

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 704

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO ZONE CHANGE REQUEST INITIATED BY THE PLANNING COMMISSION FOR A CHANGE OF ZONE CLASSIFICATION FROM MA-E and MA-2 (COUNTY ZONING) TO I-1 (GENERAL INDUSTRIAL) WITH RESPECT TO THE SOUTH 39 ACRES OF TAX LOT 100; TAX LOTS 300, 301 AND 400, TAX MAP 2S128B; TAX LOTS 100, 101, 102, 200, 400 AND THE NORTHERN 24.17 ACRES OF TAX LOT 500, TAX MAP 2S128C; AND TAX LOT 600, TAX MAP 2S129D; GRANTING THE REQUEST FOR CHANGE OF LAND USE CLASSIFICATION AND FIXING AN EFFECTIVE DATE.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council finds that the lands hereinafter described have heretofore been and are now classified MA-E and MA-2 as is more particularly set forth in the staff report dated October 2, 1978, and a copy of which is marked Exhibit A, attached hereto and by this reference incorporated herein. The present zoning for said lands is established under county zoning ordinance. Said lands were heretofore annexed to the City of Sherwood but the City of Sherwood has not, prior to this time, rezoned the lands to a zoning classification under the City of Sherwood Zoning Ordinance. The lands in question involve approximately 167.9 acres. Existing structures on the premises and existing uses of the property are described in the staff report attached hereto. The Planning Commission seeks rezoning to bring the zoning for the area into conformity with the City Zoning Ordinance and the City Comprehensive Plan. The zoning requested by the Planning Commission is consistent with historical planning and zoning as well as existing uses in the area. The Council further notes that the area in question was annexed to the City on the basis of consent petitions signed by more than two-thirds of the property owners in the area owning more than two-thirds of the area annexed. Said annexation came about as the result of an ongoing cooperative effort between the City of Sherwood and affected property owners in the area to provide for City services and the development of an industrial area for the City. Granting the request of the Planning Commission for rezoning of this area to the City zone is consistent with that objective.

Section 2: The Council further finds that pursuant to prescribed procedures, the application for change of zone classification of said land to General Industrial I-1 under the City of Sherwood Zoning Ordinance was the subject of a public hearing held by the Planning Commission on October 17, 1978, and the Planning Commission has heretofore filed its written recommendation of approval of the request for a change of zone classification to the Council.

Section 3: The Council further finds that after due and legal notice a public hearing was held on December 13, 1978, at 7:30 P.M. before an impartial Council and at said hearing all parties at interest were afforded an opportunity to be heard and to present and rebutt evidence.

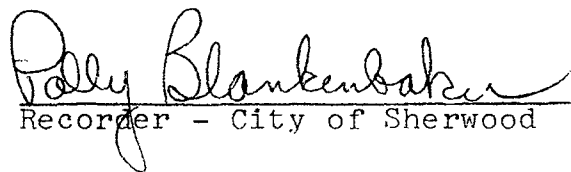
Section 4: After due consideration of the request, the recommendations of the Planning Commission, the staff report and the evidence adduced at the hearing before the Council, the Council adopts as its findings the findings set forth in the staff report attached hereto and the recommendations of the Planning Commission as embodied in its notice of decision dated October 27, 1978, a copy of which is marked Exhibit B, attached hereto, and by this reference incorporated herein.

Section 5: The lands described on the attached sheet marked Exhibit C, attached hereto and incorporated herein, be and the same are hereby zoned I-1, General Industrial, for use in accordance with the General Industrial classification of the Zoning Code of the City of Sherwood, which zoning code with reference to General Industrial 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 C and is depicted on Exhibit D, attached hereto, and by this reference made a part hereof, and the Recorder is hereby directed to maintain a copy of Exhibit D certified to be a true copy of the original attached hereto and bearing the number of this ordinance in a book on file entitled "Zoning Map Amendments", said book being 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 this 24 day of January, 1979.


Recorder - City of Sherwood

APPROVED: By the Mayor this 24th day of January, 1979.


Mayor - City of Sherwood

EXHIBIT A
STAFF REPORT

October 2, 1978

CASE NO.: ZC-78-04
SUBJECT: Zone Change
LOCATION: Territory generally located on the Northeast edge of the City North and South of Tualatin-Sherwood Road and east of Murdock Road (see attached map) including tax lots 2S 128B : 100 (south 39 acres), 300, 301, and 400; 2S 128C : 500 (northern 24.17 acres; 100, 101; 102, 200, and 400; 2S 129D: 600; 2S 132AA: 200.

INITIATION OF ACTION: Sherwood Planning Commission

I. BASIC FACTS

A. Parcel Summary

Tax Map	Tax Lot	County Zone	Acreage
2S 128B	100	MA-E	39
	300	MA-E	12.69
	301	MA-E	.92
	400	MA-E	10.6
2S 128C	100	MA-E	3.37
	101	MA-E	11.83
	102	MA-E	3.19
	200	MA-E	32.14
	400	MA-E	5.85
2S 129D	500	MA-E	24.17
	600	MA-2	24.14
2S 132AA	200	RS-1	10.92
TOTAL ACRES			178.82

Zoning Totals: MA-E= 143.76, MA-2= 24.14, RS-1= 10.92

B. Existing Uses:

Residential Uses: The area has four older single family dwellings located on Tax Lots 2S 128B, 400, 301 and 2S 128C, 100.

Industrial Uses: The area contains three industrial uses located on Tax Lots 2S 128B, 300, 400, and 2S 129D; 600. They include a railroad siding company, a restaurant paper distributor and tannery treatment facilities.

- I. B. Agricultural Uses: Marginal grazing occurs on Tax Lot 2S 132AA; 200.
- C. Access: Major collector access is provided by Edy Road, Tualatin-Sherwood Road and Murdock Road.
- D. Public Services

Water: Existing wells - future service by extension of 12" line on Oregon Street.

Sewer: Existing septic tanks; future service by construction of Onion Flat Trunk from Upper Tualatin Interceptor with secondary line extensions.

Drainage: Natural drainage to Rock Creek - future service to follow street layout in conjunction with development.

Fire: Tualatin Fire District.

Police: Sherwood Police Dept.

II. FINDINGS

- A. Action is initiated by the City pursuant to ORS 227:310 so that appropriate City Zoning will be applied to annexed territory.
- B. A public need for an additional 132 buildable industrial acres has been determined by the Sherwood Urban Growth Management Study (p. 27) conducted by the Sherwood City staff.
- C. That portion of the annexed territory north of Tualatin-Sherwood Road was found to be suitable for industrial use considering other available properties. This area includes Tax Lots 2S 128B : 100, 300, 301, 400; 2S 128C : 500, 100, 101, 102, 200; 400 and 2S 129D : 600. (See Urban Growth Management Plan Study Pgs. 19-21)
- D. The development of the above mentioned area will favorably affect the City of Sherwood's economy by providing employment and tax base.
- E. The designation of the above mentioned territory industrial is consistent with the Sherwood Comprehensive Plan to the extent to which it is completed. It is consistent with historical planning and zoning as well as existing use in the area.

- II. F. That portion of the annexed area consisting in Tax Lot 2S 132AA: 200 is vacant and has prevailing RS-1 (Suburban Residential) zoning requiring a minimum of 40,000 square feet per dwelling unit.
- G. Tax Lot 2S 132AA : 200 is immediately adjoined on the west by R-1 zoning and use.
- H. Additional low density residential land which is located on or near existing or planned urban services lines is needed to meet projected 1985-86 population needs based on the analysis contained in the Sherwood Urban Growth Management Plan Study (see esp pgs 26-32 and Appendix A.)

III. STAFF RECOMMENDATION

Based on the above findings the staff recommends approval of the rezoning of the annexed territory as follows.

- 1) Rezone tax lots 2S 128B, 100 (south 39 acres); 300, 301, 400; 2S 128C 500, 100, 101, 102, 200, 400 and 2S 129D; 600 from MA-E and MA-2 to I-1.
- 2) Rezone tax lot 2S 132AA : 200 from RS-1 to R-1.



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

October 27, 1978

NOTICE OF DECISION

The Planning Commission of the City of Sherwood, Oregon decided to recommend approval of a Planning Commission initiated zone change on October 17, 1978.

The decision was based on the following findings:

- A. Action is initiated by the City pursuant to ORS 227:310 so that appropriate City Zoning will be applied to annexed territory.
- B. A public need for additional 132 buildable industrial acres has been determined by the Sherwood Urban Growth Management Study (p. 27) conducted by the Sherwood City staff.
- C. That portion of the annexed territory north of Tualatin-Sherwood Road was found to be suitable for industrial use considering other available properties. This area includes Tax Lots 2S 128B : 100, 300, 301, 400; 2S 128C : 500, 100, 101, 102, 200, 400 and 2S 129D : 600. (See Urban Growth Management Plan Study Pgs. 19-21)
- D. The development of the above mentioned area will favorably affect the City of Sherwood's economy by providing employment and tax base.
- E. The designation of the above mentioned territory industrial is consistent with the Sherwood Comprehensive Plan to the extent to which it is completed. It is consistent with historical planning and zoning as well as existing use in the area.

The approved recommendation is to rezone tax lots 2S 128B : 100 (south 39 acres), 300, 301, 400; 2S 128C : 500, 100, 101, 102, 200, 400; and 2S 129D : 600 from MA-E and MA-2 to I-1.

No conditions were placed upon approval.

The City Council will hear the request for zone change on November 29, 1978.

more or less to the point where said centerline leaves said south section line; thence continuing along the centerline of said road, Northeasterly 3400 feet, more or less, to a point on the east line of the northeast one-quarter of the southwest one-quarter of Section 28; thence North, along said one-quarter section line and continuing along the east line of the northwest one-quarter of said Section, 2200 feet, more or less, to a point on the southeasterly boundary of the aforementioned railroad right-of-way and the northeast corner of that tract of land conveyed to Lloyd Taylor, et ux, by deed recorded in Book 1124, Page 949, Washington County Records; thence South 47°18' West, along the north line of said Taylor tract and said railroad right-of-way, 800 feet, more or less, to a point on the west boundary of the aforementioned Bonneville Power Administration right-of-way; thence North 0°10', along said B.P.A. right-of-way, 900 feet, more or less; to the point of beginning.

EXHIBIT "C"

ZONE CHANGE
ZC-78-04

CITY OF SHERWOOD

A tract of land in Sections 28, 29, and 32 of Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon, described as follows:

Beginning at a point on the west boundary of a Bonneville Power Administration right-of-way, which point bears west 600 M/L feet and South 810 ft., M/L, from the one-quarter corner on the north line of said Section 28, said point also being the northeast corner of Parcel II as described in deed recorded in Book 835, Page 678, Washington County Records; thence South $71^{\circ}26'$ west, along the north line of said Parcel II, 800 feet, more or less, to a point which bears 950 feet, more or less, Northwesterly from the centerline of the Southern Pacific Railroad right-of-way when measured at right angles thereto, said point being the intersection of the north line of the aforementioned Parcel II and an Urban Growth Boundary as presently designated; thence South $47^{\circ}18'$ West, along said Urban Growth Boundary and parallel to said railroad centerline, 1170 feet, more or less, to a point on the west line of said Parcel II, thence South, along the west line of said Parcel II, 800 feet, more or less, to the southwest corner thereof, said point being in the center of Southwest Edy Road (County Road No. 1070); thence North $89^{\circ}44'$ East, along the center of said road, 490.82 feet, to the most southerly southeast corner of said Parcel II and continuing along the centerline of said road to a point on the southeasterly boundary of the aforementioned railroad right-of-way, said point being the most northerly northwest corner of that tract of land partially conveyed to Roscoe C. Nelson, et us, by deed recorded in Book 889, Page 595, Washington County Records; thence southwesterly along the southeasterly railroad right-of-way and the northwesterly boundary of said Nelson tract, 1370 feet, more or less, to the most westerly northwest corner thereof and the northeast corner of that tract of land conveyed to Frontier Leather Company, an Oregon corporation, by deed recorded in Book 467, Page 108, Washington County Deed Records thence along the northwesterly line of said tract, following the railroad right-of-way, W $42^{\circ}11'$ W 38 ft.,

South $47^{\circ}49'$ West 441.5 feet, South $42^{\circ}11'$ East 38 feet, South $47^{\circ}49'$ West 102 feet, Southwesterly 560 feet, and South $47^{\circ}49'$ West 138 feet, to the northwest corner of said Frontier Leather Company tract; thence South $0^{\circ}01'$ East, along the west line of said tract, 885 feet, to the southwest corner thereof, said point being in the center of Southwest Tualatin Sherwood Road (County Road No. 954); thence North $89^{\circ}59'$ East, along the center of said road, 1483.7 feet

GFU-38

MaE

MaE

I-1

Ma2


GFU-38

RS-1

INDUSTRIAL AREA
ZONE CHANGE

ZC-78-04

OCTOBER 17, 1978

 Property REZONED

