

**City of Sherwood, Oregon
Ordinance No. 97-1019**

AN ORDINANCE APPROVING AN AMENDMENT TO THE COMMUNITY DEVELOPMENT PLAN, PART 3, REGARDING THE SITING OF WIRELESS COMMUNICATION FACILITIES WITHIN THE CITY OF SHERWOOD.

WHEREAS, the Sherwood City Council has determined that the regulations contained in the Comprehensive Plan, Part 3, Zoning and Community Development Code regarding the siting of wireless communication facilities within the City are inadequate; and

WHEREAS, wireless technology is a rapidly changing industry with specific needs regarding the siting of antennas and the Sherwood City Council has determined that the siting of wireless facilities within the City involves the suitability of areas for such a use; and

WHEREAS, the City Planning Commission recommended adoption of proposed Plan Amendment regarding the siting of wireless communication facilities.

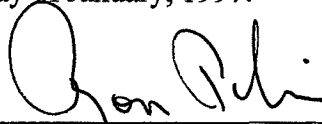
NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Amendments. Various sections in Chapter 2 of the Comprehensive Plan, Part 3, Zoning and Community Development Code are hereby amended per Attachment A.

Section 2. Effective Date. This ordinance shall become effective thirty (30) days after passage and approval.

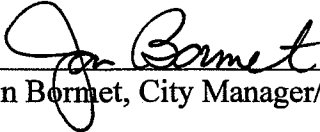
Duly passed by the City Council this 28th day of January, 1997.

Approved by the Mayor this 28th day of January, 1997.



Ron Tobias, Mayor

Attest:



Jon Bormet, City Manager/Recorder

	<u>AYE</u>	<u>NAY</u>
Aamold	<input checked="" type="checkbox"/>	_____
Boyle	<input checked="" type="checkbox"/>	_____
Cottle	<input checked="" type="checkbox"/>	_____
Krause	<input checked="" type="checkbox"/>	_____
Tobias	<input checked="" type="checkbox"/>	_____

**Amendments to the City of Sherwood Zoning and Community Development Code
Establishing Regulations for Wireless Communication Facilities.**

Amend Code Section 1.200 is amended by adding the following definitions:

Co-location: The placement of two or more antenna systems or platforms by separate FCC license holders on a structure such as a support structure, building, water tank or utility pole.

Wireless Communication Facility: An unmanned facility for the transmission or reception of radio frequency (RF) signals usually consisting of an equipment shelter, cabinet or other enclosed structure containing electronic equipment, a support structure, antennas or other transmission and reception devices.

Amend Code Section 2.109 General Commercial (GC) to read as follows:

2.109.02 Permitted Uses

V. Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure provided the applicant can demonstrate to the satisfaction of the City that the location of the antenna on City-owned property would be unfeasible.

2.109.03 Conditional Uses

B. Radio, television, and similar communication stations, including transmitters and wireless communication towers except for towers located within 1,000 feet of the Old Town District which are prohibited.

Amend Code Section 2.110 Light Industrial (LI) to read as follows:

2.110.02 Permitted Uses

N. Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure provided the applicant can demonstrate to the satisfaction of the City that the location of the antenna on City-owned property would be unfeasible.

2.110.03 Conditional Uses

- F. Radio, television, and similar communication stations, including transmitters and wireless communication towers except for towers located within 1,000 feet of the Old Town District which are prohibited.

Amend Code Section 2.111 General Industrial (GI) to read as follows:

2.111.02 Permitted Uses

- O. Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure provided the applicant can demonstrate to the satisfaction of the City that the location of the antenna on City-owned property would be unfeasible.

2.111.03 Conditional Uses

- C. Radio, television, and similar communication stations, including transmitters and wireless communication towers except for towers located within 1,000 feet of the Old Town District which are prohibited.

2.111.04 Prohibited Uses

- C. ~~Commercial radio, television or similar communication broadcasting stations or equipment.~~

Amend Code Section 2.113 Institutional and Public (IP) to read as follows:

2.113.02 Permitted Uses

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

- A. Wireless communication facilities on City-owned property
- B. Wireless communication antennas mounted on an existing building or structure not exceeding the height of the roof of the structure provided the applicant can demonstrate to the satisfaction of the City that the location of the antenna on City-owned property would be unfeasible.

2.113.03 Conditional Uses

- H. Public Radio, television, and similar communication stations, including transmitters and wireless communication towers.

2.111.04 Prohibited Uses

- B. ~~Radio, television and similar communication stations, except when publicly owned.~~

The remaining numbers in this section will be revised accordingly.

Amend Code Section 2.306 to read as follows:

2.306 CHIMNEYS, SPIRES, ANTENNAS AND SIMILAR STRUCTURES

2.306.01 Heights

Except as otherwise provided, the height limits established by this Code shall not apply to chimneys, stacks, water towers, radio or television antennas, towers, windmills, grain elevators, silos, elevator penthouses, monuments, domes, spires, belfries, hangers, solar heating devices and to wireless communication facilities two hundred (200) feet in height or less.

Amend Code Section 4.302.03 to read as follows:

4.302 PERMIT APPROVAL

4.302.03 Findings of Fact

For wireless communication facilities, no conditional use permit shall be granted unless the following additional criteria is found:

- F. The applicant shall demonstrate to the satisfaction of the City that the wireless communication facility cannot be located in an IP zone due to the coverage needs of the applicant.

- G. The proposed wireless communication facility is designed to accommodate co-location or it can be shown that the facility cannot feasibly accommodate co-location.

- H. The applicant shall demonstrate a justification for the proposed height of the tower or antenna and an evaluation of alternative designs which might result in lower heights.

- I. The proposed wireless communication facility is not located within one thousand (1,000) feet of an existing wireless facility or that the proposed wireless communication facility cannot feasibly be located on an existing wireless communication facility.

- J. The proposed wireless communication facility is located a minimum of three hundred (300) feet from residentially zoned properties.

Amendments and additions to the Sherwood Comprehensive Plan, Part 3, Zoning and Community Development Code (existing text in plain type, new text in *italic*):

Chapter 2, Section 2.200 SPECIAL USES

2.204 *Multi-Modal Transportation Corridor Overlay Zone*

2.204.01 *Purpose*

The overlay district is intended to provide land uses and development design which is supportive of transit and which encourages walking and bicycling as an alternative to the automobile. The development standards of this overlay district are intended to promote safe and pleasant pedestrian environments with an attractive streetscape, convenient routes for pedestrians and bicyclists, and mixed retail and residential uses in commercial zones.

2.204.02 *Applicability*

- A. *The Multi-Modal Transportation Corridor Overlay Zone shall apply to land within 200 feet of the designated transit street within the corridor. This district is shown on the City Zoning Map with the letters "MTC". In the case of properties that are partially within the MTC Overlay Zone, the provisions of this chapter shall apply to the entire property.*
- B. *Except as modifies in this chapter, the regulations and standards of the base zone shall apply.*

2.204.03 *Requirements of the MTC Overlay Zone*

The following provisions shall apply to all MTC Overlay Zones:

- A. *Multi-family housing is permitted above the ground floor in any nonresidential zoning district subject to the requirements of the MDRH (Medium-High Density Residential) zone.*
- B. *Ground Floor Windows*

The following ground floor window standards apply to all non-residential development within the MTC overlay zone:

1. *Exterior walls within 15 feet of a designated multi-modal transportation corridor street shall have windows for a minimum of 50% of the length and 25% of the area of the ground level wall area, which is defined as the area up to 9 feet above finished grade. Parking structures with a*

setback of at least 5 feet and screened by landscaping are exempt from this requirement.

- 2. The required windows must provide either views into building work areas or lobbies, or displays of merchandise or artwork.*
- 3. The Planning Commission may grant a waiver from this standard for uses with unique requirements, such as cinemas or theaters, provided the exterior walls are designed to provide architectural relief or that are screened by landscaping and pedestrian amenities, such as wider sidewalks or benches. Unscreened, flat, blank walls at the ground level are not permitted along designated corridor streets.*

C. Pedestrian and Bicycle Circulation

The design of the development shall provide for on-site and off-site pedestrian and bicycle facilities which are consistent with the provisions of Sections 6.805 and 7.403.

D. Application Review by Tri-Met

Tri-Met shall be given an opportunity to review and make recommendations on development applications. The City and Tri-Met shall have the ability to require public improvements for the purpose of accommodating transit stops. These requirements may include, but are not limited to, additional right-of-way or easements, public sidewalks, which are wider than normal City standards, and shelters.

2.204.04 Special Requirements for North Sherwood Boulevard, Oregon Street and Downtown

A. Building Setbacks

- 1. Development in commercial zones will have a maximum setback of 10 feet from the street frontage on N. Sherwood Boulevard, Oregon Street and in downtown as shown on the City Zoning Map.*
- 2. Development in residential zones will have a maximum setback of 20 feet from the street frontage on N. Sherwood Boulevard, Oregon Street and in downtown as shown on the City Zoning Map.*

B. Building Orientation and Location - Commercial Zones

- 1. For development on commercially zoned property, a minimum of one main building entrance shall be oriented toward the corridor or downtown street, and it shall include a sidewalk connecting the entry and the street.*
- 2. A minimum of one building entrance shall be located a maximum of 30 feet from the corridor or downtown street.*

Chapter 5, Section 5.300 OFF-STREET PARKING AND LOADING

Section 5.302.03. Miscellaneous Standards

E. Bicycle Parking Facilities

Bicycle parking must be located within fifty (50) feet of an entrance to the building. With the permission of the City, bicycle parking may be located in public right-of-way. The *required* minimum number of bicycle parking spaces for each use is described in the following:

Recommended changes to the table are as follows:

- Change heading to read: ~~MINIMUM RECOMMENDED~~ **REQUIRED BICYCLE PARKING SPACES**
- *Require one covered parking space per multi-family unit, noting that space in a garage, carport, or storage area may count as a covered space.*
- *Apply the one bike space per 20 car space ratio to office commercial uses.*

Additional provisions for section 5.302.03.E. to follow table are:

1. *Bike parking design standards*

Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks which support the frame so the bicycle cannot easily be pushed or fall to one side.

Bicycle parking spaces shall be at least 6 feet long and 2.5 feet side, and overhead clearance in covered spaces shall be a minimum of 7 feet.

A 5 foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.

Bicycle racks or lockers shall be securely anchored.

Required bicycle parking shall be located in a well lighted, secure location within 50 feet of an entrance to the building, but not farther from the entrance of the building than the closest standard or compact vehicle parking space.

Bicycle parking shall not obstruct walkways. A minimum 5 foot wide aisle shall remain clear.

If ten or more bicycle spaces are required for commercial and industrial development, then at least 50 percent of the bicycle spaces must be covered. A lockable enclosure shall be considered as a covered parking space.

Fifty percent of the required bicycle parking at transit stations and park and ride lots shall be lockable enclosures.

All of the required bicycle parking for residential uses shall be covered.

2. *Locational standards for bicycle parking*

All required bicycle parking shall be located on the site within 50 feet of main building entrances and not farther from the entrance than the closet standard or compact motor vehicle parking space. Bicycle parking shall have direct access to both the public right-of-way and to the main entrance of the principal use.

For buildings or developments with multiple entrances, required short term bicycle parking shall be distributed proportionally at the various public entrances. Required long-term public parking shall also be distributed at the various public entrances, while employees parking shall be located at the employee entrance, if appropriate.

Bicycle parking may be located in the public right-of-way with the approval of the City Engineer.

Bicycle parking may be provided within a building, but the location must be easily accessible for bicyclists.

3. *Commuter facilities for employees*

Facility standards should be expanded further in the Zoning Ordinance to provide greater convenience and to address long-term parking needs. It is recommended that employers should be encouraged to provide facilities for bicycle commuters such as changing rooms, lockers and showers but that it should not be mandatory. The City should evaluate possible methods for providing this incentive. Possible methods to encourage provision of these facilities include reducing the number of required vehicular parking spaces.

F. *Carpool and Vanpool Parking Requirements*

Commercial, industrial and institutional developments, including government offices with 30 or more employee parking spaces shall designate at least 10% of the employee parking spaces for carpool or vanpool parking. These spaces shall meet the following standards:

1. *They will be clearly marked "Reserved-Carpool/ Vanpool Parking Only"*
2. *They will be located as close to the employer's entrance to the building as possible and shall be closer than any other employee parking spaces.*

Chapter 6, Section 6.300 STREETS

Section 6.307 TRANSIT ISSUES

During the review of development applications within the Transit and Pedestrian District overly zone, the City shall solicit comments from Tri-Met regarding transit issues.

Chapter 6, Section 6.800 PRIVATE IMPROVEMENTS:

6.805 *On-site Bicycle and Pedestrian Circulation*

- A. *Walkways and driveways shall provide a direct connection to existing and planned walkways and driveways **on adjacent developments.***
- B. *Sidewalks and walkways must connect the pedestrian circulation system to other areas of the site such as buildings, vehicle and bicycle parking, children's play areas, required outdoor areas and any pedestrian amenities, such as open space, plazas, resting areas, and viewpoints. The pedestrian system must connect the site to adjacent streets, nearby transit stops, and adjacent development.*
- C. *Walkways shall be located so that pedestrians have a short distance to walk between a transit stop or public sidewalk and building entrance.*

Chapter 7, Section 7.400 DESIGN STANDARDS

7.403 Pedestrian and Bicycle Ways

- A. *Bicycle and pedestrian routes shall be located to provide a reasonably direct connection between likely destinations. A reasonably direct connection is a route which minimizes out of direction travel considering terrain, physical barriers, and safety. **The objective of this standard is to achieve the equivalent of a system of routes using a ¼ mile grid.***
- B. *Pedestrian or bicycle ways may be required to connect cul-de-sacs, divide through an unusually long or oddly shaped block, or to otherwise provide adequate circulation.*
- C. *Bicycle and pedestrian paths shall be as short as possible and, whenever practical, straight enough to allow one end of the path to be seen from the other.*
- D. *Bicycle and pedestrian paths shall be lighted either by street lights on adjacent streets or pedestrian scale lighting along the accessway. Lighting shall not shine into adjacent residences.*



City of
Sherwood
Oregon

Home of the Tualatin River National Wildlife Refuge

Date: JULY 31, 1997

Number of pages including cover sheet: 2

FAX

To:

LIEUTENANT PETERSON

CITY OF DUNDEE

Phone: 538-2244

Fax phone: 538-1958

CC:

From:

WENDY ANDERSON

CITY OF SHERWOOD

Phone: 625-4201

Fax phone: (503) 625-5524

REMARKS:

Urgent

For your review

Reply ASAP

Please comment

SHERWOOD COMMUNITY DEVELOPMENT CODE

SECTION 2.102.02 - C PERMITTED USES

IN REFERENCE TO LIVESTOCK IN RESIDENTIAL AREAS.

If all pages are not received please call 625-4201.

2.102 LOW DENSITY RESIDENTIAL (LDR)

2.102.01 Purpose

The LDR zoning district provides for single-family housing and other related uses with a density not to exceed five (5) dwelling units per acre.

2.102.02 Permitted Uses

The following uses and their accessory uses are permitted outright:

- A. Single-family detached or attached dwellings.
- B. Manufactured homes on individual lots as per Section 2.205.01.
- C. Agricultural uses such as truck farming and horticulture, but excluding commercial buildings or structures, or the raising of animals other than household pets.
- D. Home occupations, subject to Section 2.203.
- E. Group homes not exceeding five (5) unrelated persons in residence, family day care providers, government assisted housing, provided such facilities are substantially identical in physical form to other types of housing allowed in the zoning district.
- F. Public recreational facilities, including but not limited to parks, playfields, sports and racquet courts, but excluding golf courses which are permitted conditionally.
- G. PUDs, subject to Sections 2.202 and 2.101.07.
- H. Temporary uses, including but not limited to portable construction and real estate sales offices, subject to Section 4.500.
- I. Residential care facility.

2.102.03 Conditional Uses

The following uses and their accessory uses are permitted as conditional uses when approved in accordance with Section 4.300:

- A. Churches and parsonages.
- B. Cemeteries and crematory mausoleums.