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ORDINANCE NO. 3963

TITLE: ZONE CHANGE AMENDMENT NO. 133, UNDER ORDINANCE NO. 2916 REZONING  
PROPERTY LOCATED SOUTH OF 30TH AVENUE AND WEST OF MARION STREET FROM  
R-1 (6) TO 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 Attachment A

and,

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

NONE

now, therefore,

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

Section 1: ZONE CHANGE AMENDMENT NO. 133

An area described as follows:

see attached legal description, Attachment B

is hereby rezoned as R-2 Limited <sup>Multiple Family</sup> and this amendment shall be known as  
zone change amendment number 133 .

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.

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E1

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: September 8, 1976

Approved by the Mayor: September 8, 1976

Effective Date: October 8, 1976

David C. Hayes  
Mayor

ATTEST:

Ernesto Iskan  
City Recorder

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FINDINGS OF FACT

1. The request is in compliance with the Comprehensive Plan and Goal Statements from the standpoint of future urban residential development.
2. The proposed residential density would serve as a transitional use between existing heavy industrial and high density multiple family to the north and west; and single family densities to the east and south of the subject property.
3. The proposed density can be adequately served by storm drainage (S. Ferry Street) and sanitary sewers (S. Marion Street).
4. Limited Multiple Family development would be more compatible with existing housing trends in the same area versus conventional single family development.

ATTACHMENT B

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DESCRIPTION FOR ETHAN MILLER:

BEGINNING AT THE SOUTHEAST CORNER OF TRACT 2 OF BISHOP ACRES  
IN TOWNSHIP 11 S., R.3 W., WILLAMETTE MERIDIAN IN LINN COUNTY,  
OREGON; THENCE N. 1° 13' W. 265.57 FEET; THENCE S. 88° 58'  
W. 460.00 FEET; THENCE 1° 13' E. 265.57 FEET; THENCE N.  
88° 58' E. 460.00 FEET TO THE POINT OF BEGINNING.