

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 646

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE No. 588, "The City of Sherwood Zoning Ordinance," TO INCLUDE THEREIN SECTION 4.15 SITE DEVELOPMENT PLAN REVIEW, INCIDENT TO ISSUANCE OF BUILDING PERMITS WITHIN R-3, C-1, C-2, R-T, I-1 zones, IN UNREZONED ANNEXED AREAS, AND FOR CONDITIONAL USES; PRESCRIBING PROCEDURES; PRESCRIBING EFFECTIVE DATE AND DECLARING AN EMERGENCY.

THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1 The City Council finds that pursuant to Chapter 227 Oregon Revised Statutes and Ordinance No. 588, the amendments to said zoning ordinance hereinafter set forth, after due and legal notice, were submitted to public hearing by the Planning Commission on March 12, 1974, and that the Planning Commission thereafter made its written recommendations with respect hereto to the Council.

Section 2 The Council further finds that after due and legal notice a public hearing was held by the City Council on March 27, 1974, whereat all interested persons were afforded an opportunity to be heard with respect thereto, and the Council further finds that all legal and proper actions have been taken and conditions precedent fulfilled with respect to the amendments to the City's zoning ordinance as hereinafter set forth, and that said amendments are necessary to effectuate the purposes and objectives hereinafter set forth.

Section 3 That Ordinance No. 588 - The City of Sherwood Zoning Ordinance - be, and the same is hereby amended and supplemented by adding thereto the following section to Article IV, Supplementary Regulations and Exceptions:

"Section 4.15 Site Development Plan Review

Subsections:

- 4.15.010 When required.
- 4.15.020 Purpose.
- 4.15.030 Contents.
- 4.15.040 Usable open space and recreation areas
--R-3 zone and R-T zone.
- 4.15.050 Landscaping and screening--R-3 zone and R-T zone.
- 4.15.060 Landscaping and screening--C-1 and C-2 zones.
- 4.15.070 Landscaping and screening--T-1 zone.
- 4.15.080 Additional standards.
- 4.15.090 Planning commission action and findings.
- 4.15.100 Validity period.
- 4.15.110 Appeals.

"4.15.010 When required. In the R-3, C-1, C-2, R-T and I-1 zones, and within any areas annexed to the City for which county zoning continues to apply pursuant to state statute, and for conditional uses within all zones, building permits and certificates of occupancy shall be issued in accordance with a site development plan approved by the planning commission, or a subcommittee of the planning commission, for the lot or tract on which the proposed use, uses or major remodelings and additions are to be located.

"4.15.020 Purpose. The purposes and objectives of the site plan review authority by the planning commission are to:

- (a) Bring the proposed development into conformance with the standards and policies of the Sherwood zoning plan;
- (b) Encourage originality, flexibility, and innovation in site planning and development;
- (c) Conserve the city's natural beauty and visual character by insuring that structures, signs and other improvements are properly related to their sites, and to surrounding sites and structures;
- (d) Protect and enhance the city's appeal to tourists and visitors and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial properties;
- (e) Stabilize and improve property values and prevent blighted areas and, thus, increase tax revenues;
- (f) Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and, thus, decrease the cost of governmental services;
- (g) Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvement, and to attract new residents by reason of the city's favorable environment.

"4.15.030 Contents. A prospective applicant for a building permit or certificate of occupancy whose site is subject to development plan review shall submit to the planning commission a site development plan which includes the following elements;

- (a) A site plan, drawn to scale, showing topography and final grading, the location of all buildings and structures, signs, uses, driveways, bicycle paths, pedestrian walks, landscaped areas, fences, walls, off-street parking and loading areas, and railroad tracks. The site plan shall indicate the location of entrances and exits and the direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas of turning and maneuvering vehicles. The site plan shall also indicate how utility service and drainage are to be provided;
- (b) A general site plan, showing adjoining properties, streets, buildings, driveways, and other improvements;
- (c) A landscape plan, drawn to scale, showing the location of existing trees, four (4) inches or more in diameter, proposed to be removed and to be retained on the site, the location and design of landscaped areas, the varieties and sizes of trees and plant materials to be planted on the site, other pertinent landscape features and irrigation systems required to maintain trees and plant materials;
- (d) Architectural drawings or sketches, drawn to scale, and all elevations of the proposed structures and other improvements as they will appear on completion of construction;
- (e) At the time of the filing of the application for approval of a Design Review Plan, the applicant shall pay a fee to be determined from the following schedule:

<u>Project Value</u> (as determined for building permit purposes)	<u>Fee Required</u>
less than \$49,999.00	\$40.00
\$50,000.00 to \$99,999.00	80.00
\$100,000.00 to \$999,999.00	150.00
Over \$1,000,000.00	175.00

A request for modification of an approved Design Plan, shall be accompanied by a fee equal to one-half (1/2) of the original fee required under this sub-section.

"4.15.040 Usable open space and recreation areas -- R-3 zone and R-T zone.

(1) An area or areas for usable open space and recreational purposes shall be provided in multi-family developments. A minimum of two hundred square feet of recreation area shall be provided for each of the first twenty (20) dwelling units; two hundred fifty square feet for units twenty-one (21) through thirty (30); and three hundred square feet for each unit over thirty (30). The surface area of recreation buildings, including swimming pools, may be included in computing the minimum size of the area. Recreation areas shall not be located in required yards, parking or maneuvering areas.

Table for Computing Multi-family open space requirements:

<u>Dwelling units</u>	<u>Minimum Square Feet</u>
10	2,000
20	4,000
30	6,500
40	9,500
50	12,500
60	15,500

(2) An area or areas for useable open space and recreational purposes shall be provided in mobile home parks and courts in compliance with the requirements of Section 3.04(6)(c), of this ordinance.

"4.15.050 Landscaping and screening--R-3 zone and R-T zone.
Landscaping and screening requirements for the R-3 zone and R-T zone shall be as follows:

(1) All areas in an apartment complex or mobil home park or court not occupied by structures, paved roadways, walkways or patios shall be landscaped and maintained. The front 12 feet from the street right-of-way shall be landscaped to include evergreen shrubs or a combination of lawn, evergreen or deciduous shrubs and trees, and/or perennial or annual flowers.

(2) Landscaping and other improvements shall be established and maintained to provide an attractive setting and privacy for the occupants, including buffers or other improvements which shall effectively screen the development from any adjoining single family dwelling.

(3) All off-street parking and maneuvering areas shall be substantially screened from view on the public right-of-way by evergreen shrubs. Tree and shrub plantings within parking areas shall be provided and maintained at approximately 70 feet on center each way.

(4) Landscaping shall be installed prior to issuance of occupancy permits, unless security equal to the cost of the landscaping as determined by the city planner is filed with the city assuring such installation within 6 months after occupancy. "Security" may consist of a faithful performance bond payable to the city, cash, certified check or such other assurance of completion approved by the city attorney. If the installation of the landscaping is not completed within the 6-month period, the security may be used by the city to complete the installation.

(5) All landscaping shall be continually maintained in a substantially similar manner as originally approved by the planning commission, unless altered with commission approval.

"4.15.060 Landscaping and screening--C-1 and C-2 zones. Landscaping and screening requirements for C-1 and C-2 zones shall be as follows:

(1) Tree and shrub plantings within parking areas shall be provided and maintained at approximately 70 feet on center each way.

(2) All areas not occupied by paved roadways, structures, or walkways shall be landscaped. A minimum of the front 10 feet from the street right-of-way shall be landscaped.

(3) Not less than 10% of the total lot area shall be landscaped.

(4) Installation and maintenance of landscaping shall comply with the requirements of sub-section 4.15.050 (4) and (5).

"4.15.070 Landscaping and screening--I-1 zone. Landscaping and screening requirements for I-1 zone shall be as follows:

(1) Tree and shrub plantings within parking areas shall be provided and maintained at approximately 70 feet on center each way.

(2) All areas not occupied by paved roadways, structures, or walkways shall be landscaped. A minimum of the front 10 feet shall be landscaped to include any or a combination of any of the following: lawn, evergreen or deciduous trees or shrubs, and perennial or annual flowers.

(3) Installation and maintenance of landscaping shall comply with the requirements of sub-section 4.15.050 (4) and (5).

"4.15.080 Additional standards. All utility service lines shall be placed underground.

"4.15.090 Planning commission action and findings.

(a) In reviewing the proposed site development plan the planning commission shall consider the purposes and standards of the Sherwood zoning ordinances and the community plan with a view to achieving a maximum of safety, convenience and amenity for the subject property and adjoining properties. To these ends the planning commission shall consider the location of buildings, parking areas, and other features with respect to the topography of the lot and its existing natural features such as trees and slope, the efficiency, adequacy and safety of the proposed layout of internal streets and driveways, the adequacy and location of the green area provided, bearing in mind the possible effects of irregularly-shaped lots; the adequacy, location and screening of parking lots; and the adequacy of covenants, agreements or other specific documents concerning the ownership and maintenance of any common land.

(b) If the planning commission finds that a proposed site development plan does not meet the purposes of these regulations, it shall disapprove the plan and shall submit its findings in writing, together with reasons to the applicant.

"4.15.100 Validity period. A site development plan approved by the planning commission shall remain valid for a period of one year following the date of its approval. If at the end of that time construction has not begun, then the site plan approval shall lapse and shall be in effect only if resubmitted to the planning commission and again approved. All construction and development under any building permit shall be in accordance with the approved site development plan. Any departure from such plan shall be a cause for revocation of a building permit or a denial of an occupancy permit. Any proposed changes in an approved plan shall be submitted to the planning commission for review and approval. Site development shall be completed before issuance of occupancy permits, unless an extension of not longer than 6 months is granted by the planning commission.

"4.15.110 Appeals. The applicant for site development plan approval, the City Administrator or City Planning Director, or any substantially aggrieved property owner within 200 feet of the outer boundaries of the property involved in the planning commission decision, shall have the right to appeal the decision of the planning commission to the City Council. Notice of the appeal shall be filed in writing with the City Recorder within 10 days after the Planning Commission has recorded its decision and submitted its findings in writing to the applicant. The council shall review the entire record of the application and may affirm, modify or establish such other or additional conditions to the decision as it may deem appropriate regarding such application consistent with the intent of this article."

Section 4: Inasmuch as it is necessary for the peace, health and safety of the people of the City of Sherwood to provide a legal means of controlling and providing for orderly location, development, use and occupancy of lands, and to promote the general welfare of the people of the City of Sherwood, an emergency is hereby declared to exist and this ordinance shall be effective upon its enactment by the Council and approval by the Mayor.

PASSED: By _____ vote of all Council members present, after being read three times by title only and in full once this _____ day of _____, 1974.

Majorie Stewart
Recorder - City of Sherwood

APPROVED: By the Mayor, this _____ day of _____, 1974.

Jack O. Harper
Mayor - City of Sherwood