



COPY

**Resolution No. 2000-911**

**A RESOLUTION REVERSING THE HEARINGS OFFICER'S DECISION REGARDING  
CONDITIONAL USE PERMIT #CUP00-03 (Blue Church)**

**WHEREAS**, Conditional Use permit #CUP 00-03 was denied by the Hearings Officer for City of Sherwood, as the applicant had not met the parking requirements of Section 5.302.02B (Off-Street Parking) as modified by Section 9.202.06C.2 (Old Town Overlay District), of the Sherwood Community Development and Zoning Code; and,

**WHEREAS**, the City Council finds that the Hearings Officer's decision was not in error; and,

**WHEREAS**, the City Council recognizes that the parking standards for retail businesses in the Old Town area are restrictive for certain uses; and,

**WHEREAS**, the City Council having considered the request on October 24, 2000, finds that it is in the public interest to waive the parking requirement for the applicant, as the Urban Renewal District and Redevelopment Plan will resolve the inadequate parking available to businesses and residents of Old Town Sherwood;

**NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:**

Section 1. The City Council of the City of Sherwood **REVERSES** the Hearings Officer's Decision, in regards to Conditional Use Permit #CUP 00-03, and adopts the following findings of fact:

1. All of the Hearings Officer's findings are accepted as the Council's own except those dealing with required parking.
2. The City Council has initiated an amendment to the Development Code that will eliminate parking requirements based on a particular use within all of the Old Town Overlay District.
3. This amendment is based on a policy that the land area of Old Town should be devoted to buildings and public open space, not to parking lots. This policy is backed up by the allocation of \$400,000 in the Urban Renewal Plan for the development of municipal parking lots. These lots, to be placed on the periphery of Old Town, are intended to make up for the loss of individual parking lots at each building.
4. The Planning Commission has considered the proposed amendment and has recommended its adoption to the Council.
5. The Council will hear and act on the amendment in November.

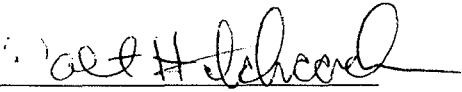
6. The subject property is within the Old Town Overlay Zone. It is not currently included in the portion of that zone which has no parking requirements.
7. The proposed amendment will extend the area without parking requirements to all of the Old Town Overlay Zone, which includes the subject property.
8. If this provision had been in place when the Hearings Officer considered this case, the findings leading to the denial would not have been made and the case would have been approved.

Section 2. The following conditions are placed on approval of the application:

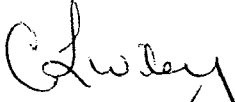
1. Compliance with the Conditions of Approval is the responsibility of the applicant. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.
2. Use of the property shall be limited to weddings and receptions, meetings and conferences, and other public gatherings, but not including events such as amplified music concerts producing noise discernible in the neighborhood.
3. The hours of indoor operation shall be limited to 7:00 AM to 11:00 PM, seven (7) days a week. Outdoor operation shall be limited to 9:00 Am to 9:00 PM, seven (7) days a week.
4. Attendance and occupation of the building shall be limited to one-hundred (100) persons and activities described in Condition #2, above, shall take place primarily within the building; with the exception of ceremonies which may take place outdoors within the hours identified in Condition #3.
5. The applicant shall provide a parking plan as required by Section 5.301.10 and maintain four (4) employee parking spaces on-site.
6. The applicant shall provide screening along the property line between the subject property and Second Street, the adjoining property to the northeast, and the alley. Such screening shall consist of a fence and landscaping that provides a semi-opaque buffer between the outdoor areas of the property and adjoining properties.
7. Service and consumption of alcoholic beverages on the site shall be in compliance with the State of Oregon Liquor Control Commission (OLCC) rules and be approved by the City Council.
8. Revocation: Any departure from approved plans not authorized by the City Council shall be cause for revocation of applicable building and occupancy permits. Furthermore, if, in the City's determination, a condition or conditions of CUP approval are not or cannot be satisfied, the CUP approval, or building and occupancy permits, shall be revoked. (SMC 4.302.06)

9. This approval shall be valid for one (1) year. The applicant shall file a final site plan and other documentation as noted above prior to occupancy of the building for the purposes described herein and subject to this conditional use permit.

**Duly passed by the City Council this 24<sup>th</sup> day of October 2000.**

  
Walt Hitchcock, Mayor

Attest:

  
C.L. Wiley, City Recorder