

**CITY OF DUNES CITY
LANE COUNTY, OREGON
ORDINANCE NO. 262**

AN ORDINANCE CHANGING THE ZONING OF A PARCEL OF LAND LOCATED ACROSS THE STREET FROM CITY HALL ON SPRUCE STREET IN DUNES CITY FROM A R-1 RESIDENTIAL ZONE TO A CC COMMUNITY COMMERCIAL DISTRICT ZONE.

WHEREAS, the City of Dunes City purchased land located across the street from City Hall, known as Map and Tax Lot Number 19-12-34-21-07100 and bearing the address of 82878 Spruce Street in Westlake, for purposes of establishing a storage facility for use by the City; and

WHEREAS, the City also purchased an eight foot by twenty-four foot steel storage container within which to store excess files and emergency supplies and had it set on the property located at 82878 Spruce Street; and

WHEREAS, the City desires to have contractor work done to ensure electrical power and climate control to the storage facility to preserve the proposed files and other items to be stored in said container; and

WHEREAS, the City desires that the work be done to the level of commercial buildings rather than residential buildings; and

WHEREAS, the change proposed by this ordinance constitutes a change to the City's Comprehensive Plan Map, which is a Type IV Procedure as set forth in Section 155.4.1.7 of the Dunes City Code of Ordinances; and

WHEREAS, Section 155.4.1.7(K) allows such changes that are initiated by the City to follow normal City Code change procedures; and

WHEREAS, the Dunes City Council believes it to be in the best interests of the citizens of Dunes City for such storage container to be declared to be commercial property and improved to allow for the storage of excess files and emergency supplies for the benefit of the residents of Dunes City;

NOW, THEREFORE, THE CITY OF DUNES CITY ORDAINS AS FOLLOWS:

Section 1. That Map and Tax Lot Number 19-12-34-21-07100, also known as 82878 Spruce Street in Westlake, be changed from an R-1 Residential Zone designation to a CC Commercial Zone designation for purposes of installing a storage facility in which to store excess files and emergency supplies for the benefit of the citizens of Dunes City.

Section 2. SEVERABILITY CLAUSE.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

Section 3. OTHER REMEDIES. Nothing in this Ordinance shall be construed as limiting any judicial remedies that the City has, at law or in equity, for enforcement of this Ordinance. Non-exclusive remedies for enforcement are all those available under State and County laws including seizure of property, civil and criminal penalties.

Section 4. CAPTIONS. The captions to sections throughout this Ordinance are intended solely to facilitate reading and reference to the sections and provisions contained herein. Such captions shall not affect the meaning or interpretation of this Ordinance.

Section 5. SCRIVENER'S ERRORS. Any scrivener's errors in this Ordinance may be corrected by Resolution of the City Council.

Section 8. EFFECTIVE DATE.

This Ordinance will become effective 30 days after the date of adoption.

First reading performed in a regular meeting of the City Council of Dunes City, Oregon, on the _____ day of _____, 2022.

Passed at the second reading and placed on final passage, and adopted by the City Council of Dunes City, Oregon, on this _____ day of _____, 2022.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 2

DATED THIS 19th DAY OF January, 2022.

Sheldon Meyer
SHELDON MEYER, COUNCIL PRESIDENT

ATTEST:

Jamie Mills
JAMIE MILLS, CITY ADMINISTRATOR