

ORDINANCE NO. 294

AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE PLAN
FOR THE CITY OF DRAIN.

RECITALS:

1. By Ordinance No. 274, the City of Drain adopted Land Use Code 9.800 and thereby adopted "The Comprehensive Plan, Drain, Oregon" consisting of a report, one map, one map appendix and one support document together with the urban growth area designated in the Comprehensive Plan.

2. By Ordinance #287, inacted 31 March, 1981, the City of Drain ammended its Comprehensive Plan in certain particulars.

3. The Mayor and City Administrator certified the Comprehensive Plan to the State of Oregon Land Conservation and Development Commission (LCDC) and the County Board of Commissioners.

4. After review of the Comprehensive Plan by these agencies it was determined that certain additional information needed to be provided and some changes in the plan needed to be made to gain acknowledgement by LCDC. The information was gathered and alternatives for revisions were discussed with the Planning Commission. The changes were coordinated with the county and submitted for review by the County Planning Commission and adoption by the County Board of Commissioners. Two Planning Commission hearings were held to discuss the charges. One public hearing was conducted before the Planning Commission on March 2, 1982. One public hearing was held before the City Council on March 8, 1982. All notices of public hearings and meetings were duly and regularly given.

The changes proposed for the plan text relate to Historic Conservation and Open Space and City General Land Use Policies in the Comprehensive Plan; Section 9.340 and 9.380 of the Development Ordinance and Historic Site Protection in the Development Standards.

NOW, THEREFORE, the City of Drain ordains as follows:

Section 1. The City of Drain "Comprehensive Plan, Drain, Oregon" is hereby amended in the following particulars:

Pg. 51. HISTORIC CONSERVATION AND OPEN SPACE. In the second paragraph, add to the list of historical structures; and the Kent Restaurant (now Bob's Barbershop).

Pg. 61. Under the heading "Duplexes, Mobile Home, Single Family," amend the 4th paragraph to read:

In locating mobile home sites, it has been determined that future mobile home development will be allowed only west of Main Street. Currently, mobile homes are located throughout the western portion of the city, intermixed with single family dwellings. City officials thought this was appropriate, provided certain locational standards are imposed, to insure compatibility with adjacent single family dwellings (see city ordinance for description of standards.) Although development standards for mobile homes may seem more severe than other residential land uses, the city feels that these standards are consistent with the existing character of the community. Mobile home parks, also allowed in this area will have a separate set of standards to apply. The acreage needs for mobile homes are combined with those of single-family and duplex units.

Amend Policy No. 4 by adding to the end:

The decision of the Planning Commission or the historic society shall consider the alteration's impact to the historic nature of the site. Negative historic impacts shall be weighed against impacts of the alteration on the general betterment of the neighborhood and the city, reduction of hazards to property and life, desires of the property owner, degree of conflict between the proposal and historic characteristics, ease and expense involved in preserving at least some of the historic attributes, and feasible alternatives to the project.

Development Ordinance

Section 9.340 is amended by adding the following:

- (d) The use will conserve and stabilize the value of adjacent property, encourage the most appropriate use of land, present an attractive appearance that is consistent with adjacent properties, and is similar to existing permitted uses in the immediate vicinity.

Section 9.380 is amended to read:

9.380. Conditions Imposed When Development Allowed.

When a nonresidential type II, III, or IV development is allowed, conditions other than or in addition to those set forth in this Code or the Standards Document may be imposed upon the development to insure consistency with this Code, the Standards Document and the Comprehensive Plan. Such conditions shall be to make

The use as compatible as feasible with its surroundings, conserve and stabilize the value of adjacent property, encourage the most appropriate use of land, present an attractive appearance that is consistent with adjacent properties, and is similar to existing permitted uses in the immediate vicinity.

Development Standards:

Pg. 30. L. Historic Site Protection. Add the following:

- (2). The decision of the Planning Commission or the historic society should weigh the alteration's impact to the historic nature of the site against the general betterment of the neighborhood and the city, reduction of hazards to property and life, the desires of the property owner, conflicts between the proposal the historic characteristics, the ease and expense involved in preserving at least some of the historic attributes, and feasible alternatives to the project.

Section 2. This ordinance shall take effect thirty (30) days after its adoption. The Mayor and City Administrator are hereby authorized to certify the Comprehensive Plan to the State of Oregon Land Conservation and Development Commission, County Board of Commissioners and the County Assessor.

Passed by the Council
This 8 day of MARCH, 1982.

Robert A. Gray
Clerk of the Council Pro Tem

Approved by the Mayor
this 8 day of MARCH, 1982.

Grant S. Lewis
Mayor

NOTICE OF STREET AND ALLEY VACATION:
TO ALL PERSONS WHOM IT MAY CONCERN

NOTICE IS HEREBY GIVEN:

That at the ~~regular~~ ^{Special} meeting of the Common Council of the City of Drain, held in the Council Chambers, in the City Hall of Drain, on the 28th day of September, 1981, there was passed by the Common Council and approved by the Mayor of the City of Drain, Douglas County, Oregon, an Ordinance setting a hearing to be held on the 9TH day of November, 1981, at 7:30 o'clock P.M. Standard Time, in the Council Chambers in the City Hall of said City, for the purpose of hearing remonstrances and protests against the vacation by ordinance of the Common Council of the following described streets and alleys, to-wit:

Williams Street, Alley in Block 1, John Street east of Fir Street, Alley in Block 4, Alley in Block 5, Anna Street east of Fir Street, Inez Street east of Fir Street, Micelli Street north of south line of the W. Goodell DLC No. 40 in Douglas County, Oregon, Albert Street north of said DLC line, Victor Street north of said DLC line, Alley in Block 6, Alley in Block 8, and Alley in Block 9, and Harvey Street north of said DLC line, all of the above in Skelley's Addition to the City of Drain, in Douglas County, Oregon.

That acknowledged consents were filed with the City ~~Recorder~~ ^{Administrator} by all abutting owners and more than 2/3 of the owners affected thereby.

That the Common Council will consider and act upon the proposed vacation on the 9TH day of November, 1981, at 7:30 o'clock P.M. Standard time, of said day in the Council Chambers in the City Hall in Drain, Douglas County, Oregon, and will consider an ordinance vacating the above described streets and alleys, and all persons having objections thereto or remonstrances or protests, are hereby notified and requested to present the same to the Common Council in writing prior to said hearing or at said time and place.

Robert A. Gray
City ~~Recorder~~ ^{ADMINISTRATOR}