

AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE BY CREATING A NEW PLANNING DESIGNATION AREA, SPECIAL INDUSTRIAL, ADDING APPLICABLE CROSS REFERENCES IN OTHER SECTIONS OF THE CODE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City's intergovernment "Urban-Planning Area" agreement with Washington County requires the City "to convert county plan and zoning designations to City plan and zoning designations which most closely approximate the density, use provisions and standards of the County designations."

WHEREAS, the City has supported and the Portland Metropolitan Area Local Boundary Commission is now considering, the annexation to the City of 35 acres of land zoned County Special Industrial, a designation for which the City has no equivalent.

WHEREAS, the City Planning Commission held a public hearing on March 7, 1985, and has made a report and recommendation to the City Council to adopt a Special Industrial (SI) Planning Designation Area within the Community Development Code.

WHEREAS, the City Council, after due and legal notice, held a public hearing on the proposed SI Planning Designation Areas standards on July 10, 1985 and found the SI standards to be in conformance with the Comprehensive Plan, to be in the public interest and to meet the requirements of ORS 215.055 as referenced in the Community Development Code, Chapter 1, Section 3.03.

THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

SECTION 1: NEW SECTION CREATED. A new section, Section 2.17, Chapter 2 of the Community Development Code, titled Special Industrial Planning Designation Area (SI), is hereby created and shall read:

2.17 SPECIAL INDUSTRIAL PLANNING DESIGNATION AREA (SI)

A. Purpose

The purpose of the Special Industrial (SI) Planning Designation Area is to provide large sites for uses in the fields of: high technology, light manufacturing, research and development, and processing in a planned campus-like setting. Further, this designation area recognizes that uses in these fields may require the support of small and medium sized industrial and commercial uses within suitably located Industrial Planned Unit Developments. Finally, the SI designation facilitates Master Planning of large sites regardless of ownership, pre-existing lot lines or lot sizes.

B. Master Planning

1. Except as otherwise provided herein, building permits shall only be issued for land use or site designs which have received Master Plan approval by the Planning Commission. The Planning Commission shall only review and approve Master Plans which include at least 30 acres of contiguous area, regardless of ownership. Therefore, owners of tax lots under 30 acres in size cannot generally develop or partition until such time that the owner and other owners of contiguous tax lots designated SI and totaling at least 30 acres, agree on a Master Plan for the entire contiguous 30 acres and gain approval by the Planning Commission.

- 2.17 B. 2. The required SI Master Plan shall conform to the Community Design Standards contained in Section 9.03 of this Chapter, the Environmental Performance Standards of Section 4.02, the Use and Design Standards of this Section, as well as all other applicable City requirements and standards. Application, processing and review procedures and application content, shall generally conform to Section 3.03A of this Chapter. In the event of conflicting standards, the more strict shall apply unless otherwise specifically authorized by the Planning Commission.
3. The approved SI Master Plan shall be binding on all properties, even if ownerships change, unless a revised SI Master Plan is submitted to and approved by the Planning Commission. However, there shall be no time period within which construction and other improvements must occur. This paragraph shall not be construed to in any way prevent amendment to the Planning Area Designation as provided in Chapter 1, Section 3.00 of the Community Development Code.
4. Master Plan and Planned Unit Development approvals shall not be required when the Planning Commission determines that no further contiguous 30 acre tracts remain within a SI Planning Designation Area and that 60% of area approved under Master Plan and Planned Unit Developments is actually developed. Remaining parcels of any size or dimension may be approved for development, in accordance with the standard provisions of the Community Development Code, for any permitted use or uses as set forth in subsection C, D or K of this Section, provided that all other criteria in subsections F through K shall be met. Where development criteria are defined by reference to the area of a Master Plan or PUD, said criteria shall be construed to refer to the entire SI Planning Designation Area.

C. Uses Permitted by Right

Within a SI designation area the following uses are permitted, provided such uses meet and maintain the Environmental Performance Standards contained in Section 4.02 of this Chapter:

1. Development, Manufacture or Assembly of:
 - a. Communication equipment, electronic equipment and supplies;
 - b. Scientific and precision instruments and equipment;
 - c. Engineering laboratory, scientific and research instruments;
 - d. Electro-medical apparatus, bio-medical, surgical and medical instruments, artificial limbs, hearing aids, dentures, ophthalmic goods, and other medical or dental devices.
2. Research and Development, including:
 - a. Research and development laboratories;
 - b. Industrial trade or skill schools and training centers.
3. Processing and storage involving:
 - a. Photographic laboratories, blue printing, photo-engraving, photocopying, printing, publishing and bookbinding, including on-site commercial service associated with said uses;
 - b. Wholesale business, storage buildings and warehouses;
 - c. Storage and distribution.

2.17 D. Ancillary Uses

An ancillary use is a use that is contained within the same business premise and accessory and incidental to the Uses Permitted by Right in subsection C. These uses may only occur within the same business premise, except as provided in subsections B.4 and K.2 of this Section. Ancillary uses shall total no more than 25% of the ground floor building area of the permitted uses within an approved SI Master Plan.

1. Cafeteria, cafe, restaurant or auditorium for employees;
2. Administrative, professional, and business office uses accessory to and associated with permitted industrial uses on the site;
3. Retail outlets for warehousing or manufacturing operations, limited to ten (10) percent of total floor area;
4. Recreation facilities solely for employees;
5. Day care for employees' families;
6. Transit stations or park and ride lots;
7. Public utility specifically associated with development of the site;
8. Heliport, helistop associated with the primary user, not as a separate business;
9. Parcel delivery service;
10. Government or special district facilities.

E. Site Dimensions

The following dimensional standards are applicable to all development within the SI designation area, except as provided in subsections B.4 and K.1 of this Section.

1. The minimum site size shall be thirty (30) acres.
2. The minimum site width at the front property line shall be 100 feet.

F. Setbacks

1. Except as otherwise provided herein, there shall be a 50 foot setback from the peripheral boundaries of the SI which do not abut an industrial use or designation.
2. No parking shall be allowed within the required setback area.
3. Setbacks may be altered to correspond to the screening and buffering setback width standard set forth herein.

G. Height of Structures

1. Any structure proposed to be setback less than 100 feet from a non-industrial use or designation shall not exceed 30 feet in height.
2. Any structure proposed to be setback more than 100 feet away from a non-industrial use or designation shall not exceed 50 feet in height.

1. Except as otherwise provided herein, all development shall comply with the Community Design Standards contained in Section 9.03 of this Chapter, the Environmental Performance Standards of Section 4.02, as well as all other applicable City standards and requirements.
2. In order to implement the intent of the SI designation and minimize adverse impacts on surrounding land uses both current and planned, special peripheral buffering shall be required. The type of screening and buffering selected may allow a reduction in the required setback.
3. Peripheral buffering shall not be counted as part of the required parking lot screening or landscaping unless approved by the Design Review Board.
4. Except as otherwise provided herein, there shall be a 50 foot wide landscaped buffer along all peripheral boundaries of an SI area which abut a non-industrial use or designation. The width of that landscaped buffer may be reduced to 35 feet if the Design Review Board determines that the proposed landscaping scheme provides a tall, dense vegetative buffer which includes a variety of vegetative species, particularly evergreens, in combination with berming, fences, small open areas or trails.
5. The Design Review Board may reduce the required setbacks to correspond to the approved landscaped buffer width if it determines that the proposed landscape plan provides sufficient separation between industrial structures and surrounding land uses.
6. The required peripheral buffering may be accomplished by the use of sight-obscuring plan materials (generally evergreens), lawn, planted earth berms, walls, fences or water bodies and associated riparian vegetation.
7. Loading docks and berths, utility buildings, railroad sidings, etc. shall be located on interior portions of SI areas or shall be otherwise screened from public view.

I. Site Coverage

1. Buildings shall cover no more than 40% of the gross land area.
2. At least 20% of the gross land area shall be landscaped.

J. Flood Plain District/Park and Open Space Standards

Except as otherwise provided herein, Section 4.03, Flood Plain District and Section 4.04, Recreation Resources Management, shall apply.

K. Planned Unit Development District

Industrial Planned Unit Developments (PUD) may be permitted within an approved SI Master Plan area when approved pursuant to Section 3.00 of this Chapter. In addition to the review criteria of Section 3.00, a PUD proposal shall not be approved unless the criteria listed in Subsection K.1 are satisfied.

1. Review Criteria

- a. A PUD may be permitted only when the Planning Commission has determined that there is at least one 30 acre contiguous area (either in City or County jurisdiction) remaining within the SI Designation Area. In addition, the Planning Commission shall review any past approved PUD's within the SI Designation Area and determine that at least 60% of approved supporting commercial and industrial uses are actually

- 2.17 K. 1. b. A PUD shall be located on a site containing a minimum contiguous area of ten (10) acres or more.
- c. Within a PUD conforming to the review criteria of the section the minimum contiguous area for uses listed in subsection K.2.a. shall be ten (10) acres. There shall be no minimum contiguous area for uses listed in subsection K.2.b.

2. Uses Permitted

- a. Any use Permitted by Right or Ancillary Use as set forth in subsection C or D of this Section.
- b. The following additional industrial and commercial uses are permitted provided they do not exceed 25% of the ground floor building area of the PUD and primarily provide services to the large scale industrial uses in the contiguous SI designation area or to the employees of those uses. These uses may be permitted separate from the business premises of the large scale industrial uses in the contiguous SI designation area.
- 1) Restaurant, delicatessen or cafeteria, when located upon an interior street.
 - 2) Recreation facilities or indoor or outdoor exercise facilities.
 - 3) Day care facilities.
 - 4) Offices for financial institutions, banks and credit unions.
 - 5) Professional offices for: accounting, auditing and bookkeeping; architectural; engineering (including surveying); medical; law; or other professional uses.
 - 6) Parcel delivery service.
 - 7) Government and special district facilities.
 - 8) Woodworking or metalworking shops.

SECTION 2: EXISTING SECTIONS AMENDED. In order to provide proper cross references to new Section 2.17 created by this Ordinance, the following existing sections of the Community Development Code are hereby amended:

- a. Chapter 2, Section 2.01 shall include a new planning designation area, "Special Industrial" and a new abbreviated designation, "SI".
- b. Chapter 2, Section 3.02.C shall read: "Industrial Planned Unit Development together with a GI, LI or SI planning designation area".
- c. Chapter 2, Section 3.07.C2 and Section 3.07. D2b shall include an exception "except as provided in Section 2.17 of this Chapter."

SECTION 3. FEE ESTABLISHED. Chapter 1, Section 5.01 of the Community Development Code shall include a new fee category, "Special Industrial Master Plan" and new fee, "\$450.00".

SECTION 4. EFFE IVE DATE. This Ordinance shall be effective thirty (30) days after passage and approval.

Duly passed by the City Council
this 10 day of July, 1985

Polly Blankenbaker
Polly Blankenbaker, City Recorder

Approved by the Mayor this ____ day
of _____, 1985

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

| | Aye | Nay |
|----------|-------|-------|
| Tobias | _____ | _____ |
| Reid | _____ | _____ |
| Thornton | _____ | _____ |
| Oyler | _____ | _____ |
| Sasse | _____ | _____ |