

ORDINANCE NUMBER 131

AN ORDINANCE MAKING CORRECTIONS, ADDITIONS AND DELETIONS TO ORDINANCE NUMBER 50 (ZONING ORDINANCE) AND ORDINANCE NUMBER 60 (SUBDIVISION ORDINANCE).

THE FOLLOWING SECTIONS IN ORDINANCE NO. 50 ARE CHANGED TO READ;

SECTION 4. RESIDENTIAL (R-1) DISTRICT

III. Conditional Uses.

I. Youth camps

V. Transfer of Property Between Adjacent Parcels

- A. The transfer of property between adjacent parcels is permissible without approval by the City so long as the transfer does not result in the creation of a lot which is less than one acre in size, or unless the "donating" lot is less than one acre in size prior to the transfer of property to the adjoining parcel. All dimensions shall meet minimum standards as defined in this ordinance and the subdivision ordinance. In the event the transfer would create a lot of less than one acre in size, such transfer shall require approval of the City. Approval shall be conditional pursuant to the general provisions of this ordinance providing for the granting of conditional use permits (see Section 9-IV).

SECTION 5: COMMUNITY COMMERCIAL (CC) DISTRICT

V. Signs

D. Permits

3. Fees. The city council shall set by resolution fees for obtaining sign permits.

- G. Number of Signs. Only a single two-way free-standing sign or two one-way signs will be permitted on a business premises so long as they are at least 150 feet apart.

- J. Notation. See Section 7 I. B. Development Standards, item number 14. Signs.

SECTION 5.1: OPEN SPACE OVERLAY ZONE

II. Lakes

A. Permitted Uses

Recreational uses such as swimming, fishing or boating and water supply for water systems as allowed by State regulation.

III. Shorelands. For purposes of this ordinance, shorelands are defined as all lands within 50 feet of: the line 38 feet above mean sea level on Woahink Lake, the line 9 feet above mean sea level on Siltcoos Lake and River, the line two feet below the top of the dam on Little Woahink (Brandywine) Lake, the line that marks the division between aquatic and riparian vegetation on Woahink Creek and other creeks, the line that marks the upland edge of wetlands as defined by the State of Oregon.

SECTION 5.2: FRAGILE LANDS OVERLAY ZONE

I. Purpose. Dunes City has determined as a matter of policy that significant development restraints be placed upon certain fragile lands. These lands shall be generally designated FL. FL lands shall be further delineated according to whether they are excessive in slope (FL-S) or stabilized or active dunes (FL-D), as defined herein and by the Dunes City Comprehensive Plan.

SECTION 6: GENERAL DEVELOPMENT STANDARDS AND REQUIREMENTS

I. Building and Lot Requirements.

B. Additional Setback Requirements

3. Fences and Walls:

- (a) In the Residential District (R-1), a fence or wall may be built not to exceed six (6) feet in height, measured from grade. Where vision clearance safety requirements apply, the fence or wall is restricted to a maximum of three and one-half (3½) feet in height unless otherwise approved by the city building inspector.
- (b) In the Community Commercial (CC) District, a fence or wall may be built not to exceed eight (8) feet in height, measured from grade. Where vision clearance safety requirements apply, the fence or wall is restricted to a maximum of three and one-half (3½) feet in height unless otherwise approved by the city building inspector.
- (c) For purposes of this ordinance a fence is not a structure. A fence permit shall be required before a fence or wall is built.

SECTION 7: SPECIAL DEVELOPMENT STANDARDS AND REQUIREMENTS

I. Mobile Home and Travel Trailer Parks.

B. Development Standards

14. Signs: One sign not exceeding eighteen (18) square feet in area will be allowed on the premises to designate the name of the mobile home park or travel trailer park. The sign may be indirectly lighted, but shall be non-flashing. Said sign shall conform to the setbacks designated for structures in the zone in which it is located.

Incidental signs for the information and convenience of tenants and the public, relative to parking, traffic movement, office, lavatories, etc., are allowed, provided such signs do not exceed three square feet in size.

No nameplate or advertising signs of any other character shall be permitted.

15. Non-Residential Uses:

16. Additional Development Requirements:

17. Solar Setback Requirements:

II. Home Occupations

C. Limitations

Home occupations may not be established, conducted or continued if to do so will cause:

1. Generation of excessive traffic.
2. Monopoly of on-street parking spaces.
3. Frequent deliveries and pick-ups by motor freight trucks.
4. Noise, smoke, fumes, odors, or traffic in excess of that created by normal residential use, either in terms of volume or hours of occurrence.
5. The dwelling to have the characteristics of other than a residence.
6. Other offensive activities not in harmony with a residential neighborhood.
7. Bed and Breakfast locations shall not be allowed.
8. Adult Foster-care homes shall not be allowed.

SECTION 9: PROCEDURES AND CRITERIA FOR CONSIDERING ZONING, REZONING, CONDITIONAL USE PERMITS, TEMPORARY PERMITS, VARIANCE, SITE REVIEW PERMITS AND AMENDMENTS TO THIS ORDINANCE.

III. Planning Commission's Public Hearing, and Notice Requirements

B. Notice Requirements:

1. For all proposed Zoning, Rezoning and Amendment to this Ordinance. Notice for each proposed Zoning, Rezoning and Amendment to this Ordinance shall be given in advance of the Planning Commission Public Hearing in accordance with legal requirements.
2. For proposed Conditional Use Permits and Temporary Permits by an applicant. Notice for each Conditional Use Permit and Temporary Permit shall be given in advance of the Planning Commission Public Hearing by mail to the applicant, property owner (if not the applicant) and owners of surrounding property in accordance with legal requirements.
3. For Variances and Site Review Permits. Notice of proposed Variances and Site Review Permits shall be given in advance of the Planning Commission's Public Hearing to the applicant, property owner (if not the applicant) and all owners of property abutting the exterior boundaries of the contiguous property ownership involved in accordance with legal requirements.

SECTION 10: NONCONFORMING LOTS, NONCONFORMING USES OF LAND, NON-CONFORMING STRUCTURES, AND NONCONFORMING USES OF STRUCTURES AND PREMISES

IV. Non-conforming Structures.

- A. No structure may be enlarged in a way which increases its non-conformity except as provided below.
- B. Should such structure be destroyed by any means to an extent of more than 75 percent of its replacement cost at time of destruction, it shall not be reconstructed, except in conformity with the provisions of this Ordinance.
- C. Any enlargements of a non-conforming structure will require the permission of the council through the variance procedure.

SECTION 11: DEFINITIONS

MARINA - A dock or basin providing secure moorings for motorboats and yachts and often offering supply, repair, and other facilities. The size of the marina would be decided by the city council on a case-by-case basis.

MANUFACTURED DWELLING - (MOBILE HOME) (1) residential trailers constructed before January 1, 1962; (2) mobile homes constructed between January 1, 1962 and June 15, 1976 which met Oregon construction standards then in effect; and (3) manufactured homes constructed to federal standards.

MANUFACTURED DWELLING PARK - (MOBILE HOME PARK) Any parcel of land composed of a lot or contiguous lots under the same ownership used, designed or intended to accommodate more than two (2) manufactured homes (mobile homes) and travel trailers.

MANUFACTURED DWELLING SITE - (MOBILE HOME SITE) Any portion of a manufactured home park (mobile home park) designated or used for the occupancy of one manufactured home (mobile home).

SHORELANDS - For the purpose of this ordinance, shorelands are defined as all lands within 50 feet of: the line 38 feet above mean sea level on Woahink Lake, the line 9 feet above mean sea level on Siltcoos Lake and River, the line two feet below the top of the dam on Little Woahink (Brandywine) Lake, the line that marks the division between aquatic and riparian vegetation on Woahink Creek and other creeks, the line that marks the upland edge of wetlands as defined by the State of Oregon.

LAND SUBDIVISION ORDINANCE NO. 60
THE FOLLOWING SECTIONS IN ORDINANCE 60 (SUBDIVISION ORDINANCE)
ARE CHANGED TO READ:

SECTION 1.07 PUBLIC HEARING AND NOTICE REQUIREMENTS

(B) NOTICE REQUIREMENTS

- (1) For All Major Partitions and Subdivisions: Notice for each proposed Major Partition or Subdivision shall be given in advance of any public hearing by the Planning Commission or the City Council in accordance with legal requirements.

- (2) In Addition to the General Notice Requirements of Section 1.07 (B) (1) Above, Notice of public hearings on all applications for Major Partitions and Subdivisions shall also be given in advance of the public hearing by mail to the applicant, property owner (if not the applicant), and owners of all property in accordance with legal requirements.
- (3) For Minor Partitions: Notice of proposed Minor Partitions shall be given in advance of the Planning Commission's Public Hearing to the applicant, property owner (if not the applicant), and owners of all property in accordance with legal requirements.

PASSED BY THE CITY COUNCIL OF DUNES CITY, OREGON, this _____
DAY OF _____, 1990.

AYES: _____ NAYS: _____ ABSTAINING: _____ ABSENT: _____

Approved by the Mayor this _____ day of _____, 1990.

Darryl R. Eastman, Mayor

ATTEST:

Kathleen Aitken, City Recorder