

ORDINANCE NO. 752

AN ORDINANCE AMENDING ORDINANCE NO. 751 RELATED TO EFFECTIVE DATES OF SETBACK REQUIREMENTS IN STAYTON MUNICIPAL CODE SECTIONS 17.16.660.5, 17.16.670.5, AND 17.16.680.5; AND DECLARING AN EMERGENCY.

WHEREAS, the Stayton City Council adopted an order instructing that Stayton Municipal Code sections related to garage setback requirements in Low Density, Medium Density, and High Density residential districts be amended to require 25 foot garage setbacks effective and applicable to all land use applications filed with the city on and after August 1, 1995; and

WHEREAS, Ordinance No. 751 was drafted omitting reference to the land use applications filed with the city on and after August 1, 1995; and

WHEREAS, this ordinance is required to correct the scrivener's error;

NOW, THEREFORE, the Stayton City Council hereby ordains as follows:

SECTION 1: Stayton Municipal Code Section 17.16.660, "Low Density Residential (LD) District," subsection 5., "Building Setbacks," is hereby amended to read:

5. BUILDING SETBACKS: Minimum front yard depth shall be 20 feet. Minimum sideyard depth shall be 5 feet. Minimum rear yard depth shall be 20 feet. Minimum setback to the garage entrance shall be 25 feet. All setbacks shall be measured from property lines and shall not encroach upon public rights-of-way. Setbacks in certain areas are also subject to special street and riparian setback provisions in Chapter 17.20 of this title.

The 25 foot garage setback requirement shall be effective and shall apply to all land use applications filed with the city on and after August 1, 1995.

SECTION 2: Stayton Municipal Code Section 17.16.670, "Medium Density (MD) Residential District," subsection 5., "Building Setbacks," is hereby amended to read:

5. BUILDING SETBACKS: Minimum front yard depth shall be 20 feet. Minimum sideyard depth shall be 5 feet. Minimum rear yard depth shall be 15 feet. Minimum setback to the garage entrance shall be 25 feet. All setbacks shall be measured from property lines and shall not encroach upon public rights-of-way. Setbacks in certain areas are also subject to special street and riparian setback provisions in Chapter 17.20 of this title.

The 25 foot garage setback requirement shall be effective and shall apply to all land use applications filed with the city on and after August 1, 1995.

SECTION 3: Stayton Municipal Code Section 17.16.680, "High Density (HD) Residential District," subsection 5., "Building Setbacks," is hereby amended to read:

5. BUILDING SETBACKS: Minimum front yard depth shall be 20 feet. Minimum sideyard depth shall be 5 feet. Minimum rear yard depth shall be 15 feet. Minimum setback to the garage entrance shall be 25 feet. All setbacks shall be measured from property lines and shall not encroach upon public rights-of-way. Setbacks in certain areas are also subject to special street and riparian setback provisions in Chapter 17.20 of this title.

The 25 foot garage setback requirement shall be effective and shall apply to all land use applications filed with the city on and after August 1, 1995.

SECTION 4: It is hereby adjudged and declared that existing conditions are such that this ordinance amending the effective date of setback requirements is necessary to serve the public health, safety, welfare, convenience, and environmental amenities of the City of Stayton and the inhabitants thereof, and this ordinance shall be in full force when executed by the Mayor.

PASSED BY THE STAYTON CITY COUNCIL this 6th day November 1995.

Date: 11-8-95

By: Willmer Van Vleet
WILLMER VAN VLEET, Mayor

Date: 11/7/95

Attest: Thomas L. Barthel
THOMAS L. BARTHEL, City Administrator

APPROVED AS TO FORM

Date: OCT 19 1995

David A. Rhoten
DAVID A. RHOTEN, City Attorney