

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 817

AN ORDINANCE APPROVING THE APPLICATION OF MICHAEL L. GOODMAN FOR A MINOR AMENDMENT TO THE COMPREHENSIVE PLAN MAP CHANGING THE DESIGNATION OF TAX LOT 1201, WASHINGTON COUNTY ASSESSORS MAP 2S 1 29C FROM MEDIUM DENSITY RESIDENTIAL-HIGH (MDRH) TO OFFICE COMMERCIAL (OC) AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sherwood Planning Commission approved a minor plan map amendment by motion on March 15, 1983 changing the designation of Tax Lot 1201, Assessors Map 2S 1 29C from MDRH to OC;

WHEREAS, this amendment was processed and approved under procedures contained in Section 3.02, Chapter 1 of the Community Development Code which did not require action by the City Council;

WHEREAS, portions of Section 3.02, Chapter 1 of the Community Development Code were subsequently found to be defective, insofar as the process contemplated permitted the Community Development Code ordinance to be amended by other than an ordinance procedure;

WHEREAS, the City Council subsequently amended the Community Development Code to reflect a proper procedure for amending the plan map, whether the proposed amendment is classified as major or minor;

WHEREAS, the Council finds that it is in the best interest of the property owner and the City to complete the plan map amendment for Tax lot 1201 in the manner currently prescribed by Code;

THEREFORE, the City of Sherwood ordains as follows:

Section 1: The City Council finds that the application for a plan amendment was subject to review and public hearing by the City Planning Commission on March 15, 1983 and that the Commission approved the application as per the attached minutes, Exhibit "A" attached.

Section 2: The Council further finds that after due and legal notice a public hearing was held on February 13, 1985 before an impartial Council, and at said hearing all interested parties were afforded an opportunity to be heard and to present and rebut evidence. At said hearing the Council received in evidence, among other documents and testimony, Exhibit "A".

Section 3: After due consideration of the application, the action of the Planning Commission, and the evidence adduced, the Council finds that the application to be in conformance with findings required as per Section 3.03, Chapter 1 of the Community Development Code and therefore the application for an amendment to the Comprehensive Plan Map to change the map designation for Tax Lot 1201, more particularly described as T2S, R1W, Section 29C, TL1201, 0.69 acre, from Medium High Density Residential (MDRH) to Office Commercial (OC), is APPROVED. The City Manager is directed to take such action as may be necessary to document this amendment to the plan map as required by the Sherwood Community Development Code.

Section 4: Inasmuch as it is necessary to preserve property rights and to avoid undue expense and delay, and as the property owner in good faith has proceeded through the initial phases of planning and construction, an emergency is hereby declared to exist, and this Ordinance shall be effective upon its passage by the Council and approval by the Mayor.

Duly passed by the City Council this

13 day of February, 1985

Polly Blankenbaker
Polly Blankenbaker, City Recorder

Approved by the Mayor this 13 day of

February, 1985

Mary L. Tobias
Mary Tobias, Mayor of the
City of Sherwood

	Aye	Nay
TOBIAS	<u>X</u>	_____
OYLER	<u>X</u>	_____
GOTHIE	<u>absent</u>	_____
REID	<u>X</u>	_____
THORNTON	<u>X</u>	_____