

ORDINANCE NO. 144

AN ORDINANCE RE-ESTABLISHING THE ZONING MAP FOR ALL LAND WITHIN THE CITY LIMITS OF DUNES CITY.

WHEREAS the City of Dunes City is required by city charter and zoning ordinance to have an adopted map designating zoning of properties within its City limits, and

WHEREAS property within Dunes City was initially zoned by Ordinance No. 53 while a zoning map was being prepared, and

WHEREAS Ordinance No. 55 adopted a zoning map, and

WHEREAS subsequent ordinances amended this zoning map, and

WHEREAS the City of Dunes City is presently unable to locate said zoning map, and

WHEREAS the City Council finds that it is in the public's interest to adopt a map that accurately describes city boundaries and depicts adopted zoning designation for Dunes City,

THEREFORE DUNES CITY ordains as follows:

A map establishing zoning districts within the municipal boundaries of Dunes City, a copy of which is attached, is hereby adopted as the official Zoning Map.

Passed by the City Council of the City of Dunes City, this ___ day of _____, 1994.

_____ Ayes _____ Nays _____ Abstain _____ Absent

Robert Petersdorf, Mayor

ATTEST:

Joyce Phillips, City Recorder

S. Robbins introduced himself as probably the sole proponent in attendance and stated he had property that was included in the 200+ acres.

S. Robbins requested that the planning commission approve Ordinance #143 and not try to re-write history because we want to keep people out of Dunes City.

R. Micklewright asked S. Robbins how long he had owned the property?

S. Robbins said about 5 years.

R. Micklewright asked S. Robbins what his understanding was when he bought the property?

S. Robbins said he understood it to be in the county.

R. Micklewright closed the public hearing at 8:11 p.m.

General discussion among the commissioners regarding the legality of the annexation.

It was the consensus of the commissioners that they could not make decisions based on an assumption that the annexation is legal.

MOTION L. VanCurler made a motion that the decision be tabled until we have a definitive answer.

Commissioners continued discussion regarding recommendation.

The motion was withdrawn by L. VanCurler.

Commissioners discussed the verbiage of the motion.

MOTION J. Buehler made the motion to recommend to the city council that the planning commission cannot recommend action on Ordinance #143 without written notification from the city council that the annexation was valid and acknowledged by the appropriate state and county agencies.

L. VanCurler seconded the motion. The voting was unanimous and the motion carried.

General discussion regarding the draft zoning map referred to in proposed Ordinance #144 (Attachment O).

R. Micklewright opened the public hearing on Ordinance #144 at 8:35 p.m.

J. Carlson read his statement opposing Ordinance #144 (attachment J).

R. Micklewright stated the goal of the planning commission in this case has nothing to do with the Wilkes property.

J. Carlson said he felt this Ordinance was not needed and was being done to justify the annexation and requested all the evidence from 143 be attached to 144 if necessary.

J. Anderson read her comments regarding Ordinance #144 (attachment K).

R. Anderson said he concurred with both J. Anderson and J. Carlson it should not be approved.

R. Micklewright closed the public hearing at 8:46 p.m.

R. Micklewright called for a 5 minute recess.

R. Micklewright resumed the meeting at 8:50 p.m.

General discussion among commissioners regarding Ordinance #144.

It was the consensus of the commissioners to recommend to the city council that no action be taken on Ordinance #144 at this time.

MOTION H. McKenney made a motion to defer the new zoning map and new ordinance pending the ongoing revision of the Comprehensive Plan and that a new zoning map be prepared in conjunction with the Comprehensive Plan Review. C. Douglass seconded the motion. The voting was unanimous and the motion carried.

R. Micklewright opened the public hearing on Ordinance #145.

R. Micklewright explained that this Ordinance would change the language of the zoning ordinance by deleting the word "need".

J. Anderson read her comments stating her opposition to Ordinance #145 (attachment L)

R. Anderson stated that he was opposed to taking the needs out of the Zoning Ordinance . He said he felt it was required and served as a good check and balance, it should remain and he also requested that D. Helmuth's letter which was read earlier should be considered at this point.

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WHEREAS property within Dunes City was initially zoned by Ordinance No. 53 while a zoning map was being prepared, and

WHEREAS Ordinance No. 55 adopted a zoning map, and

WHEREAS subsequent ordinances amended this zoning map, and

WHEREAS the City of Dunes City is presently unable to locate said zoning map, and

WHEREAS the City Council finds that it is in the public's interest to adopt a map that accurately describes city boundaries and depicts adopted zoning designation for Dunes City,

THEREFORE DUNES CITY ordains as follows:

A map establishing zoning districts within the municipal boundaries of Dunes City, a copy of which is attached, is hereby adopted as the official Zoning Map.

Passed by the City Council of the City of Dunes City, this ____ day of _____, 1994.

_____ Ayes _____ Nays _____ Abstain _____ Absent

Robert Petersdorf, Mayor

ATTEST:

Joyce Phillips, City Recorder

See Memo

CITY OF DUNES CITY

ORDINANCE NO 144

AN ORDINANCE RE-ESTABLISHING THE LOST OR MISLAID ZONING MAP FOR ALL LAND WITHIN THE ZONING BOUNDARIES OF DUNES CITY.

WHEREAS the City of Dunes City is required to have an adopted map pursuant to its city charter and zoning ordinance, and

WHEREAS Dunes City initially zoned the property in Dunes City pursuant to Ordinance 53 while the zoning map was being prepared, and

WHEREAS Ordinance 53 expired upon the adoption of the zoning map, and

WHEREAS Ordinance 55 was approved by the city council and adopted a zoning map, and

WHEREAS Ordinance 57 amended the zoning ordinance to reflect that one parcel of commercial property was erroneously zoned R-1, and the zoning of this parcel was corrected and changed to commercial, and

WHEREAS the City of Dunes City is presently unable to locate said zoning map, and it appears that said map is lost or mislaid, and

WHEREAS Dunes City is obliged to have in existence a zoning map,

THEREFORE THE CITY OF DUNES CITY does ordain as follows:

That a replacement map establishing zoning districts within the municipal boundaries of Dunes City, a copy of which is attached, dated the ___ day of _____, 1994, and signed by Joyce Phillips, City Recorder and Robert Petersdorf, Mayor of Dunes City, is hereby re-adopted as the map which defines zoning districts within Dunes City.

ADOPTED by the Dunes City Council, Dated this ___ day of _____, 1994.

This ordinance will take effect on the ___ day of _____, 1994.

Approved by the Mayor on this _____ day of _____,
1994.

Robert Petersdorf
Mayor

ATTEST TO:

Joyce Phillips
City Recorder

_____ Ayes _____ Nays _____ Abstain _____ Absent