

ORDINANCE NO. 2016-03

AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 2012-05; REVISING CERTAIN DEFINITIONS AND USES PERMITTED IN CERTAIN ZONES; AND SUPERSEDING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the City of La Pine ("City") adopted Ordinance No. 2012-05 establishing land use zones and development regulations to govern the location of building structures and the uses of land within the City; and

WHEREAS, City adopted Ordinance No. 2015-03 amending Ordinance No. 2012-05 (Ordinance No. 2012-05, as amended, is referred to herein as the "City of La Pine Zoning Ordinance"); and

WHEREAS, City provided appropriate notice to the Department of Land Conservation and Development of certain proposed amendments to the City of La Pine Zoning Ordinance; and

WHEREAS, City's Planning Commission, after receiving public testimony, and deliberating fully on the proposed amendments, voted unanimously to recommend approval of the amendments to the La Pine City Council on March 16, 2016 (the "Council"); and

WHEREAS, a draft of this Ordinance No. 2016-03 (this "Ordinance") was available for public inspection seven days prior to the Council's April 13, 2016 meeting.

WHEREAS, after receiving public testimony on the proposed amendments during a scheduled public hearing on April 13, 2016, the members of the Council present unanimously voted to approve the recommended amendments by adopting this Ordinance.

NOW, THEREFORE, the City of La Pine ordains as follows:

1. Findings. The above-stated findings are hereby adopted.
2. Amendments. The amendments to the City of La Pine Zoning Ordinance provided on the attached Exhibit A and herein incorporated by this reference are hereby approved and adopted. The foregoing amendments are hereby made part of the City of La Pine Zoning Ordinance. The provisions of the City of La Pine Zoning Ordinance that are not amended or modified by this Ordinance shall remain unchanged and in full force and effect. The foregoing amendments supersede any ordinance and/or resolution provisions, and/or policies in conflict with the amendments.
3. Severability; Savings; Corrections. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. Nothing in this Ordinance affects the validity of any criminal or civil enforcement actions commenced prior to the adoption of this Ordinance; all City ordinances existing at the time that such actions were filed will remain valid and in full force and effect for purposes of those actions. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

This Ordinance was PASSED and ADOPTED by the La Pine City Council by a vote of ___ for and ___ against and APPROVED by the mayor on April 13, 2016.

Ken Mullenex, Mayor

ATTEST:

Richard L. Allen, Interim City Manager

Exhibit A
Amendments to City of La Pine Zoning Ordinance

[attached]