

ORDINANCE NO. 3015

AN ORDINANCE AMENDING AMC 18.64.
TO REFERENCE CURRENT SOUTHERN OREGON UNIVERSITY
CAMPUS MASTER PLAN

Annotated to show deletions and additions to the code sections being modified.
Deletions are **lined through** and additions are **bold underlined**.

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop, 20 Or. App. 293, 531 P 2d 730, 734 (1975); and

WHEREAS, the City of Ashland, acting by and through the City Council, desires to update the adoption of the SOU Plan as references in the AMC 18.64 of the Ashland Land Use Ordinance; and

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1: RECITALS. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2: AMENDMENT. Chapter 18.64 is hereby amended to read as follows:

18.64 SO - Southern Oregon University

18.64.010 Purpose

This district is designed to provide for the unique needs of SOU as a State educational institution functioning within the planning framework of the City. It can be applied to all areas now or hereinafter owned by the State

of Oregon acting by and through the State Board of Higher Education and Southern Oregon University and located within the SOU boundary, as shown on the SOU **Comprehensive** Plan, adopted by SOU and approved by the City. (ORD 2951, 2008)

18.64.015 Definitions

For purposes of this Chapter, the term "SOU Plan" means the Campus Master Plan Update for Southern Oregon University dated 12 April 2010, with all conditions added by the City Planning Commission and City Council as adopted and incorporated into the Ashland Comprehensive Plan by Ordinance No _____ on June 1, 2010.

18.64.020 Permitted Uses

A. Uses permitted outright are all those which are directly related to the educational functions of SOU, provided that such uses are indicated and located in conformance with the adopted and City approved SOU **Comprehensive** Plan, and are greater than fifty (50) feet from privately owned property.

B. Wireless Communication Facilities authorized pursuant to Section 18.72.180

18.64.030 Conditional Uses

A. Any use, site design, or construction or alteration of same not agreed upon in advance by the City and SOU in the SOU Plan.

B. Any use, site design, or construction within fifty (50) feet of privately-owned property.

C. Any construction over forty (40) feet in height.

D. Wireless Communication Facilities not permitted outright and authorized pursuant to Section 18.72.180

18.64.040 General Regulations

This Chapter, together with the Site Review, Sign and Off-Street Parking Chapters of this Title, are the only portions of the Title to be effective within the SOU zone, except for areas within fifty (50) feet of privately-owned land, which are subject to the Chapter on Conditional Use Permits. In addition, the creation or vacation of public streets or public ways shall be subject to mutual agreement between the City and SOU and all other applicable laws

SECTION 3 Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

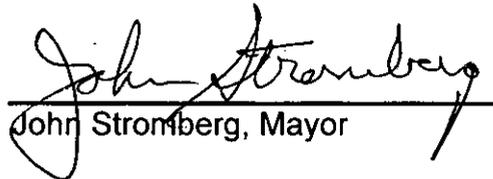
SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 1, 3- 4) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors, and to combine in the codification multiple ordinances amending the same section.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the 18 day of May, 2010 and duly PASSED and ADOPTED this 1 day of June, 2010.



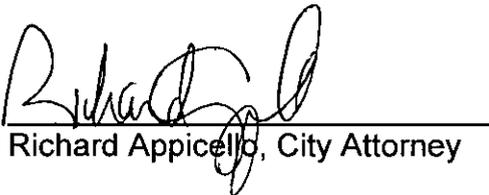
Barbara M. Christensen, City Recorder

SIGNED and APPROVED this 2 day of June, 2010



John Stronberg, Mayor

Reviewed as to form:



Richard Appicello, City Attorney