

City of Sherwood
Planning Commission

AGENDA

October 21, 1987
855 No. Sherwood Blvd.
7:30 P.M.

- I. Call to Order
- II. Approval of Minutes, September 21, 1987
- III. Approval request of Quantum Meadows Preliminary Subdivision Plat
- IV. Review of Bilet Products compliance with DEQ noise standards
- V. Requested Revision to Q.T. approval condition
- VI. Recommendation to Council regarding the Nels Anderson and Drill annexations
- VII. Public Hearing
 - A. Revisions to the Code regarding Noise Standards
 - B. Revisions to the Code regarding the City's Commercial Zones
- VIII. For Your Information
 - A. Letter from Division of State Lands

STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE TYPED: October 9, 1987

FROM: Carole W. Connell, Consulting Planner
The Benkendorf Associates Corp.

FILE NO.: 271-63

SUBJECT: Request for Preliminary Subdivision Plat Approval for Quantum Meadows, a 16 Lot Residential Subdivision.

I. PROPOSAL DATA

Applicant: Quantum Construction Inc.
P.O. Box 188
Wilsonville, Oregon 97070

Owner: Charles and Eileen Desmond
850 Willamette Street
Sherwood, Oregon 97140

Representative: Les Balsiger
Professionals 100
4850 S.W. Scholls Ferry Road
Portland, Oregon 97225

Location: Located at the intersection of S.E. Mansfield and Division Street and further described as Tax Lots 300 and 302, Map 2S-1-32AD and DA.

II. BACKGROUND DATA

The subject proposal combines two vacant tax lots adjacent to the April Meadows subdivision and proposes division of the land into sixteen (16) parcels for single family dwellings. The proposed plat is divided into two phases and the request is for preliminary approval of both phases. The applicant anticipates that final plat approval of the two phases will occur separately.

III. SHERWOOD CODE PROVISIONS

- A. Chapter 2, Section 2.102 Low Density Residential LDR Zone
- B. Chapter 4, Section 4.100 Application Content
- C. Chapter 5, Section 5.900 Energy Conservation
- D. Chapter 6, Public Improvements
- E. Chapter 7, Subdivisions and Land Partitions
- F. Sherwood Comprehensive Plan

IV. FINDINGS OF FACT

- A. The subject property, including two tax lots, is approximately 4.3 acres in size. The parcels are undeveloped and covered with grass and brush. There are no structures on the property. There are three Douglas fir trees on lots 15 and 16.
- B. Although the two subject tax lots total 4.3 acres, Quantum Meadows is 3.8 acres. The applicant is requesting as a part of this proposal that about 16,120 square feet be deleted from Tax Lot 300 and added to the adjoining Tax Lot 400. This is typically a lot line adjustment procedure through Washington County.
- C. Surrounding land use and zoning includes an established single family subdivision and Low Density Residential (LDR) zoning to the north, vacant land zoned LDR to the south and west and a designated city park zoned Institutional Public (IP) to the east. The park site is not developed.

- D. The subject parcels are zoned LDR which provides for single-family housing and other related uses. The minimum lot size in the LDR zone is 7000 square feet. Each lot in the proposed subdivision complies with the minimum lot size, lot width and depth requirements. Houses in this zone are restricted to thirty (30') feet in height.
- E. A Preliminary Title Report for the parcels has been submitted with the application. The report indicates there are no liens against the property or the applicant. The report identifies two easements and an agreement. Upon receipt of information from the City and the Federal government, a supplemental report will be prepared.
- F. The site is on an east-facing slope ranging between 6% and 8%. There are no known soil limitations. The general elevation in the area is about 300 feet above sea level and there are good views to the east. There are no flood plains, wetlands or drainage problems in the area. There are no significant natural features on the site.
- G. There are no existing or planned sources of air, water or land pollution on the site.
- H. There are no city parks or open spaces near the site. However, the adjoining tax lot to the east is city-owned and planned for a future neighborhood park.
- I. The proposed subdivision ties into S.E. Mansfield and S.E. Division Streets. A new street is proposed, Quantum Court, which is a cul-de-sac. Because of changing road width standards over the years, the proposed extensions of Division and Mansfield do not conform with the existing road widths. The current standard for a local road is 48 feet of right-of-way. Further, the proposed plat should indicate dedication of Division for all of Tax Lot 300 and including the portion that provides frontage to Tax Lot 400 as noted by the applicant in the letter dated September 30, 1987. There are no planned new streets affecting the property. Curbs and sidewalks are to be provided on both sides of each street and sidewalk construction will be required with each building permit request. The developer has agreed to require one street tree per lot in the project's CC&R's.

- J. Tri-Met provides public transportation to downtown Sherwood. There is a future bicycle path planned on Murdock Road.

- K. Existing sewer, storm and water lines are located in Mansfield and Division Streets up to the subject property. The developer proposes to extend these lines to each parcel in accordance with city standards. The preliminary drawings submitted with the application illustrate proposed services. These, however, are not final, engineered construction drawings and are for conceptual review only. All utilities will be underground.

- L. The Sherwood School District, Tualatin Fire District, PGE, NW Natural Gas and Storer Cable have been notified of this request. Responses to date indicate there are no conflicts with the interests of the Sherwood School District, the Tualatin Fire District and Storer Cable.

- M. Section 5.900 Energy Conservation requires the maximum number of buildings feasible shall receive sunlight sufficient for using solar energy systems. Buildings and vegetation shall be sited with respect to each other and the topography of the site so that unobstructed sunlight reaches the south wall of the greatest number of buildings possible during the hours of 9 a.m. and 3 p.m. on December 21st.

Research prepared by the Oregon Department of Energy for the Portland Metro Solar Access Project in 1987 indicates that orienting subdivision streets in an east-west direction provides the greatest opportunity for optimum building siting to achieve solar access. Because of the existing street pattern that ties into the proposed Quantum Meadows, the small size of the development, and the significant east facing slope, there is little solar opportunity for the proposed subdivision.

- N. The proposed subdivision is adjoined on its eastern boundary by city land reserved for a future neighborhood park. For this reason, and because the subject parcel is small, land dedication for park purposes is not practical. Rather, a systems development charge (SDC) for future acquisition and park development shall be assessed against each requested building permit.

- O. The developer is preparing CC&R's for the project to be reviewed by the Planning Commission at the time of final plat review.
- P. The Commission may authorize phasing of the plat to exceed one (1) year, but no more than five (5) years.
- Q. Section 7.201.03 of the Development Code outlines the required findings of fact for a preliminary subdivision approval. The following is a response to the requirements:
 - 1. Proposed streets align with adjoining streets, although the widths vary due to the revision of city street standards. There are no proposed private streets.
 - 2. The plat complies with the Comprehensive Plan's residential designation for the site as well as the standards of the LDR zone.
 - 3. Water, sewer and storm drainage facilities are adequate to serve the proposed development.
 - 4. Development of contiguous property can be accomplished in accordance with the Development Code standards.

V. CONCLUSION AND RECOMMENDATION

Based on the Background Data and the Findings of Fact in this report, staff recommends **approval** of the Quantum Meadows Preliminary Subdivision Plat, including Phases I and II subject to the following conditions:

- A. Within twelve (12) months after approval of the preliminary plat, a final plat for Phase I shall be submitted to the city, unless an extension up to six (6) months is approved by the Planning Commission. Final plat submittal shall comply with information requirements identified in Section 7.302.01 of the Development Code.

- B. The approved preliminary plat and a final plat for Phase II shall include the dedication of Division Street from its current terminus just west of Mansfield Street, west across the entire frontage of Tax Lot 400, Map 2S 132 DA in accordance with City street standards.

- C. Prior to final plat approval of Phase II, a lot line adjustment between Tax Lots 300 and 400 shall be approved by Washington County.

271-63SR

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

Staff Use

CASE NO. 271-43
FEE 480.00
RECEIPT NO. 500
DATE 9-23-87

Type of Land Use Action Requested

- Annexation
- Plan Amendment
- Variance
- Planned Unit Development
- Conditional Use
- Minor Partition
- Subdivision
- Design Review
- Other _____

Owner/Applicant Information

	NAME	ADDRESS	PHONE
Applicant:	Quantum Construction Inc.,	PO Box 188 Wilsonville, OR 97070	682-1607
Owner:	Charles & Eileen Desmond,	850 Willamette, Sherwood, OR 97140	625-5209
Contact for	Les Balsiger, Agent for Quantum Construction, 297-8211		
Additional Info:	_____		

Property Information

Street Location: end of Mansfield and East Division Street

Tax Lot No. 300 & 302, Section 32, T2S, R1W Acreage _____

Existing Structures/Use: Bare Land

Existing Plan Designation: Residential, Low Density

Proposed Action

Proposed Use Subdivision, 16 Lots

Proposed Plan Designation Low Density Residential (LDR)

Proposed No. of Phases (one year each) Two (2)

Standard to be Varied and How Varied (Variance Only) _____

Purpose and Description of Proposed Action: Develop subject property into a 16 Lot subdivision for the purpose of building single family homes.

TO: CITY OF SHERWOOD

FROM: QUANTUM CONSTRUCTION INC.

RE: QUANTUM MEADOWS, PROPOSED SUBDIVISION

LAND USE

The subject property is currently vacant land covered mainly with scrub brush. There are no structures on the property and is adjoined by single family housing on Mansfield and Division streets.

ENVIRONMENTAL RESOURCES & HAZARDS

The subject property slopes from the West to the East, but would not limit the building of homes or the construction of streets. There are no hazards or adverse soil conditions. There is no significant vegetation except for 3 Douglas fir trees location on Lots 015 and 016

The view for the property are to the East and the wind exposure is generally from the North, and the morning sun is from the East.

ENVIRONMENTAL QUALITY

There is currently no air, water, land or noise pollution from the subject property.

RECREATIONAL RESOURCES

The builders will pay systems development charges as building permits are issued, to assist in acquiring parks and open space. The proposed subdivision is too small to contain a park site.

TRANSPORTATION

The access points to the proposed subdivision are at Division street and Mansfield street, which converge onto Roy street. We do not know of any committed street improvement projects within 300 feet of the subdivision, as most of the streets are relatively new and in good condition.

Tri-Met provides public transportation to downtown Sherwood. There is a future bike path planned on Murdock street.

WATER

There is adequate water to the site and is shown on the engineer drawings submitted with this application. There are to be fire hydrants installed in the subdivision.

SEWER

The sewer lines are to subject property as shown on the engineers drawings and is adequate to service the subdivision.

SCHOOLS

Sherwood has adequate school capacity to handle the small number of children generated by this subdivision.



PROFESSIONALS 100, INC., REALTORS

September 30, 1987

Carole Wells Connell
Land Use Planner
City of Sherwood
P.O. Box 167
Sherwood, Oregon 97140

RE; Quantum Meadows

Dear Carole,

per our telephone conversation's and meeting last week I am outlining the following items for Quantum Meadows:

- #1-All utilities are to be underground.
- #2-Street lights will be installed in accordance to PGE standards.
- #3-Sidewalks will be installed by the builders, on both sides of the street, in accordance with city standards.
- #4-We will dedicate a 44 foot right-of-way for division street.
- #5-We hereby request that the remaining westerly 52 feet (apx) of tax Lot 300, be lot line adjusted into tax lot 400, simultaneously with the approval of the subdivision.
- #6-We will, in our cc&r's require a minimum of one street tree be planted in front of each house that is built.

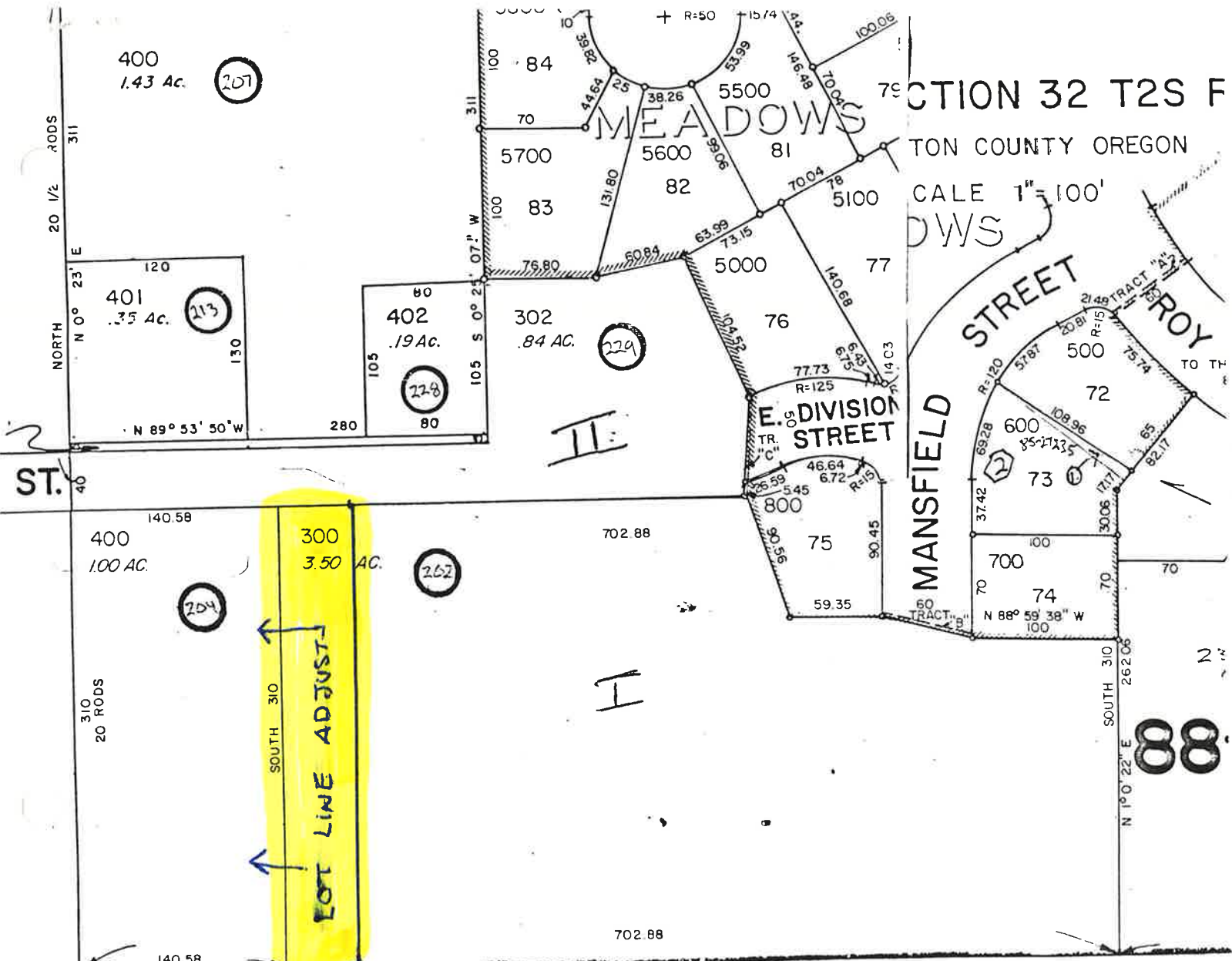
If there is any other information that you need please do not hesitate to call me at 297-8211. We are looking forward to making this just the first of Quantum's successfull business transactions in the City of Sherwood. We appreciate the professionalism that you display in handeling land use applications.

Sincerely

A handwritten signature in blue ink, appearing to read "Les Balsiger", is written over the word "Sincerely".

Les Balsiger
Agent for Quantum Construction Inc.

CC: file



SECTION 32 T2S F
 TON COUNTY OREGON
 SCALE 1" = 100'

SEE MAP
 2S 1 320

16, 120

2S1 32 DA 00300
 ARB 202
 SECTION 32 T2S 1 W 300
 2 South 1 West

THIS MAP IS FURNISHED AS A
 CONVENIENCE BY:
STEWART TITLE

THIS MAP IS NOT A SURVEY AND DOES NOT
 SHOW THE LOCATION OF ANY IMPROVE-
 MENTS THE COMPANY ASSUMES NO LIA-
 BILITY FOR ANY ERRORS THEREIN.



90 NW Park Street
Sherwood, Oregon 97140
625-5522 625-5523

DATE: October 14, 1987
TO: Sherwood Planning Commission
FROM: Carole Connell, Consulting Planner *Cwe*
RE: The Q. T. Minor Land Partition

On September 21, 1987 the Planning Commission approved the Q.T. minor land partition with 5 conditions. The fifth condition states that:

The owner shall prepare a legally binding statement agreeing to a City initiated plan amendment which will zone Parcel "A" (the tavern site) Neighborhood Commercial and Parcel "B" Medium Density Residential Low.

It was my understanding that this is what the applicant wanted, but apparently, it is not. He believes all of the Hwy 99 frontage should be zoned commercial and does not want to change that.

I recommend that this recommendation be deleted from the partition approval, since it really is unrelated and that we address the zoning of the property when other Hwy 99 commercial zoning is discussed later this year.

CC:bb

cc: Jim Allison
Ray Bert



90 NW Park Street
Sherwood, Oregon 97140
625-5522 625-5523

DATE: October 14, 1987
TO: Planning Commission
FROM: Carole Connell, Consulting Planner *OWC*
RE: City Noise Standards

Attached is an Ordinance amending the existing Community Development Code Noise Standards. Rather than specifying standards, the Ordinance amends the code by requiring all new commercial and industrial areas to comply with the State noise standards.

CC:bb

City of Sherwood, OR

Ordinance No. 87NOISE

AN ORDINANCE AMENDING THE CITY ZONING AND COMMUNITY DEVELOPMENT CODE, SECTION 5.803.01, WITH RESPECT TO STANDARDS FOR NOISE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Zoning and Community Development Code, Section 5.803, specifies maximum sound levels permitted within the City; and

WHEREAS, recently, in the course of approving a conditional use permit and site design for a proposed industrial development, the City staff and City Planning Commission, with the advice of ODEQ, determined that said standards are based on outdated, superseded, and now essentially immeasurable State guidelines; and

WHEREAS, the State has adopted new standards that have been in effect for several years, and these modern guidelines are deemed more appropriate for the regulation of noise and sound in the City.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1: Commission Actions. That the City Planning Commission held a public hearing on amendments to City noise regulations on _____, 1987; and subjected this ordinance to a full and proper review, and recommends its adoption as the proposal satisfies all requirements of Code Section 4.203.01.

Section 2: Public Hearing. That the City Council received the recommendations of staff and Commission, and associated materials; and that this ordinance was subject to a public hearing before Council on _____, 1987, and all interested parties were afforded an opportunity to be heard, and to present and rebut evidence.

Section 3: Findings of Fact. That after full consideration of staff reports, the recommendation of the Commission, and of the evidence presented at the public hearing, the Council finds that the proposed amendment conforms to all requirements of Code Section 4.203.01.

Section 4: Code Amended. That Section 5.803.01 of the Community Development Code, as presently written, is hereby repealed in its entirety, and a new Section 5.803.01 is hereby ADOPTED to read:

5.803.01 Noise

- A. All new commercial and industrial uses shall comply with the noise standards adopted by the State Department of Environmental Quality, and proof of compliance may be required by the City.
- B. Noise-making devices which are maintained and utilized solely to serve as warning devices or emergency signals, and noise created by automobiles, trains, aircraft and similar vehicles are exempt from the standards of this Section.

Section 5: Effective Date. This Ordinance shall become effective thirty (30) days after approval and adoption.

Duly passed by the City Council on this ____ day of August, 1987.

Polly Blankenbaker, Recorder

Approved by the Mayor the ____ day of August, 1987.

Norma Jean Oyler, Mayor
City of Sherwood

	<u>AYE</u>	<u>NAY</u>
OYLER	_____	_____
BIRCHILL	_____	_____
STEWART	_____	_____
NIGHTINGALE	_____	_____
CHAVEZ	_____	_____



90 NW Park Street
Sherwood, Oregon 97140
625-5522 625-5523

October 6, 1987

Mr. & Mrs. Richard Drill
Rt. 5, Box 60
Sherwood, OR 97140

RE: Annexation of Tax Lot 703-2S1 31C

Dear Mr. & Mrs. Drill:

As you know, the Sherwood City Council has determined to annex all "out-of-City" properties receiving City water service. Your Tax Lot 703-2S1 31C is one such property, and to this end the Council conducted a public hearing on the matter in March, 1987. You were notified of that meeting and I believe you were in attendance.

Since March the City has actively advanced the goal of annexing City serviced lots. In six separate annexations, the Portland Metropolitan Area Local Government Boundary Commission has approved the incorporation of some 120 acres into the City. These properties either received City water service, were surrounded by the City limits, or both. In November, the Meinecke Road area, totalling 48.14 acres, will be before the Commission. As reported in the Oregonian, residents have withdrawn their objections to this annexation. Applications for other annexations on Edy Road, Sunset Blvd., and Ladd Hill Road are now in preparation.

The City is now ready to proceed with the annexation of your 3.71 acre parcel on Wilsonville Road. An approving resolution will be before the City Planning Commission on October 21, and the City Council on October 28, with probable scheduling before the Boundary Commission in December. In order to assist you in evaluating the impact of annexation, I have prepared the following information:

ZONING AND PLANNING

The zoning for Tax Lot 703 is identical under the County and City plans. The designation is "Special" Industrial (SI), which is intended to preserve large acreages (30 acre minimum parcel size for development purposes) for "high tech" and other industries. Therefore, your small parcel could only be marketed as industrial land in association with neighboring ownerships. Your current residential use may continue uninterrupted however, and in fact some of your neighbors have discussed annexing to the City and rezoning back to a residential designation. Although no guarantees can be provided at an administrative level, my sense of the history of the SI district is that the City Commission and Council would be amenable to such a rezoning.

Wilsonville Road/Sunset Blvd. is designated as a minor arterial roadway on the City's comprehensive transportation plan. A similar classification exists under the County plan, and the expectation is that a street of this classification will continue to be a County responsibility, even after annexation. Major improvements to the road will occur along with development, with an eventual right-of-way width of 70' and paved width of 48', plus sidewalks.

Attached for your information is a City zoning map..

TAXATION

Actual City of Sherwood tax rates for 1987-88 have just been published:

Basic Tax Rate:	\$2.90 per \$1,000
Water Reservoir Bonds:	\$.46 per \$1,000
Library Levy:	\$.77 per \$1,000
TOTAL:	\$4.13 per \$1,000

You can estimate the City's share of your future tax bill by multiplying \$4.13 by every \$1,000 of assessed value for Tax Lot 703. The City property tax would be in addition to the taxes currently charged by the other jurisdictions in our area (County, Fire District, School District, etc.). Your total tax bill depends on what these other agencies do annually with their budgets and tax bases. Thus, year to year your tax bill could increase by more than the City share, or could decrease to below pre-annexation levels. Changes in property values can also dramatically alter your taxes in either direction.

If annexed, your property would not be taxed for the City at least until 1988-89, and we have no way of developing tax rate or property value estimates that far in advance. The City base

rate could vary depending on City General Fund budget size, total assessed value in the City, the success or failure of a tax base or special levy election, or a combination of these three factors. In fact, the current two-year City Library Levy will expire in 1988-89, and could be subject to a vote by Sherwood's citizens for renewal. Alternatively library costs could be re-incorporated into the general tax base and tax rate. Also, the water reservoir bonds authorized by City voters in 1972 to construct the two million gallon Division Street reservoir will be paid up by 1992, and this special tax rate will continue to decline annually until then.

Attached is a sheet showing City tax rates since 1978.

WATER AND OTHER SERVICES

Your property is serviced by an older 2" diameter waterline. The City's long range water service plan calls for eventual extension of an 10" line to serve the higher densities of development for which your area is planned. Presently a new 12" line is in place up to the Southern Pacific railroad tracks, some 1,970 feet to the east of your lot.

As an "out-of-City" user you are currently charged a 100% surcharge for City water. Thus, once annexed, your water bill will be halved.

The other major underground service is sewer. Lines are in place east of the aforementioned rail line at the Cedar Creek crossing of Sunset Blvd. Extension would be dictated by development. At current development levels, unless an unexpected ground or well water contamination occurred, annexed properties can continue with current individual sewage treatment systems.

Finally, attached for your information is a set of sheets summarizing many City fees and charges and a list of City officials. Please contact me without hesitation with any questions you may have.

Sincerely,



James Rapp
City Manager

JR:cr

cc: Planning Commission
Boundary Commission
City Council

City of Sherwood, Oregon

Resolution No. 87-390

A RESOLUTION INITIATING ANNEXATION TO THE CITY OF A TERRITORY MORE PARTICULARLY DESCRIBED AS:

A PARCEL OF LAND SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEGINNING AT A POINT ON THE CENTERLINE OF S.W. EDY ROAD, SAID POINT BEING NORTH 89 DEGREES 49' EAST 1320 FEET, MORE OR LESS, FROM THE WEST ONE-QUARTER CORNER OF SAID SECTION 29; THENCE NORTH 0 DEGREE 15' WEST 20.0 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE SAID S.W. EDY ROAD AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0 DEGREE 15' WEST 1030 FEET, MORE OR LESS, TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF S.W. PACIFIC HIGHWAY; THENCE SOUTH 46 DEGREES 17' WEST 600 FEET, MORE OR LESS; THENCE LEAVING THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, SOUTH 0 DEGREE 15' EAST 465 FEET, MORE OR LESS; THENCE NORTH 89 DEGREES 49' EAST 190 FEET, MORE OR LESS; THENCE SOUTH 0 DEGREE 15' EAST 150 FEET, MORE OR LESS, TO A POINT ON THE SAID NORTH RIGHT-OF-WAY LINE OF S.W. EDY ROAD; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 89 DEGREES 49' EAST 255 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, CONSISTING OF 7.46 ACRES, MORE OR LESS.

WHEREAS, annexation to the City of the territory so bounded would constitute a "minor boundary change" under the boundary commission law, ORS 199.410 to 199.510; and

WHEREAS, by authority of ORS 199.490 (1) (a) the City Council may initiate the annexation; and

WHEREAS, this is a single tax lot annexation, said parcel being an "island" territory which is currently serviced by the City water system; and

WHEREAS, the owner of the territory proposed to be annexed has consented in writing to the annexation.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The Council, pursuant to ORS 199.490 (1)(a) hereby initiates proceedings for annexation of this territory, known as Tax Lot 700, 2S1-29B, to the City.

Section 2. The Council hereby approves the proposed annexation and requests the approval of the Portland Metropolitan Area Local Government Boundary Commission.

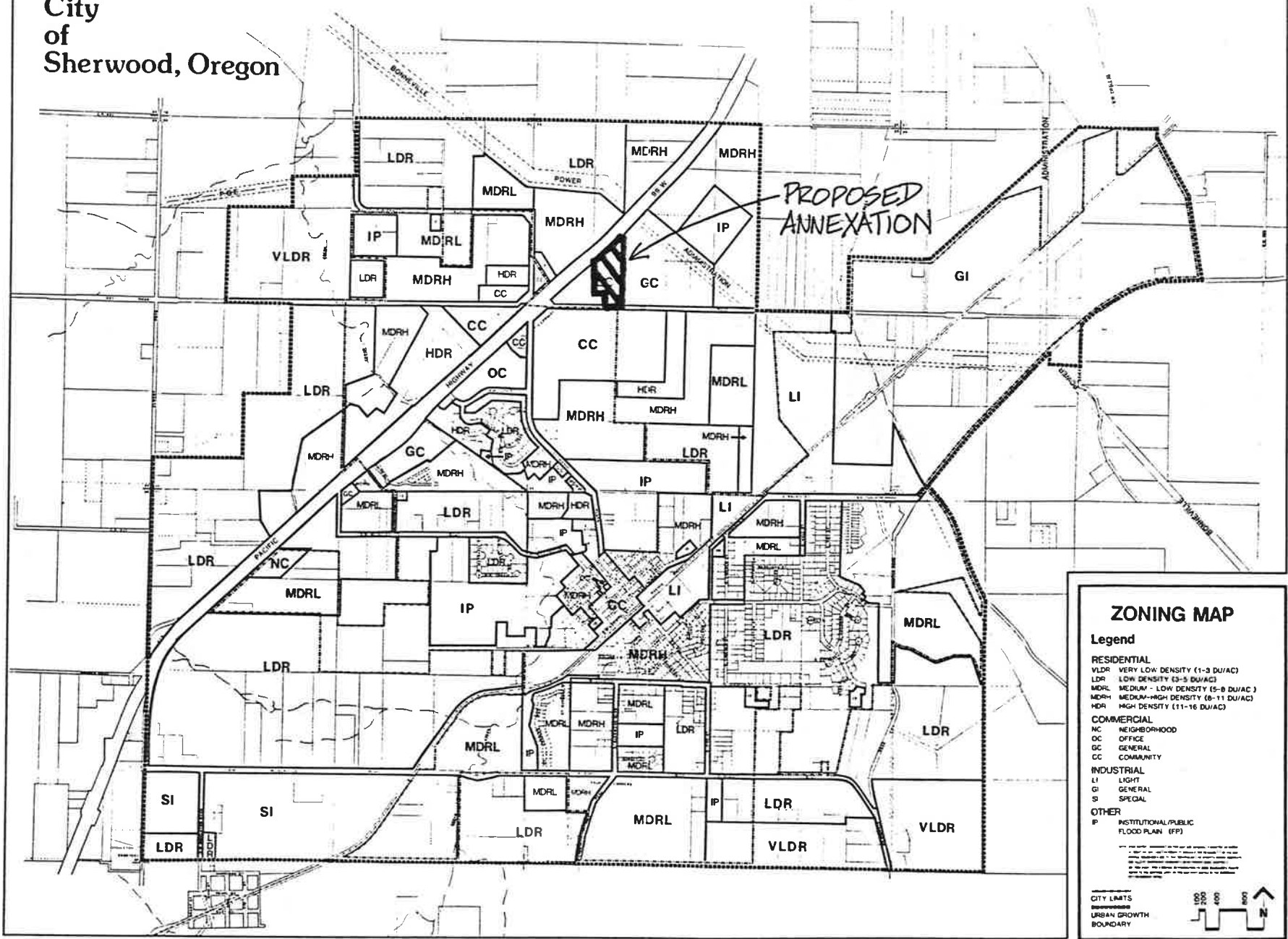
Section 3. The City Recorder is hereby directed to file a certified copy of this Resolution, and supporting documents, with the Boundary Commission.

Norma Jean Oyler, Mayor
City of Sherwood

Polly Blankenbaker, Recorder

	<u>AYE</u>	<u>NAY</u>
OYLER	_____	_____
CHAVEZ	_____	_____
BIRCHILL	_____	_____
STEWART	_____	_____
NIGHTINGALE	_____	_____

City of Sherwood, Oregon

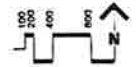


ZONING MAP

Legend

- RESIDENTIAL**
- VLDR VERY LOW DENSITY (1-3 DU/AC)
- LDR LOW DENSITY (3-5 DU/AC)
- MDRL MEDIUM - LOW DENSITY (5-8 DU/AC)
- MDRH MEDIUM-HIGH DENSITY (8-11 DU/AC)
- HDR HIGH DENSITY (11-16 DU/AC)
- COMMERCIAL**
- NC NEIGHBORHOOD
- OC OFFICE
- GC GENERAL
- CC COMMUNITY
- INDUSTRIAL**
- LI LIGHT
- GI GENERAL
- SI SPECIAL
- OTHER**
- IP INSTITUTIONAL/PUBLIC
- FF FLOOD PLAN (FP)

CITY LIMITS
URBAN GROWTH
BOUNDARY



City of Sherwood, OR

Resolution No. 87-391

A RESOLUTION INITIATING ANNEXATION TO THE CITY OF A TERRITORY
MORE PARTICULARLY DESCRIBED AS:

A parcel of land situated in the Southwest one-quarter of Section 31, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, beginning at a point on the south right-of-way line of S.W. Wilsonville Road, said point being South 89 degrees 31' West 170 feet, more or less, from the east line of the said southwest one-quarter of Section 31; thence leaving the said south right-of-way line South 0 degrees 46' East 387.4 feet, more or less; thence South 89 degrees 31' West 417.4 feet, more or less; thence North 0 degrees 46' West 447.4 feet, more or less, to a point on the north right-of-way line of said S.W. Wilsonville Road; thence along the said north right-of-way line, North 89 degrees 31' East 417.4 feet, more or less; thence leaving said north right-of-way line, South 0 degrees 46' East 60.00 feet to a point on the said south right-of-way line of S.W. Wilsonville Road, and the point of beginning, consisting of 3.71 acres, more or less.

WHEREAS, annexation to the City of the territory so bounded would constitute a "minor boundary change" under boundary commission law, ORS 199.410 to 199.510; and

WHEREAS, by authority of ORS 199.490 (1)(a) the City Council may initiate the annexation of this territory; and

WHEREAS, this is a single tax lot annexation, said parcel currently being serviced by the City water system; and

NOW THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The Council, pursuant to ORS 199.490 (1)(a) hereby initiates proceedings for annexation of this territory, known as Tax Lot 730, 2S1-31C, and portions of adjacent public right-of-way, to the City.

Section 2. The Council hereby approves the proposed annexation, and requests approval by the Portland Metropolitan Area Local Government Boundary Commission.

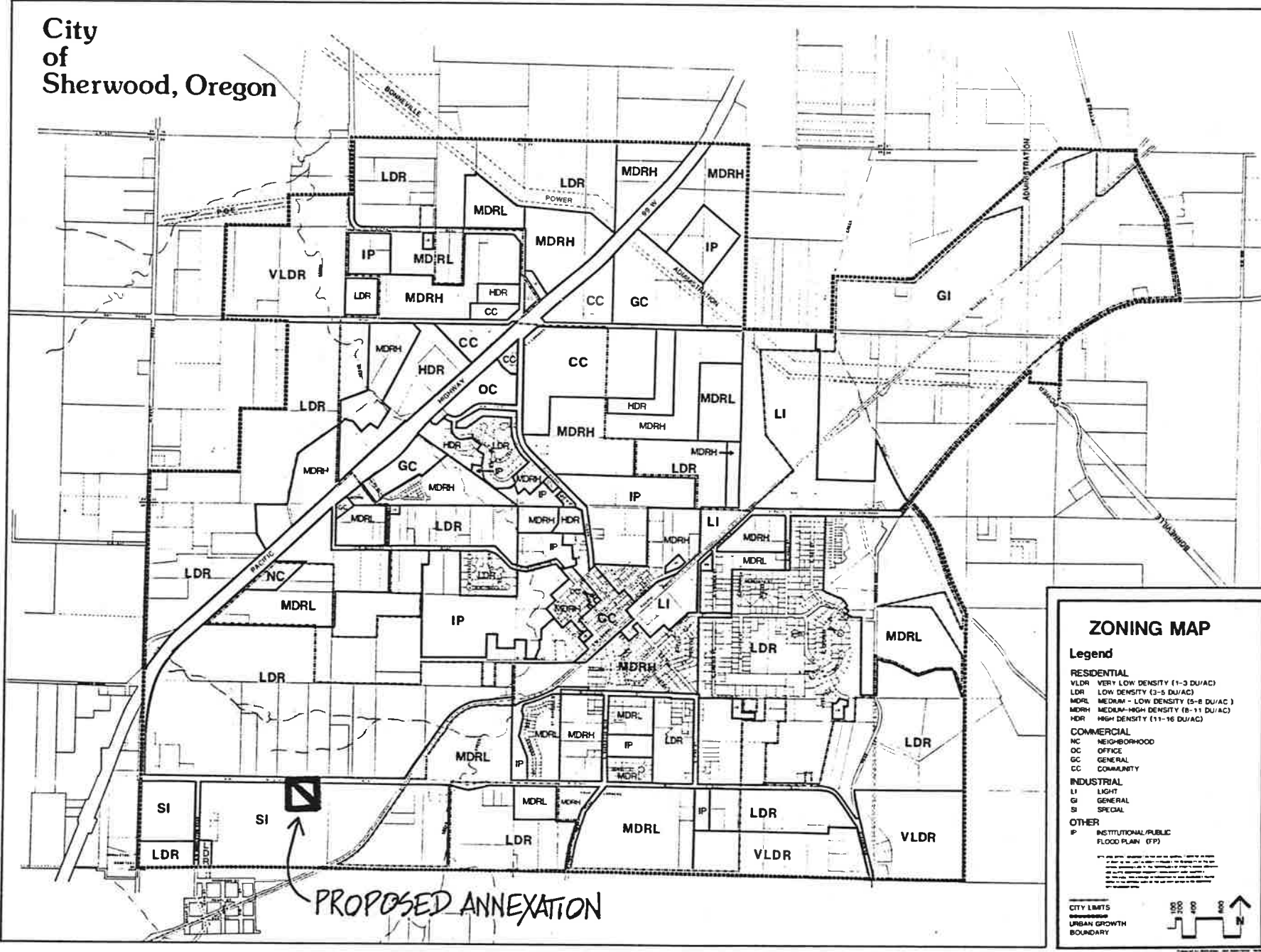
Section 3. The City Recorder is hereby directed to file with the Boundary Commission a certified copy of this Resolution, and supporting documentation.

Norma Jean Oyler, Mayor
City of Sherwood

Polly Blankenbaker, Recorder

	<u>AYE</u>	<u>NAY</u>
OYLER	---	---
CHAVEZ	---	---
BIRCHILL	---	---
STEWART	---	---
NIGHTINGALE	---	---

City of Sherwood, Oregon



ZONING MAP

Legend

- RESIDENTIAL**
 - VLDR VERY LOW DENSITY (1-3 DU/AC)
 - LDR LOW DENSITY (3-5 DU/AC)
 - MDRL MEDIUM - LOW DENSITY (5-8 DU/AC)
 - MDRH MEDIUM-HIGH DENSITY (8-11 DU/AC)
 - HDR HIGH DENSITY (11-16 DU/AC)
- COMMERCIAL**
 - NC NEIGHBORHOOD
 - OC OFFICE
 - GC GENERAL
 - CC COMMUNITY
- INDUSTRIAL**
 - LI LIGHT
 - GI GENERAL
 - SI SPECIAL
- OTHER**
 - IP INSTITUTIONAL/PUBLIC
 - FLOOD PLAIN (FP)

CITY LIMITS
URBAN GROWTH
BOUNDARY



- E. Public use buildings, including but not limited to libraries, museums, community centers, and senior centers.
- F. Residential apartments when located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings.
- G. Any incidental business, service, processing, storage or display, not otherwise permitted by Section 2.107, that is essential to and customarily associated with any use permitted outright.

2.107.04 Prohibited Uses

The following uses are expressly prohibited:

- A. Adult entertainment businesses.
- B. Veterinarian offices and animal hospitals.
- C. Restaurants, taverns, and lounges with drive-in or take-out services.
- D. Wholesale trade, warehousing, commercial storage, and mini-warehousing.
- E. All automotive and equipment repair and service, unless clearly incidental and secondary to and customarily associated with a use permitted outright.
- F. Commercial trade schools.
- G. Farm and garden supply stores, plant nurseries, and other agricultural uses, excluding florist shops which are permitted outright.
- H. Automobile, recreational vehicle, motorcycle, manufactured home, boat, farm, and other large equipment sales, parts sales, rental or service.
- I. Blueprinting, printing, publishing or other reproduction services.
- J. Motion picture and live theaters.
- K. Special care facilities, including but not limited to hospitals, sanitariums, convalescent homes, and correctional institutions.
- L. Radio, television, and similar communication stations, including transmitters.
- M. Junkyards and salvage yards.

- N. Contractors storage and equipment yards.
- O. Building material sales and lumberyards.
- P. Churches and parsonages.
- Q. Cemeteries and crematory mausoleums.
- R. Public and private utility buildings, including but not limited to telephone exchanges, electric substations, gas regulator stations, treatment plants, water wells, and public works yards.
- S. Medical, dental, and similar laboratories.
- T. Motels or hotels.
- U. Lodges, fraternal organizations, country clubs, sports and racquet clubs, golf courses, and other private clubs.
- V. Public recreational facilities, including but not limited to parks, playfields, golf courses, and racquet courts.

2.107.05 Special Criteria

All permitted and conditional uses shall be found to conform to the purpose of the NC zone as stated in Section 2.107.01, and:

- A. Shall be conducted entirely within enclosed buildings, except for:
 - 1. Exterior sales, display and storage for horticultural and food merchandise provided said exterior area does not exceed five percent (5%) of the gross floor area of each individual business establishment.
 - 2. Circumstances where the nature of the permitted or conditional use clearly makes total enclosure impracticable, such as in the case of automotive service stations, provided that the exterior area shall be the minimum necessary to effectively conduct the use, as determined by the Commission.
- B. No more than four (4) permitted or conditional uses may be established within any single NC zoning district, and each use or establishment may occupy a maximum of four thousand (4,000) square feet of gross floor area, including any permitted exterior business areas.

2.107 NEIGHBORHOOD COMMERCIAL (NC)

2.107.01 Purpose

The NC zoning district provides for small scale, convenience retail and service uses, located in or near residential areas and enhancing the residential character of those neighborhoods.

2.107.02 Permitted Uses

The following uses are permitted outright when in conformance with Section 2.107.05, unless otherwise expressly prohibited by Section 2.107.04, or subject to conditional use by Section 2.107.03:

- A. Professional services, including but not limited to financial, medical and dental, social service, real estate, legal, artistic, and similar uses.
- B. General retail trade, including bakeries where product distribution is limited to retailing on the premises only.
- C. Personal and business services, including day cares, preschools and kindergartens, and postal substations located entirely within and incidental to a use permitted outright.
- D. PUD's, subject to Section 2.202.
- E. Temporary uses, including but not limited to portable construction offices and real estate sales offices, subject to Section 4.500.

2.107.03 Conditional Uses

The following uses are conditionally permitted when in conformance with Section 2.107.05, provided such uses are approved in accordance with Section 4.300:

- A. Public and private schools providing education at the elementary school level or higher, excluding commercial trade schools.
- B. Automotive service stations, except as excluded by Section 2.107.04.E.
- C. Restaurants, taverns, and lounges, excluding establishments with drive-in or take-out services.
- D. Government offices, including but not limited to administrative offices, post offices, and police and fire stations.

- C. No single NC zoning district shall be greater than one (1) acre in area, and each district shall have a minimum width of eighty-five (85) feet at the front property line, and one-hundred (100) feet at the building line.
- D. Permitted and conditional uses may only operate between the hours of 7 a.m. and 10 p.m.

2.107.06 Dimensional Standards

A. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

1. Front yard: 20 feet.
2. Side yard: None, except that when abutting a residential zone, there shall be the same side yard as required in the residential zone.
3. Rear yard: None, except ten (10) feet when abutting a residential zone or public park.
4. Corner lots: Twenty (20) feet on any side facing a street.
5. Existing residential uses shall maintain minimum setbacks specified in Section 2.105.04.

B. Height

Except as otherwise provided, the maximum height shall be limited to the height requirements of the least restrictive abutting residential zone.

2.107.07 Community Design

For standards relating to off-street parking and loading, energy conservation, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Chapter 5.

2.107.08 Flood Plain

Except as otherwise provided, Section 2.114 shall apply.

2.108 RETAIL COMMERCIAL (RC)

2.108.01 Purpose

The RC zoning district provides areas for general retail and service uses that neither require larger parcels of land, nor produce excessive environmental impacts as per Section 5.800.

2.108.02 Permitted Uses

The following uses are permitted outright, unless otherwise expressly prohibited by Section 2.108.04, or subject to conditional use by Section 2.108.03:

- A. All uses permitted the the NC zone, Section 2.107.02.
- B. Farm and garden supply stores, and retail plant nurseries, excluding commerical farm equipment and vehicle sales.
- C. Agricultural uses such as truck farming and horticulture, excluding commercial buildings and structures, or the raising of animals other than household pets.
- D. Commercial trade schools.
- E. Motion picture and live theaters, excluding drive-ins.
- F. Restaurants, taverns, and lounges.
- G. Automotive and other appliance and equipment parts sales, excluding junkyards and salvage yards which are prohibited.
- H. Blueprinting, printing, publishing, or other reproduction services.

2.108.03 Conditional Uses

The following uses are permitted as conditional uses, provided such uses are approved in accordance with Section 4.300.

- A. Automotive service stations, including tire and wheel balancing, and incidental repair, when conducted entirely within an enclosed building.
- B. Automotive, light truck and small equipment repair and service, when conducted entirely within an enclosed building.

- C. Churches and parsonages.
- D. Cemeteries and crematory mausoleums.
- E. Public and private utility buildings, including but not limited to telephone exchanges, electric substations, gas regulator stations, treatment plants, water wells, and public works yards.
- F. Government offices, including but not limited to administrative offices, post offices, and police and fire stations.
- G. Public use buildings, including but not limited to libraries, museums, community centers and senior centers.
- H. Medical, dental, and similar laboratories.
- I. Lodges, fraternal organizations, country clubs, sports and racquet clubs, and other private clubs, excluding golf courses.
- J. Motels or hotels.
- K. Residential apartments when located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings.
- L. Public recreational facilities, including but not limited to parks, playfields, and racquet courts, excluding golf courses.
- M. Public and private schools providing education at the elementary school level or higher.
- N. Veterinarian offices and animal hospitals.
- O. Building material sales and lumber yards, when conducted entirely within an enclosed building.
- P. Any incidental business, service, processing, storage or display, not otherwise permitted by Section 2.108, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building.

2.108.04 Prohibited Uses

The following uses are expressly prohibited:

- A. Adult entertainment businesses.

- B. Junkyards and salvage yards.
- C. Drive-in motion picture theaters.
- D. Wholesale trade, warehousing, commercial storage, and mini-warehousing.
- E. Contractors storage and equipment yards.
- F. Automobile, recreational vehicle, motorcycle, truck, manufactured home, boat, farm, and other large equipment sales, rental, or service.
- G. Special care facilities, including but not limited to hospitals, sanitariums, convalescent homes, and correctional institutions.
- H. Radio, telephone, and similar communication stations, including transmitters.
- I. Wholesale plant nurseries.

2.108.05 Dimensional Standards

A. Lot Dimensions

Except as otherwise provided, required minimum lot areas and dimensions shall be:

- 1. Lot area: 5,000 sq. feet
- 2. Lot width at front property line: 40 feet
- 3. Lot width at building line: 40 feet

B. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

- 1. Front yard: None, except that when the lot abuts a residential zone, the front yard shall be that required in the residential zone.
- 2. Side yard: None, except ten (10) feet where adjoining a residential zone or public park.
- 3. Rear yard: None, except ten (10) feet where adjoining a residential zone or public park.
- 4. Existing residential uses shall maintain setbacks specified in Section 2.105.04.

C. Height

Except as otherwise provided, the maximum height of structures shall be fifty (50) feet, except that structures within one hundred (100) feet of a residential zone shall be limited to the height requirements of that residential area. Structures over fifty (50) feet in height may be permitted as conditional uses, subject to Section 4.300.

2.108.06 Community Design

For standards relating to off-street parking and loading, energy conservation, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Chapter 5.

2.108.07 Flood Plain

Except as otherwise provided, Section 2.114, shall apply.

2.109 GENERAL COMMERCIAL (GC)

2.109.01 Purpose

The GC zoning district provides for wholesale and commercial uses which require larger parcels of land, and for uses which involve products or activities which require special attention to environmental impacts as per Section 5.800.

2.109.02 Permitted Uses

The following uses are permitted outrighted, unless otherwise expressly prohibited by Section 2.109.04, or subject to conditional use by Section 2.109.03:

- A. All uses permitted outright in the RC zone, Section 2.108.02., and the NC zone, Section 2.107.02.
- B. Automobile, recreational vehicle, motorcycle, truck, manufactured home, boat, farm, and other equipment sales, parts sales, repairs, rentals or service.
- C. Wholesale trade, warehousing, commercial storage and mini-warehousing.
- D. Drive-in motion picture theaters.
- E. Limited manufacturing, including only: beverage and bottling plants, commercial bakeries, machine shops, and handicraft manufacturing.
- F. Building material sales, lumberyards, contractors storage and equipment yards, building maintenance services, and similar uses.
- G. Veterinarian offices and animal hospitals.
- H. Agricultural uses including but not limited to truck farming, and wholesale and retail plant nurseries, with customarily associated commercial buildings and structures permitted.
- I. Medical, dental, and similar laboratories.
- J. Truck and bus yards and terminals.
- K. Adult entertainment businesses, subject to Section 2.208.

2.109.03 Conditional Uses

The following uses are permitted as conditional uses, provided such uses are approved in accordance with Section 4.300:

- A. Special care facilities, including but not limited to hospitals, sanitariums, convalescent homes, and correctional institutions.
- B. Radio, television, and similar communication stations, including transmitters.
- C. Churches and parsonages.
- D. Cemeteries and crematory mausoleums.
- E. Public and private utility buildings, including but not limited to telephone exchanges, electric substation, gas regulator stations, treatment plants, water wells, and public works yards.
- F. Government offices, including but not limited to administrative offices, post offices, and police and fire stations.
- G. Public use buildings, including but not limited to libraries, museums, community centers and senior centers.
- H. Lodges, fraternal organizations, country clubs, sports and racquet clubs, and other private clubs, excluding golf courses.
- I. Motels or hotels.
- J. Residential apartments when located on the upper floors, in the rear of, or otherwise clearly secondary to a commercial building.
- K. Public recreational facilities, including but not limited to parks, playfields, and racquet courts, excluding golf courses.
- L. Public and private schools providing education at the elementary school level or higher.
- M. Any incidental business, service, process, storage or display, not otherwise permitted by Section 2.109, that is essential to and customarily associated with any use permitted outright.

2.109.04 Prohibited Uses

The following uses are expressly prohibited:

- A. Junkyards and salvage yards.
- B. Industrial and manufacturing uses, except as specifically permitted by Sections 2.109.02 and 2.109.03.

2.109.05 Dimensional Standards

A. Lot Dimensions

Except as otherwise provided, required minimum lot areas and dimensions shall be:

- 1. Lot area: 10,000 square feet
- 2. Lot width at front property line: 70 feet
- 3. Lot width at building line: 70 feet

B. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

- 1. Front yard: None, unless the lot abuts a residential zone, then, the front yard shall be that required in the residential zone.
- 2. Side yards: None, unless abutting a residential zone or public park property; then, there shall be a minimum of twenty (20) feet.
- 3. Rear yard: None, unless abutting a residential zone then, there shall be a minimum of twenty (20) feet.
- 4. Existing residential uses shall maintain setbacks specified in Section 2.105.04.

C. Height

Except as otherwise provided, the maximum height of structures shall be fifty (50) feet, with structures within one hundred (100) feet of a residential zone being limited to the height requirements of that residential area. Structures over fifty (50) feet in height may be permitted as conditional uses, subject to Section 4.300.

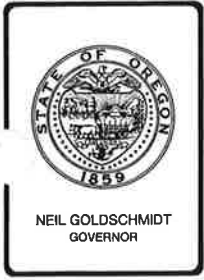
2.109.06 Community Design

For standards relating to off-street parking and loading, energy conservation, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Chapter 5.

2.109.07 Flood Plain

Except as otherwise provided, Section 2.114 shall apply.

SEP 23 1987



Division of State Lands

1600 STATE STREET, SALEM, OREGON 97310 PHONE (503) 378-3805

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September 21, 1987

CERTIFIED LETTER

Mr. Francis Gavin
Smith Farms Estate
21800 S.W. Pacific Hwy., No. 12
Sherwood, OR 97140

Re: FP 4601 (Cedar Creek - Pedestrian Trail-Fill)

Dear Mr. Gavin:

We have completed our review of your application to place 280 cubic yards of gravel for construction of a pedestrian trail in a freshwater wetland adjacent to Cedar Creek in the city of Sherwood, Oregon.

In reviewing an application to fill, the director of the Division of State Lands is required by statute (ORS 541.625(3)) to consider the following:

(a) The public need for the proposed fill and the social, economic, or other public benefits likely to result from the proposed fill. When the applicant for a fill permit is a public body, the director may accept and rely upon the public body's findings as to local public need and local public benefit.

(b) The economic cost to the public if the proposed fill is not accomplished.

(c) The availability of alternatives to the project for which the fill is proposed.

(d) the availability of alternative sites for the proposed fill.

(e) Whether the proposed fill conforms to sound policies of conservation and would not interfere with public health and safety.

(f) Whether the proposed fill is in conformance with existing public uses of the waters or uses of adjacent land.

(g) Whether the proposed fill is consistent with a duly-enacted zoning or land use plan for the area where the proposed fill is to take place.

(h) Whether the proposed fill is for streambank protection.

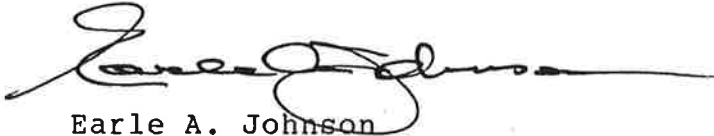
Our review of your proposed project indicates that it does not conform to items (c) and (e) above. It is our finding that:

1. Alternative upland sites exist for construction of the pedestrian trail on the same side of Cedar Creek.
2. The proposed fill for a pedestrian path does not conform to sound policies of conservation. It is both state and federal policy to preserve and conserve wetlands in as natural a state as possible because of their major contributions to the stream system and their important role as habitat for many species of aquatic plants, birds, and other forms of wildlife. Based on these findings we must deny your application and ask that you locate an upland site for the pedestrian trail.

ORS 541.625(6) provides that any applicant whose application for a permit has been denied may request a hearing from the director. The request for hearing must be made in writing within 10 days of the denial and must set out specific reasons for requesting the hearing. The hearing, if requested, will be a contested case hearing conducted in accordance with ORS 183.413 through 183.470. All parties are entitled to be represented by an attorney.

If you have questions, please contact Bill Parks of my staff.

Sincerely,



Earle A. Johnson
Assistant Director
Environmental Permits Section

EAJ/amv
1060f

cc: Gene Herb, Oregon Department of Fish & Wildlife
Brent Forsberg, Oregon Department of Fish & Wildlife
Department of Land conservation and Development
Department of Environmental Quality
City of Sherwood ✓
Corps of Engineers
Environmental Protection Agency
U.S. Fish & Wildlife Service
National Marine Fisheries Service

APPROVED MINUTES

City of Sherwood

Planning Commission Meeting

October 21, 1987

1. **Call to Order:** Chairman Glen Warmbier called the meeting to order at 7:40 p.m. Commission members present were: Glenn Blankenbaker, Joe Galbreath, Glen Warmbier, Jim Scanlon and Marian Hosler. Consulting City Planner Carole Connell was also present.

2. **Approval of Minutes, September 21, 1987:** Joe Galbreath moved to accept the minutes as written. Mr. Blankenbaker seconded and the motion carried unanimously.

3. **Approval request of Quantum Meadows Preliminary Subdivision Plat:** Carole reviewed the Staff Report. She noted that the subdivision plan was set up into two phases, and approval is requested for both at this hearing.

Les Balsiger 1556 SE 7th Street, West Linn representing Quantum Meadows addressed the Commission. He said he was aware of the conditions set forth by staff and was in agreement. He had nothing further to add and asked for questions. Mr. Blankenbaker asked if the storm drainage from the property had been engineered. Mr. Warmbier advised there was a declared natural drainage into Rock Creek from that location. Mr. Balsiger also stated that Mr. Burton the engineer who drew the plats for the subdivision had investigated the property and also concurred it a natural drainage.

Mr. Blankenbaker moved to approve the Quantum Meadows Preliminary Subdivision plat subject to the Conditions in the Staff Report. Mr. Galbreath seconded and the motion carried unanimously. Conditions of Staff were as follows:

A. Within twelve (12) months after approval of the preliminary plat, a final plat for Phase I shall be submitted to the City, unless an extension up to six (6) months is approved by the Planning Commission. Final plat submittal shall comply with information requirements identified in Section 7.302.01 of the Development Code.

B. The approved preliminary plat and a final plat for Phase II shall include the dedication of Division Street from its current terminus just west of Mansfield Street, west across the entire frontage of Tax Lot 400, Map 2S 132 DA in accordance with City street standards.

C. Prior to final plat approval of Phase II, a lot line adjustment between Tax Lots 300 and 400 shall be approved by Washington County.

4. Review of Bilet Products compliance with DEQ noise standards.

Mr. Blakeslee of Bilet Products Company read the letter he had written to the Consulting Planner regarding the results of the DEQ testing. He noted that they were out of compliance by only 1-2 Db's and that seemed to be caused from the nail guns which had not been considered as a noise source problem. The noise from the hog and blower system did not present a noise problem and the sound proofing they had done was satisfactory. He requested a 60-day extension in order to install plastic screens over the doorways where the nail guns were operating. If this did not correct the problem, he said they would try other ways to buffer the noise.

Carole Connell advised the Commission members that she had talked with Terry Obteshka of DEQ by telephone and he concurred with the findings and explanations of Mr. Blakeslee. He would be sending a letter to that effect to the Commission.

Mr. Blankenbaker asked why they had waited until October 19 to get the DEQ test done. Mr. Blakeslee answered that was due to the fact that they did not actually go into operation until late August and it took some time to install the systems for noise control. They had not predicted a noise problem with the nail guns, however, and this seemed to be the source of their being out of compliance.

Mrs. Meltebeck of Merriman Street asked to address the issue. She said that the noise from Bilet was annoying and interrupted her sleep. She complained of the hours of operation from 9:30 p.m. to 4:30 a.m. Also Mr. Finch of Merriman Street agreed and said he has awakened with headaches since the plant has been in operation. Mr. Warmbier and Mr. Scanlon advised Mrs. Meltebeck and Mr. Finch that although the noise may be annoying to them, that it was under DEQ level standards. Mr. Blakeslee also noted that the night shift would be dropped in a week for the winter season.

Mr. Galbreath said he felt Bilet should be given the 60 days extension as they seemed to be concerned with meeting DEQ standards. Mr. Blankenbaker moved to grant the 60 day extension with the provision that if it is not in 100% DEQ compliance at the end of that time that the evening shift would be shut down until the plant came into compliance. Motion failed due to lack of a second. Mr. Blankenbaker then moved to grant the 60 day extension with the condition that Bilet meet DEQ standards 100% at the end of that time period and that Mr. Blakeslee return in 30 days with a status report on their progress. Mr. Scanlon seconded and the motion carried unanimously.

5. Requested Revision to Q.T. approval condition:

Mrs. Connell reviewed her letter to the Planning Commission regarding the condition of the partition approval that a legally binding statement agreeing to a City initiated plan amendment

which will zone Parcel "A" Neighborhood Commercial and Parcel "B" Medium Density Residential Low. She recommended that this condition be deleted from the partition approval since it really was unrelated and that the zoning of the property be addressed when other Hwy 99 commercial zoning is discussed later this year. Mr. Blankenbaker moved to drop the condition and leave the zone as is. Mr. Galbreath seconded and the motion carried unanimously.

6. Recommendation to Council regarding the Nels Anderson and Drill annexations: After discussion, Mr. Scanlon moved to recommend approval of the two annexations as proposed to City Council. Mrs. Hosler seconded and the motion carried unanimously.

7. Public Hearing:

A. Revisions to the Code regarding Noise Standards. Mr. Warmbier opened the public hearing and called for proponent testimony. Mr. Finch and Mrs. Meltebeck questioned Mr. Warmbier about the current system for measuring noise. Mr. Warmbier explained that the old system cannot be measured and was antiquated. By adopting the DEQ noise standards, it will be possible to measure noise and also enforce the standards. Mr. Warmbier opened opponent testimony. There was none. There being no further comments, the public hearing was closed. Mr. Galbreath moved to adopt the DEQ noise standards by reference. Mr. Blankenbaker seconded and the motion carried unanimously.

B. Revisions to the Code regarding the the City's Commercial Zones. Carole noted that Office Commercial was eliminated and that Neighborhood Commercial would continue to be used. Community Commercial has been changed to Retail Commercial with prohibitive uses being specified. Mr. Warmbier opened the public hearing and called for proponent testimony. There was none. He then called for opponent testimony and there was none. The public hearing was then closed. Mr. Warmbier said he felt that it would be prudent to consider the parcels of land and then zone them appropriately. After further discussion, Mr. Blankenbaker moved to recommend the approval of the wording of the City's Commercial Zones to the City Council. Mrs. Hosler seconded and the motion carried unanimously.

8. Letter from Division of State Lands regarding the trail at Smith Farm Estates: Commission discussed the letter and agreed that they could no longer require a trail at Smith Farm Estates since the State turned down the proposal. Commission asked Mrs. Connell to check as to whether the owners should supply money in lieu of the trail, since the trail had been denied. She is to advise at the next meeting.

There being no further discussion, meeting was adjourned at 9:15 p.m.

Rebecca L. Burns
Minutes Secretary