

ORDINANCE NO. 4600

An Ordinance rezoning approximately 14.09 acres of land from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone to an R-2 PD (Single-Family Residential Planned Development) zone and rezoning approximately 51.45 acres of land from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone to an R-3 PD (Two-Family Residential Planned Development) zone. The site is located east of Hill Road, west of Cypress Lane, and south of the Westvale Fourth Addition subdivision and is described as Tax Lot 1600 and a portion of Tax Lot 300, Section 30, T. 4 S., R. 4 W., W.M.

RECITALS

The Planning Commission received an application from Les Toth for a zone change (ZC 14-95), dated June 13, 1995, for the property described as Tax Lot 1600 and a portion of Tax Lot 300, Section 30, T. 4 S., R. 4 W., W.M.

A public hearing was held on July 13, 1995, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on July 8, 1995, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request, found that said change conformed to the review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to Council; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by the City of McMinnville.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby rezoned from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone to an R-2 PD (Single-Family Residential Planned Development) zone.

Section 3. That the property described in Exhibit "B", which is attached hereto and incorporated herein by this reference, is hereby rezoned from a County EF-40 (Exclusive Farm Use - 40-acre minimum) zone to an R-3 PD (Two-Family Residential Planned Development) zone.

Section 4. That the above described property is rezoned subject to the following conditions:

1. That the redesigned Alexandria subdivision tentative plan, as approved by the Planning Director, be placed on file with the Planning Department and that it become a part of the zone and binding on the property owner and developer.

The developer is responsible for requesting permission of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

2. That the applicant shall be responsible for maintenance of the flood plain and wetland area situated along the southwest portion of the proposed manufactured home park.

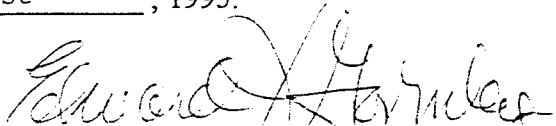
Passed by the Council this 22nd day of August 1995, by the following votes:

Ayes: Kirchner, Massey, Payne, Windle

Nays: _____

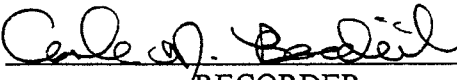
Abstentions: Tomcho

Approved this 22nd day of August, 1995.



MAYOR

Attest:



RECORDER