

## CITY OF SHERWOOD, OREGON

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AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO APPLICATION OF CLARENCE D. LANGER AND LILLIAN L. LANGER, HUSBAND AND WIFE, FOR CHANGE OF ZONE CLASSIFICATION FROM B-4 (GENERAL EXTENSIVE DISTRICT COMMERCIAL) TO C-2 (CITY GENERAL COMMERCIAL) WITH RESPECT TO A PORTION OF TAX LOT 200, WASHINGTON COUNTY MAP NO. 2S129C, IN THE CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON, GRANTING APPLICATION FOR CHANGE OF LAND USE CLASSIFICATION AND FIXING AN EFFECTIVE DATE.

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THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council finds that the lands hereinafter described have heretofore been and now are classified B-4 (General Extensive District Commercial) pursuant to the authority and zoning ordinances of Washington County; that on or about June 19, 1974, said lands were annexed to the City of Sherwood.

Section 2: The Council further finds that pursuant to prescribed procedures application for change of zone of said lands from county B-4 classification to city C-2 (general commercial) was the subject of a public hearing held by the Planning Commission on July 9, 1974, at the hour of 8:00 P.M., and the Commission has heretofore filed its written minutes of the hearing and the passage of motion recommending approval of the application in the zone change file (ZC 74).

Section 3: The Council further finds that after due and legal notice, a public hearing was held on August 7, 1974, before an impartial Council, and at said hearing all parties at interest were afforded an opportunity to be heard and to present and rebut evidence.

Section 4: Based on the evidence adduced at said hearing before said Council, the Planning Commissions' recommendation, and the information disclosed in the application, the Council makes the following findings:

(a) The tract in question, was recently rezoned by Washington County from county C-2 to county B-4 (General Extensive District Commercial); after such redesignation the subject property was annexed by the Portland Area Metropolitan Boundary Commission to the City of Sherwood. The Sherwood zoning ordinance has no commercial classification designated B-4 and finds that the zoning classification under the city zoning ordinance designated C-2 is the classification most similar to B-4. While conflicting interpretations have been advocated, the Council finds that the uses permitted under county B-4 and the uses permitted under city C-2 are similar if not identical and that a change in designation from county B-4 to city C-2 would not involve substantial change in the permitted uses to which the property may be put.

The revised comprehensive plan for the city, while not completed, calls for the subject property to be zoned commercial. Therefore, approval of the zone change request is not contrary to the purposes of existing zoning, nor is it at variance with the established and proposed land use objectives for the area.

(b) There is a public need for undeveloped lands in the Sherwood community to be classified for development for commercial uses, particularly for use as a shopping center, as is contemplated by the applicant, as existing lands classified general commercial are already encumbered with existing streets, buildings and other improvements which make development of a "shopping center" thereon very improbable and probably undesirable.


(c) Public services, including water and sewer, are or can be made available to the site and the proposed use does not impose upon the public any burdens incident to the development, disproportionate to the benefits thereby inferred considering the location of Highway 99 or Southwest Pacific Highway, the six corners intersection, and other traffic considerations.

Section 5: The lands described on the attached sheet marked Exhibit "A" headed "Description" for zone change, be and the same hereby are zoned as C-2 (general commercial) for use in accordance with the general commercial classification of the zoning ordinance of the City of Sherwood, which zoning code with reference to the general commercial district classification is by this reference made a part hereof.

Section 6: The zoning map is hereby amended with respect to the property described on Exhibit "A" attached hereto and as depicted and disclosed on exhibit "B" attached hereto and by further reference made a part hereof, and the recorder is hereby directed to maintain a copy of Exhibit "B" certified by him to be a true copy of the original attached hereto and bearing the number of this ordinance in a book on file entitled "zone map amendments", said book kept and maintained as a part of the permanent records of the City of Sherwood.

Section 7: This ordinance shall become effective on the 31st day after its enactment by the City Council of the City of Sherwood.

PASSED: By the Council by unanimous vote of all Council members present after being read by caption three times and in body once, this 11 day of September, 1974.

  
Recorder

APPROVED: By the Mayor this 20 day of September, 1974.

  
Mayor

Legal Description

A tract of land situated in the Southwest one-quarter of Section 29, Township 2 South, Range 1 West of the Willamette Meridian in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at the west  $\frac{1}{4}$  corner of Section 29, T2S, R1W, WM; thence Southerly along the west line of said Section 770.00 feet; thence Easterly 880.00 feet parallel to the centerline of said Section 29; thence Northerly 770.00 feet to the corner line of Section 29; thence Westerly 880.00 feet to the point of beginning.



Exhibit A

Ordinance # 654

SW 1/4 SECTION 29 T

WASHINGTON COUNTY

SCALE 1" = 20'

SEE MAP

25 | 29B

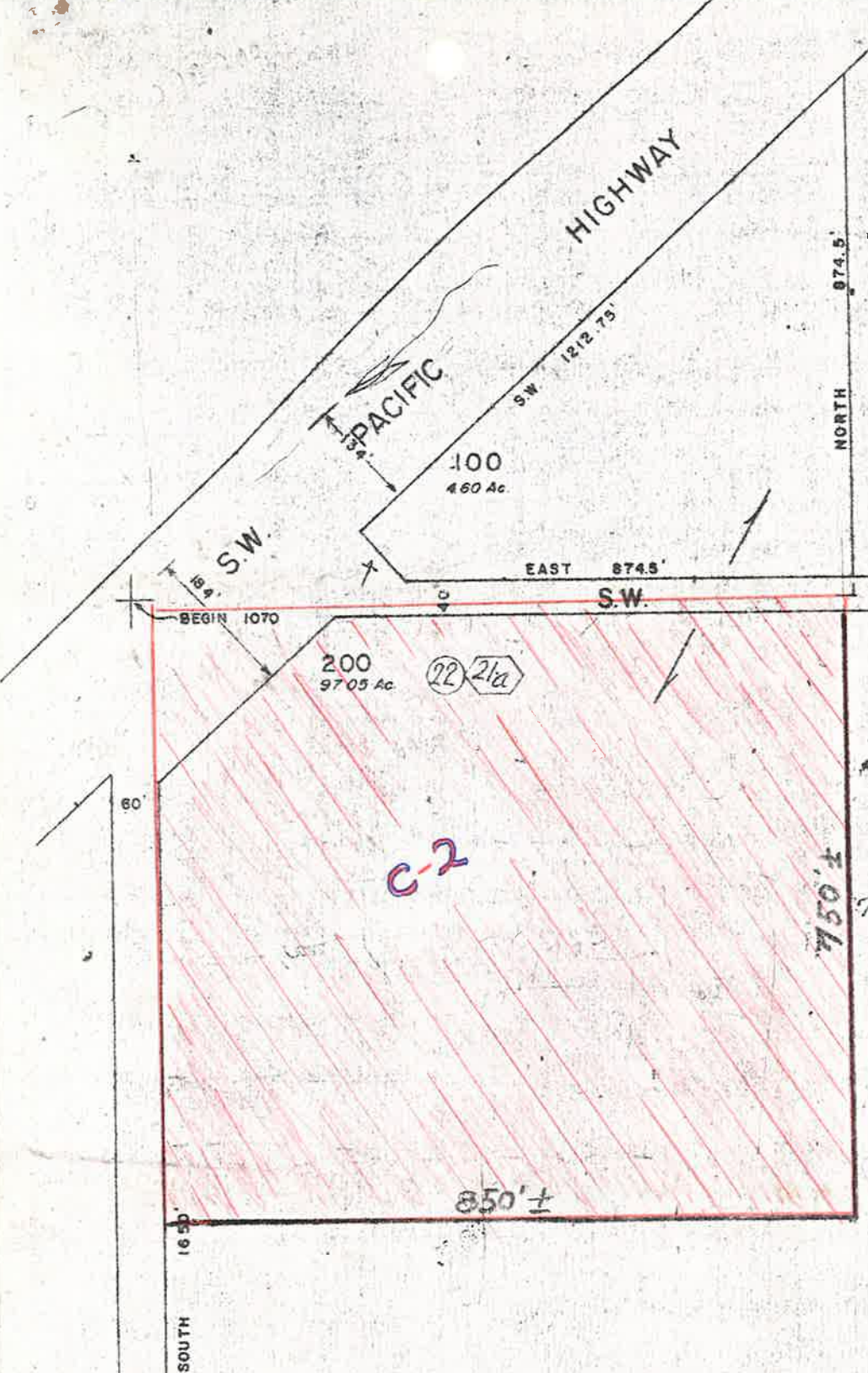


Exhibit B  
 Ordinance # 3

88-2