

ORDINANCE BILL NO. 12 FOR 1994

ORDINANCE NO. 1078

AN ORDINANCE AMENDING TITLE 16 AND 17 OF THE SWEET HOME MUNICIPAL CODE TO ALLOW OPEN CHAIN LINK FENCES UP TO 4' IN HEIGHT IN A FRONT YARD; TO ALLOW A MOBILE HOME AS AN ACCESSORY USE IN THE M ZONE; TO ALLOW AN ACCESSORY DWELLING AS A CONDITIONAL USE IN THE R-1 ZONE; TO AMEND THE NOTICE PROCEDURES AND FILING REQUIREMENTS FOR LAND DIVISIONS, AND DECLARING AN EMERGENCY.

The City of Sweet Home does ordain as follows:

Section 1. Subsection 17.08.030(A) shall be amended to read as follows:

Fences, hedges and walls may be located within required yards, but shall not exceed three and one-half feet in height in any required yard which abuts a street other than an alley, not two and one-half feet in height in a vision clearance area, except for open chain link fences which permit visibility and may not exceed four feet in height in a front yard, including a clear vision area. Elsewhere, fences, hedges and walls shall not exceed six feet in height in residential zones and eight feet in height in commercial or industrial zones. The fence shall display good workmanship, be of a uniform pattern, construction and design, use materials that are used by the fence-building industry for fencing purposes in the way they are used in the fence industry, and every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become or remain in condition of disrepair or neglect including noticeable leaning, missing sections or broken support.

Section 2. Subsection 17.08.030(G) shall be amended to state the following:

In a commercial or industrial zone, a single-family dwelling occupied by the owner, manager, night watchman or caretaker of the commercial or industrial establishment may be permitted accessory to the industrial or commercial use. A mobile home meeting the criteria specified in subsection 17.08.030(K)(2)(d) shall be allowed as an accessory use in an industrial zone for occupancy by the owner, manager, night watchman or caretaker of the establishment, until the time a permanent dwelling is constructed for the same purposes.

Section 3. Section 17.24.030 shall be amended by adding the following subsection:

O. Accessory dwelling

Section 4. Section 17.04.030 shall be amended by adding the following:

"Accessory dwelling" means a complete separate residential unit, including facilities for cooking and sanitation, provided either as a separate structure on the same lot or as part of a primary single-family residence. Development of an accessory dwelling must comply with all applicable lot development standards including required yards (setbacks), off-street parking and lot coverage. Development of an attached accessory dwelling shall not reduce the floor area of the primary residence.

Section 5. The first paragraph of Subsection 16.16.025(A)(3) shall be amended to read as follows:

Notice and Procedures. Notification of the hearing shall be by written notice to the subdivider and owners of property within 100 feet of the entire contiguous site for which the application is made; and, for subdivisions, publication of notice in a newspaper of general circulation in the city. All notices of review shall be mailed and published at least fourteen days prior to the date of the scheduled hearing. The notice and procedures used by the city shall:

Section 6. The first paragraph of subsection 16.16.0215(B)(3) shall be amended to state the following:

Notice and Procedures. Notification of the review shall be provided by written notice to the subdivider and owners of property within 100 feet of the entire contiguous site for which the application is made. All notices shall be mailed at least fourteen days prior to the date of the scheduled review. The notice and procedures used by the city shall:

Section 7. The second sentence of the second paragraph of subsection 16.16.080 shall be amended to state the following:

Any subsequent proposal by the applicant for division of the property shall be considered a new application.

Section 8. Subsection 16.20.010(A)(1) and the first paragraph of subsection 16.20.020(B) shall be amended by replacing the word "six" with the word "twelve."

Section 9. The word "ninety" shall be replaced with the word "sixty" in the third paragraph of subsection 16.20.040(A).

Section 10. Emergency Clause. Whereas, it is necessary, and it is for the interest and benefit of the city that this ordinance become effective immediately, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect after the passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 27th day of  
September, 1994.

  
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Mayor

ATTEST:

  
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City Manager - Ex Officio City Recorder