

ORDINANCE NO. 18-1010

AN ORDINANCE OF THE CITY OF OREGON CITY AMENDING THE COMPREHENSIVE PLAN MAP AND TITLE 17: ZONING, CHAPTER 17.06.020, THE OFFICIAL ZONING MAP OF THE OREGON CITY MUNICIPAL CODE, BY CHANGING THE DESIGNATIONS OF THE FOLLOWING PROPERTIES:

- **CLACKAMAS COUNTY MAP 3-2E-04C, TAX LOTS 700, 702, 900, 1201, 1400 FROM THE “MR” MEDIUM-DENSITY RESIDENTIAL COMPREHENSIVE PLAN DESIGNATION TO “MUC” MIXED USE CORRIDOR COMPREHENSIVE PLAN DESIGNATION AND FROM THE R-3.5 DWELLING DISTRICT ZONING DESIGNATION TO THE “MUC-2” MIXED USE CORRIDOR DISTRICT ZONING DESIGNATION;**
- **CLACKAMAS COUNTY MAP 3-2E-04C, TAX LOT 1300 AND 3-2E-04CD, TAX LOT 6000 FROM THE “LR” LOW-DENSITY RESIDENTIAL COMPREHENSIVE PLAN DESIGNATION TO THE “MUC” MIXED USE CORRIDOR COMPREHENSIVE PLAN DESIGNATION AND FROM THE “R-6” SINGLE-FAMILY DWELLING DISTRICT ZONING DESIGNATION TO THE “MUC-2” MIXED USE CORRIDOR DISTRICT ZONING DESIGNATION; AND**
- **CLACKAMAS COUNTY MAP 3-2E-04C, TAX LOT 1500, 1600 AND 3-2E-04CD, TAX LOT 3300, 5900, 6000 FROM THE “LR” LOW-DENSITY RESIDENTIAL COMPREHENSIVE PLAN DESIGNATION TO THE “MUC” MIXED USE CORRIDOR COMPREHENSIVE PLAN DESIGNATION AND FROM THE “R-10” SINGLE-FAMILY DWELLING DISTRICT ZONING DESIGNATION TO “MUC-2” MIXED USE CORRIDOR DISTRICT ZONING DESIGNATION.**

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 and Comprehensive Plan Map may be amended and updated as necessary upon findings of fact 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 14228, 14268, 14275, 14289, 14297, 14338 & 14362 Maplelane Court, 14375 Maplelane Road, 3391 Beavercreek Road and known as Clackamas County Map 32E04C, Tax Lots 700, 702, 900, 1201, 1300, 1400, 1500, 1600 and Clackamas County Map 32E04CD, Tax Lots 3300, 5900, 6000 have requested the approval of a Zone Change from “R-3.5” Dwelling District, “R-6” Single-Family Dwelling District and “R-10” Single-Family Dwelling District to “MUC-2” Mixed-Use Corridor and an amendment to the Comprehensive Plan Map from “LR” Low Density Residential and “MR” Medium Density Residential to “MUC” Mixed Use Corridor, known as file numbers ZC 15-03 and PZ 15-01; and

WHEREAS, the Comprehensive Plan designation of the site as MUC Mixed Use Corridor is implemented by the “MUC-2” Mixed Use Corridor District zoning designation; and

WHEREAS, on May 16, 2016, the City Commission adopted Ordinance 16-1003 approving the Comprehensive Plan Amendment and Zone Change with conditions of approval. This decision was appealed to the Land Use Board of Appeals where it was remanded for additional findings to determine whether the new uses allowed by the application could conflict with the Goal 5 resources; and

WHEREAS, in proceeding on remand, the City Commission instructed the Planning Commission to hold a public hearing considering evidence and argument limited to the remand issue; and

WHEREAS, notice of the hearing on remand was timely mailed to property owners within 300 feet of the subject site, signs advertising the hearing were posted on the property, notice of the hearings was published in a local newspaper and the City held public hearings where the plan amendment and zone change applications were presented and discussed; and

WHEREAS, the proposal with conditions, 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 transportation; and

WHEREAS, the proposed Comprehensive Plan Amendment and Zone Change with conditions of approval complies with the requirements of the Oregon City Municipal Code; and

WHEREAS, approving the Comprehensive Plan Amendment and Zone Change with conditions of approval is in compliance with the applicable Goal and Policies of the Oregon City Comprehensive Plan, the Statewide Land Use Goals and the Metro Urban Growth Management Functional Plan and is in compliance with all applicable city requirements.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The Zone Change and Amendment to the Comprehensive Plan Map request is hereby approved as proposed by the applicant with the conditions of approval for the properties located at 14228, 14268, 14275, 14289, 14297, 14338 & 14362 Maplelane Court, 14375 Maplelane Road, 3391 Beaver Creek Road and known as Clackamas County Map 32E04C, Tax Lots 700, 702, 900, 1201, 1300, 1400, 1500, 1600 and Clackamas County Map 32E04CD, Tax Lots 3300, 5900, 6000.

Section 2. The Commission adopts the “Findings of Fact and Conclusions of Law in Support of Adopting a Comprehensive Plan Map Amendment and Zone Change, Subject to Conditions” that are attached to the Ordinance as Attachment A and the Staff Report attached to the Ordinance as Attachment B, and incorporated herein to support the City’s approval to amend the Zoning and Comprehensive Plan map and approve the Zone Change and Comprehensive Plan Amendment applications.

Read for the first time at a regular meeting of the City Commission held on the 18th day of July 2018 and the City Commission finally enacted the foregoing ordinance this 1st day of August 2018.

DAN HOLLADAY, Mayor

Attested to this 1st day of August 2018,

Approved as to legal sufficiency:

Kattie Riggs, City Recorder

City Attorney

Attachments:

- A. Findings of Fact and Conclusions of Law
- B. Staff Report