

ORDINANCE NO. 428

AN ORDINANCE AMENDING ORDINANCE NO. 420, THE CITY OF STAYTON ZONING ORDINANCE, RELATING TO ZONING RECLASSIFICATION PROCEDURES.

The City of Stayton do ordain as follows:

Sections 14.3, 14.4 and 14.5 of Ordinance No. 420 are amended, and 14.6 is added thereto as follows:

14.3. RESOLUTION OF INTENT TO REZONE.

(a) If, from the facts presented and findings of the planning commission, the city council determines that the public health, safety, welfare, convenience and environmental amenities will be best served by this reclassification or any portion thereof, the council may indicate its general approval in principle of the reclassification by the adoption of a "resolution of intent to rezone" said property. This resolution shall include any conditions, stipulations or limitations which the council may feel necessary to require in the public interest as a prerequisite to final action.

(b) A site plan approved by the planning commission may be required and if such requirement is made in the resolution of intent, the same shall be binding upon the property. Upon reclassification by resolution, the property having an approved site plan under these provisions shall be plainly marked as "subject to approved site plan" on the official zoning map. An official copy of the approved site plan including all conditions and stipulations shall be filed with the city recorder and the Marion County Building Official and shall be the basis on which any building permits are issued.

Any approved site plan may be amended or a variance therefrom obtained, or it may be released from the restrictions of such site plan by resolution of the council on recommendation from the planning commission. No other changes shall be made constituting a departure from the approved site plan except by amendment or variance as herein provided unless the same has been released from the site plan.

(c) Where a site plan is required it shall include:

1. Location of proposed buildings and structures, accesses, parking and loading facilities, and landscaping.

2. Elevations of the proposed buildings.

(d) The fulfillment of all conditions, stipulations and limitations contained in the resolution of intent to rezone, on the part of the applicant, shall make this resolution a binding commitment on the council.

(e) Upon completion of compliance action by the applicant, the council shall by ordinance effect such reclassification. The failure of the applicant to substantially meet any or all conditions, stipulations or limitations contained in a resolution of intent to rezone, including the time limit placed in the resolution, shall render said resolution null and void, unless an extension is granted by the council, upon recommendation of the planning commission.

14.4. FINAL ACTION BY THE CITY COUNCIL. Any zone change or reclassification of property shall be by ordinance which shall be passed by the governing body. Any denial of a proposed zone change may be by motion. Whenever any premises are reclassified as to zone, or a new zone established, or boundary lines of a zone changed, the official zoning map shall be changed.


14.5. EFFECTIVE DATE OF ZONE CHANGE. The zone change shall be effective upon the passage of the ordinance changing the zone.

14.6. APPEALS. See Section 13.5.

This ordinance being necessary for the immediate preservation of the public welfare, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its date of passage.

PASSED by the Council this 5th day of February, 1973.

APPROVED by the Mayor this 5th day of February, 1973.



MAYOR

ATTEST:



CITY RECORDER

CITY RECORDER