

ORDINANCE NO. 858

AN ORDINANCE AMENDING PROVISIONS OF TITLE 16 OF THE CANBY MUNICIPAL CODE REGARDING SITE PLAN REVIEW AND REQUIRING REVIEW OF CONDITION OF RESIDENTIAL STRUCTURES PROPOSED TO BE MOVED; AND DECLARING AN EMERGENCY

WHEREAS, concerns have arisen about the condition of residential structures proposed to be moved including, but not limited to, manufactured housing, and

WHEREAS, the City is desirous of regulating the condition of residential structures proposed to be moved; and

WHEREAS, the Canby Planning Commission, after proper notice and public hearing held on April 22, 1991, recommended that the City Council approve Ordinance No. 858; and

WHEREAS, the City Council, after review of the record before the Planning Commission, finds:

1. that the following amendments conform with the Comprehensive Plan of the City of Canby;
2. that there is a public need for the amendments and that such changes best serve the public need for the City of Canby;
3. that the amendments will preserve and protect the health, safety and welfare of the residents of the City of Canby; and
4. that the amendments conform to the statewide planning goals.

NOW THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Section 16.48.010 is amended to read as follows:

Prior to undergoing a plan check for construction, all proposed commercial, industrial and multiple-family residential development projects (having greater than two dwelling units) shall undergo a site plan review to be conducted by staff. This review is intended to focus on Code compliance and the mitigation of potential health and safety hazards rather than on architectural or aesthetic design features. Additional to the requirements imposed as a result of a site plan review, the staff may also make certain recommendations which are not binding upon the applicant, but which are intended to improve the overall quality or appearance of the development. **A site plan review shall also be conducted by staff for any residential structure including, but not limited to, manufactured homes, whether new or previously occupied, which are proposed to be moved onto a site. This review is intended to focus on Code compliance and mitigation of safety hazards as well as to insure "near like-new" or historically restored condition of building exterior.**

Section 2. Section 16.48.050(E) is added as follows:

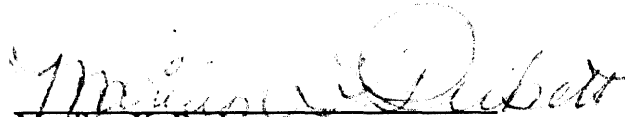
E. For residential structures moved onto the site including, but not limited to,

manufactured homes, a determination shall be made by staff that a "near like-new" or historically restored condition of building exterior shall exist prior to occupancy. This determination shall include an evaluation of color, materials and appearance of siding, roofing and appurtenances, as determined by evidence of recent painting, new construction, or replacement or repair of weathered, damaged or deteriorated materials or surfaces.

Section 3. Emergency Clause


In order to better promote the safety, health, and welfare of the citizens of Canby and to provide immediate uniform regulations for its citizens, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its final reading and passage by the Canby City Council.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, May 1, 1991, and ordered posted as provided by the Canby City Charter and scheduled for second reading and action of the Canby City Council at a regular meeting thereof on Wednesday, May 15, 1991, commencing at the hour of 7:30 p.m., in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.


Marilyn K. Perkett
City Recorder

ENACTED by the Canby City Council at a regular meeting thereof on May 15, 1991, by the following vote:

YEAS 5 NAYS 0


Shawn Carroll, Mayor

ATTEST:

Marilyn K. Perkett, City Recorder