

ORDINANCE NO. 151

AN ORDINANCE ADOPTING THE AMENDED DUNES CITY COMPREHENSIVE  
PLAN AND DECLARING AN EMERGENCY

WHEREAS, Oregon Administrative Rule Chapter 660, Division 25, and ORS Chapter 197 mandates that the Dunes City Comprehensive Plan (Plan) be reviewed for conformance with changing circumstances in state and federal laws, new administrative rules, and new case law. An evaluation of the Plan and land use regulations were conducted as part of the Plan update and periodic review process required by the State Department of Land Conservation and Development (DLCD); and

WHEREAS, the purpose of this ordinance is to make amendments and additions to the Plan through said periodic review in order to comply with statewide regulations; and

WHEREAS, On October 13, 1995, DLCD approved a periodic review work program and seven (7) major work program tasks subject to public notice and DLCD review; and

WHEREAS, the Dunes City Periodic Review Advisory Committee (PRAC) met numerous times in 1996 and the CCI met January 11, 1997 to complete the work program tasks, and submit their recommended revisions to the Plan. The seven (7) major work program tasks are as follows:

Task #1. Demographic update and land use survey.  
Update population projections and land use inventories.

Task #2. Improved mapping  
Update plan and zoning maps.

Task #3. Manufactured home siting standards.  
Amend zoning ordinance to include standards for the siting of manufactured housing.

Task #4. Identify water areas.  
Adopt inventory of wetlands and Class I and II streams with the Dunes City Urban Growth Boundary.

Task #5. Riparian and wetland regulations.  
Adopt new and revised policies and provisions to protect significant riparian and wetland areas (Statewide Planning Goals 5 and 17), including standards and procedures relating to setbacks, vegetation removal and wetlands notification to the Division of State Lands.

Task #6. Water quality issues.

A study evaluating water quality issues related to the use and development of land in Dunes City to explore the relationship between the use and development of land and the maintenance of clean water for drinking, fish habitat and recreational use, and adopt appropriate plan policies and land use regulations to address the above issues.

Task #7. Urban Growth Review.

Examine land within the city limits, but not presently within the UGB, and amend plan and land use regulations necessary to ensure compliance with the statewide planning goals (e.g., Goals 4, 11 and 14.)

**WHEREAS**, at a joint public hearing with the City Council on January 23, 1997, the Planning Commission reviewed and evaluated the revised Plan submitted by the PRAC and revised at CCI meeting, and based on supporting findings made their recommendations on revisions to the Plan deferring action on Task #1, Task #2, and Task #7.

**NOW THEREFORE DUNES CITY ORDAINS AS FOLLOWS:**

**SECTION 1. TASK #1. (Demographic Update/Land Use Survey)**

The Dunes City Comprehensive Plan is reaffirmed and amended as it relates to Work Program Task #1. (Demographic update and land use survey) as prepared by Lane Council of Governments, dated January, 1997, and entitled "Dunes City Comprehensive Plan" which is available for inspection in the office at Dunes City Hall, 82877 Spruce Street, Westlake, Oregon, and is attached hereto. **SECTION 1 DELETED - ACTION DEFERRED ON TASK #1.**

**SECTION 2. TASK #2. (Improved Mapping)**

The Dunes City Comprehensive Plan is reaffirmed and amended as it relates to Work Program Task #2. (Improved Mapping) in document prepared by Lane Council of Governments, dated January, 1997, which is available for inspection in the office at Dunes City Hall, 82877 Spruce Street, Westlake, Oregon, and is attached hereto. **SECTION 2 DELETED - ACTION DEFERRED ON TASK 32.**

**SECTION 3. TASK #3. (Manufactured Home Siting Standards)**

The Dunes City Comprehensive Plan is reaffirmed and amended as it relates to Work Program Task #3 (Manufactured home siting standards) in document prepared by Lane Council of Governments, dated January, 1997, which is available for inspection in the office at Dunes City Hall, 82877 Spruce

Street, Westlake, Oregon, and is attached hereto.

SECTION 4. TASK #4. (Identify Water Areas)

The Dunes City Comprehensive Plan is reaffirmed and amended as it relates to Work Program Task #4 (Identify water areas) in document prepared by Lane Council of Governments, dated January, 1997, which is available for inspection in the office at Dunes City Hall, 82877 Spruce Street, Westlake, Oregon, and is attached hereto.

SECTION 5. TASK #5. (Riparian and Wetland Regulations)

The Dunes City Comprehensive Plan is reaffirmed and amended as it relates to Work Program Task #5 (Riparian and wetland regulations) in document prepared by Lane Council of Governments, dated January, 1997, which is available for inspection in the office at Dunes City Hall, 82877 Spruce Street, Westlake, Oregon, and is attached hereto.

SECTION 6. TASK #6. (Water Quality Issues)

The Dunes City Comprehensive Plan is reaffirmed and amended as it relates to Work Program Task #6 (Water quality issues) in document prepared by Lane Council of Governments, dated January, 1997, which is available for inspection in the office at Dunes City Hall, 82877 Spruce Street, Westlake, Oregon, and is attached hereto.

SECTION 7. TASK #7. (Urban Growth Review)

The Dunes City Comprehensive Plan is reaffirmed and amended as it relates to Work Program Task #7 (Urban growth boundary.) in document prepared by Lane Council of Governments, dated January, 1997, which is available for inspection in the office at Dunes City Hall, 82877 Spruce Street, Westlake, Oregon, and is attached hereto. **SECTION 7 DELETED - ACTION DEFERRED ON TASK #7.**

SECTION 8. SEVERABILITY.

The Council declares that should any section, paragraph, sentence, or word of this ordinance be declared for any reason by DLCD, LUBA, or any court of competent jurisdiction to be invalid, it is the intent of the Council that it would have passed all other portions of this ordinance, independent of the elimination of any portion as may be declared invalid.

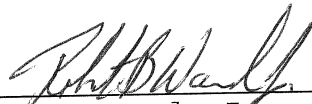
SECTION 9. EMERGENCY CLAUSE.

The City hereby declares the adoption of this Ordinance to be an emergency. This Ordinance shall become effective


immediately.

Adopted unanimously by the City Council of the City of Dunes  
City, Oregon, this 23rd day of January, 1997.

Ayes: R. Micklewright, R. Petersdorf, D. Jackson, J. Buehler  
Absent: R. Parent            Nays: None            Vacancy: 1

  
\_\_\_\_\_  
Robert B. Ward, Jr., Mayor

ATTEST:

  
\_\_\_\_\_  
Joyce Phillips, City Recorder