



P.O. Box 167
Sherwood, Oregon 97140
625-5522 625-5523

SHERWOOD PLANNING COMMISSION

August 4, 1986

AGENDA

- I. Call Meeting to Order
- II. Request for a Sign Permit by Dr. Alice Brown
- III. Public Hearing
 - A. Request for a Plan Map Amendment by Emilie List from High Density Residential (HDR) to Community Commercial (CC)
 - B. Sherwood Community Code Revisions



P.O. Box 167
Sherwood, Oregon 97140
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July 23, 1986

TO: Sherwood Planning Commission

FROM: Carole W. Connell
Benkendorf & Associates
Consulting City Planner

SUBJECT: Request for a sign permit to install a free standing sign about 14 square feet in size.

I. PROPOSAL DATA

Applicant: Dr. Alice Brown
Sherwood Vision Clinic
1405 N. Sherwood Blvd.
Sherwood, Oregon 97140

Location: 1405 N. Sherwood Blvd., across from the Sherwood Plaza and further described as Tax Lot 100, Map 2S 1 30D.

II. SHERWOOD CODE PROVISIONS

A. Chapter 2, Section 9.03C. Signs

III. FINDINGS OF FACT

- A.** The subject property is developed and has been through the design review process. The applicant is a new tenant who operates a vision clinic in the building.
- B.** The Code allows this parcel one multifaced, free standing sign up to 30 feet high and 165 square feet in size.
- C.** The requested sign is 14 square feet in size and about six feet in height.

- D. The sign is made of wood, has a white painted background with dark letters; is non-illuminated and has identical lettering on the two sides.
- E. The sign is to be located 30" from the sidewalk, outside of the Sherwood Blvd. right of way.

IV. RECOMMENDATION

Staff recommends approval of the sign permit.

Staff Use

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

CASE NO. _____
FEE 30⁰⁰ - Paid
RECEIPT NO. _____
DATE 7-18-86

Type of Land Use Action Requested

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

Owner/Applicant Information

NAME	ADDRESS	PHONE
Applicant: <u>Sherwood Vision Clinic</u>	<u>1405 N. Sherwood Blvd</u>	
Owner: <u>Dr. Alice T. Brown</u>	<u>Optometrist</u>	<u>625-8911</u>
Contact for		
Additional Info: <u>(Same as above)</u>		

Property Information

Street Location: 1405 N. Sherwood Blvd.

Tax Lot No. 25730D;100 Acreage _____

Existing Structures/Use: _____

Existing Plan Designation: _____

Proposed Action

Proposed Use: _____

Proposed Plan Designation: _____

Proposed No. of Phases (one year each): _____

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

Purpose and Description of Proposed Action: _____

Authorizing Signatures

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Alvin D Brown, O.P.
Applicant's Signature

7-18-86

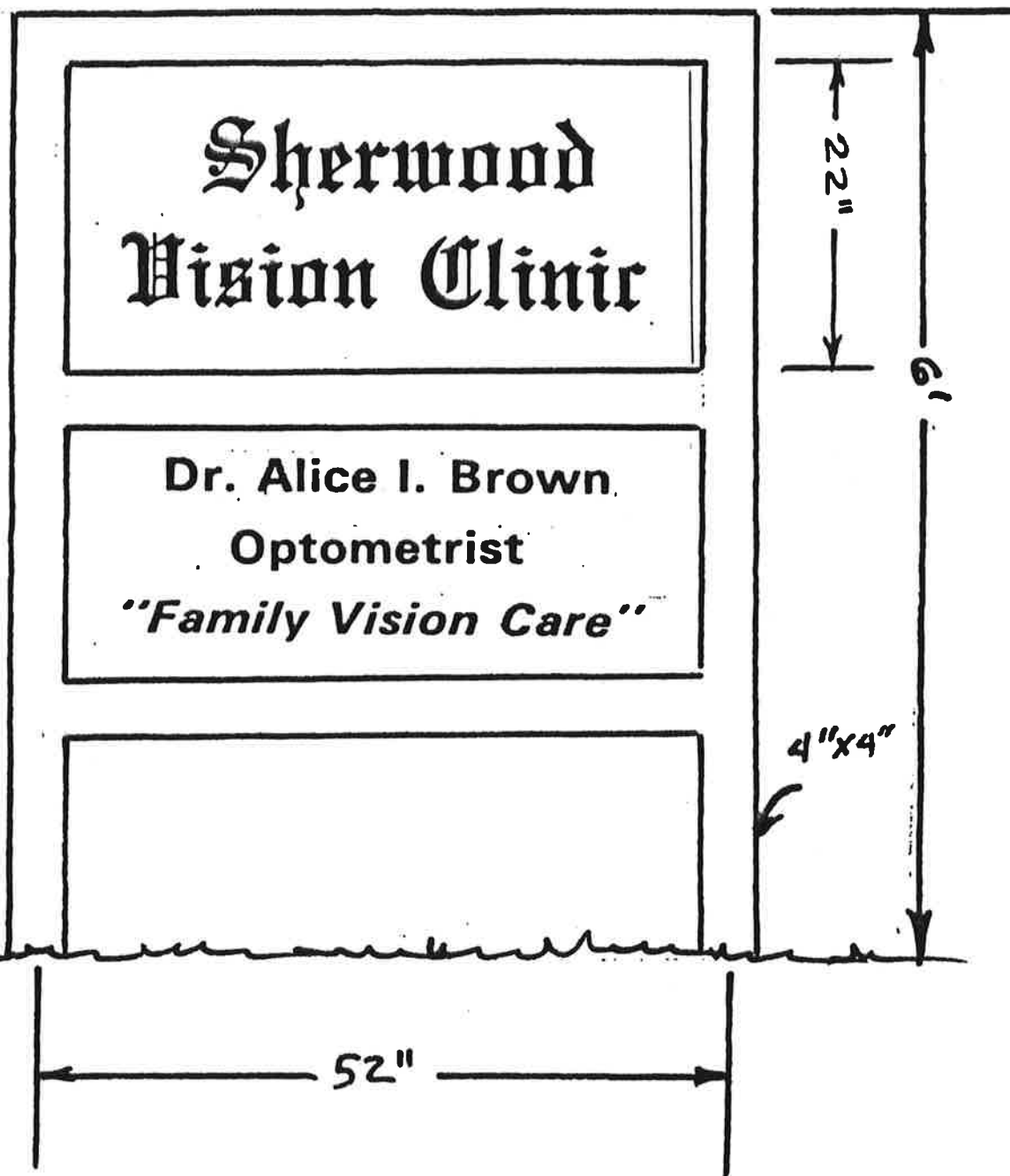
Alvin D Brown, O.P.
Owner's Signature

7-18-86

To Be Submitted With The Application

To complete the application submit nine (9) copies of the following:

1. A brief statement describing how the proposed action satisfies the required findings criteria contained in the Comprehensive Plan for the action requested.
2. Applicable existing conditions and proposed development plan information and materials listed in Part 3 Chapter 1 TABLE 4.04 of the Comprehensive Plan. The information in TABLE 4.04 which is applicable to a given application shall be determined during a preapplication conference with the Planning Department.

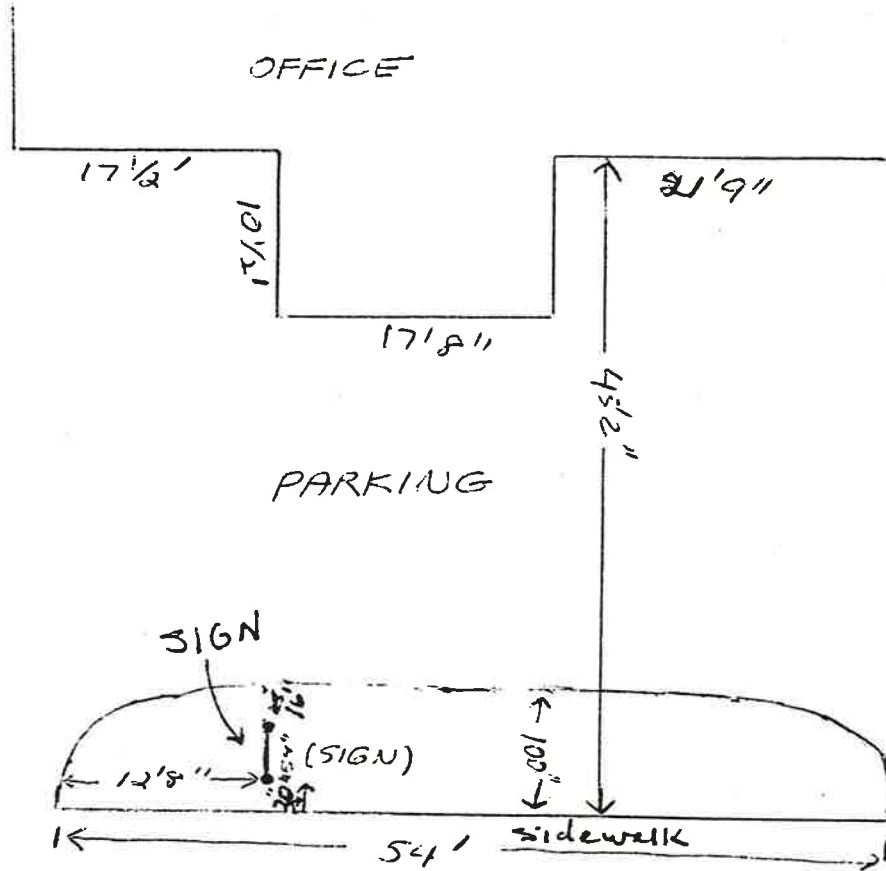


14 sq. ft.

- Wood posts
- White background (laminated)
- Dark letters
- Non illuminated
- Lettering repeated on both sides

PLOT PLAN

TANA'S



- Sherwood Blvd -



P.O. Box 167
Sherwood, Oregon 97140
625-5522 625-5523

PUBLIC NOTICE

The Sherwood Planning Commission will hold public hearings on Monday, August 4, 1986, at 7:30 P.M. in the Senior/Community Center, 855 No. Sherwood Blvd., on the following land use matters:

- 1) Request for plan map amendment for 2.7 acres, a portion of Lot 2S 1 30D: 1300, located at 21235 S.W. Pacific Hwy., from High Density Residential (HDR) to Community Commercial (CC).
- 2) Technical and non-policy related revisions to Part 3 of the Sherwood Comprehensive Plan (the Zoning and Community Development Code), reformatting the Code, correcting errors, eliminating redundancies, updating definitions, providing additional cross references, modifying procedural requirements, and incorporating previously enacted amendments.

Interested persons are invited to attend. Written testimony may be submitted to the City Hall.

Polly Blankenbaker
City Recorder

Publish July 24 and July 31, 1986

STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE TYPED: July 25, 1986

FROM: Carole W. Connell, Consulting Planner
Benkendorf & Associates

FILE NO.: 2271-44

SUBJECT: Request for a Minor Plan Map Amendment/Zone Change from Residential (HDR) to Community Commercial (CC)

I. PROPOSAL DATA

Applicant: Emilie S. List
21235 S.W. Pacific Highway
Sherwood, Oregon 97140

Owner: Same as above

Request: Minor Plan Map Amendment/Zone Change of 2.7 acres from High-Density Residential (HDR) to Community Commercial (CC) to operate a produce stand.

Location: 21235 S.W. Pacific Highway (Hwy. 99) and further described as Tax Lot 1300, Map 2S-1-30D.

II. BACKGROUND DATA

The total site size is 11.71 acres, although this request is for 2.7 acres. Historically, there has been a seasonal produce stand on Hwy. 99 to sell products grown on Mrs. List's land. The activity has been identified by a sign, "Gramma's Place," often consisting of just a box of apples and a place to leave money. After Mr. List died, the parcel was not farmed until recently, when Mrs. List leased the property to Mr. Don Wachlin, Jr., who is now growing crops there. He is also selling produce, flowers and

miscellaneous garden products. A small agricultural building has been constructed and located near the highway, and gravel has been laid to accommodate customer vehicles. Mrs. List was notified that her property is zoned residential and the increased commercial activity is in violation of the residential zoning. Therefore, she is requesting a Plan Map Amendment for a portion of the property so that Mr. Wachlin can continue to farm her land and sell products. He has organized a type of farm co-op, where neighbors can bring their products to sell at the List's stand.

III. SHERWOOD CODE PROVISIONS

A. Chapter 1, Section 3.00, Amendments

The proposed amendment is defined as a Minor Plan Map Amendment because the subject parcel is less than four acres.

B. Chapter 1, Section 4.00, Plan Compliance Review Process

C. Chapter 1, Section 7.00, Public Notice Requirements

D. Chapter 2, Section 2.11, Community Commercial (CC)

IV. SHERWOOD COMPREHENSIVE PLAN POLICIES

A. Commercial

1. In 1977, commercial development comprised only seven (7) percent of the land within the city limits and four (4) percent of the Planning Area.
2. Commercial development is concentrated in the two principle areas of Six Corners and downtown.
3. Sherwood has had to rely on the nearby communities of Tualatin and Tigard for many commercial services.

4. The Sherwood area is formally suited for various kinds of non-retail enterprises. Given the current shortage of suitable non-retail sites and inquiries to the City for additional space, an additional five acres are suggested by 1985 and an additional 25 acres is suggested by the year 2000.

B. General Objectives of Commercial Zones

1. To provide for commercial activities which are suitable to regional, community and neighborhood demand.
2. To locate commercial activities with safe and convenient access by consumers.
3. To encourage the location of commercial uses in well-planned commercial centers.

C. Commercial Policies and Strategies

1. Commercial activities will be located so as to most conveniently serve customers.
2. Commercial uses will be developed as so to complement rather than detract from adjoining uses.
3. The Community Commercial designation is primarily intended to provide areas for retail and service uses which are of a type and size to serve community-wide needs consistent with sound site planning.

D. Residential

1. Residential growth in Sherwood has been slow since 1970 due to a lack of sewer treatment capacity. Growth between 1970 and 1977 has averaged 41 units per year. Following a hookup to the Durham Treatment Plan in 1980, a sharp upturn in residential housing starts of all types is expected. With an adequate complement of public

services, the current growth rate is projected to more than triple from 130 to 160 new units per year. An additional 976 units by 1985 and 3,262 units by 2000 will be needed to accommodate new population expected to locate in Sherwood, assuming "strong growth" conditions.

2. Developed residential uses in Sherwood are currently characterized by single-family units on larger lots and low-density multi-family developments. The current single-family/multi-family mix of 74% to 26%, when compared to the regionally defined year 2000 target of 65% to 35%, reveals a need to develop additional multi-family units.

V. FINDINGS OF FACT

- A. The subject property is about 12 acres in size and is zoned High-Density Residential (HDR). The request is to split the Plan and Zone designation on the property. This will result in 2.7 acres planned and zoned Community Commercial (CC), with the remaining 9 acres retaining the existing HDR designation.
- B. The use of the parcel historically and today is a single-family residence and cultivated crops. The site is relatively flat, with a slight slope to the southwest towards Cedar Creek. There is heavy vegetation on the subject site and adjoining parcels.
- C. Surrounding land uses and streets include a mobile home park to the south; residential and Edy Road to the west; vacant land and Hwy. 99 to the east; and residential and commercial uses to the north.
- D. Because the parcel is under 4 acres, the request is for a Minor Plan Map Amendment to change the HDR designation to CC.
- E. Access to the parcel is available from Hwy. 99 and Edy Road. The produce stand is visible and accessible from the highway. The parcel has three highway access driveways. A bicycle/pedestrian path is adjoining the highway. Small directional signs are located on the property, guiding customers in and out of the site.

- F. There are no designated recreational resources adjoining the site, but the Cedar Creek Greenway is in the area.
- G. Tri-Met bus service is available at the Six Corners intersection.
- H. There is a 10" water line and an 8" sanitary sewer line in Edy Road. A City sewer main is located in the nearby Cedar Creek. There are no storm drains. The property is served by Sherwood City Police and the Tualatin Fire District.
- I. Commercial zoning adjoins the site on the north and east sides. Residential zoning adjoins the site on the south and west sides. The subject site lies directly across Hwy. 99 from the large, vacant commercial site identified as Sherwood Plaza II.
- J. Several Comprehensive Plan policies encourage economic development and the Sherwood City Council has indicated an interest in increasing the amount of commercial zoning in the Six Corners and Highway 99W areas. A response to the commercial plan policies in Section IV of this report follows:
1. The site is centrally located and easily accessible for commercial use. The proposed use will not create undue congestion or produce substantial conflicts with the established land use pattern. Adequate urban services are planned for the site. The property owner is part of the Cedar Creek L.I.D.
 2. The proposed amendment is not in conformance with the Comprehensive Plan's residential designation for this parcel. There is, however, Community Commercial zoning on two sides of the subject parcel.
 3. Redesignating this site commercial will result in continued strip commercial development on Highway 99W and will increase commercial development clustered around Six Corners.

4. The Sherwood Comprehensive Plan indicates an overall shortage of commercial land, and a need to add a total of 30 acres to the commercial inventory by the year 2000. The Bond Zone Change in the Spring of 1986 added 2.7 acres to the commercial inventory. Further, there are many large undeveloped parcels of land planned for residential use.
 5. Due to its proximity to Six Corners and Highway 99W, the subject parcel is appropriate for commercial use.
 6. The proposed use will decrease the amount of land zoned for high-density residential by about 2.7 acres, but will increase the amount of land planned for commercial use, a need identified in the Comprehensive Plan. Approval of this request will add a total of approximately 5 acres of additional commercial land since adoption of the Plan.
- K. The loss of 2.7 acres of HDR land results in a loss of approximately 42 potential housing units.
- L. The projected demand for housing in Sherwood has not occurred. In 1985, approximately 60 residential building permits were issued, not the projected 130 to 160 each year.
- M. The proposed amendment will allow a non-conforming commercial operation that has been in existence for many years to expand from a home occupation level to a commercial produce sales business. The interim agricultural use of the land will not change, except in the area where products are to be sold. Significant change from the existing scale of development will require design review, if this application is approved.
- N. LCDC, the Tualatin Fire District and Washington County have been notified of this request.

VI. CONCLUSION AND RECOMMENDATION

- A. The proposed amendment is not in conformance with the Comprehensive Plan Map, which designates the parcel high-density residential. The proposed amendment complies with the Plan text, which identifies a need for additional commercial land and which has over-estimated residential needs.
- B. The owners of the subject parcel have operated a produce sales stand for many years. The proposed amendment legalizes the retail operation and would permit an increase in activity. Without the commercial designation, the applicant is limited to an operation that complies with the home occupation provisions, restricted to the sale of their products only. The applicant is providing an opportunity for small-scale farmers in Sherwood to sell their products locally. Agriculture is an appropriate interim land use in the city until urbanization occurs. As development increases, pressure to utilize the subject parcel for commercial purposes is likely. It is in the public interest to convert a non-conforming use to a legal activity and to allow an operation that provides a service to local farmers and residents.
- C. The site has adequate Highway 99 access and facilities sufficient for the level of commercial activity.
- D. A similar activity, the Cherry Tree Produce Stand, is located on the other side of the highway about half a mile south of the subject parcel.
- E. There will be no increase in density or building activity without City design review.
- F. The seasonal produce sales from the site have occurred for many years and it is unlikely that there will be any effect on adjoining property values from the proposed amendment.

G. The proposed amendment will allow an existing agricultural resource to be retained until urbanization pressures cause redevelopment of the site. Because of the proximity to Six Corners and other commercially zoned parcels in the immediate area, and because of the Hwy. 99 frontage, future commercial use of a portion of this site is logical.

RECOMMENDATION

Staff recommends approval of the Plan Map Amendment with the following condition:

1. Until a complete development plan is approved by the City, the produce sales business shall be on a seasonal basis only, for a maximum of 6 months in a calendar year.

Staff Use

CASE NO. 2271-44
FEE \$450.00
RECEIPT NO. 7019
DATE 7-9-86

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

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:	EMILIE S. LIST	21235 SW Pacific Hwy.	625-7837
Owner:	EMILIE S. LIST		
Contact for			
Additional Info:	EMILIE S. LIST	"	"

Property Information

Street Location: 21235 SW Pacific Hwy

Tax Lot No. 2S1 30D = 1300 Acreage _____

Existing Structures/Use: one DU and outbuilding

Existing Plan Designation: High Density Residential (HDR)

Proposed Action

Proposed Use _____

Proposed Plan Designation Community (CC) ~~General Commercial (GC)~~

Proposed No. of Phases (one year each) ONE

Standard to be Varied and How Varied (Variance Only) N.A.

Purpose and Description of Proposed Action: 2.7 Acres adjoining Hwy 99W proposed for plan amendment from HDR to CC.

Authorizing Signatures

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Emilie S. List

Applicant's Signature

7-9-1986

Emilie S. List

Owner's Signature

7-9-1986

To Be Submitted With The Application

To complete the application submit nine (9) copies of the following:

1. A brief statement describing how the proposed action satisfies the required findings criteria contained in the Comprehensive Plan for the action requested.
2. Applicable existing conditions and proposed development plan information and materials listed in Part 3 Chapter 1 TABLE 4.04 of the Comprehensive Plan. The information in TABLE 4.04 which is applicable to a given application shall be determined during a preapplication conference with the Planning Department.

July 8-1986

Dear City of Shrewsbury.

I have with an application for a zoning change, for the front part of my property, the part facing the Parker Hwy. I am high density to commercial.

As is the I want my land to Don Washington's. As is the operator and owner of the stand on this property.

My husband and I had permission from the State, to all products, that were grown on

this property, since 1941

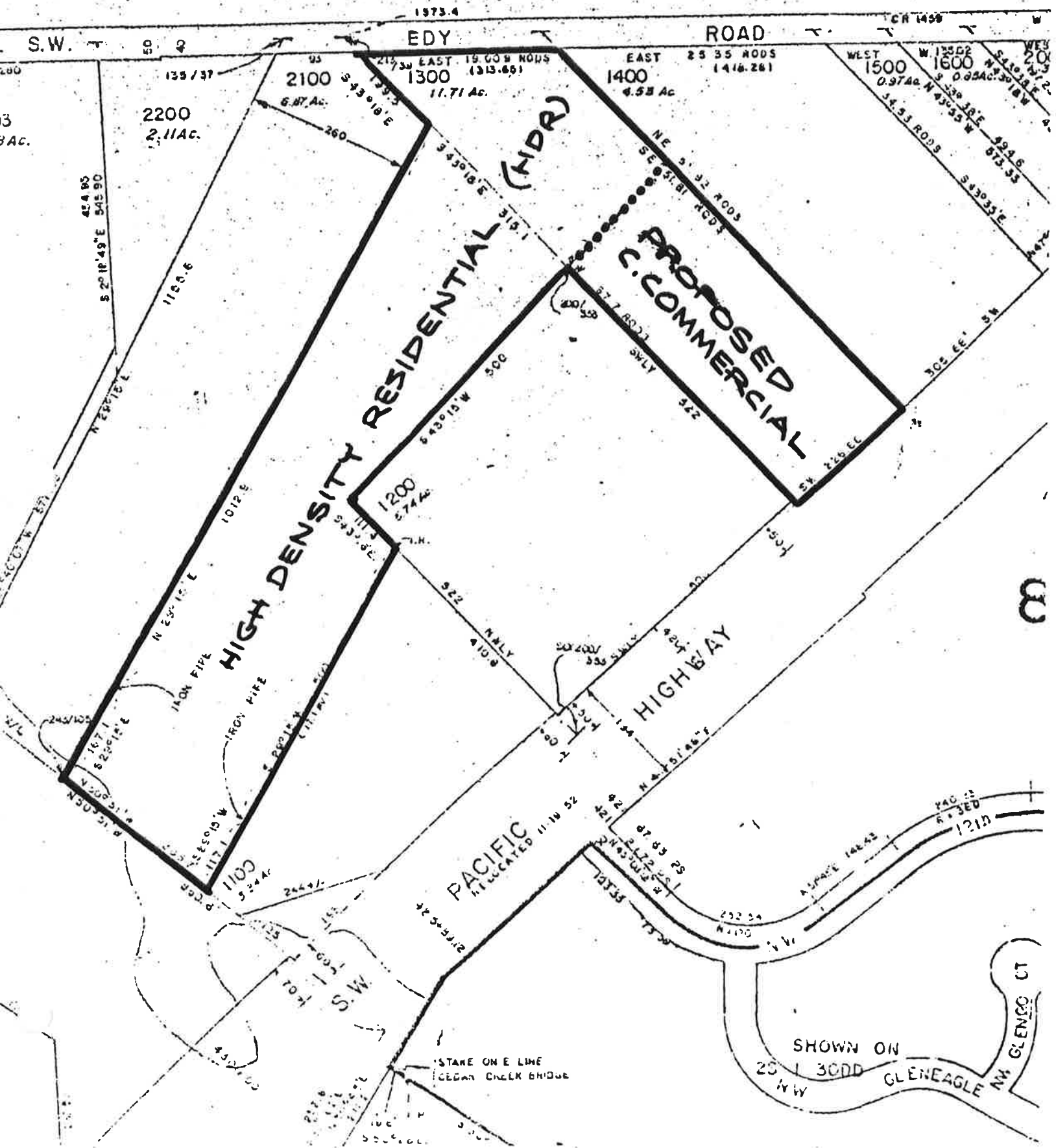
Don had done a beautiful job of clearing it, and making it productive. He of course would like to spend the stand. I was hoping the stand permit, would help me pay off my water meter (\$98) account, with amount of \$23,131.47 I hope you will approve my request, sincerely, Pamela S. Grant

WASHINGTON COUNTY, OREGON

SCALE 1"=200'

SEE MAP

25 1 30A



ADDITIONAL INFORMATION RE. APPLICATION FOR MINOR PLAN AMENDMENT
BY EMILIE S. LIST

DATE OF SUBMISSION: JULY 8, 1986

SUBJECT: RESPONSE TO TABLE 4.04 AND LIST OF PROPOSED FINDINGS.

LOCATION: Tax Map 2S1 30D: Lot 1300

APPLICABLE STANDARDS FOR REVIEW:

Chapter 1, Section 5.00 of the Sherwood Comprehensive Plan

PROPOSED PLAN DESIGNATION: E. List is applying for a rezoning of the portion of her property that abuts SW Pacific Highway to COMMUNITY COMMERCIAL (CC). This portion encompasses 2.7 acres and lies between SW Pacific Hwy and a hypothetical line extending from the Northwest property line of neighboring tax lot 1200 (Driftwood Trailer Park) to the property line of neighboring tax lot 1400 (Oyler Property). See enclosed map.

COMMUNITY FACILITIES AND SERVICES:

Water: 10" line on Edy Road.

Sanitary Sewer: Cedar Creek trunk line and 8" line on Edy Road.

Storm Drains: None improved.

Public Safety: Property is served by City Police and Tualatin FPD.

TRANSPORTATION ACCESS:

Access to proposed CC portion is via direct access to SW Pacific Hwy. by three easements. The highway provides space for pedestrian and bike traffic as well as automobile traffic. Remaining Northerly HDR portion of the property has one easement to Edy Road. At some time in the future, improvements of the CEDAR CREEK GREENWAY will provide additional pedestrian and bicycle access to the remaining HDR portion.


EMILIE LIST APPLICATION

PROPOSED FINDINGS:

1. Applicant seeks Minor Plan Amendment from HDR to CC for a portion of her property abutting SW Pacific Highway.
2. Water and Sewer services are adequate. Fire and Police access will remain adequate and unaffected by proposed change.
3. Proposed CC portion abuts CC designation on the NE (Oyler Property).
4. Local Improvement Districts for water and sewer have been formed to serve entire tax lot. The formation of these districts is based on the City's policy goal of encouraging more commercial activity on subject property.
5. Proposed combination of agricultural and commercial activity is aesthetically pleasing to the surrounding properties, and supportive of the basic philosophy of Oregon land use laws which seek harmony between and rural uses.
6. Proposed plan amendment is consistent with the goals and objectives of the Sherwood Comprehensive Plan. In the short term, Mrs. List will be providing a commercial center for agricultural products from farms around Sherwood. However, proposed plan amendment would also allow for the expansion of these activities in step with increased demands of urbanization.

July 24, 1986

TO: Planning Commission

FROM: Jim Rapp, City Manager 

RE: Community Development Code Revisions

Attached find an amended draft of the Community Development Code. This amended draft includes all changes incorporated since June, as per my previous memorandums. PLEASE DISCARD ALL OTHER VERSIONS OF THE REVISION.

Ten changes have been made as per the Commissions' July 21 meeting to discuss the Code revisions. These include definitions for "ex-parte contact", "extra capacity improvements", and "net buildable acre". Permitted and conditional use lists in commercial and industrial zones have not yet been alphabetized, this will be done prior to final adoption.

The Commissions' public hearing is scheduled for August 4, with the Councils' hearing on September 10.

cc: Carole Connell
Derryck Dittman

APPROVED MINUTES

PLANNING COMMISSION

August 4, 1986

Glen Warmbier called the meeting of the Sherwood Planning Commission to order. Commission members present were Walt Hitchcock, Joe Galbreath, Ken Shannon, and Clarence Langer. David Crowell, Grant McClellan, and Marian Hosler were absent. Consulting Planner Carole Connell, and Director of Finance and Administrative Services Polly Blankenbaker were also present.

Request for a Sign Permit by Dr. Alice Brown

Ms. Connell presented the staff report on the requested sign permit.

Dr. Brown informed the Commission the sign would have a laminated reflective background and would not be lit. Mr. Hitchcock asked Dr. Brown how long she had been open. Dr. Brown replied 3 years in the mall. She relocated her office on June 6. She was pleased to report, business has improved at her new location.

Mr. Galbreath moved to allow the sign as requested. Mr. Shannon seconded the motion. The motion carried.

PUBLIC HEARING - REQUEST FOR A PLAN MAP AMENDMENT BY EMILIE LIST FROM HIGH DENSITY RESIDENTIAL (HDR) TO COMMUNITY COMMERCIAL (CC)

Ms. Connell explained the request is to split the zoning on the property. A zone change is being requested on 2.7 acres of the total 11.71 acres. The 2.7 acres is being leased to Don Wachlin for farming and produce selling. Ms. Connell reviewed the staff report. Ms. Connell said she had reconsidered her recommendation limiting this to a 6 month business.

Mrs. List, the applicant, said she had nothing to add to the staff report.

Mr. Warmbier invited proponent testimony. There was none.

Mr. Warmbier invited opponent testimony.

Ms. Oyler, a neighboring property owner, said she was not opposing, but did have some questions. Ms. Oyler asked if Mr. Clyde List planned to expand his sign business. Mr. List replied he had been trying to close it down. Ms. Oyler asked if Oregon, Dept. of Transportation had been contacted? Ms. Connell said no.

Planning Commission
August 4, 1986

Mr. Hitchcock asked the applicant if there were any plans for developing that site in the next year or two? Mrs. List replied that the shack belongs to Don and she didn't think he had any plans to expand.

Mr. Hitchcock expressed concern about traffic safety and said the Commission will have to address this issue at some time.

Mr. Shannon felt the property along the highway should be commercial.

Mr. Hitchcock said he hoped future developments along 99W will be coordinated with ODOT.

Mr. Galbreath moved the Planning Commission recommend approval of the zone change request with no restrictions. Mr. Shannon seconded the motion. The motion carried.

Ms. Connell informed the Planning Commission that the application will go to the Council in September.

PUBLIC HEARING - TECHNICAL AND NON-POLICY RELATED REVISIONS TO PART 3 OF THE SHERWOOD COMPREHENSIVE PLAN (THE ZONING AND COMMUNITY DEVELOPMENT CODE), REFORMATING THE CODE, CORRECTING ERRORS, ELIMINATING REDUNDANCIES, UPDATING DEFINITIONS, PROVIDING ADDITIONAL CROSS REFERENCES, MODIFYING PROCEDURAL REQUIREMENTS, AND INCORPORATING PREVIOUSLY ENACTING AMENDMENTS

Ms. Connell identified changes requested by the Planning Commission. She noted additional definitions.

Mr. Warmbier called for proponent testimony. There was none.

Mr. Warmbier called for opponent testimony.

Mrs. Marjorie Stewart asked about the definition for floodway fringe. She felt it was vague.

Mr. Shannon moved the Commission recommend to the Council adoption of the draft dated July 24, 1986. Mr. Hitchcock seconded the motion. The motion carried.

The meeting was adjourned at 8:32 p.m.

Polly Blankenbaker
Recorder