

City of Sherwood, Oregon
Ordinance No. 99-1072

Miller
Landing

AN ORDINANCE APPROVING A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONING DISTRICT FOR TAX LOT 100, WASHINGTON COUNTY ASSESSORS MAP 2S 1 30C, CONSISTING OF 24.33 ACRES MORE OR LESS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the subject property contains approximately 8 acres of sensitive wetland and natural areas identified in the City's wetland Inventory; and

WHEREAS, the subject property is within the urban growth boundary and City limits, and is zoned for residential development, and Sherwood City Council believes that the subject PUD complies because of the sensitive wetland and natural areas on the site; and

WHEREAS, the Community Development and Zoning Code Section 2.202.02A specifies that "PUDs shall only be considered on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of natural features such as floodplain or extreme topography...". The Sherwood City Council believes that the subject PUD complies because the site contains significant natural areas identified on the Natural Resources and Plan Map which will be dedicated to the City in exchange for a density transfer to the developable portion of the property ; and

WHEREAS, the Sherwood Planning Commission received the PUD application (City File No. PUD 98-2) and report of the City's Planning Staff and the Commission fully considered said materials; and

WHEREAS, the Sherwood Planning Commission conducted a public hearing on the proposed PUD 98-2 on December 1, 1998 and on December 15, 1998 adopted findings denying the proposed Planned Unit Development; and

WHEREAS, the Sherwood City Council has received the original application materials, the City's Planning Staff report, the minutes of the Planning Commission, and the Council has reviewed the materials submitted and the facts of the proposal.

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Commission Review & Public Hearing. That the application for a Planned Unit Development (City File No. 98-2) Overlay District for Tax Lot 100, Map 2S 1 30C was subject to full and proper review, and public hearings were held before the Planning Commission on December 1 and 15, 1998.

Section 2. Findings. That after full and due consideration of the application, the City Staff report, the record, findings, and of the evidence presented at the public hearing, the Council finds that, due to the unique natural features, Tax Lot 100, Map 2S 1 30C is unusually constrained in development potential as compared to other land with the same underlying zoning designation, and therefore, the Council adopts the findings of fact attached and labeled as Attachment A.

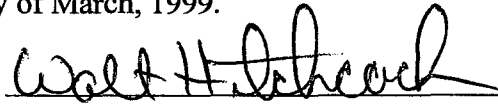
Section 3. Approval. That a request for a PUD Preliminary Plat and Preliminary Development Plan for Tax Lot 100, Map 2S 1 30C consisting of 24.33 acres more or less, is hereby APPROVED subject to the conditions contained in Attachment A.

Section 4. Manager Authorized. The City Manager is directed to take such action as may be necessary to document this amendment, including preparation of a certified modification of the Official City Zoning Map, at such time as all conditions of the approval have been fully satisfied in accordance with City ordinances and regulations, as determined by the City Manager.

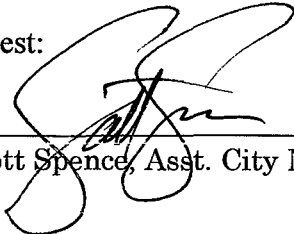
Section 5. Effective Date. This ordinance shall become effective at such time as the PUD Final Development Plan has been approved in accordance with Code Section 2.202.03.

Duly passed by the City Council this 23rd day of March, 1999.

Approved by the Mayor this 23rd day of March, 1999.


Walt Hitchcock, Mayor

Attest:



Scott Spence, Asst. City Manager

	AYE ✓	NAY
Cottle	✓	
Krause	✓	absent
Franklin	✓	
Hitchcock	✓	