

ORDINANCE 62

AN ORDINANCE CORRECTING POSSIBLE CONFLICTS BETWEEN MUNICIPAL ORDINANCES NO. 60 AND 50 AND THE COMPREHENSIVE PLAN, ORDINANCE 61:

WHEREAS, the City of Dunes City has adopted a Subdivision Control Ordinance; and

WHEREAS, the City of Dunes City did adopt an updated Comprehensive Plan on the 28th day of June, 1979, and that Comprehensive Plan limits development of certain lands; and

WHEREAS, confusion may arise as to ambiguities between the Comprehensive Plan, Ordinance 50 and Amendments and Ordinance 60,

THE CITY OF DUNES CITY does ordain as follows:

1. Ordinance No. 60, Article 4, is amended so as to include Section 4.10 which shall read:

Section 4.10 DEVELOPEMNT LIMITATIONS

THE LIMITATIONS UPON CONSTRUCTION SET FORTH IN SECTIONS 3, 4, AND 5 OF ORDINANCE 50 WITH AMENDMENTS SHALL ALSO CONTROL DEVELOPMENT WITHIN A SUBDIVISION. AREAS ZONED OS-L AND OS-S SHALL NOT BE DEVELOPED IN A SUBDIVISION.

2. Article 3, Section 3.02, subsection B, is amended so as to include subparagraph (21) which will read:

(21) A MAP SETTING FORTH THE BOUNDARIES OF STANDS OF EVERGREENS, AND HOW THE DEVELOPEMENT OF THE PROPOSED SUBDIVISION WILL MAXIMIZE PRESERVATION OF THOSE EVERGREENS.

3. Article 4, Section 4.09, is amended so that the following language shall be deleted:

AS DETERMINED BY THE CITY, NO AREAS DANGEROUS TO THE HEALTH AND SAFETY OF THE PUBLIC OR THOSE WHO WOULD LIVE IN SUCH AREAS, AND NO LANDS SUBJECT TO SLIPPAGE OR INUNDATION SHALL BE SUBDIVIDED.

and replaced with the following:

NO LANDS SHALL BE SUBDIVIDED WHERE THE INTENDED USE MAY BE DANGEROUS TO HEALTH AND SAFETY OF THE PUBLIC OR THOSE WHO WOULD LIVE IN SUCH AREAS.


(A) AREAS SUBJECT TO FLOODING SHALL NOT BE SUBDIVIDED UNLESS THE PROVISIONS OF THE NATIONAL FLOOD INSURANCE PROGRAM ARE MET.

- (B) WHERE SLOPES EXCEED 12%, THE CITY WILL REQUIRE A SITE REVIEW BEFORE LAND MAY BE SUBDIVIDED. WHERE SLOPES EXCEED 16%, PROOF OF SAFETY OF THE PROPOSED DEVELOPMENT MUST BE SHOWN BEFORE THE LAND MAY BE SUBDIVIDED.
- (C) NO LAND SUBJECT TO LANDSLIDES SHALL BE SUBDIVIDED.
- (D) NO LAND SHALL BE SUBDIVIDED UNLESS A SITE-SPECIFIC INVESTIGATION OF SEWAGE DISPOSAL CAPABILITY HAS BEEN COMPLETED, ACCORDING TO PROCEDURES ESTABLISHED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY.

PASSED by the City Council of the City of Dunes City, Oregon, on this 28th day of June, 1979.


This Ordinance shall take effect on the 28th day of July, 1979.

Approved by the Acting Mayor this 28th day of June, 1979.



EUGENE C. STROUD
President of the City Council and
Acting Mayor

ATTEST:



PATRICIA L. BARBER
City Recorder