

City of Sherwood, Oregon

ORDINANCE NO. 88-886

AN ORDINANCE APPROVING A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONING DISTRICT FOR TAX LOT 200, WASHINGTON COUNTY ASSESSORS MAP 2S-1-32AA, AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, in 1981 the City approved the "Orland Villa" Manufactured Home Subdivision as a three phase Residential PUD; and

WHEREAS, only Phase I (Orland Street) was subsequently developed and the balance of the PUD approval expired and necessary subdivision plats were never recorded; and

WHEREAS, Phases II and III (Tax Lot 200 : 32AA) were recently sold and the new owners wish to renew plan approvals for the undeveloped balance of the original Orland Villa project; and

WHEREAS, City regulations regarding PUD's contained in the Community Zoning and Development Code, Section 2.202, require submittal of a new application in such circumstances; and

WHEREAS, the Planning Commission received the PUD application, the report of the City's planning staff reviewing the application and making proposed findings of fact and recommending certain conditions, and the Commission fully considered said materials; and

WHEREAS, the Planning Commission conducted a public hearing on Phases II and III of Orland Villa on September 12, 1988, and after full and due consideration of the evidence, reports, and testimony presented, adopted the findings of fact outlined in the planning staff report (PUD 88-1, dated August 3, 1988) and recommended approval of the PUD Preliminary Development Plan, subject to certain conditions as enumerated in the Notice of Decision dated September 13, 1988; and

WHEREAS, the City Council has received the original application materials, the City's planning staff report, the Notice of Decision, the minutes of the Planning Commission, and has reviewed the material submitted and the facts of the proposal; and

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Commission Review: That the application for approval of a PUD Preliminary Development Plan for Tax Lot 200, Washington County Assessors Map 32AA was subject to a full and proper review, and a public hearing, before the City Planning Commission on September 12, 1988.

Section 2. Public Hearing: That a public hearing on the PUD Preliminary Development Plan was held before the City Council on October 12, 1988, and all interested parties were afforded an opportunity to be heard, and to present and rebut evidence.

Section 3. Findings: That after full and due consideration of the application, the City staff report; the record, findings, and conditional recommendations of the Commission, and of the evidence presented at the public hearing, the Council adopts the findings contained in the staff report and the conditional recommendations of the Commission, said report and recommendations made part of this Ordinance by reference.

Section 4. Approval: That the request for a PUD Preliminary Development Plan for Tax Lot 200 : 32AA consisting of 5.92 acres more or less, is hereby APPROVED subject to the conditions contained in the Notice of Decision dated September 13, 1988.

Section 5. Conditions: That the aforementioned approval is conditioned either on the satisfaction of the criteria contained in the Notice of Decision prior to the issuance of any new manufactured home placement permits or, if applicable, on posting of a performance bond or other security acceptable to the City. In addition the following conditions are made:

- a. That Orland Circle be dedicated as a public street.
- b. That the commercial area be deleted and residential lots be added.

Section 6. Manager Authorized: That the City Manager is directed to take such action as may be necessary to document this amendment, including preparation of a certified modification of the Official City Zoning Map, at such time as all conditions of approval have been fully satisfied in accordance with City ordinances and regulations, as determined by the City Manager.

Section 7. Effective Date: This Ordinance shall become effective at such time as the PUD Final Development Plan has been approved in accordance with Code Section 2.202.03, and certification by the City Manager that all conditions of approval have been satisfied or completed, or that a satisfactory performance bond or other security acceptable to the City has been posted guaranteeing completion of all conditions, but in any event this Ordinance shall not become effective earlier than thirty (30) days after passage and approval.

Passed by Unanimous vote of the City Council this 26th day of October, 1988.

Approved by the Mayor this 8 day of November, 1988.

Norma J. Oyler  
Norma Oyler, Mayor

Attest:

Polly Blankenbaker  
Polly Blankenbaker, Recorder

	Aye	Nay	Abstain
Oyler	<u>✓</u>	_____	_____
Hitchcock	<u>✓</u>	_____	_____
Stewart	<u>✓</u>	_____	_____
Birchill	<u>✓</u>	_____	_____
Chavez	<u>absent</u>	_____	_____