

City of Sherwood, Oregon

ORDINANCE NO. 95-995

AN ORDINANCE CORRECTING APPARENT TYPOGRAPHICAL ERRORS AND RESOLVING INCONSISTENCIES IN ZONING AND COMMUNITY DEVELOPMENT CODE SECTIONS 2.104 AND 2.105 THAT PRECLUDE DEVELOPMENT OF OTHERWISE PERMITTED ATTACHED SINGLE-FAMILY USES, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Zoning and Community Development Code allows attached single-family dwellings in the City's Medium Density Residential High (MDRH) and High Density Residential (HDR) zones, and

WHEREAS, attached single family is a valuable housing option, retaining the "look and feel" of conventional residential subdivisions while providing for more efficient use of the land and affordable housing alternatives, and

WHEREAS, notwithstanding the Code's allowance for attached single-family housing, certain City lot dimension and setback standards actually act as a disincentive to the establishment of such housing, and

WHEREAS, certain of these dimensional standards become more restrictive in the transition from the MDRH to HDR zone, contrary to all other such standards, which become less restrictive or stay the same, thus indicating that typographical errors were made; and

WHEREAS, the City recently approved a subdivision designed for attached single-family dwellings and the implementation of this project has pointed up these apparent Code errors

WHEREAS, the Planning Commission conducted a public hearing on the City File PA 94-8, Miscellaneous Code Amendments, on December 20, 1994, and after full and due consideration of the evidence, reports, and testimony presented, adopted the proposed changes and recommended approval; and

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. MDRH Setbacks Amended: Section 2.104.04.B.2b presently requires 15-foot side yard setbacks, triple that required for two-family housing, and is hereby amended to read:

- b. Single-family Attached 5 feet
(one side)

Section 2. HDR Lot Sizes Amended: Section 2.105.04.A.1 presently requires a minimum lot size of 5,000 square feet per attached single-family unit despite the fact that only 4,000 square feet is required for single-family attached in the lower density MDRH zone or for two-family dwellings in either zone, and is hereby amended to read:

- a. Single-family Detached 5,000 sq.ft.
- b. Single-family Attached 4,000 sq. ft.

with other categories appropriately renumbered.

Section 3. HDR Setbacks Amended: Section 2.105.04.B.2b presently requires 15-foot side yard setbacks, triple that required for two-family housing, and is hereby amended to read:

- b. Single-Family Attached 5 feet
(one side)

Section 4. Effective Date. As the aforementioned Code standards require correction for a previously approved single-family attached subdivision to be implemented, an emergency is hereby declared to exist, and this Ordinance shall become effective February 28, 1995

Duly passed by the City Council this 28th day February 1995.

Approved by the Mayor this 28th day of February 1995.



 Walter Hitchcock, Mayor

Attest:



 James H. Rapp, City Manager/Recorder

	<u>AYE</u>	<u>NAY</u>
Aamold	<u>X</u>	—
Boyle	<u>X</u>	—
Cottle	<u>X</u>	—
Hitchcock	<u>X</u>	—
Kennedy	—	<u>X</u>