

ORDINANCE NO. 4529

An Ordinance amending Ordinance No. 4527 to include a reference to the notice given and public hearing conducted by the Council in regard to Zone Change 8-92 and declaring an emergency.

RECITALS: The text of Ordinance No. 4527 did not reflect fully what occurred and failed to clearly state that Zone Change 8-92 was the subject of an appeal from the decision of the McMinnville Planning Commission and that the McMinnville Council held a de novo hearing and adopted additional findings upon reaching a final decision; now, therefore,

THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That Ordinance No. 4527 is amended by adding the following new sections:

That subsequent to the Planning Commission decision approving the zone change entitled ZC 8-92, an appeal was duly filed with the City of McMinnville. In accordance with city ordinances a public hearing was scheduled for February 23, 1993 at 8 p.m. in the City Council Chambers. Notice of said hearing was given by written notice to affected property owners and to the general public by legal notice in the local newspaper. The details of said appeal and the actions taken are as contained in City of McMinnville Appeal 1-93 (AP 1-93) which is incorporated in the record by this reference.

That the McMinnville City Council conducted the scheduled hearing at the time and date specified above in accordance with the standards adopted in City of McMinnville Ordinance No. 3682. The testimony of the proponents and opponents was received and in addition the record generated by the McMinnville Planning Commission, supplemental staff reports, supplemental reports from other agencies and additional exhibits were duly incorporated in the record and were considered by the Council in its decision to adopt Ordinance 4527.

That in addition to the basis set forth in Section 1 of Ordinance No. 4527, the Council adopts "Exhibit B" entitled "DOCKET ANX 2-92/ZC 8-92 FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL, MCMINNVILLE CITY COUNCIL" as additional findings of fact and conclusionary findings for approval of ZC 8-92 and denial of AP 1-93.

Section 2. Inasmuch as this matter was heard on February 23, 1993 and a decision reached at the conclusion of the public hearing conducted at that time, it is desired that the provisions of this ordinance become immediately effective and entered nunc pro tunc February 23, 1993 as a part of Ordinance 4527; therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect upon its passage by the Council and approval by the Mayor.

Passed by the Council this 9th day of March, 1993 by the following votes:

Ayes: Aleman, Massey, Kirchner, Windle

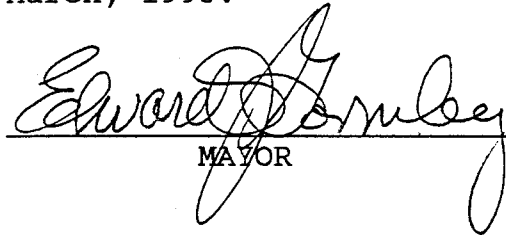
Nays: Payne

Emergency clause passed by the Council this 9th day of March, 1993 by the following votes:

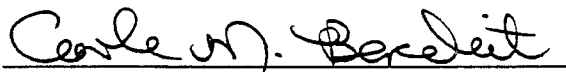
Ayes: Aleman, Massey, Kirchner, Windle

Nays: Payne

Approved this 9th day of March, 1993.


MAYOR

Attest:


RECORDER