

ORDINANCE NO. 973

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE
(SMC) TITLE 17, REGARDING THE SETBACKS FOR
ACCESSORY STRUCTURES ON CORNER LOTS

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, the City of Stayton has adopted Title 17 of the Stayton Municipal Code (SMC) as the Land Use and Development Code;

WHEREAS, SMC Title 17, Chapter 20, Section 17.20.040 contains standards applicable to accessory structures;

WHEREAS, under the definitions in SMC Section 17.04.100 a corner lot has two front yards;

WHEREAS, SMC Section 17.20.040.3 requires accessory structures on corner lots to meet the front setback requirements from both streets;

WHEREAS, the Stayton Planning Commission has initiated the process for amending the Land Use and Development Code in regards to the setback requirements for accessory structures on a corner lot, and following a public hearing, has recommended that the Stayton City Council enact the proposed amendments; and

WHEREAS, the Stayton City Council, following a public hearing, does find that the amendments proposed by the Planning Commission are appropriate.

NOW, THEREFORE, the City of Stayton ordains:

Section 1. SMC Title 17, Chapter 20 amended. Stayton Municipal Code, Title 17, Chapter 20, Section 17.20.040 is hereby amended as follows:

Part 1: Amend **Section 17.20.040.3.** to allow small accessory structures to be located up to five feet of one front lot line.

3. FRONT YARDS. Any accessory building shall meet the setback requirements of the district in which ~~they are~~ it is located except on a corner lot. On a corner lot, an accessory structure shall meet the front setback requirement but an accessory structure of less than 200 square feet in floor area and less than 10 feet tall may be located no less than five feet from a front lot line provided the following requirements are met.
 - a. The rear lot line of the lot is also the rear lot line of the abutting lot.
 - b. The accessory structure is located in the rear yard.
 - c. The accessory structure is located behind a site-obscuring fence no less than 6 feet in height.
 - d. There is no driveway entering the street from the front lot line from which the accessory building is less than required front setback.

Part 2: Amend Section 17.20.040.4. to make the Code more concise.

- 4. SIDE YARDS, INTERIOR. Accessory buildings not attached to the main building located in an interior side yard shall have a minimumbe setback of at least5 feet from any a side lot line.

Section 2. Effective Date. This ordinance shall become effective 30 days after adoption by the Stayton City Council and the Mayor’s signing.

Section 3. A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 15th day of September, 2014.

CITY OF STAYTON

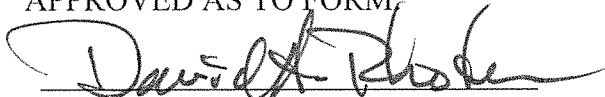
Signed: 9-15, 2014

BY: 
A. Scott Vigil, Mayor

Signed: 9-15, 2014

ATTEST: 
Keith D. Campbell,
City Administrator

APPROVED AS TO FORM:


David A. Rhoten, City Attorney