

**ORDINANCE NO. 430**

**AN ORDINANCE AMENDING THE CITY OF DRAIN ZONING MAP TO CHANGE THE ZONING OF CERTAIN LAND WITHIN THE CITY (TAX LOT 1400 ASSESSOR'S MAP 22-05W-17DB)**

**WHEREAS**, the change to the zoning reflect existing land use patterns.

**WHEREAS**, the proposed zoning change aids in the accomplishment of statewide and local goals and guidelines for the provision of residential land to provide a variety of living opportunities within the City limits.

**WHEREAS**, the Drain Planning Commission held a public hearing on December 4, 2017 on the proposed zoning map amendment, and the comprehensive plan map amendment. A public notice of said meeting was published on November 15, 2017 in the Cottage Grove Sentinel, a newspaper of general circulation in the City of Cottage Grove and surrounding areas and the public was offered an opportunity to testify along with statements from various officials, staff and the contents of that meeting have been provided in written form.

**WHEREAS**, the Planning Commission has recommended the proposed zoning map amendment be approved.

**WHEREAS**, the City Council has reviewed the entire record of the proceedings, and finds in favor of the recommendation of the Planning Commission, and hereby adopts by reference the findings of the Planning Commission referenced above and attached as Exhibit "A", Findings of Fact and Decision Before the Planning Commission of the City of Drain : File No. ZC-17-02; Zone Change – Robert Freed.

**WHEREAS**, the City Council held a public hearing on December 11, 2017 on the proposed zoning map amendment and comprehensive plan map amendment. A public notice of said meeting was published on December 8, 2017 in the Cottage Grove Sentinel, a newspaper of general circulation in the City of Cottage Grove and surroundings areas. Also, public hearing notices specific to the Council meeting were mailed directly to residents that are located within 300' of the subject property and notices posted at City Hall and the Post Office. The public was offered an opportunity to testify along with statements from various officials.

**NOW, THEREFORE, the City of Drain ordains as follows:**

Section 1. The zoning map of the City of Drain as adopted is amended from Low Density Residential (R-1) to Residential Multiple Family (R-2), for tax lot 1400 of Assessor's map 22-05W-17DB.

Section 2. The comprehensive plan map of the City of Drain as adopted is amended from Residential Single Family, Mobile Home and Duplex to Residential Multiple Family.

Section 3. The City Council adopts as "Findings of Fact" the Findings and associated Staff Report included in the Planning Commission's action and generally summarized below:

1. This request for a Zone Change was heard by the Drain Planning Commission at a public meeting held on Monday, December 4, 2017 at 7:00 P.M and by Drain City Council on Monday, December 11, 2017 at 7:00 P.M. in the Meeting Room of the Drain Civic Center, Drain, Oregon.
2. Notification of the request and hearing was mailed to property owners of record within 300 feet of the subject site.

3. A Notice of Public Hearing was published on November 15, 2017 in the Cottage Grove Sentinel.
4. The Planning Commission received the staff report and accepted written and oral testimony and evidence prior to and during the meeting.
5. The Planning Commission reviewed the request in light of the Goals and Policies of the City of Drain Comprehensive Plan, Development Ordinance and Development Standards. The findings of this review are included below.
6. The Planning Commission voted to recommend approval of the requested amendment for a zoning map change for tax lot 1400 of assessor's map 22-05W-17DB from Low Density Residential (R-1) to Residential Multiple Family (R-2).
7. The Planning Commission at its December 4, 2017 meeting, voted to recommend approval of the requested amendment for a zoning map change for tax lot 1400 of assessor's map 22-05-17DB from Low Density Residential (R-1) to Residential Multiple Family (R-2).
8. The proposed zoning map amendment is consistent with the City of Drain Development Ordinance.
9. The zoning map amendment is consistent with the Drain Comprehensive Plan Land Use Plan Diagram and Plan policies as discussed in the findings of fact.

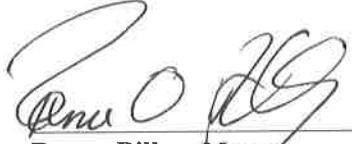
**AMENDMENT OF ZONING MAP:** Based on the foregoing findings, the City Council hereby declares that the parcel addressed as 908, 914, 916, 918 Cedar Street - Drain, and identified by the Douglas County Assessor as Tax Lot 1400, Map 22-05W-17DB, to be reclassified as Residential Multiple Family (R-2) from Low Density Residential (R-1) on the City Zoning Map.

**AMENDMENT OF COMPREHENSIVE PLAN MAP:** Based on the foregoing findings, the City Council hereby declares that the parcel addressed as 908, 914, 916, 918 Cedar Street - Drain, and identified by the Douglas County Assessor as Tax Lot 1400, Map 22-05W-17DB, to be reclassified as Residential Multiple Family from Residential Single Family, Mobile Home and Duplex. The following conditions of approval shall apply to this zone change:

1. All future development shall comply with all applicable standards and regulations of the City Development Ordinance and city Development Standards.
2. All required permits shall be obtained prior to any future development.

**SEVERABILITY:** Should any section, provision, clause or portion of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DRAIN, DOUGLAS COUNTY, OREGON, THIS  
11th DAY OF DECEMBER 2017.**

  
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**Rance Pilley, Mayor**

**ATTEST:**

  
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**Steve Dahl, City Administrator**