

ORDINANCE NO. 907

AN ORDINANCE AMENDING THE STAYTON MUNICIPAL CODE, TITLE 17 (LAND USE AND DEVELOPMENT) TO DEFINE AUTOMOTIVE REPAIR FACILITIES AND CHANGE THE PERMITTED USES IN THE COMMERCIAL RETAIL ZONE

WHEREAS, the Oregon Revised Statutes require municipalities to enact land use and development regulations in conformance with State Goals and Guidelines and a locally adopted Comprehensive Plan;

WHEREAS, the Stayton Comprehensive Plan and Title 17, Land Use and Development, of the Stayton Municipal Code (SMC) divide the City into Zones for the establishment of differing land uses;

WHEREAS, the SMC allows automotive repair garages only in the Commercial General zone, following site plan review;

WHEREAS, there are presently three automotive repair businesses in the City: one in the Commercial General zone and the other two in the Downtown Mixed Use Residential zone;

WHEREAS, following a public hearing, the Stayton Planning Commission has unanimously recommended that the Stayton City Council enact the proposed amendments to permit general auto repair business facilities in the Commercial Retail and Commercial General Zones and permit heavy auto repair business facilities in the Commercial General Zone; and,

WHEREAS, following a public hearing, the Stayton City Council deems the proposed amendments to comply with the provisions of the Comprehensive Plan.

NOW, THEREFORE, the Stayton City Council does ordain as follows:

SECTION 1. Stayton Municipal Code, Title 17 (“Land Use and Development”), is hereby amended as follows.

Additions are underlined; Deletions are ~~crossed-out~~.

Part 1. Add two new definitions to Section 17.04.100.

GENERAL AUTOMOTIVE REPAIR: Establishments primarily engaged in providing (1) a wide range of mechanical and electrical repair and maintenance services or (2) engine repair and replacement for automotive vehicles, such as passenger cars, and light duty trucks and vans, and all trailers.

HEAVY AUTOMOTIVE REPAIR: Establishments primarily engaged in providing (1) a wide range of mechanical and electrical repair and maintenance services or (2) engine repair and replacement for large automotive vehicles, such as commercial trucks, farm equipment and motor vehicles other than passenger cars and light duty trucks and vans.

Part 2. Amend Table 17.16.070.1 to permit general automotive repair in the Commercial Retail Zone and permit both general automotive repair and heavy automotive repair in the Commercial General Zone.

LD MD HD DMD CR CG CCMU DRMU ID IC IL IA P

Other Services

63 General Automotive Repair S S
63a Heavy ~~Automobile~~ Automotive Repair Garage S

SECTION 2. Upon adoption by the Stayton City Council and Mayor's signing, this Ordinance shall become effective 30 days after the date of signing.

SECTION 3. This Ordinance shall be forthwith furnished to the State of Oregon, Department of Land Conservation and Development.

ADOPTED BY THE STAYTON CITY COUNCIL this 15th day of December, 2008.

Signed: Dec 15, 2008

CITY OF STAYTON

By: Virginia L. Honeywell
Virginia L. Honeywell, Mayor

Signed: 12/15, 2008

ATTEST: Don Eubank
Don Eubank, City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney