

2000 General Ordinances

00-1235	01-10-00	An Ordinance Repealing General Ordinance No. 798, and Dissolving the Airport Commission
00-1236	07-10-00	An Ordinance Amending General Ordinance 94-1184, Approving Comprehensive Plan Map Amendment #CPA 25-00, of Mark & Raeann Clark for Creation of a Neighborhood Center Overlay Zone on a 13.47 Acre Parcel of Property in Undeveloped Area Between Webber & Cherry Heights Road & West 8th and West 10th Streets
00-1237	08-14-00	An Ordinance Amending Section 2(b) of General Ordinance No. 91-1133, Concerning the Billing Process for Metered Accounts
00-1238	11-13-00	An Ordinance Approving Comprehensive Plan Map Amendment #CPA 26-00 and #ZOA 65-00 of the City of The Dalles

GENERAL ORDINANCE NO 00-1238

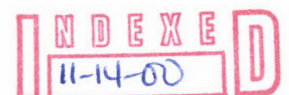
AN ORDINANCE APPROVING COMPREHENSIVE PLAN
MAP AMENDMENTS #CPA 26-00 AND #ZOA 65-00 OF
THE CITY OF THE DALLES

WHEREAS, the City of The Dalles submitted applications for two Comprehensive Plan Map Amendments; #CPA 26-00, concerning the property described as Assessor's Map No. 2N 13E 21, Tax Lots 600 and 700, which application sought to relocate the location of the Urban Growth Boundary consistent with the original location of the National Scenic Area Boundary line, and #ZOA 65-00, concerning the property described as Assessor's Map No. 2N 13E 32AD, Tax Lot 1000, located at 2424 West 7th Street, to change the zoning designation for the property from general commercial to mobile home residential; and

WHEREAS, on September 21, 2000, the City Planning Commission conducted a public hearing on the two applications, and voted to recommend to the Council that both applications be approved; and

WHEREAS, on October 23, 2000, the City Council conducted public hearings upon the two applications, and reviewed the record in both cases including the staff reports submitted as part of the record; and

WHEREAS, the City Council approves and specifically adopts the findings of fact and conclusions set forth in the staff reports submitted as part of the record, and incorporates those findings of fact and conclusions in this ordinance; and



WHEREAS, the City Council further finds the evidence in the record for each application establishes the current location of the Urban Growth Boundary line, in #CPA 26-00, and the change in the zoning designation in #ZOA 65-00 from mobile home residential to general commercial, was the result of clerical errors in the preparation of the City's Comprehensive Plan Map and Zoning Ordinance Map, and that it is necessary and appropriate to correct these mapping errors; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF THE DALLES ORDAINS AS FOLLOWS:

Section 1. Map Amendment to Comprehensive Plan and Official Zoning Map Adopted.

The City of The Dalles Comprehensive Plan Map and Official Zoning Map are amended to relocate the Urban Growth Boundary line in a manner consistent with the original boundary line for the National Scenic Area Boundary, for the parcels described as Assessor's Map No. 2N 13E 21, Tax Lots 600 and 700 (which parcels are shown on the map attached as Exhibit "A"), so that the two parcels will be located within the Urban Growth Boundary. The designation for the Comprehensive Plan and for the Zoning District for these two parcels shall be "I" - Industrial". The City of The Dalles Comprehensive Plan Map and Official Zoning Map are further amended to redesignate the parcel described as Assessor's Map No. 2N 13E 32AD, Tax Lot 1000, located at 2424 West 7th Street (which parcel is shown on the map attached as Exhibit "B") from "C" - Commercial to "RMH" - Mobile Home Residential for the Comprehensive Plan, and from "CG" General Commercial to "RMH" - Mobile Home Residential for the Zoning Ordinance.


Section 2. Notification. Pursuant to ORS 197.615, the Community & Economic Development Department shall notify the Department of Land Conservation and Development of this action no later than five (5) working days after adoption.

Section 3. Effective Date. This ordinance shall go into full force and effect 30 days after its passage and adoption.

PASSED AND ADOPTED THIS 13TH DAY OF NOVEMBER, 2000.

Voting Yes, Councilor: Gosiak, Davison, Broehl, Davis
Voting No, Councilor: None
Absent, Councilor: Council position #1 vacant
Abstaining, Councilor: None

AND APPROVED BY THE MAYOR THIS 13TH DAY OF NOVEMBER, 2000.



~~Rob Van Cleave, Mayor~~
Mary Ann Davis, Mayor pro-tem
Attest:


Julie Krueger, CMC/AAE, City Clerk

Urban Growth Boundary Adjustment



The area within the circle at the Northern end of our City "fell off" of both our Comprehensive Plan and Zoning Maps. This application is to correct this mapping error and place these properties back where they belong.

 Urban Growth Boundary
Property Lines

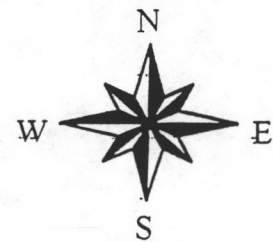
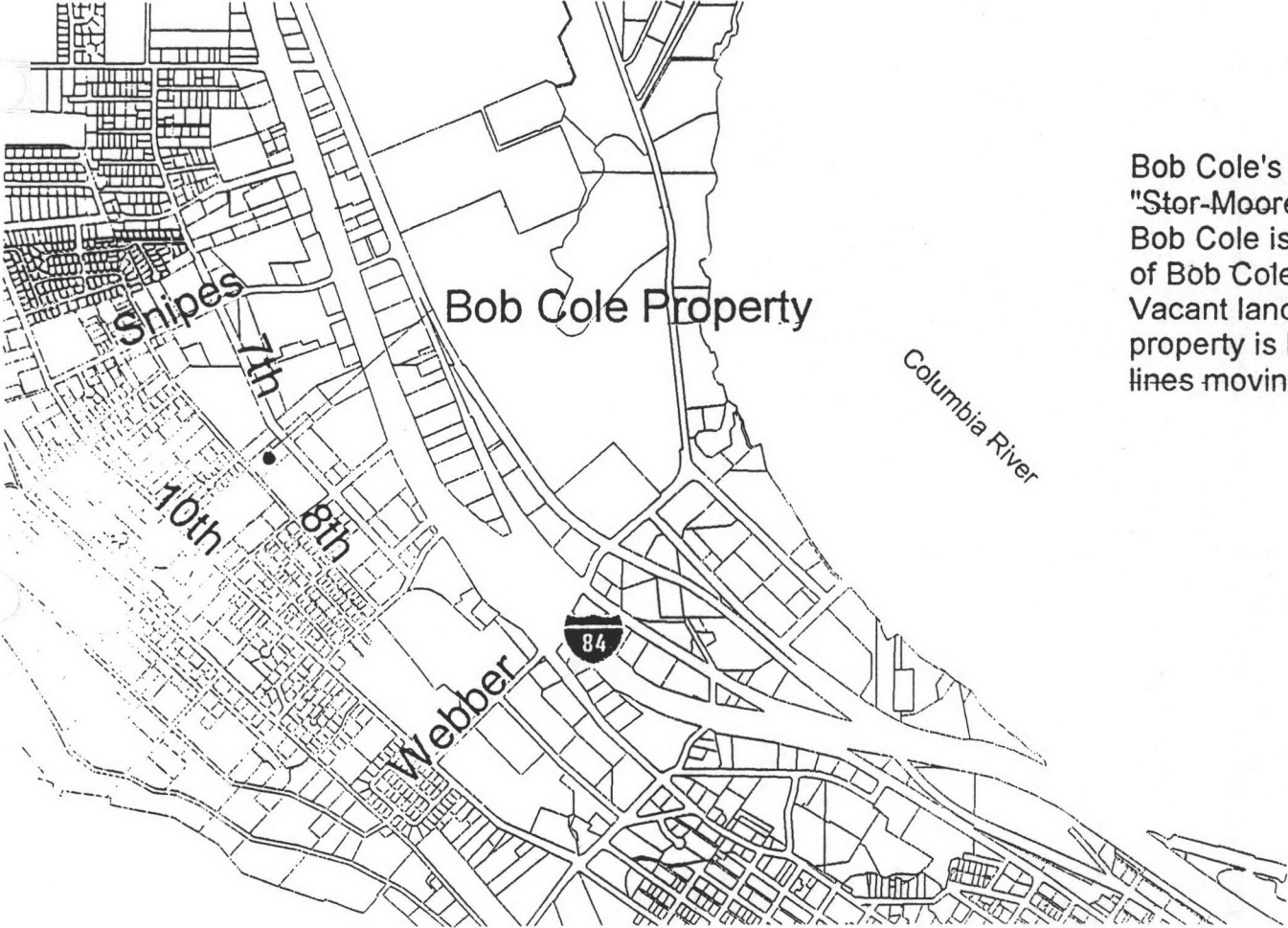


EXHIBIT "A"

Vicinity Map



Bob Cole's property is located next to "Stor-Moore Self-Storage". Additionally, Bob Cole is "Bob's Glass". The other side of Bob Cole's property is used residentially. Vacant land exists across 7th Street. This property is located next to the large cable power lines moving in a north-south direction.

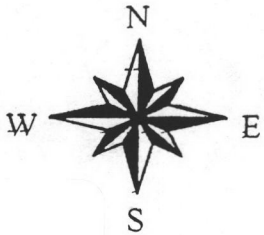
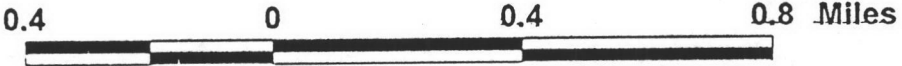


Exhibit "B"

GENERAL ORDINANCE NO. 00-1237

AN ORDINANCE AMENDING SECTION 9(b) OF GENERAL ORDINANCE NO, 91-1133, CONCERNING THE BILLING PROCESS FOR METERED ACCOUNTS

THE COUNCIL OF THE CITY OF THE DALLES ORDAINS AS FOLLOWS:

Section 1. Section 9(b) of General Ordinance No. 91-1133 is amended to read as follows:

- b. Water Charges for Metered Accounts. All bills for metered accounts shall be due and payable upon receipt. Accounts which have not been paid in full by the 20th day of the month in which the bill was delivered to the customer for payment, shall begin to accrue interest at the rate of eighteen percent (18%) per annum on the 21st day of the applicable month. A late notice will be sent out on the 22nd day of the applicable month indicating the amount of any interest penalty, the date a "door hanger notice" will be posted, and the date that water service will be terminated if the account is not paid in full. Accounts which have not been paid in full by the end of the current month will be assigned a place on the "door hanger list" created by the City. Delinquent accounts assigned to the "door hanger list" will be assessed a delinquent fee established by a City Council resolution. A termination notice will be placed upon the customer's premises advising the customer that water service will be terminated within seven (7) days unless the entire balance due and owing, including interest and delinquent fees, is paid in full within that seven (7) day period.

PASSED AND ADOPTED THIS 14TH DAY OF AUGUST, 2000.

Voting Yes, Councilor: Gosiak, Davison, Broehl, Davis

Voting No, Councilor: None

Absent, Councilor: Wasser deceased

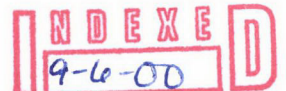
Abstaining, Councilor: None

AND APPROVED BY THE MAYOR THIS 14TH DAY OF AUGUST, 2000.

Mary Ann Davis
Robb Van Cleave, Mayor

Attest:

Julie Krueger
Julie Krueger, CMC/AAE, City Clerk



GENERAL ORDINANCE NO. 00-1236

AN ORDINANCE AMENDING GENERAL ORDINANCE NO. 94-1184, APPROVING COMPREHENSIVE PLAN MAP AMENDMENT #CPA 25-00, OF MARK AND RAEANN CLARK FOR CREATION OF A NEIGHBORHOOD CENTER OVERLAY ZONE ON A 13.47 ACRE PARCEL OF PROPERTY IN THE UNDEVELOPED AREA BETWEEN WEBBER AND CHERRY HEIGHTS ROAD AND WEST 8TH AND WEST 10TH STREET

WHEREAS, the City of The Dalles Planning Commission held a public hearing upon the request of Mark and RaeAnn Clark for a Comprehensive Plan Amendment to create a Neighborhood Center Overlay Zone on a 13.47 acre parcel of property located in the undeveloped area between Webber Street and Cherry Heights Road, and West 8th and West 10th Street, on May 18, 2000; and

WHEREAS, following the close of the public hearing, the Planning Commission voted to recommend to the City Council that the Council approve the proposed Comprehensive Plan Amendment; and

WHEREAS, on June 12, 2000, the City Council conducted a public hearing on Comprehensive Plan Amendment #CPA 25-00, and following the close of the public hearing, the Council voted to approve the proposed Comprehensive Plan Amendment, and directed staff to prepare an ordinance setting forth appropriate findings of fact and conclusions of law;

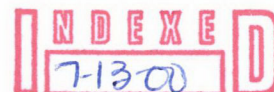
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES ORDAINS AS FOLLOWS:

FINDINGS OF FACT

1. The subject property measures approximately 13.47 acres, and is located in the generally undeveloped area between Webber Street and Cherry Heights Road, and West 8th and West 10th Streets. The applicants are Mark and RaeAnn Clark. The property is also described as Assessor's Map 1N 13 4, Tax Lot 100.

2. Notice of the hearing was mailed to persons owning property within 100 feet of the subject parcel. A courtesy notice was sent to property owners within the Blakely neighborhood, which is also known as the West Park Addition. Notice of the City Council hearing was published 10 days in advance of the hearing as required by City ordinance.

3. Several persons testified during the Planning Commission's hearing on May 18, 2000. There was no direct testimony in opposition to the application for a Comprehensive Plan Amendment, but concerns were raised regarding long term transportation and traffic problems on West 10th Street. Mark and RaeAnn Clark testified before the City Council in support of the requested application. There was no testimony presented to the Council in opposition to the application.



4. The application was deemed complete by City staff on April 11, 2000. The deadline for a final decision on the application is August 14, 2000.

5. The provisions in the City's Land Use and Development Ordinance concerning Neighborhood Center Overlay Districts do not include specific procedures for adding an overlay zone to a specific parcel of property. The City's Comprehensive Plan provides that a Neighborhood Center overlay zone can be created by a Comprehensive Plan Amendment, by either a quasi-judicial or a legislative process. Comprehensive Plan amendments can only be accomplished through a legislative process, under the City's Land Use and Development Ordinance.

6. The Agenda Staff Report presented to the City Council noted that the applicants believed that properties surrounding the subject parcel, which include assisted care living facilities for senior citizens, the Mid-Columbia Senior Center, and existing single family and multi-family dwellings, would provide a sufficient market base for neighborhood commercial activities within walking distance of the surrounding residences. Bob Paul, Senior Planner for the City, advised the Council the proposed overlay zone would allow for a variety of residential and commercial uses to occur on the property, but the commercial uses would be restricted to small, neighborhood types of uses.

CONCLUSIONS OF LAW

1. The Council finds that the proposed Comprehensive Plan Amendment, #CPA 25-00, is consistent with the City's Comprehensive Plan. Goal #9 of the Comprehensive Plan, concerning Economic Development, provides as follows:

"To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."

Goal #10 of the Comprehensive Plan, concerning Housing, provides as follows:

"To provide for the housing needs of the citizens of the state."

2. The City's Comprehensive Plan indicates the City will need to add to its existing supply of land for commercial uses within the City's urban growth boundary. This conclusion was based upon existing ratios of commercial development to the population of the City. The Comprehensive Plan further provides the shortfall of commercial land can be made up, in part, by utilization of underdeveloped commercial property, rezoning of existing industrial land on West 2nd Street to Commercial Light Industrial (which rezoning was accomplished with the adoption of the LUDO in June 1998) and conversion of existing Port industrial lands to allow commercial and recreational commercial development. The proposed Neighborhood Center Overlay Zone is consistent with the following language from page 24 of the Comprehensive Plan:

“Smaller gains are provided through the use of Neighborhood Centers to allow residential and neighborhood commercial uses to develop near focal intersections in town.”

3. The subject property is adjacent to the intersections of West 10th and Cherry Heights Road, and the intersections of West 10th and Webber and West 8th and Webber Street. These intersections are focal intersections for commercial and residential activity. The location of the subject parcel will facilitate the provision of commercial services to surrounding facilities and residences, many of which are within walking distance of the subject property. Establishment of the overlay zone will also enhance the opportunity for residential development of the property, and assist in meeting the housing needs of the citizens of The Dalles.

4. The City of The Dalles Comprehensive Plan Map, adopted as part of General Ordinance No. 94-1184, is amended to create a Neighborhood Center Overlay Zone over the 13.74 acre parcel shown on the map attached as Exhibit “A”.

5. Pursuant to ORS 197.615, the Community & Economic Development Department shall notify the Department of Land Conservation and Development of this action not later than 5 working days after adoption of this ordinance.

6. This ordinance shall go into full force and effect 30 days after passage of the ordinance, which effective date shall be August 9, 2000.

PASSED AND ADOPTED THIS 10TH DAY OF JULY, 2000.

Voting Yes, Councilor: Gosiak, Wasser, Davis, Davison
Voting No, Councilor: None
Absent, Councilor: Broehl
Abstaining, Councilor: None

AND APPROVED BY THE MAYOR THIS 10TH DAY OF JULY, 2000.



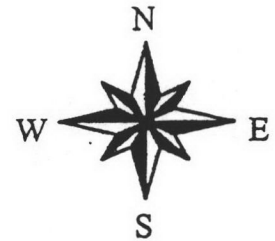
Robb Van Cleave, Mayor

Attest:



Julie Krueger, CMC/AAE, City Clerk

Proposed Neighborhood Center Overlay Zone



Prepared by The City of The Dalles
Community Development and
Planning Department. Information
based upon Wasco County Assessor
database information.

May 3, 2000

EXHIBIT "A"

GENERAL ORDINANCE NO. 00-1235

AN ORDINANCE REPEALING GENERAL ORDINANCE NO. 798, AND DISSOLVING THE AIRPORT COMMISSION

WHEREAS, the City of The Dalles established an Airport Commission for the purpose of providing the City Council with a continuing program of experienced advice and recommendations concerning the operation, maintenance, and management of the municipal airport located in Dallesport, Washington, by adoption of General Ordinance No. 798; and

WHEREAS, the City and Klickitat County entered into an intergovernmental agreement on June 21, 1999 for cooperative action to establish a regional management authority for the City's municipal airport; and

WHEREAS, pursuant to paragraph one of the June 21, 1999 intergovernmental agreement, the City and County have established a regional airport authority board, upon an eighteen month trial basis; and

WHEREAS, paragraph one of the June 21, 1999 intergovernmental agreement provides the City would dissolve the City's existing airport commission upon creation of the regional airport authority; NOW, THEREFORE,

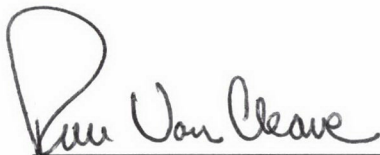
THE COUNCIL OF THE CITY OF THE DALLES ORDAINS AS FOLLOWS:

Section 1. Ordinance Repealed. General Ordinance No. 798, which established the City's Airport Commission, enacted on February 5, 1962, and amended by General Ordinance No. 90-1119, enacted on December 17, 1990, is hereby repealed.

PASSED AND ADOPTED THIS 10TH DAY OF JANUARY, 2000.

Voting Yes, Councilor: Davison, Broehl, Davis, Gosiak, Wasser
Voting No, None
Absent, None
Abstaining, None

AND APPROVED BY THE MAYOR THIS 10TH DAY OF JANUARY, 2000.



Robb Van Cleave, Mayor

ATTEST:


Julie Krueger, CMC/AEE, City Clerk

