

ORDINANCE NO. 179-2021

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF THE DONALD DEVELOPMENT ORDINANCE RELATED TO DEFINITIONS, FOOD CART PROCEDURES, DMU CIVIC SPACE, FENCES ALONG MAIN STREET, PORTABLE SIGNS, RESIDENTIAL DESIGN STANDARDS, PUBLIC NOTICING ON SITE, AND OTHER MINOR CODE CLEAN UP ITEMS.

WHEREAS, Oregon Revised Statutes (ORS) 197.175 requires each city and county to enact a comprehensive plan, together the zoning and land division ordinances needed to put the plan into effect; and

WHEREAS, Oregon Administrative Rules (OAR) 660-015-0000 Oregon's Statewide Planning Goals and Guidelines express the State's policies on land use and related topics, such as citizen involvement, housing, and natural resources; and

WHEREAS, the City of Donald posted and publicized a survey to solicit feedback from residents, developers, and business owners about the Donald Development Ordinance (DDO) between March and May of 2021; and

WHEREAS, the Donald Planning Commission held duly noticed work sessions to review possible amendments to the Donald Development Ordinance on April 22, 2021 and May 27, 2021 which were open to the public; and

WHEREAS, the Donald Planning Commission held a noticed public hearing on Planning File Legislative Amendment #LA-2021-01 on Thursday, June 24, 2021 during which the public was given full opportunity to be present and heard on the matter. During the public hearing, the Donald Planning Commission considered the information provided by staff in a staff report dated June 18, 2021, and the public. After deliberation, the Donald Planning Commission voted to recommend approval of the Draft Code Amendments, as amended by the Planning Commission, with a vote of 4-0-0; and

WHEREAS, the Donald City Council held a noticed public hearing on Planning File Legislative Amendment #LA-2021-01 on Tuesday, July 13, 2021, during which the public was given full opportunity to be present and heard on the matter. During the public hearing, the Donald City Council considered the information provided by staff in a staff report dated July 6, 2021, and the public. After deliberation, the Donald City Council voted to approve the Draft Code Amendments, as presented to the City Council, with a vote of 6-1-0; and

WHEREAS, during a second reading of Ordinance NO. 178-2021 on August 10, 2021, it was determined that the City Council desired to amend the Exhibit A proposed code amendments; and

WHEREAS, the City Council voted not to adopt Ordinance NO. 178-2021 on Tuesday, September 14, 2021 with a vote of _____; and

WHEREAS, the City Council conducted the first reading of Ordinance NO. 179-2021 on Tuesday, September 14, 2021, and the second reading on Wednesday, September 29, 2021.

NOW THEREFORE, THE CITY OF DONALD ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Donald does hereby adopt the staff report to the City Council dated July 6, 2021, including those certain findings of fact, conclusions, and supporting documentation as amended and included as Exhibit A attached hereto and by this reference made a part hereof.

Section 2. The City Council of the City of Donald does hereby amend the Donald Development Ordinance to include the amendments as shown in Exhibit A, with the following exception identified in Section 3.

Section 3. The City Council does not amend the DMU Zone Table 2.108 A. *Allowed Uses in the DMU Zone.* Marijuana dispensary or retail shall remain a special permitted use in the DMU Zone, subject to Section 2.407 as previously adopted.

Section 4. The first reading of Ordinance NO. 179-2021 was conducted on September 14, 2021. The second reading of this Ordinance was conducted on September 29, 2021 and was passed and adopted by the City Council on September 29, 2021 as follows:

___ AYES

___ NAYS

___ ABSTENTIONS

Section 5. This Ordinance shall be effective on the thirtieth day after the date of enactment below, as per City Charter, Chapter VIII, Section 36.

SIGNED and **DATED** this 29th day of September, 2021.

Rick Olmsted, Mayor

ATTEST

Heidi Bell, City Manager

PASSED by the City Council: September 29, 2021

SIGNED by the Mayor: September 29, 2021

EFFECTIVE: October 29, 2021

Posted: 8/31/2021