

## ORDINANCE NO. 13-1007

**AN ORDINANCE AMENDING TITLE 17: ZONING, CHAPTER 17.06.030: OF THE OFFICIAL ZONING MAP, OF THE OREGON CITY MUNICIPAL CODE, BY CHANGING THE PROPERTIES IDENTIFIED AS CLACKAMAS COUNTY MAP 3-2E-7B, TAX LOT 3300 FROM R-10 SINGLE-FAMILY DWELLING DISTRICT TO R-6 SINGLE-FAMILY DWELLING DISTRICT AND APPROVING AN 11-LOT SUBDIVISION AND GEOLOGIC HAZARDS REVIEW FOR THE PROPERTIES.**

**WHEREAS**, the City of Oregon City has adopted a Zoning Map to implement the Comprehensive Plan in conformance with statutory requirements and the requirements of the Statewide Land Use goals; and

**WHEREAS**, the City of Oregon City Zoning Map implements the Comprehensive Plan Map by illustrating the location best suited for specific development; and

**WHEREAS**, the City of Oregon City Zoning Map may be amended and updated as necessary upon findings of facts that satisfy approval criteria in the City of Oregon City Municipal Code Section 17.68.020; and

**WHEREAS**, the owners of the subject site, located at 19370 Pease Road (Clackamas County Map 3-2E-7B, TL 3300) have requested the approval of a zone change from R-10 Single-Family Dwelling District to R-6 Single-Family Dwelling District, along with an 11-lot subdivision and Geologic Hazards Overlay review; and

**WHEREAS**, notice of the proposed zone change and subdivision hearings were mailed to residents within 300 feet of the subject site, signs were posted on the property, notice was published in a local newspaper and the City held public hearings where the objectives and concepts of the proposal were presented and discussed; and

**WHEREAS**, on April 22, 2013 the Planning Commission held a public hearing and, after considering all the public testimony and reviewing all the evidence in the record, recommended approval with conditions to the City Commission by a 5 – 1 vote for the requested Zone Change, Subdivision and Geologic Hazards Overlay; and

**WHEREAS**, the comprehensive plan designation of the site as Low Density Residential supports the R-6 Single-Family Dwelling District zoning designation, and

**WHEREAS**, the zone change from R-10 Single-Family Dwelling District to R-6 Single-Family Dwelling District, will result in the timely provision of public services and facilities and, with the imposition of conditions, will have no significant unmitigated impact on the water, sewer, storm drainage, or schools and as part of the approval of the annexation of the subject site into the City (File AN 07-07) that applies to the subject property, a supplemental fee of \$3,500 per dwelling unit shall be paid at the time of building permit application for each lot in the subdivision to assure adequate police response times; and

**WHEREAS**, the projected transportation impacts resulting from a zone change from R-10 Single-Family Dwelling District to R-6 Single-Family Dwelling District have been found to meet

the City's transportation requirements and no required off-site mitigation measures are required; and

**WHEREAS**, the proposed zone change, 11-lot subdivision, and Geologic Hazards Overlay applications do, or can meet through the conditions of approval, the design requirements of the Oregon City Municipal Code; and

**WHEREAS**, approving the zone change is in compliance with the Goal and Policies of the Oregon City Comprehensive Plan and the proposed 11-lot subdivision and Geologic Hazards Overlay applications as proposed and conditioned are in compliance with all applicable city requirements.

**NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:**

**Section 1.** The zone change request from R-10 Single-Family Dwelling District to R-6 Single-Family Dwelling District (ZC 12-01) is hereby approved as proposed by the applicant with conditions for the properties located at 19370 Pease Road (Clackamas County Map 3-2E-7B, Tax Lot 3300).

**Section 2.** The 11-lot subdivision and Geologic Hazards Overlay applications (TP 12-04 and US 12-01) are hereby approved as proposed by the applicant with conditions for the properties located at 19370 Pease Road (Clackamas County Map 3-2E-7B, Tax Lot 3300).

**Section 3.** The zone change, subdivision and Geologic Hazards Overlay applications are approved as proposed by the applicant with the conditions of approval attached to this Ordinance as Attachment A, Exhibit 1.

**Section 4.** The Commission adopts the findings and conclusions that are attached to the Ordinance as Attachment A, Exhibit 2, and incorporated herein to support the City's approval to amend the zoning map and approve the subdivision and Geologic Hazards Overlay applications.

Read for the first time at a regular meeting of the City Commission held on the \_\_\_\_ day of \_\_\_\_ 2013, and the City Commission finally enacted the foregoing ordinance this \_\_\_\_ day of \_\_\_\_ 2013.

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DOUG NEELEY, Mayor

ATTESTED to this \_\_\_\_ day of \_\_\_\_, 2013

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Nancy Ide  
City Recorder

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Effective Date: \_\_\_\_ 2013