

A BILL FOR AN ORDINANCE AMENDING THE)
ZONING ORDINANCE, NO. 1428, AND DE-)
CLARING AN EMERGENCY.)

ORDINANCE BILL NO. 31
for 1972
ORDINANCE NO. 1457

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. Pursuant to Article 8 of Ordinance No. 1428, and as initiated by the City Council, by the Planning Commission, and by application of the property owners, and upon compliance with the requisites of said Article 8, the following sections and sub sections of Ordinance No. 1428 are amended to read as set forth below:

(1) Section 2.070 Zoning of Annexed Areas.

- 1.. All unzoned areas annexed to the city shall be in the Single Family Residential Zone (r-S), unless otherwise recommended by the planning commission and ordered by the city council.
2. Zoning regulations, applicable to an area annexed to the city which at the time of annexation has county zoning in effect, shall continue to apply, along with any conditions, limitations or restrictions applied by the county, in accordance with ORS 227.310 unless, at the time of annexation or at a subsequent time, the council replaces the county zoning.

(2) Section 3.020 Conditional Uses Permitted.

2. Governmental structure or land use including but not limited to a public park, playground, recreation building, tree farm, fire station, library, or museum;

(3) Section 3.140 Minimum Site Area per Dwelling Unit. The minimum site area related to the number of stories in the structure shall be as prescribed in the following table:

<u>Sub-Designation</u>	<u>Height</u>	<u>Density</u>
R-M (1)	Two stories or less (30 ft.)	4350 sq.ft. per dwelling unit
R-M (2)	Two stories or less (30 ft.)	2700 sq.ft. per dwelling unit
R-M (3)	Three stories or less (45ft.)	2000 sq.ft. per dwelling unit

(4) Section 3.160 Height of Buildings. In the R-M Zone, Sub-designations 1 and 2, no building shall exceed a height of 30 feet.

(5) Section 3.310 Principal Permitted Uses.

17. Hotels, Motels, Motor Hotels, Tourist Courts.

(6) Section 3.580 Vehicular Access.

1. Access points to an industrial site from a public street, road or highway shall be limited and so located as to minimize traffic congestion and, to the extent possible, to avoid directing traffic into residential areas, and must be recommended by the planning commission and approved by the City council.

2. Where possible within industrial districts, access to the public road shall be made to serve more than one industrial site

(7) Section 3.⁷¹⁰~~470~~ Standards.

2. Planned development may be established on parcels of land which are suitable for and of sufficient size to be planned and developed in a manner consistent with the purpose and objectives of the city's General Plan and Sections 3.700 to 3.720. For planned developments which are located in the R-S Zone, the site shall include not less than one acre of contiguous land, unless the planning commission or council, upon appeal, find that property of less than one acre be suitable by virtue of its qualifying as an isolated problem area.

(8) Section 5.020 Standards Governing Conditional Uses. In addition to the standards of the zone in which the conditional use is located and the other standards of this ordinance, conditional uses shall meet the following standards:

1. In a residential zone, yard requirements for conditional uses may be increased to one and one-half (1-1½) times the minimum requirements of the zone plus one-half (½) foot for each foot by which the building height exceeds 25 feet.

(9) Section 5.040, Public Hearing on a Conditional Use. Before the planning commission may act on a request for a conditional use it shall hold a public hearing. Within 45 days after filing an application for a conditional use, the planning commission shall hold a public hearing on the request. Notice of the public hearing shall be by at least one publication in a newspaper of general circulation in the city, not less than three days nor more than 10 days prior to the date of the hearing, the city recorder shall give written notice by mail of the hearing to owners of property within 300 feet of the lot or land parcel on which the conditional use is requested, using for this purpose the names and addresses of owners as shown upon the records of the county assessor. Failure of a person to receive the notice shall not invalidate any proceedings in connection with the proposed conditional use.

(10) Section 7.040 Notice of Public Hearing on an Appeal. Within 45 days after filing, the board shall hold a public hearing on the appeal. Notice of the public hearing shall be by one publication in a newspaper of general circulation in the city, and not less than three days nor more than 10 days prior to the date of the hearing; the city recorder shall give written notice by mail of the hearing to owners of property within 100 feet of the lot or parcel of land on which the appeal is made, using for this purpose the names and addresses of owners as shown on the records of the county assessor. Failure of a person to receive the notice, shall not invalidate any proceedings in connection with the appeal.

(11) Section 7.090 Notice of Public Hearing on a Variance. Within 45 days after filing an application for a variance, the board shall hold a public hearing on the request. Notice of the public hearing shall be by one publication in a newspaper of general circulation in the city, not less than three days nor more than 10 days prior to the date of the hearing, the city recorder shall give written notice by mail of the hearing to owners of property within 100 feet of the lot or land parcel on which the variance is requested, using for this purpose the names and addresses of owners as shown upon the records of the county assessor. Failure of a person to receive the notice shall not invalidate any proceedings in connection with the proposed variance.


(12) Section 7.100 Action of the Board of Appeals. The board shall make its findings and recommendations in writing within 40 days after the hearing on the proposed variance. The city recorder shall notify the applicant, in writing, of the boards's action within five days after the board has rendered its decision, The board may attach conditions to an authorized variace which it feels are necessary to protect the public interest and carry out the purpose of this ordinance.

(13) Section 8.030 Public hearing on Amendment.

- A. Each notice of hearing on a propsed admendment shall be by at least one publication in a newspaper of general circulation in the city not less than three days nor more than 10 days prior to the date of hearing
- B. In addition, a notice of hearing on an amendment to a a zone boundary shall be mailed to property owners, abutting property owners and owners of property within 300 feet of the property for which a zone boundary amendment has been requested. The notice of hearing shall be mailed at least 10 days prior to the date of hearing using for this purpose the names and addresses of the owners as shown on the records of the county assessor.
- C. If a proposed zone boundary amendment has been initiated by the planning commission or city council and is declared by the city council to be a mojour reclassification, the mailing of individual notice is not required but such additional means of informing the public as may be specified by the council shall be observed.
- D. Failure of a person to receive the notice prescribed in this section shall not invalidate any proceedings in connection with the proposed amendments.

Section 2. In as much as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full forc and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 6th day of November, 1972.


HARRY N. CHRISTIANSEN
Mayor

ATTEST:


Recorder