

City of Sherwood, Oregon

ORDINANCE No. 89-901

AN ORDINANCE REVISING THE CITY'S STANDARDS FOR MATERIAL STORAGE BY GENERALLY ALLOWING FOR OUTDOOR SALES AND MERCHANDISE DISPLAY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the current City Zoning Code includes a section addressing external material storage (Section 5.503) and said section essentially prohibits any outdoor sales or open air display of merchandise; and

WHEREAS, Section 5.503 requires merchandise stored outside of an enclosed building to be totally screened from view by a six-foot high, sight obscuring fence; and

WHEREAS, only in the Neighborhood Commercial (NC) zone (Section 2.107) does the current City Zoning Code provide any relief from these restrictive provisions; and

WHEREAS, for numerous businesses such as automobile sales, nurseries, grocery stores, and so forth, outdoor merchandise display is not only customary, but could be considered essential to the conduct of commercial activity.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

Section 1: Material Storage. Section 5.503 is hereby amended to read:

Except as otherwise provided herein, external material storage is prohibited, except in commercial and industrial zones where storage areas are approved by the Commission as part of a site plan or as per Section 5.504. Except as per Section 5.504, all service, repair, storage, and merchandise display activities carried on in connection with any commercial or industrial activity, and not conducted within an enclosed building, shall be screened from the view of

all adjacent properties and adjacent streets by a six (6) foot high, sight obscuring fence. In addition, unless adjacent parcels to the side and rear of the storage area have existing solid evergreen screening or sight-obscuring fencing in place, new evergreen screening no less than three (3) feet in height shall be planted along side and rear property lines. Where other provisions of this Code require evergreen screening, fencing, or a landscaped berm along side and rear property lines, the additional screening stipulated by this Section shall not be required. Storage of hazardous, corrosive, flammable, or explosive materials shall comply with all local fire codes, and Federal and State regulations.

Section 2: Merchandise Display. A new Section 5.504 is hereby added to read:

5.504 OUTDOOR SALES AND MERCHANDISE DISPLAY

A. Sales Permitted

Outdoor sales and merchandise display activities shall be permitted when such activities are deemed by the Commission to be a customary and integral part of a permitted commercial use. Outdoor sales and merchandise display will be reviewed as conditional uses in accordance with Section 4.300.

B. Standards

1. Outdoor sales and merchandise display areas shall be kept free of debris. Merchandise shall be stacked or arranged, or within a display structure. Display structures shall be secured and stable.
2. Outdoor sales and merchandise display shall not be located within required yard, building, or landscape setbacks, except where there is intervening right-of-way of a width equal to or greater than the required setback; and shall not interfere with on-site or off-site pedestrian or vehicular circulation.
3. Outdoor retail sales and merchandise display areas for vehicles, boats, manufactured homes, farm equipment, and other similar uses shall be paved with asphalt surfacing, crushed rock, or other dust-free materials.

4. Additional standards may apply to outdoor sales and merchandise display in NC zones, as per Section 2.107.05A.

Section 3: Effective Date. This Ordinance shall become effective on the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 8th day of November, 1989.

Polly Blankenbaker
Polly Blankenbaker, City Recorder

Approved by the Mayor this 15
day of Nov., 1989.

Norma Jean Oyler
Norma Oyler, Mayor

	<u>AYE</u>	<u>NAY</u>
Birchill	<u>✓</u>	___
Chavez	<u>✓</u>	___
Hitchcock	<u>✓</u>	___
Boyle	<u>✓</u>	___
Oyler	<u>✓</u>	___