

ORDINANCE NO. 3016

AN ORDINANCE AMENDING THE CITY OF ASHLAND ZONING MAP TO BE CONSISTENT WITH THE CITY OF ASHLAND COMPREHENSIVE PLAN DESIGNATION FOR SOU PROPERTIES IN ACCORDANCE WITH THE 2010 CAMPUS MASTER PLAN

Annotated to show deletions and additions to the code sections being modified. Deletions are **bold 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, is in the process of updating the SOU Plan incorporated into the City of Ashland Comprehensive Plan; and

WHEREAS, consistent with the original intent of the SOU designation, the updated SOU Plan map incorporated into the Ashland Comprehensive Plan removes seven (7) properties not owned by SOU; and

WHEREAS, the City of Ashland Zoning Map must be amended to be consistent with the City of Ashland Comprehensive Plan

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. The City of Ashland Zoning Map, *Exhibit A*, attached hereto and made a part hereof by this reference, is hereby amended to

change the zone designation from SOU to R-1-7.5 for the seven (7) identified properties described in **Exhibit B**, attached hereto and made a part hereof by this reference.

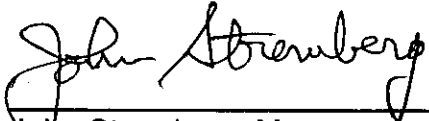
SECTION 3 Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

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

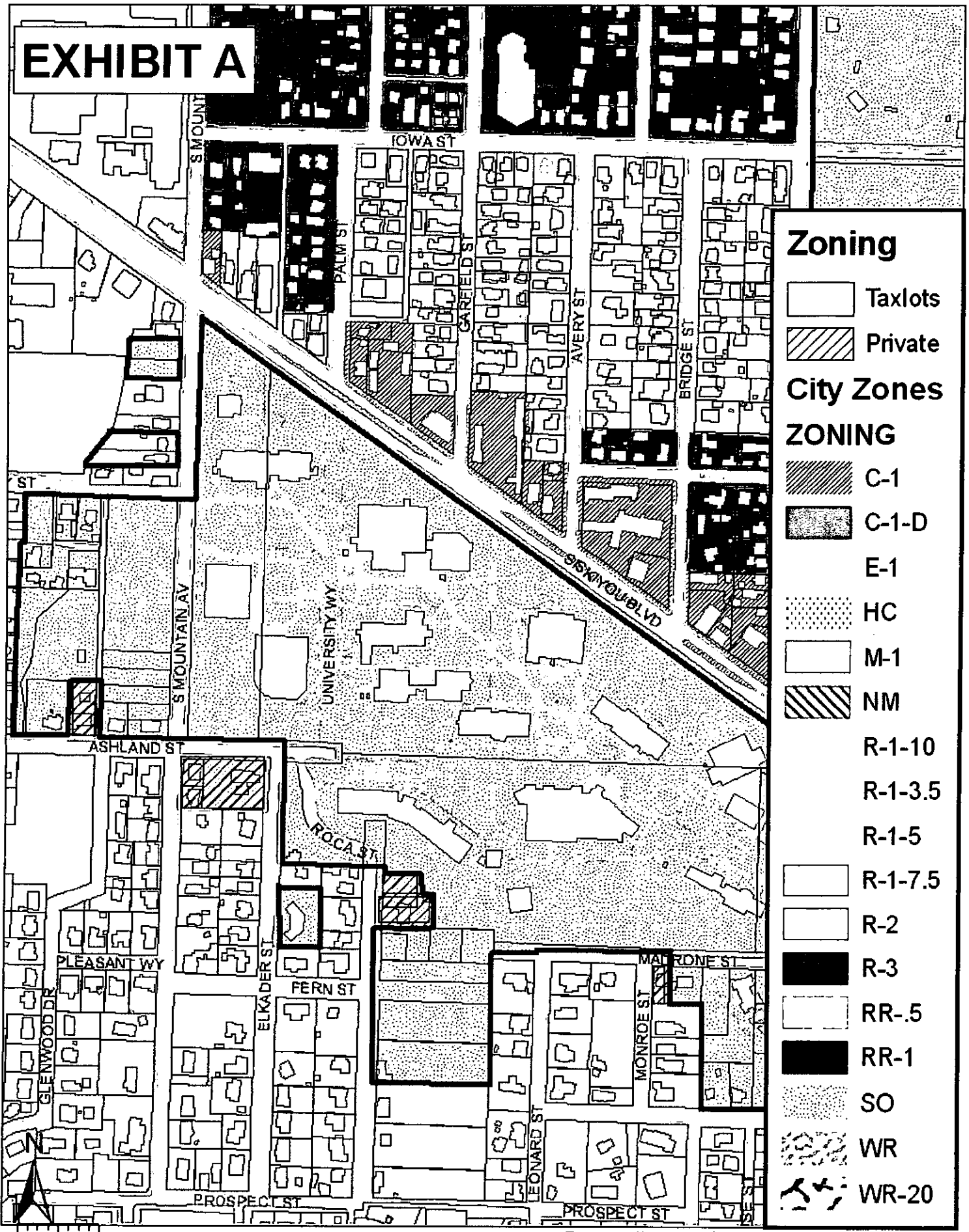
SIGNED and APPROVED this 2 day of June, 2010


John Stromberg, Mayor

Reviewed as to form:


Richard Appicello, City Attorney

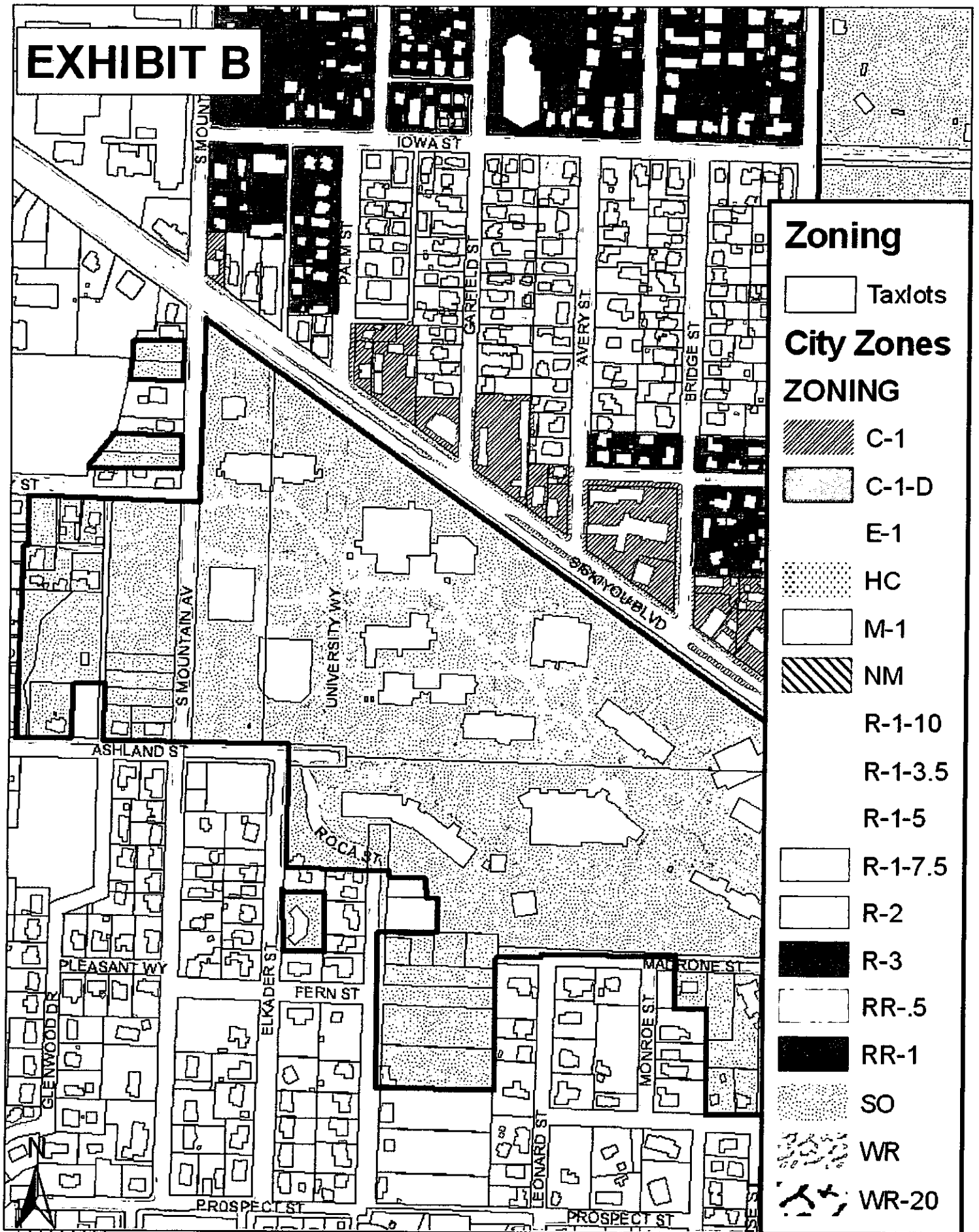
EXHIBIT A



0 60 120 240 Feet

Property lines are for reference only, not scaleable

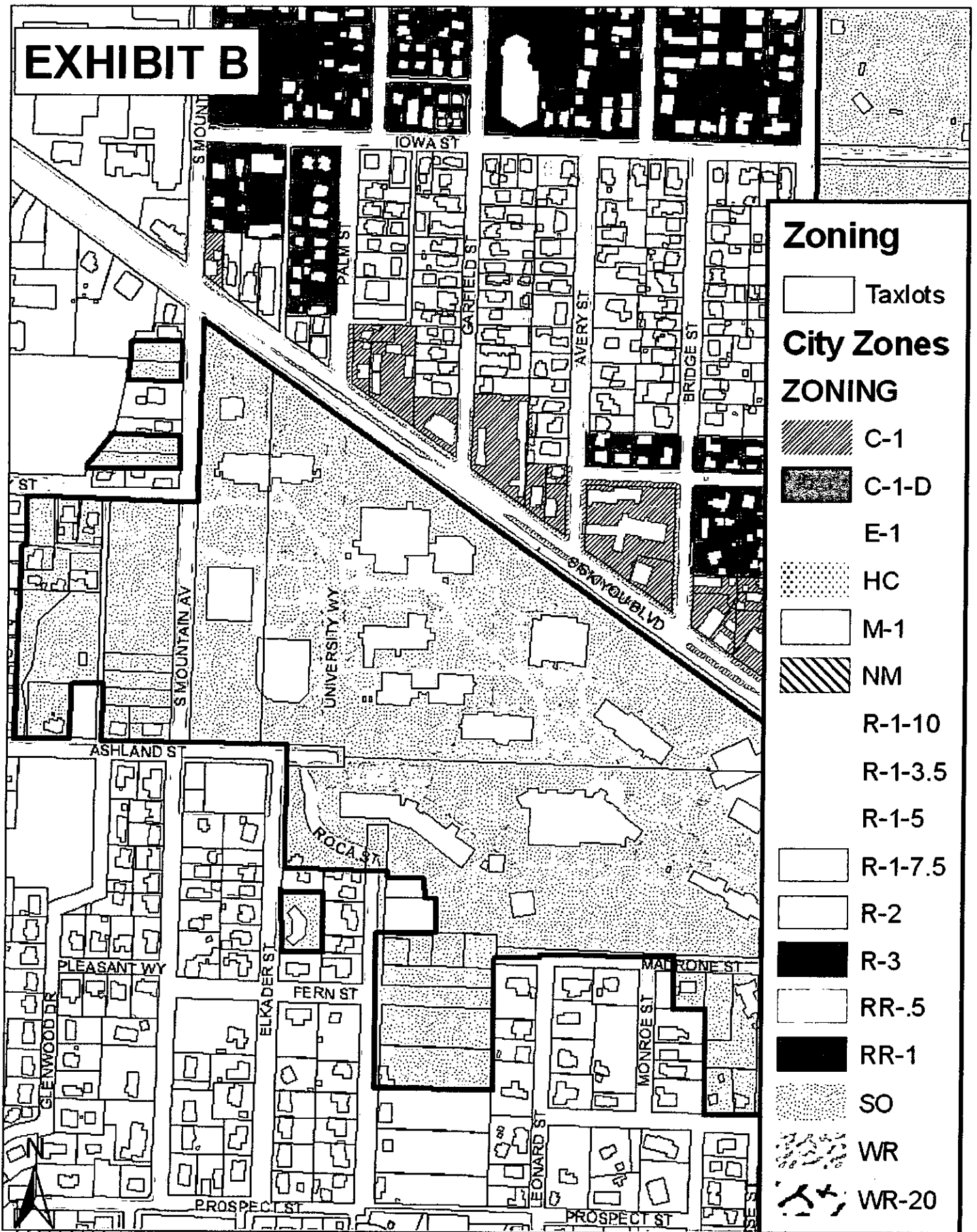
EXHIBIT B



0 625125 250 Feet

Property lines are for reference only, not scaleable

EXHIBIT B



Zoning

Taxlots

City Zones

ZONING

- C-1
- C-1-D
- E-1
- HC
- M-1
- NM
- R-1-10
- R-1-3.5
- R-1-5
- R-1-7.5
- R-2
- R-3
- RR-5
- RR-1
- SO
- WR
- WR-20

EXHIBIT B

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Privately Owned Properties within the Southern Oregon (SO) Zone

| | <u>Nearest Zone</u> |
|--|---------------------|
| 39 1E 09DD 5400 – 1067 Ashland Street: Joseph (Rivers) & Dominique Brown | R-1-7.5 |
| 39 1E 15BB 4000 – 540 S Mountain Ave: William Modesitt Trustee | R-1-7.5 |
| 39 1E 15BB 4100 – 562 S Mountain Ave: Toni Richmond Trustee | R-1-7.5 |
| 39 1E 15BB 3900 – 1150 Ashland Street: Archdiocese of Portland (Walsh Memorial / Newman Center) | R-1-7.5 |
| 39 1E 15BB 1200 & 1300 – 600 Roca Street: Jacque Hald Trustee | R-1-7.5 |
| 39 1E 15BB 9100 – 1336 Madrone Street: Jerry Nutter | R-1-7.5 |

