

ORDINANCE NO. 850

AN ORDINANCE AMENDING A CONDITION OF APPROVAL FOR LAND USE FILE #05-07/94 SCENIC HEIGHTS/MOUNTAIN ESTATES PHASES #1 AND #2, A PLANNED UNIT DEVELOPMENT (PUD).

WHEREAS, the subject property is commonly known as the Scenic Heights/Mountain Estates Phases #1 and #2 a PUD;

WHEREAS, Freres Lumber Company, Inc., the developer, has requested an amendment to a condition of approval in land use file #05-7/94 for the City of Stayton to accept as public streets the private streets in Mountain Estates Phases #1 and #2;

WHEREAS, Stayton Municipal Code (SMC) Title 17.24.1060 subsection 5. (d) stipulates that PUD'S be adopted by ordinance and approval of an amendment shall follow the same procedures of Title 17.24.1060 6.c. as are applied to the initial approval of a PUD;

WHEREAS, An approval of an amendment shall follow the same procedures of Title 17.24.1060 6. c. as are applied to the initial approval of a PUD;

WHEREAS, the Stayton City Council conducted a public hearing on June 16, 2003 and subsequently rendered a decision and closed the hearing on June 16, 2003;

WHEREAS, the Stayton City Council approved the developer's request, with conditions, to (1) accept the private streets as public streets in Mountain Estates #1, #2, (2) to prohibit street connectivity between Mountain Drive and Regis Street; (3) require Freres Lumber Company, Inc. to relocate a water valve located on Mountain View Drive, and repair the missing curb section that was removed as part of the water valve construction project; and, (4) have the water line easement remain as is; and remove the fire access as authorized by the Stayton Fire District; and

WHEREAS, the Stayton City Council approves the request with conditions.

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

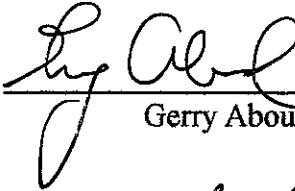
SECTION 1. All streets within Mountain Estates Phase #1 and #2 are built to City of Stayton specifications and accepted as public streets provided there is no connectivity between Mountain Drive and Regis Street, the water valve on Mountain Drive be relocated and repair adjacent curb, and that the water line easement remain in place. The fire lane be removed as authorized by the Stayton Fire District.

SECTION 2. This Ordinance shall be in effect 30 days after adoption by the Stayton City Council and Mayor's signing.

ADOPTED BY THE STAYTON CITY COUNCIL this 7th day of July 2003.

CITY OF STAYTON

Signed: July 9, 2003

By: 
Gerry Aboud, Mayor

Signed: July 9, 2003

ATTEST: 
Chris Childs, City Administrator

APPROVED AS TO FORM:


David A. Rhoten, City Attorney