

ORDINANCE NO. 885

AMENDMENTS TO THE CITY OF OAKRIDGE ZONING ORDINANCE 874 REGARDING FENCE HEIGHT IN RESIDENTIAL DISTRICTS

Whereas, the City of Oakridge has determined that the Statewide Planning Goals do not apply to the proposed amendments to the City Zoning Ordinance enacted herein, per ORS 197.60(2), and;

Whereas, the City of Oakridge Planning Commission held a properly noticed public hearing on February 26, 2006 and took public testimony and reports from City staff, and;

Whereas, at that meeting, the City of Oakridge Planning Commission made findings of fact that the old wording is ambiguous and the new wording would clarify the ordinance, that neighborhoods with lower fence heights in front yards are safer and may have less crime, and fences are useful and helpful in a social sense because they help provide private space, and;

Whereas, the City of Oakridge Planning Commission did recommend to the Oakridge City Council by motion that they make the change to the Oakridge Zoning Code as noted to clarify the issues regarding fences in front yards, and;

Whereas, the Oakridge City Council reviewed the finding of fact and reports from City staff, and held a properly noticed public hearing to take testimony on March 16, 2006,

Now therefore, the City of Oakridge Ordains as Follows:

Section 1. Finding of Fact. The aboved recitals are hereby adopted as the findings of fact supporting the following amendments to the City of Oakridge Zoning Ordinance No. 874.

Section 2. Purpose. This ordinance is enacted, except as otherwise specified, to provide clarification of existing zoning ordinance regarding the height of fences placed in the front yards in residential districts.

Section 3. Section 4.06 - Fences, Hedges, Walls and Other Structures of City of Oakridge Zoning Ordinance is amended to read as follows:

“In front yards, and extending from the front property line to all front façades of the structure, sight-obscuring fences, hedges, walls, and other structures shall not exceed 2-1/2 feet in height, and four feet in height in all other cases. Fences and walls in other yards shall be no more than six feet in height.”

Section 4. Section 5.06 - Fences, Hedges, Walls and Other Structures of City of Oakridge Zoning Ordinance is amended to read as follows:

“In front yards, and extending from the front property line to all front façades of the structure, sight-obscuring fences, hedges, walls, and other structures shall not exceed 2-1/2 feet in height, and four feet in height in all other cases. Fences and walls in other yards shall be no more than six feet in height.”

Section 5. Severability. The council declares that should any section, paragraph, sentence, or word of this ordinance be declared for any reason invalid, it is the intent of the council that it would have passed all other portions of this ordinance, independent of the elimination of any such portion as may be declared invalid.

Section 6. DLCD Notice. The City Administrator is hereby directed to mail or otherwise submit to the Director of the Department of Land Conservation and Development a copy of this ordinance within five (5) working days after its adoption. If mailed, the mailing should include a signed statement by the City Administrator indicating the date of deposit in the mail

Section 7. Effective Date. This ordinance shall be effective thirty (30) days after the adoption of the ordinance.

READ FOR THE FIRST TIME, BY TITLE ONLY, this 16th day of March, 2006, no Council person present having requested it be read in full.

READ FOR THE SECOND TIME, BY TITLE ONLY, PASSED AND ADOPTED by a vote of the Oakridge City Council, this 6th day of April, 2006.

PASSED BY THE COUNCIL of the City of Oakridge this 6th day of April, 2006.

APPROVED AND SIGNED BY THE MAYOR of the City of Oakridge this 6th day of April, 2006.

S. Sue Bond, Mayor

Attest:

Chantell Hayson, City Recorder

AYES: 5

NAYS: 1