

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 726

AN ORDINANCE ADOPTING THE CITY OF SHERWOOD COMPREHENSIVE PLAN, PARTS I, II AND III, INCLUDING DEVELOPMENT STANDARDS AND CODE, CHANGING ALL EXISTING CITY LAND USE OR ZONING DESIGNATIONS TO PLANNING OR USE DESIGNATIONS CONSISTENT WITH THE "SHERWOOD PLANNING DESIGNATION AREA MAP," REPEALING CERTAIN ORDINANCES, AND SETTING AN EFFECTIVE DATE.

WHEREAS, under the provisions of ORS Chapter 197 and the applicable rules, regulations and authority of the State of Oregon, Land Conservation and Development Commission, it is necessary that the City adopt a Comprehensive Plan of development and provisions implementing or permitting the implementation of the Plan, and

WHEREAS, as part of the City's Citizen Involvement Program and in compliance with the provisions of Statewide Planning Goal No. 1 (Citizen Involvement) numerous public hearings relating to the proposed Sherwood Comprehensive Plan and related matters were held by Sherwood Citizen Planning Advisory Committee (SCPAC), and

WHEREAS, numerous public hearings were held before the City of Sherwood Planning Commission and Sherwood City Council relating to the proposed Sherwood Comprehensive Plan, and related matters, on the dates indicated in the "supporting records and documents" hereinafter described, and

WHEREAS, the City Council finds that in connection with the development and preparation of the Sherwood Comprehensive Plan there was compliance with planning process goals (Goal 1--Citizen Involvement) and (Goal 2--Land Use Planning), in summary, the City finds:

The City has adopted and adhered to a Citizen Involvement Program which addresses the requirements of Goal 1. Plan related meetings were publicized by a minimum of the following:

- (1) Posted notice, three places in the City.
- (2) Published notice in a newspaper of general circulation, and
- (3) Direct mailings to an organization and agency mailing list continuously updated.

Technical information was provided to the Sherwood Citizens Planning Advisory Committee by the City Staff personnel, who were present at all citizen meetings. City financial support was given to citizen involvement by means of paid staff support, materials, information and publicity.

With respect to planning, the City has followed a plan development process which included four major phases: data collection and analysis, evaluation of alternative policies, plan preparation and adoption, and preparation and adoption of implementing code and regulations.

At each stage of the process, plan development has been coordinated with affected agencies, consistent with a strategy adopted at the outset to involve agencies affected or necessarily involved in land use matters. Specifically, the Plan has been developed to be consistent with regional and statewide plans and programs.

The plan is based on a comprehensive, factual data inventory which is summarized and included with the plan package as Part I of the Plan.

WHEREAS, the City Council finds that as the result of the public hearing and citizen involvement process, certain amendments and revisions have been made to the proposed Sherwood Comprehensive Plan, and the Administrative Staff of the City has incorporated into the proposed Plan certain revisions and amendments recommended by Metropolitan Service District, pursuant to the District's authority as a regional planning body, and

WHEREAS, the Council further finds that it is necessary to adopt the Sherwood Comprehensive Plan, including the Community Development Code and that said Plan and implementing provisions conform to the applicable statutes, rules and regulations, statewide planning goals and standards, and

WHEREAS, the Council finds that the proposed Sherwood Comprehensive Plan and implementing provisions satisfy and conform to the Legislative Findings and Statewide Policy for comprehensive planning expressed in ORS 197.005 and ORS 197.010, and that it is in the best interests of the residents, inhabitants and owners of property within the City that the proposed Sherwood Comprehensive Plan and implementing provisions be adopted.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: That the Sherwood Comprehensive Plan with a text consisting of Part I, Background Data and Analysis, Part II, Community Development Plan and Part III, Community Development Code, and the Sherwood Planning Designation Area Map, be and the same are hereby adopted.

Section 2: That the City Recorder be and she hereby is authorized and directed to endorse the number of this Ordinance and the date of its adoption on the Sherwood Comprehensive Plan, Parts I, II and III and the Sherwood Planning Designation Area Map adopted under the provisions of Section 1 above, together with an appropriate designation identifying said documents as "Sherwood Comprehensive Plan."

Section 3: That Ordinance No. 509, Ordinance No. 699, Ordinance No. 588, as amended, Ordinance 652, and Ordinance No. 706, be and the same hereby are repealed, provided, however, that all rights, privileges, permits, agreements, conditions, obligations, variances, temporary use permits and other interests established, imposed or created by ordinance or resolution pursuant to said ordinances are expressly reserved and excluded from the repealing provisions of this Section. All obligations and performances required under the provisions of any such permit, agreement or other documents shall be enforceable and have all of the legal effect and force as if said ordinances were not repealed by this Section.

Section 4: In addition to the text of Parts I, II and III and the Planning Designation Area Map of the Sherwood Comprehensive Plan, other supporting material in the form of a record of the notices, dates, times and places of the numerous public hearings held in the course of development and adopting of the Sherwood Comprehensive Plan, data, evidence, letters, hearing testimony, hearing discussions, comments, opinions, minutes, staff memoranda, and general input which were received in the course of development of the Sherwood Comprehensive Plan, and were considered by the Sherwood Citizens Planning Advisory Committee, the City Planning Commission and the City Council. A compendium of all of this material has been kept and maintained by the City at City Hall and, as a whole, is hereby designated as the "supporting records and documents" to the Sherwood Comprehensive Plan. The

City Recorder be and is hereby authorized to endorse the number of this Ordinance and the date of its enactment in some appropriate manner upon the files, and other containers of said materials and to keep and maintain same as a part of the permanent records and archives of the City of Sherwood.

Section 5: Consistent with the intent and purposes of the Sherwood Comprehensive Plan hereby adopted, all lands within the City of Sherwood shall, after the effective date of this ordinance, have the land use designation shown on the "Sherwood Planning Designation Area Map" adopted by this ordinance and shall be subject to the land use regulations applicable to that designation. In connection with this section the City Council expressly finds that prior to enactment, public hearings were held after due and proper notices were mailed to each and every property owner whose property land use designation would be affected by this Ordinance. The Council further finds that the changes in land use or planning designation affected by this Ordinance are necessary and required to implement the Sherwood Comprehensive Plan by this Ordinance adopted and that said changes are necessarily consistent therewith.

Section 6: The provisions of this Ordinance and of the Plan adopted hereby are severable. If any section, sentence, clause or phrase of this Ordinance is adjudged to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 7: That the City Recorder be and she hereby is directed to be the Custodian of all original documents identified in and adopted by the provisions of this Ordinance. In the event any of said documents are amended by the City Council, the City Recorder shall endorse the number of any ordinance amending said documents and the date of the adoption of any such ordinance on said original documents.

Section 8. This Ordinance shall be effective on the 30th day after its enactment by the City Council and approved by the Mayor.

PASSED: By the Council by Unanimous vote of all Council members present, after being read by caption three times on this 27 day of August, 1980.

Polly Blankenbaker  
Recorder - City of Sherwood

APPROVED: By the Mayor, this 27 day of August, 1980.

Marjorie Stewart  
Mayor City of Sherwood