

SHERWOOD PLANNING COMMISSION

AGENDA

Thursday  
September 15, 1983

- I. Reading and Approval of Minutes of August 25th.
- II. Announcements and Correspondence
- III. Public Hearing

Case No. PTA-83-01  
Planning Commission Initiated Amendments to the Sherwood  
Community Development Code pertaining to the Definition and  
Regulation of Adult Businesses.

- IV. New Business  
Gregory Park PUD - Request for Unit Type Change
- V. Next Meeting Agenda

# **APPROVED MINUTES**

Sherwood Planning Commission  
Minutes  
September 15, 1983

The meeting was called to order by the Chairman, Gene Stewart. In attendance at the meeting were Cathy Navarra, Arthur J. Horne, Jr., Dwight Minthorne, Sally Howard, Gene Stewart, and Todd Dugdale.

The minutes of the previous meeting of August 25, 1983 were approved as presented.

Mr. Dugdale announced that Washington County was having a growth management conference on September 24, 1983 and any members interested were invited to attend. The city would pay the \$5.00 fee for anyone interested in attending. On September 19, 1983 the city is facilitating a discussion with Tri-Met concerning the possibility of transit services between Sherwood and Tualatin. He explained that the service may be difficult to obtain in view of Tri-Met's announcement of cutbacks. Tri-Met has scheduled a hearing on September 27, 1983 to consider cutbacks of service and in particular, Sherwood service. The city has been successful in its application for grant funding for a new library. The state announced approval of a \$125,000 grant towards the completion of a first phase development on the senior center site. It was announced that 1000 Friends of Oregon is trying to get LCDC to make Washington County not develop its special regulated agricultural areas until 1990, which Sherwood's southwest area is considered to be a part of. There are several public works projects under. The Sunset Blvd. and Cedar Creek sewer projects are under way. They have had trouble with the weather cooperating. The council awarded a bid on the Murdock Road street and sewer improvements. Old World Development is still intending to go ahead with their project but they are having some problems with adequate water service to the site.

A public hearing on Case No. PTA-83-01, Planning Commission Initiated Amendments to the Sherwood Community Development Code Pertaining to the Definition and Regulation of Adult Businesses was opened by the Chairman. Todd Dugdale reviewed the issue with the commission stating that this issue arose with the undertaking of a tavern and business that had nude dancing as part of its entertainment. In response to the public reaction to this use the City Council held a public hearing on February 22, 1983 to hear citizen testimony concerning the need to regulate adult businesses. After the hearing the City Council directed the staff to prepare a draft revision to the comprehensive plan regulating adult business. The staff, with the help of the city attorney, investigated other area efforts prohibiting or regulating adult businesses and made several findings. The first finding was that this type of business was constitutionally protected under the free expression clause of the 14th amendment. The approach then taken was how to regulate those businesses. One approach taken was to regulate what transpired in the building and the other was to regulate where such businesses were allowed to site. The latter approach is what

is presented in the staff report. Mr. Dugdale further described what was being recommended in terms of the zoning approach. The first thing the proposed ordinance would do would be define an adult business and then prohibit its location in the Community commercial zone, office commercial zone, neighborhood commercial zone and light industrial zone. The adult businesses would be permitted in the general commercial zone with several restrictions. Several commission members questioned whether the city had to allow this type of business at all. Mr. Dugdale explained that, yes that was the conclusion they drew from their investigations. Cathy Navarra questioned that if businesses were allowed in this zone would they be allowed to do what they wanted. Mr. Dugdale explained that there was a state obscenity law that could be enforced but that, yes the businesses could do pretty much what they wanted. Mr. Stewart questioned whether the definition of an adult entertainment business was too vague and what about businesses that make more than fifty percent of their money from food, bar, etc. Several members then questioned whether the boundaries could be changed to restrict the number of adult entertainment businesses allowed. A motion was made to accept the staff recommendations except changing the footage to 1000' between businesses and within 500' of sensitive areas. Motion was seconded and passed 4 - 2.

A request for a Unit Type Change of Gregory Park PUD was made. Mr. Dugdale explained that Gregory Park Estates was approved as a planned unit development with manufactured housing. The developer has asked the city for a minor revision allowing stick built houses rather than manufactured, modular homes to be placed on lots 14 through 41. The commission questioned whether any of the other plans would also be changed as pertains to landscaping, open spaces, etc. Mr. Dugdale stated that all they were asking was to allow stick built structures rather than manufactured units and that the rest of the plans would remain as approved. A motion was made to accept the request by Alpha Engineering, Inc. dated March 25, 1983 to allow stock built units rather than manufactured units on lots 14 through 41. Motion was seconded and unanimously passed.

Mr. Stewart asked that at the next meeting, October 6, 1983 Mr. Dugdale bring what data he has on a historical perspective for Sherwood, any minor language changes, data base for growth management and transportation revisions. He also asked that all commission members read through Book 1 so that they can start on a revision.

Meeting was adjourned.

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Mary L. Holland  
Minutes Secretary