

City of Sherwood, Oregon
Ordinance No. 93-964

AN ORDINANCE APPROVING LEGISLATIVE AMENDMENTS TO THE COMMUNITY DEVELOPMENT PLAN, PART 3 ZONING CODE, INCLUDING MODIFICATIONS TO THE PERMITTED AND CONDITIONAL USES IN THE LIGHT AND GENERAL INDUSTRIAL (LI AND GI) ZONES; AND MODIFICATIONS TO THE PERMITTING PROCESS FOR FENCES AND CERTAIN ADVERTISING SIGNS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City is concerned about the proximity of residential neighborhoods and the Rock Creek floodplain next to light industrial zoning, which permits many uses with potentially negative environmental impacts; and

WHEREAS, The City is concerned about the proximity of Rock Creek and the Tualatin Valley National Wildlife Refuge next to general industrial zoning, which permits many uses with potentially negative environmental impacts; and

WHEREAS, the Code has time consuming, expensive and unnecessary permit requirements for fences and certain signs.

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS;

Section 1. Commission Review. That the proposed Code modifications, City File No. PA93-1, were subject to full and proper review, and a public hearing before the Planning Commission on April 20, 1993.

Section 2. Findings. That after full and due consideration of the Planning Staff report and comments for PA93-1, Planning Commission minutes and recommendation, the City Council finds that the proposed Code amendments are in conformance with the Community Development Code Section 4.203.02.

Section 3. Approval. That the proposed Zoning Code provisions attached hereto as Exhibit "A" and modifications are hereby APPROVED.

Section 4. Manager Authorized. The City Manager is directed to take such action as may be necessary to recodify the Zoning Code to include the proposed revisions.

Section 5. Effective Date. This ordinance shall become effective thirty (30) days after passage and approval.

Duly passed by the City Council this 26th day of May 1993.

Approved by the Mayor this 26th day of May 1993.

Walter H. Hitchcock

Walter Hitchcock, Mayor

ATTEST:

Polly Blankenbaker
Polly Blankenbaker, City Recorder

	<u>AYE</u>	<u>NAY</u>
Boyle	<u>✓</u>	<u> </u>
Cottle	<u>✓</u>	<u> </u>
Hitchcock	<u>✓</u>	<u> </u>
Kennedy	<u>✓</u>	<u> </u>
Shannon	<u>absent</u>	<u> </u>

CHAPTER 2

2.110 LIGHT INDUSTRIAL (LI)

2.110.01 Purpose

The LI zoning district conditionally provides for the manufacturing, processing, assembling, packaging and treatment of products which have been previously prepared from raw materials. Industrial establishments shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design as determined by the Commission.

2.110.02 Permitted Uses

The following uses are permitted outright, provided such uses meet the applicable environmental performance standards contained in Chapter 8.

- A. Veterinarian offices and animal hospitals.
- ~~B. Processing, assembling, and packaging of food, including but not limited to candy, dairy products, beverages, coffee, canned goods and baked goods.~~
- ~~C. Processing, assembling, and packaging of a range of appliances, including but not limited to refrigerators, freezers, washing machines, dryers, radios, televisions, electronic and computer devices, office machines, and associated small parts.~~
- B. Contractors' offices, and other offices associated with a primary use permitted in the LI zone.
- C. Public and private utilities, including but not limited to telephone exchanges, electric substations, gas regulator stations, sewage treatment plants, water wells and public works yards.
- D. Glass installation and sales.
- E. Government offices, including but not limited to postal stations, administrative offices, police and fire stations.
- ~~H. Laundry, dry cleaning, dyeing or rug cleaning plants.~~

~~I. Light metal fabrication, machining, welding, and electroplating, and casting or molding of semi-finished or finished metals.~~

~~F. Manufacture of the following types of products:~~

- ~~1. Small electric motors and generators.~~
- ~~2. Furniture, cabinets ladders, and similar products.~~
- ~~3. Lawn mowers, rototillers, chain saws, and similar equipment.~~
- ~~4. Recreational equipment such as bicycles and marine pleasure craft.~~
- ~~5. Heating and cooling equipment.~~
- ~~6. Mattresses.~~
- ~~7. Sashes, doors, and windows.~~
- ~~8. Signs and display structures.~~
- ~~9. Vending machines.~~
- ~~10. Musical instruments, toys, and novelties.~~
- ~~11. Pottery and ceramics, limited to products using previously pulverized clay.~~
- ~~12. Personal electronics and computers.~~

G. Automobile, boat, trailer, and recreational vehicle storage.

H. Laboratories for testing of medical, dental, photographic, or motion picture processing, except as prohibited by Section 2.110.04E.

~~M. Processing, assembly, and packaging of products, including but not limited to cosmetics, pharmaceuticals, toiletries, fibers, and textiles.~~

~~N. Processing, assembly, and packaging of products, including but not limited to small hand tools, optical goods, hearing aids, and scientific instruments or equipment.~~

~~O. Processing, assembly, and packaging of small products manufactured from previously prepared or semi-finished materials, including but not limited to bone, fur, leather, feathers, textiles, plastics, glass, wood products, metals, tobacco, rubber, and precious or semi-precious stones.~~

I. Industrial hand tool and supply sales, primarily wholesaled to other industrial firms or industrial workers.

J. Other similar light industrial uses subject to Section 4.600.

- K. Uses permitted outright in the GC zone, Section 2.109.02, except for adult entertainment businesses, which are prohibited.
- L. Dwelling unit for one (1) security person employed on the premises, and their immediate family.
- M. PUDs, subject to the provisions of Section 2.202.
- N. Temporary uses, including but not limited to construction and real estate sales offices, subject to Section 4.500.

2.110.03 Conditional Uses

The following uses are permitted as Conditional Uses provided such uses meet the applicable environmental performance standards contained in Chapter 8 and are approved in accordance with Section 4.300:

A. Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesaling, warehousing or storage of the following articles or products:

- 1. Food products, including but not limited to candy, dairy products, beverages, coffee, canned goods and baked goods, and meat and poultry, except as prohibited by Section 2.110.03H.

~~B. Processing, assembling, and packaging of a range of~~

- 2. Appliances, including but not limited to refrigerators, freezers, washing machines, dryers; small electronic motors and generators; heating and cooling equipment; lawn mowers, rototillers, and chain saws; vending machines; and similar products and associated small parts.

~~E. Processing, assembly, and packaging of products, including but not limited to~~

- 3. Cosmetics, drugs, pharmaceuticals, toiletries, chemicals and similar products, except as prohibited by Section 2.116.04E.

~~F. Processing, assembly, and packaging of products, including but not limited to small hand tools,~~

- 4. Electrical, radio, television, optical, scientific, hearing aids, electronic, computer, communications and similar instruments, components, appliances and

systems, and similar products and associated small parts.

5. Building components and household fixtures, including but not limited to furniture, cabinets, and upholstery; ladders; mattresses, doors and windows; signs and display structures; and similar products and associated small parts.

6. Recreational vehicles and equipment, including but not limited to bicycles, recreational watercraft, exercise equipment, and similar products and associated small parts, but excluding motorized equipment unless otherwise permitted by Section 2.110.02 or 2.110.03.

7. Musical instruments, toys and novelties.

8. Pottery and ceramics, limited to products using previously pulverized clay.

9. Textiles and fiber products.

G. ~~Processing, assembly, and packaging of~~

10. Other small products and tools manufactured from previously prepared or semi-finished materials, including but not limited to bone, fur, leather, feathers, textiles, plastics, glass, wood products, metals, tobacco, rubber, and precious or semi-precious stones.

B. Laundry, dry cleaning, dyeing or rug cleaning plants.

C. Light metal fabrication, machining, welding, and electroplating, and casting or molding of semi-finished or finished metals.

H. Solid waste facilities as follows, subject to Section 8.303:

1. Household hazardous waste depot

2. Mixed construction/demolition debris recycling facility

3. Municipal solid waste depot

4. Resource recovery facility

5. Small-scale specified incinerator, except as provided for in Section 8.303.01

6. Solid-waste composting station

7. Solid-waste transfer station

8. Wood-waste recycling facility

- ~~9. Yard debris depot~~
- ~~10. Yard debris processing facility~~

H. Reserved.

I. Offices associated with a use conditionally permitted in the LI zone.

J Saw mills.

2.110.034 Prohibited Uses

The following uses are expressly prohibited:

A. Adult Entertainment Businesses.

B. Any use permitted or conditionally permitted under Section 2.111 that is not specifically listed in this Section, and any use listed in Section 2.111.04.

C. Auto wrecking and junk or salvage yards.

D. Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products.

E. Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesale, warehousing, or storage of the following products or substances, except for any incidental business, service, process, storage, or display that is essential to and customarily associated, in the City's determination, with any otherwise permitted or conditionally permitted use:

1. Abrasives, acids, disinfectants, dyes and paints, bleaching powder and soaps and similar products.
2. Ammonia, chlorine, sodium compounds, toxics, and similar chemicals.
3. Celluloid or pyroxylin
4. Cement, lime, gypsum, plaster of Paris, clay, creosote, coal and coke, tar and tar-based roofing and waterproofing materials and similar substances.
5. Explosives and radioactive materials
6. Fertilizer, herbicides and insect poison

F. Metal rolling and extraction mills, forge plants, smelters and blast furnaces.

G. Pulp mills and paper mills.

H. Slaughter of livestock or poultry, the manufacture of animal by-products or fat rendering.

I. Leather tanneries.

J. General purpose solid waste landfills, incinerators, and other solid waste facilities, except as permitted per Sections 2.110.02H and 8.303.

2.110.045 Dimensional Standards

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, other than for a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Section 4.400.

A. Lot Dimensions

Except as otherwise provided, required minimum lot area and dimensions shall be:

1. Lot area: 10,000 sq. feet
2. Lot width at front property line: 100 feet
3. Lot width at building line: 100 feet

B. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

1. Front yard: Twenty (20) feet, except when abutting a residential zone or public park there shall be a minimum of forty (40) feet.
2. Side yards: None, except when abutting a residential zone there shall be a minimum of forty (40) feet.
3. Rear yard: None, except when abutting a residential zone, there shall be a minimum of forty (40) feet.
4. Corner lots: Twenty (20) feet on any side facing a street, except when abutting a residential zone there shall be a minimum of forty (40) feet.

C. Height

Except as otherwise provided, the maximum height shall be fifty (50) feet, except that structures within one hundred (100) feet of a residential zone shall be limited to the height requirements of the residential zone.

2.110.056 Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Chapters 5, 8 and 9.

2.110.067 Flood Plain

Except as otherwise provided, Section 8.202 shall apply.

2.111 GENERAL INDUSTRIAL (GI)

2.111.01 Purpose

The GI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products from previously prepared or raw materials, providing such activities can meet and maintain minimum environmental quality standards and are situated so as not to create significant adverse effects to residential and commercial areas of the City. The minimum contiguous area of any GI zoning district shall be fifty (50) acres.

2.111.02 Permitted Uses

The following uses are permitted outright, provided such uses meet the applicable environmental performance standards contained in Chapter 8.

~~A. Wholesale bakeries, beverage and bottling plants.~~

~~B. Machine Shops.~~

~~C. Box and container manufacturing.~~

~~D. Building maintenance services.~~

~~E. Building material sales.~~

~~F. Cold storage facilities.~~

G. Contracting, building material, and equipment storage yards; cold storage facilities; equipment rental and sales; building material sales; and building maintenance services yard, except as prohibited by Section 2.111.04.

H. Public and private utilities, including but not limited to telephone exchanges, electric substations, gas regulator stations, sewage treatment plants, water wells, and public works yards.

~~I. Equipment rental yards.~~

J. Laboratories for testing of medical, dental, photographic, or motion picture processing, except as prohibited by Section 2.111.04E.

K. Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication, wholesaling, warehousing, or storage of the following articles or products, except as prohibited in Section 2.111.04E:

1. Drugs, pharmaceuticals, toiletries, cosmetics, chemicals and allied similar products, except as prohibited in Section 2.111.04D.
2. Instruments and Electrical, radio, television, optical, scientific, hearing aids, electronic, computer, and communication and similar instruments, components, and appliances, and systems, and similar products and associated small parts.
3. ~~Farm equipment and greenhouses.~~
4. Food products, including but not limited to candy, dairy products, beverages, coffee, canned goods, baked goods, and meat and poultry except as per Section 2.111.04H.
5. Furniture, cabinetry, and upholstery, and signs and display structures.
6. Glass and ceramics.
7. Iron, steel, sheetmetal, and other metal products, and hand tools, including machining, welding, electroplating, and casting and molding of semi-finishing and finished metals provided no blast furnaces, extraction, milling or smelting shall be allowed except as prohibited by Section 2.111.04F.
8. Leather products, except tanneries as per Section 2.111.04I.
9. Musical instruments, toys, and novelties.
10. Pulp, Paper, wood, lumber and allied similar products, except sawmills as prohibited by Section 2.111.04G.
11. Plastics and plastic products.
12. Recreational vehicles and other motor vehicles, manufactured homes, trailers, boats, and farm equipment and greenhouses. and other motor vehicles.
13. ~~Signs~~
 13. Boxes and containers made from paper, wood, metal and other materials.
 14. Textile and fiber products

15. Appliances, including but not limited to refrigerators, freezers, washing machines, dryers; small electric motors and generators; heating and cooling equipment; lawn mowers, rototillers, and chain saws; vending machines; and similar products and associated small parts.
16. Other small products and tools composed of previously prepared or semi-finished materials, building components and household fixtures, including but not limited to furniture, cabinets, and upholstery; ladders, mattresses, doors and windows; signs and display structures; and similar products and associates small parts.
17. ~~Other similar articles or products.~~
- L. Wholesale plumbing supplies and service. , excluding retail sales
- M. Blueprinting, printing, publishing or other reproduction services.
- N. Laundry, dry cleaning, dyeing, or rug cleaning plants.
- N O. Truck and bus yards and terminals
- O P. Wholesaling, Wholesale trade, warehousing, and commercial storage, and mini-warehousing, except as prohibited in Section 2.111.04E.
- ~~P. Processing, assembly, packaging and other treatment of products including small hand tools, optical goods, hearing aids, and scientific instruments or equipment.~~
- ~~Q. Solid waste facilities as follows, subject to Section 8.303:~~
- ~~1. Mixed construction/demotion debris recycling facility.~~
- ~~2. Municipal solid waste depot.~~
- ~~3. Small-scale specialized incinerator, except as provided for in Section 8.303.01.~~
- ~~4. Wood waste recycling facility.~~
- ~~5. Yard debris depot.~~
- ~~6. Yard debris processing facility.~~
- Q. RESERVED.
- R. Other similar general industrial uses, subject to Section 4.600.

- S. Dwelling unit for one (1) security person employed on the premises, and their immediate family.
- T. PUDs, subject to the provisions of Section 2.202
- U. Temporary uses, including but not limited to construction and real estate sales offices, subject to Section 4.500.
- V. Other uses permitted outright in the GC zone, Section 2.109.02, and LI zone, Section 2.110.02, except for adult entertainment business which are prohibited.

2.111.03 Conditional Uses

The following uses are permitted as conditional uses provided such uses meet the applicable environmental performance standards contained in Chapter 8 and are approved in accordance with Section 4.300.

- A. Government offices, including but not limited to, postal stations, administrative offices, police and fire stations.
- B. Sand and gravel pits, rock crushers, concrete and asphalt mixing plants, and other mineral and aggregate extraction, subject to Sections 2.111.04 and 8.302.
- ~~C. Solid waste facilities as follows, and subject to Section 8.303:~~
 - ~~1. Demolition landfill.~~
 - ~~2. Limited purpose landfill.~~
 - ~~3. Monofill.~~
 - ~~4. Conditionally exempt small-quantity collection facility.~~
 - ~~5. Household hazardous waste depot.~~
 - ~~6. Resource recovery facility.~~
 - ~~7. Solid-waste composting facility.~~
 - ~~8. Solid-waste transfer facility.~~

C. RESERVED

2.111.04 Prohibited Uses

The following uses are expressly prohibited:

- A. All uses permitted in residential or commercial zones not otherwise specifically permitted by Sections 2.111.02 and 2.111.03.

- B. Auto wrecking and junk or salvage yards.
- C. Commercial radio, television or similar communication broadcasting stations or equipment.
- D. Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products.
- E. Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesale, warehousing, or storage of the following products or substances, except for any incidental business, service, process, storage, or display that is essential to and customarily associated, in the City's determination, with any otherwise permitted or conditionally permitted use:
 - 1. Abrasives, acids, disinfectants, dyes and paints, bleaching powder and soaps and similar products.
 - 2. Ammonia, chlorine, sodium compounds, toxics, and similar chemicals.
 - 3. Celluloid or pyroxylin.
 - 4. Cement, lime, gypsum, plaster of Paris, clay, creosote, coal and coke, tar and tar-based roofing and waterproofing materials and similar substances.
 - 5. Explosives and radioactive materials.
 - 6. Fertilizer, herbicides and insect poison.
- F. Metal rolling and extraction mills, forge plants, and smelters, and blast furnaces.
- G. Saw mills and pulp mills.
- H. Slaughter of livestock or poultry, the manufacture of animal by-products or fat rendering.
- I. Leather tanneries.
- J. General purpose solid waste landfills and incinerators, and other solid waste facilities except as permitted per Sections 2.110.03 and 8.303.

2.111.05 Dimensional Standards

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, other than for a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code

dimensions, area, setbacks or other requirements, except as permitted by Section 4.400.

A. Lot Dimensions

Except as otherwise provided, required minimum lot area and dimensions shall be:

- | | |
|--------------------------------|-----------------|
| 1. Lot area: | 20,000 sq. feet |
| 2. Lot width at front property | 100 feet |
| 3. Lot width at building line: | 100 feet |

B. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

1. Front yard: None, except when abutting a residential zone or public park there shall be a minimum of fifty (50) feet.
2. Side yards: None, except when abutting a residential zone there shall be a minimum of fifty (50) feet.
3. Rear yard: None, except when abutting a residential zone then, there shall be a minimum of fifty (50) feet.
4. Corner lots: None, except when abutting a residential zone there shall be a minimum of fifty (50) feet.

C. Height

Except as otherwise provided, the maximum height shall be fifty (50) feet, except that structures within one hundred (100) feet of a residential zone shall be limited to the height requirements of the residential zone.

2.111.06 Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Chapters 5, 8 and 9.

2.111.07 Flood Plain

Except as otherwise provided, Section 8.202, shall apply.2.302 ADDITIONAL SETBACKS

2.302.01 Generally

Additional setbacks shall be provided along streets based on the functional classifications in Section VI of the Community Development Plan. Additional setbacks shall be measured at right angles from the centerline of the street.

Classification	Additional Setback
Major Arterial	45 feet
Minor Arterial	35 feet
Collector	27 feet
Local	24 feet

2.303 FENCES, WALLS AND HEDGES

2.303.01 Generally

Fences, walls, and hedges may be located in any required yard or along the edge of any yard, subject to the maintenance of clear vision areas. A fence, wall or hedge may not exceed six (6) feet in height in a residential zone. Fences, walls or hedges shall not exceed a height of three and one-half (3 1/2) feet along the front property line or within a front yard setback. ~~All fences, walls and hedges over three and one-half (3 1/2) feet in height, including retaining walls, shall require a building permit.~~

2.304 LOT SIZES AND DIMENSIONS

2.304.01 Generally

If a lot or the aggregate of contiguous lots or parcels recorded, or platted, prior to the effective date of this Code, has an area or dimension which does not meet the requirements of this Code, the lot of aggregate lots may be put to a use permitted outright, subject to the other requirements of the zone in which the property is located; except that a residential use shall be limited to a single-family dwelling, or to the number of dwelling units consistent with the density requirements of the zone. However, no dwelling shall be built on a lot with less area than thirty-two hundred (3,200) square feet.

2.304.02 Cul-de-Sacs

Minimum lot width at the building line on cul-de-sac lots may be less than that required in this Code if a lesser width is necessary to provide for a minimum rear yard.

2.109 GENERAL COMMERCIAL (GC)

2.109.01 Purpose

The GC zoning district provides for wholesale and commercial uses which require larger parcels of land, and or uses which involve products or activities which require special attention to environmental impacts as per Section 5.800.

2.109.02 Permitted Uses

The following uses are permitted outright, provided such uses meet the applicable environmental performance standards contained in Chapter 8:

- A. Professional services, including but not limited financial, medical and dental, social services, real estate, legal, artistic, and similar uses.
- B. General retail trade, including bakeries where product distribution is limited to retailing on the premises only.
- C. Personal and business services, including day cares, preschools, and kindergartens.
- D. Postal substations when located entirely within and incidental to a use permitted outright.
- E. Temporary uses, including but not limited to portable construction offices and real estate sales offices, subject to Section 4.500.
- F. Farm and garden supply stores, and retail plant nurseries, but excluding wholesale plant nurseries, and commercial farm equipment and vehicle sales which are prohibited.
- G. Agricultural uses such as truck farming and horticulture, excluding commercial buildings and structures, or the raising of animals other than household pets.
- H. Commercial trade schools.
- I. Motion picture and live theaters, but excluding drive-ins which are prohibited.
- J. Restaurants, taverns, and lounges.
- K. Automotive and other appliance and equipment parts sales, but excluding junkyards and salvage yards which are prohibited.

- L. Blueprinting, printing, publishing, or other reproduction services.
- M. Automobile, recreational vehicle, motorcycle, truck, manufactured home, boat, farm, and other equipment sales, parts sales, repairs, rentals or service.
- N. Wholesale trade, warehousing, commercial storage and mini-warehousing, except as prohibited in Sections 2.110.04E and 2.111.04E.
- ~~O. Drive-in motion picture theaters.~~
- P. Limited manufacturing, including only: beverage bottling plants, commercial bakeries, machine shops, and handicraft manufacturing.
- Q. Building material sales, lumberyards, contractors storage and equipment yards, building maintenance services, and similar uses.
- R. Veterinarian offices and animal hospitals.
- S. Agricultural uses including but not limited to farming, and wholesale and retail plant nurseries, with customarily associated commercial buildings and structures permitted.
- T. Medical, dental, and similar laboratories.
- U. Truck and bus yards and terminals.
- V. Adult entertainment businesses, subject to Section 2.208.

2.109.03 Conditional Uses

The following uses are permitted as conditional uses, provided such uses meet the applicable environmental performance standards contained in Chapter 8, and are approved in accordance with Section 4.300:

- A. Special care facilities, including but not limited to hospitals, sanitariums, convalescent homes, correctional institutions, and residential care facilities.
- B. Radio, television, and similar communication stations, including transmitters.