

ORDINANCE NO. 3019

**AN ORDINANCE EXTENDING THE CITY OF ASHLAND DETAIL
SITE REVIEW ZONE FOR CONSISTENCY WITH THE 2010
SOU CAMPUS MASTER PLAN**

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

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, the updated SOU Plan map incorporated into the Ashland Comprehensive Plan shows the extension of the detailed site design review zone, and

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

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Zoning Map in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

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. The officially adopted City of Ashland Zoning and Land Use Control Maps, adopted and incorporated by Ashland Municipal Code Section 18.12.030, are hereby amended to extend the Detail Site Review (DSR) zone designation to approximately _____ acres of land located: (1) along Ashland Street between Walker Avenue and Wightman Street within 150 feet of Ashland Street right-of-way and (2) along Walker Avenue between Ashland Street and south of Webster Street within 150 feet of the Walker Avenue right-of-way in the SOU Zoning District within the City limits of the City of Ashland, said overlay amendment is reflected on the revised Zoning and Land Use Control Maps, attached hereto as **Exhibit A**, and made a part hereof by this reference.

Notwithstanding their inclusion in the Detailed Site Review Zone, developments in these designated areas shall be exempt from the maximum floor area requirement in Section II-C a (1) of the Site Design and Use Standards.

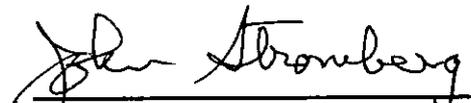
SECTION 3. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Comprehensive Plan 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, and amendments – including map amendments, combined, provided however that any Whereas clauses and boilerplate provisions and text descriptions of the map amendments (i.e. Sections 1, 3 and 4) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

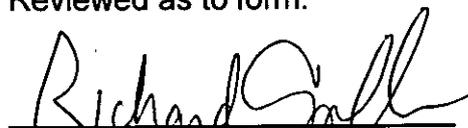
The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the 1 day of June, 2010, and duly PASSED and ADOPTED this 15 day of June, 2010.

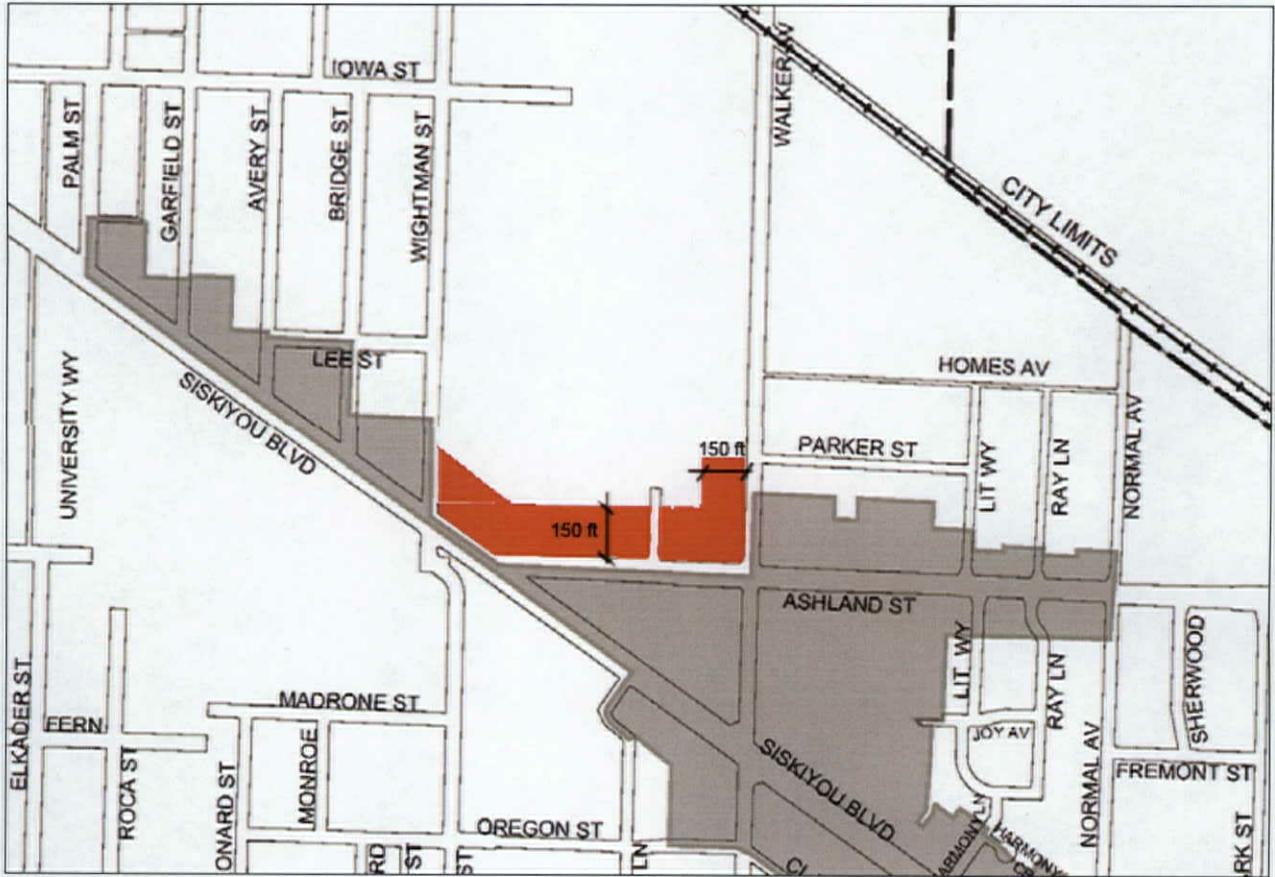

Barbara M. Christensen, City Recorder

SIGNED and APPROVED this 16 day of June, 2010.


John Stromberg, Mayor

Reviewed as to form:


Richard Appicello, City Attorney



Staff Exhibit A – Approximate Area Included within Detail Site Review Zone