

City of Sherwood, Oregon

ORDINANCE NO. 94-977

AN ORDINANCE APPROVING A PLAN MAP DESIGNATION OF LOW DENSITY RESIDENTIAL (LDR) FOR LAND ANNEXED TO THE CITY DESCRIBED AS TAX LOTS 100 AND 5700, MAPS 2S1 32DA AND TAX LOTS 400 AND 500, MAP 2S1 33CB; CONSISTING OF 9.93 ACRES, MORE OR LESS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the owner of the subject tax lots made an application to the Portland Metropolitan Boundary Commission for annexation of a contiguous parcel south of Roy Street totaling 9.93 acres, more or less, and

WHEREAS, on September 23, 1993, a public hearing was held before the Portland Metropolitan Boundary Commission for said application No. 3232, and after full and due consideration of the evidence, reports and testimony, a Final Order was prepared approving the annexation, and

WHEREAS, the Sherwood Comprehensive Plan Part II for the Sherwood Urban Growth Boundary was adopted on December 12, 1990, and designates the subject parcel Low Density Residential (LDR);

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Commission Review. The application for a Plan Map designation of Low Density Residential (LDR) for Tax Lots 100 and 5700, Map 2S1 32DA, and Tax Lots 400 and 500, Map 2S1 33CB, was subject to full and proper review, and a public hearing before the Planning Commission on January 4, 1994.

Section 2. Findings. That after full and due consideration of the application, the City Planning Revised Staff Report (dated 1-13-94) for PA 93-6 and the record and findings of fact, the Council adopts the findings contained in said staff report, and further finds that the proposed amendment is in conformance with all requirements of the Community Development Zoning Code Section 4.203.02.

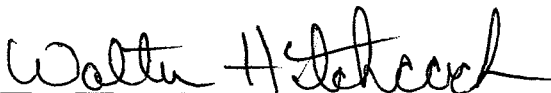
Section 3. Approval. That the request for a Plan Map designation of Low Density Residential (LDR) for all of Tax Lots 100 and 5700, Map 2S1 32DA, and Tax Lots 400 and 500, Map 2S1 33CB, consisting of 9.93 acres more or less, is hereby APPROVED.

Section 4. Manager Authorized. The City Manager is directed to take such action as may be necessary to document this amendment, including producing a certified modification of the official City Plan/Zone Map.

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

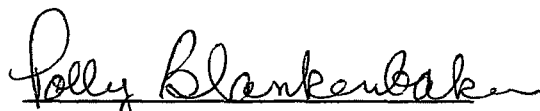
Duly passed by the City Council this 9th day of February 1994.

Approved by the Mayor this 9th day of February 1994.



Walter Hitchcock, Mayor

Attest:



Polly Blankenbaker, City Recorder

	<u>AYE</u>	<u>NAY</u>
Boyle	<u>✓</u>	—
Cottle	<u>✓</u>	—
Hitchcock	<u>✓</u>	—
Kennedy	<u>✓</u>	—
Tobias	<u>✓</u>	—

REVISED STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE MAILED: January 31, 1994

FROM: Carole W. Connell
Planning Director

FILE NO: PA 93-6

SUBJECT: A Plan/Zone Map Amendment to designate 9.93 acres of recently annexed land on Murdock Road Medium Density Residential Low (MDRL).

I. PROPODAL DATA

Applicant: Initiated by City of Sherwood

Owner: Judy Corcoran
23045 SW Murdock Road
Sherwood, Oregon 97140

Location: 23045 SW Murdock Road, further described as Tax Lots 100 and 5700, Map 2S 1 32DA, and Tax Lots 400 and 500, Map 2S1 33CB.

II. SHERWOOD COMPREHENSIVE PLAN PROVISIONS

A. Community Development Plan Part 2, annexation, growth management, residential, LDR and MDRL policies, Plan/Zone Map.

B. Community Development Plan Part 3, Zoning Code Sections:

1. 1.102.02 Official Map
2. 2.102 Low Density Residential (LDR) Zone
3. 3.200 Public Hearing and Notice
4. 4.203 Map Amendment

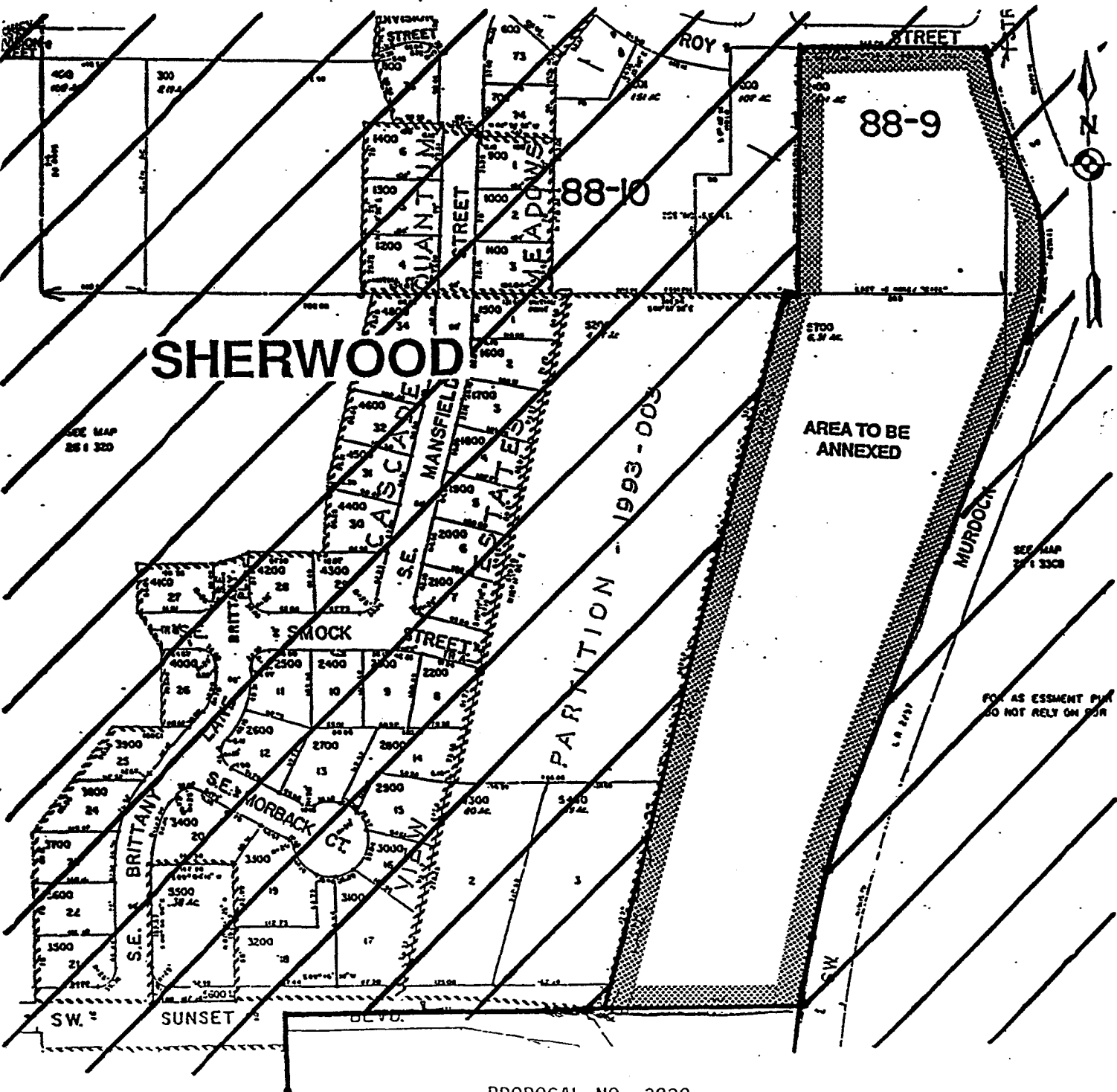
Exhibit "A"

PROPOSAL NO. 3232

NE1/4 SE1/4 SECTION 32 T2S R1W W.M.
Washington County

2S 1 32DA

Scale: 1" = 200'



PROPOSAL NO. 3232
CITY OF SHERWOOD
ANNEXATION
FIGURE 2b

II. FINDINGS OF FACT

A. Annexation of the subject property illustrated on the attached map marked Exhibit "A" was initiated by the owner in accordance with ORS 199.490. Annexation application was made to the Portland Metropolitan Boundary Commission (File No. 3232). A public hearing was held on September 23, 1993. The Commission approved the annexation by Final Order (attached), which became effective November 10, 1993.

B. The owner chose not to have the annexation reviewed by the City and was not obligated to do so. The property was annexed to obtain municipal services. Upon annexation the property must be officially zoned by the City.

C. Washington County was notified of the annexation request and supported it. DLCD was notified of the Plan/Zone Map Amendment and has not yet commented.

D. The following is in response to the required findings for a Plan/Zone Map Amendment. The land has been designated Low Density Residential (LDR) by the Sherwood Comprehensive Plan since 1990. The subject amendment is a formality subsequent to annexation to officially designate the land LDR in accordance with City zoning and the Urban Planning Area Agreement with Washington County.

Criteria:

1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

The subject area has been consistently planned for residential use since 1981. The Washington County Plan designated the site R-6, allowing 6 units per acre on a minimum 5000 square foot lot. The Sherwood Plan/Zone Map designates the site Low Density Residential (LDR) as a part of a larger block of zoning in the southeast sector of Sherwood. Murdock Road provides the zone boundary between VLDR to the east, MDRL to the north and LDR to the south and west of the site. The LDR zone permits 5 dwellings per acre.

The proposed amendment is consistent with the goals and policies of the Plan as described above and in the Boundary Commission's annexation decision and findings of fact.

2. There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.

The above criteria does not apply to an amendment following annexation. The amendment is required in order to officially notify the owner of City zoning being applied to the site. The purpose of the request is to apply the appropriate zoning consistent with the City Plan/Zone Map as illustrated in the Community Development Plan Part 2, Chapter 4, page 58.

3. The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.

Timeliness was determined by the Boundary Commission's annexation approval. Now that the property is in the City, City zoning must be applied.

The Murdock Road region has been an area of significant development activity in the City. Services and utilities have been extended to the subject site, from both the north and west.

4. Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.

The amendment is to apply City zoning to an annexed parcel, not to change the zoning from one City designation to another, or to compare this parcel with other parcels in the City. The purpose of the amendment is to apply the most appropriate zoning to the site, while remaining in compliance with the Plan.

IV. RECOMMENDATION

Based on the above findings of fact, the Boundary Commission's findings of fact and final order of annexation, Staff recommends adoption of those findings and approval of PA 93-6 to designate the subject property Low Density Residential (LDR).