

ORDINANCE NO. 815

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 17 ,SECTION 17.12.350 “STAFF RESPONSIBILITY AND ACTIONS” AND, DECLARING AN EMERGENCY.

WHEREAS, the City of Stayton passed Resolution 659 directing staff to prepare an ordinance resolving the inconsistency between state law and the city’s code regarding time to review land use applications for completeness;

WHEREAS, Oregon Revised Statute 227.178(2) allows up to 30 days to review land use applications for completeness and the City of Stayton’s code at SMC 17.12.350.1 allows only up to 14 working days to review applications for completeness, there exists an inconsistency with state law that must be corrected;

WHEREAS, proper notice of the proposed code amendment was sent to the Department of Land Conservation and Development as required by state law;

WHEREAS, the proposed Ordinance complies with all applicable provisions of State Planning Goals, statutes, and administrative rules, and with the city’s Comprehensive Plan.

WHEREAS, the City Planning Commission has reviewed this ordinance and recommends its approval to the City Council.

WHEREAS, it is appropriate that an emergency be declared as to the enactment of this Ordinance so that it is in full force and effect immediately from and after its adoption by the Stayton City Council.

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

SECTION 1. Stayton Municipal Code Section 17.12.350.1 is hereby amended to read:

1. Upon receiving an application, the City staff will review the application within 30 days after its initial submission by the applicant. The application shall be deemed acceptable upon determination by the City staff that all submittal requirements pursuant to this code have been satisfied. If the information contained in the application is not sufficient for complete staff review, staff will return the application to the applicant with a written explanation disclosing what information, forms, or fees are missing. It shall be the responsibility of the applicant to revise or supplement the application as required by the City staff in order to make it an acceptable application. If appropriate, a written agreement from the applicant may be accepted by the City staff, explaining how the technical problems will be resolved or information prepared. Failure of the

applicant to provide an acceptable application within thirty (30) days of the date of receipt of notification shall be grounds for the application being deemed by the City staff as complete for review and action, and may lead to denial of the application. Staff has a total of 30 days to review the application for completeness. The 120 day decision period begins either the day after the 30th day, beginning the day after the date received, or the day after the application is deemed complete. It shall be the duty of staff to notify the applicant within (3) days of an application deemed complete.

SECTION 2. Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become immediately effective.

ADOPTED BY THE STAYTON CITY COUNCIL this 17th day of July 2000.

CITY OF STAYTON

Date: July, 19, 2000

By: Henry A. Porter
Henry A. Porter, Mayor

Date: 7-19-2000

By: Chris Childs
Chris Childs, City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney