



**City of Sherwood
PLANNING COMMISSION
Workshop Meeting
855 N. Sherwood Blvd
Thursday, September 11, 1997
7:00 PM**

AGENDA

This is a workshop and the public is invited to attend. No public hearings are scheduled and no public testimony will be heard.

- 1. Call to Order/Roll Call**
- 2. Discussion**
 - A. Uses currently permitted in the Light Industrial (LI) and General Industrial (GI) Zones.
 - B. Possible change of the Office Commercial (OC) Zoning District to a new Office Retail (OR) Zoning District.
 - C. Proposed streamlined planning process
- 3. Other Business**
- 4. Adjourn**

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission
Workshop Minutes
September 11, 1997

1. Call to Order/Roll Call

Chairman Bill Whiteman called the workshop meeting to order at 7:05 PM

Commission Members present:

Allen Baker
George Bechtold
Susan Claus
Scott Franklin
Doug Saxton
Angela Weeks (7:45 PM)
Bill Whiteman

Staff:

Sue Engels, Development Director
Jason Tuck, Assistant Planner
Jon Bormet, City Manager

Sue Engels reviewed the agenda items to be discussed during the workshop session. The City Council and Commission members will meet in another workshop on September 23, 1997.

2A. Uses currently permitted in the Light Industrial (LI) and General Industrial (GI) Zones.

Sue Engels reported that the Commission had previously recommended approval of a similar text amendment to the City Council. The Council asked that further information be provided, in particular for Staff to come back and propose some of the general commercial uses which might remain in these zones. She discussed the information which was included in the packet for this agenda item. She noted the following:

- Staff is recommending two additional Permitted Uses be added to the General Industrial (GI) zone:
 - Business and professional offices, and
 - Tool and equipment rental.
- She identified the General Industrial (GI), Light Industrial (LI), and General Commercial (GC) zones on the map.
- Staff is recommending removing all of the General Commercial (GC) uses from the Permitted Uses in the Light Industrial (LI) zone.
- Staff is recommending three additional Permitted Uses be added to the Light Industrial (LI) zone:
 - Business and professional offices,
 - Tool and equipment rental, and
 - Blueprinting, printing, publishing, or other reproduction services.

The Commission suggested that adult entertainment be placed as either a conditional use or permitted use in the General Industrial (GI) zone as well as listing it under Prohibited Uses in the appropriate zones. Staff will review this recommendation.

Ms. Engels continued:

- Staff is recommending removing all of the General Commercial (GC) uses from the Permitted Uses in the General Industrial (GI) zone.
- Staff is recommending two additional Conditional Uses be added to the General Industrial (GI) zone:
 - Hospitals, and
 - Automotive, light truck and small equipment repair and service.
- Staff is recommending four additional Conditional Uses be added to the Light Industrial (LI) zone:
 - Restaurants without drive-thru,
 - Daycares and pre-schools,
 - Hospitals, and
 - Automotive, light truck and small equipment repair and service.

Mr. Bormet suggested that retail sales would not be appropriate in an industrial area. The Commission discussed the Conditional Uses in the Light Industrial (LI) zone. Mr. Bormet suggested the Commission review the uses which are currently permitted in the Light Industrial (LI) zone and General Commercial (GC) zone which should remain in the LI zone. Susan Claus said Item H, Commercial trade schools could remain in the LI zone. The Commission agreed that this should be a Conditional Use in the LI zone.

Mr. Bormet said the emphasis for the Light Industrial (LI) zone should be on jobs. This is what Staff considered when reviewing the uses in the LI zone. Staff also considered it appropriate to put daycare and non-drive-thru restaurants in the LI zone. People working in the LI zone would not need to drive anywhere to eat or drop off or pick up children from a daycare facility or pre-school. The Commission agreed with this recommendation.

Mr. Bormet said the Council discussed adding residential care, senior facilities or assisted living centers as conditional uses in the Light Industrial zone. The Commission agreed. They discussed the appropriate zoning for mortuaries and asked Staff to make a recommendation at the joint Council/Commission workshop on September 23.

Mr. Bormet said the Code refers to uses which are allowed in certain zones. This allows the Commission or Council to interpret the Code when reviewing applications for certain uses.

The Commission agreed that the proposal meets the original intent when the Commission recommended approval to the City Council. Mr. Bormet reviewed what the Commission recommended the first time to the Council.

Mr. Bormet asked if it was the Commission's recommendation that conditional uses under Light Industrial (LI) would not necessarily come forward as conditional uses under General Industrial (GI). The Commission concurred that this was correct. Ms. Engels identified the remaining vacant Light Industrial zones on the map. There is very little vacant LI zoned property within the City.

The Commission discussed if there were any Conditional Uses which they wanted to bring forward to the General Industrial (GI) zone. The Commission added restaurants without drive-thru and daycares as Conditional Uses in the GI zone.

Mr. Bormet said Staff would bring back to the Council/Commission workshop the Conditional Uses under LI that are permitted in the GI zone. Restaurants with drive-thru are allowed in the Retail Commercial (RC) and General Commercial (GC) zones.

Mr. Bormet reported the Council was also concerned with chemical waste type of uses. The Commission discussed the adult entertainment type of use within the City being allowed. Staff will review whether adult entertainment business could be disallowed anywhere within the City.

2B. Possible change of the Office Commercial (OC) Zoning District to a new Office Retail (OR) Zoning District

Mr. Bormet said Staff is proposing to change the zoning district from Office Commercial (OC) to Office Retail (OR). He discussed the background for this proposal, referencing Smith Farms plans to expand their park which would develop the property adjacent to Highway 99W. He identified several areas within the City where this proposed zoning district would apply. The City Council reviewed this proposal at a workshop session on September 9. Metro reviewed the proposal and provided comments in a memo dated June 27, 1997.

The Office Retail (OR) zoning district would have eight permitted uses primarily dealing with office, business, retail trade which provides support to business, other business services and other personal services including daycares or similar uses when clearly secondary to commercial use. Some of the Conditional Uses would include hotels and motels, multi-family residential when located on the upper floors, in the rear of, or otherwise clearly secondary to a commercial building, hospitals, and restaurants, taverns and lounges when located greater than 100 feet from any residential property. This would be the primary designation of the Office Retail zones.

Chairman Whiteman said he supported this proposal. He would also like to see some thought given to a "professional parkway" area. He did not feel that 100 feet was far enough from a residential area. He supported the concept, but felt it should be very limited to what would be allowed. Mr. Bormet clarified that the restaurants without drive-thru would be a conditional use, not a permitted use. Restaurants, taverns and lounges with drive-thru would be a prohibited use in the OR zone.

The Commission discussed how the Office Retail zone could work in concert with residential areas. Mr. Saxton said it is important not to create an area like North Dakota Street in Tigard

where people use the street as a bypass for Scholls-Ferry Road and 217. North Dakota Street goes directly through a residential area. Mr. Bormet said the balance would be to get people to use the corridor with employment centers. The Commission discussed the proposed Highway 99W bypass plans.

In response to Mr. Baker's question, Staff will review veterinarians as a permitted use in other zones. The Commission agreed that D. PUDs should be eliminated. Staff will review what a restaurant is versus a tavern or lounge and bring this information back to the Council/Commission joint workshop.

Chairman Whiteman said people need to be given a reason to want to see Sherwood, in particular the Old Town area. There are two intersections where there is the potential opportunity to create something, Meinecke Road and Sunset Boulevard, for greater access to the Old Town area. Mr. Bormet said there needs to be some common thread for this to occur. The Commission discussed several ideas on how this could be accomplished.

Susan Claus advised that even though this was not a public hearing, she stated they owned property along Highway 99W, so she would listen to the discussion, but would not really participate because she did not want anyone to think she was trying to improve any of her interests.

Mr. Bormet said Staff will research further how the downtown area could market itself. Staff has requested information from ODOT regarding permitted access to Highway 99W. Mr. Bormet discussed how the Office Retail zone would be a good middle step to upgrading existing zones. He confirmed that any plan text or map amendment would be a two hearing process, the Planning Commission and the City Council.

The Commission supported the Office Retail (OR) zoning district proposal.

2C. Proposed Streamlined Planning Process

Sue Engels reviewed the proposed streamlined planning process as well as the existing planning process. The proposed process would include:

- Type I, Type II, Type III and Type IV Levels.
- Type I would include signs, property line adjustments, interpretations of similar uses and require Staff review for completeness and a decision by the City Manager. The Planning Commission would hear any appeal.
- Type II would include site plans, minor land partitions, subdivisions and temporary uses and require neighborhood meetings (not a public hearing), Staff decision and appeals to either the City Council or a Hearings Officer under the Expedited Land Division Process as required by State Statute.
- The Expedited Land Division process is an option for the developer to use.

- Type III would include conditional use permits and variances and include review by the Planning Commission under a public hearing process and appeal to the City Council and LUBA.
- Type IV would include planned unit developments, plan text amendments and plan map amendments and require Planning Commission recommendation to the City Council under the public hearing process, City Council decision under the public hearing process and appeal to LUBA.
- There are two State required processes, the Limited Land Use and Expedited Land Division processes. The Limited Land Use is included in the process the City currently uses.
- The developer, Planning Staff and neighbors would participate in the neighborhood development meetings. It would be an information process and not include a public hearing. If the neighbors did not agree with the decision, it could be appealed through a public hearing process. The appeal fees would be 50% of the original application fee.

Susan Claus said with this type of streamlined process it is very critical that on-site posting for the property be required as well as the noticing for adjacent property owners. The Commission agreed that on-site posting for any subdivision, site plan or minor partition be required.

Mr. Bormet said the Expedited Land Use process is only for subdivisions, if requested by the applicant. There would be a limited amount of developments which would meet the criteria for this type of review.

Ms. Claus asked for clarification regarding who would have appeal rights under the Type II process. Mr. Bormet thought the appeal rights would be the same as those in the current process. Staff will confirm the appeal rights and provide this information for the Council/Commission workshop on September 23.

Ms. Engels said the record for the Type II process would be everything contained in the Staff Report. Ms. Claus asked what would happen to the citizen comments. Staff will further define the requirements for the Expedited Land Use process. Mr. Bormet said the neighborhood meeting would be a City meeting.

Mr. Bormet said that Council has asked that Staff look at variances to determine if there are some routine variances which could be handled administratively. Angela Weeks asked if there were any conditional uses which could be handled administratively. Mr. Bormet responded that Staff would look at this. Staff currently reviews administrative variances. The standard for an administrative variance is much less than for a standard variance.

Ms. Claus asked how the Commission could make a decision for a conditional use without reviewing the site plan. Staff said the application would include the site plan information.

Ms. Engels said only difference with the Type IV process is that the Planning Commission decision would be advisory to the Council instead of being a "decision". This would streamline the current process. The Planning Commission recommendation would not include an appeal.

The City Council has the ability to review any land use decision made administratively or by the Commission. An appeal of a Council decision on a PUD would be appealed to the Land Use Board of Appeals (LUBA).

Mr. Bormet said Staff would recommend a thirty day time line for the Planning Commission to make a recommendation to the City Council for Type IV applications.

Ms. Engels announced the City Council and Planning Commission will hold a joint workshop on September 23rd.

3. Other Business

Mr. Bormet announced there is an initiative petition which would require citizen vote on all annexations.

Mr. Bormet said there are some very big issues for the Planning Commission to review. The streamlined planning process should allow this to happen.

The Commission asked if they could receive written notice for the TSP Focus Group meetings. Staff will respond to this request.

There being no further business to discuss, the workshop meeting was adjourned at 10:40 PM.

Respectfully submitted,

Planning Department