

ORDINANCE NO. 3978

TITLE: ZONE CHANGE AMENDMENT NO. 135, UNDER ORDINANCE NO. 2916 REZONING  
PROPERTY LOCATED SOUTH OF 34TH AVENUE AND BETWEEN HILL AND MADISON  
FROM BP-1 TO R-1 (6) AND R-2.

WHEREAS, the Planning and Zoning Commission of the City of Albany has held such hearings as are required by the law and the Ordinances of this city and has made findings concerning the appropriate zone for the property being considered, said findings being based upon evidence produced at hearings, and

WHEREAS, the Council of the City of Albany has duly advertised and caused notices to be given as required by law and has had a public hearing concerning the zoning of the property above described and evidence having been introduced and the same being fully considered, the City Council does hereby find as follows:

See attached Planning Commission report for findings of fact

and,

WHEREAS, it is further determined that the rezoning hereinafter made should be subject to certain conditions, the said conditions being as follows:

That the owner dedicate to the City an additional seven feet of right-of-way along the south side of 34th Avenue and the west side of Hill Street.

now, therefore,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: ZONE CHANGE AMENDMENT NO. 135

An area described as follows:

Rogersdale Addition to Albany, Linn County, Oregon, Lots 1 through 6 and 11 through 16, Block 16. (Lots 1 & 16 will be rezoned as R-2; the remaining lots will be rezoned as R-1(6))  
is hereby rezoned as R-1(6) and R-2 and this amendment shall be known as zone change amendment number 135 .

Section 2: COPY FILED

A copy of this zone change amendment shall be filed in the office of the City Recorder of the City of Albany and the number noted on the official zoning map of the City of Albany.

E<sub>2</sub>

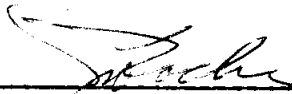
Section 3: CERTIFICATE OF COMPLIANCE

This zone change amendment shall be effective upon filing of a certificate of compliance with the conditions above enumerated by the Planning Director of the City of Albany.

Passed by the Council: November 24, 1976

Approved by the Mayor: November 24, 1976

Effective Date: May 9, 1977

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

FINDINGS OF FACT

1. The request conforms to the Comprehensive Land Use Plan and Goal Statements.
2. The residential growth will not seriously affect the student enrollment capacity of Oak or Lafayette Elementary Schools.
3. Existing and improved streets and utility systems are more than adequate to handle proposed additional residential development.
4. The surrounding areas are predominantly single family and controlled multiple family developed neighborhoods.
5. The reduction in the amount of semi-commercial property will not adversely affect the need for establishing a neighborhood commercial service area on remaining and existing C-2 property located at 34th Avenue and Hill Street.