 1984, 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 1st day of February, 1984, commencing at 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, Deputy Recorder

Passed on second and final reading by the Canby City Council at a regular meeting thereof on the 1st day of February, 1984.
Vote 6 Yea, 0 Nay and 0 Abstention


Michael L. Gaborion, Mayor

ATTEST:


Marilyn K. Perkett, Deputy Recorder