

**City of Sherwood, Oregon  
Ordinance No. 2000-1092**

**AN ORDINANCE APPROVING SHERWOOD COMPLIANCE WITH THE METRO  
GOVERNMENT'S 2040 URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN, TITLE 3,  
WATER QUALITY AND FLOOD MANAGEMENT, AND TITLE 4, RESTRICTIONS ON RETAIL  
USES IN EMPLOYMENT AND INDUSTRIAL AREAS.**

**WHEREAS**, the Functional Plan was adopted by the Metro Council November 1996 and came into effect February 19, 1997; and

**WHEREAS**, local jurisdictions were given two years to come into compliance with the Plan, the deadline being February 19, 1999; and

**WHEREAS**, the City requested and was approved various extensions to Titles 1-6; and

**WHEREAS**, a consultant was engaged to insure staffing would be adequate to meet the present deadline extension of December, 2000,

**NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:**

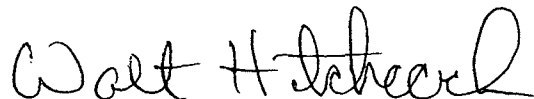
Section 1. Public Hearing. The proposed amendments to the Sherwood Plan and Code necessary to comply with Title 3, Water Quality and Flood Management, and Title 4, Restrictions on Retail Uses in Employment and Industrial Areas, of the Metro "Urban Growth Functional Plan," were properly noticed and reviewed by the Council.

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 adopts the findings of fact contained in the staff report.

Section 3. Approval. That a request for the subject Plan Text Amendment is hereby APPROVED subject to the language contained in Exhibit A.

Section 4. Effective Date. This ordinance shall become effective thirty (30) days after passage and approval.

**Duly passed by the City Council this 11th day of July, 2000.**

  
Walt Hitchcock, Mayor

ATTEST:  
  
John N. Morgan, City Manager

	AYE	NAY
Whiteman	_____	<u>X</u>
<del>Franklin</del>	_____	_____
<del>Krause</del>	_____	_____
Cottle	<u>X</u>	_____
Hitchcock	<u>X</u>	_____

**SHERWOOD 2040 Compliance**  
Title 3 and Title 4

**Introduction**

The following are proposed amendments to the Sherwood Plan and Code necessary to comply with Titles 3 and 4 of the Metro "Urban Growth Management Functional Plan."

**I. Title 3 Water Quality and Flood Management**

Sherwood currently has a Metro extension until June 2000 to complete this task. Staff recommends we meet the deadline.

The title requires jurisdictions to amend their comprehensive plans and implementing ordinances to protect water quality and to improve flood management. Title 3 specifies protection provisions and identifies on a map properties that are affected by the rules. The Unified Sewerage Agency has adopted new rules and a map that coincides with Title 3. Therefore, if new development in Sherwood complies with USA requirements, it meets Title 3 standards. The City's Design and Construction Standards have been revised in Sherwood to reflect the relevant USA standards. But Sherwood needs to amend its plan and code to reflect the Title 3 purposes and to specifically reference that development in the City will comply with the USA water quality regulations contained in their Design and Construction Standards, R&O 00-7, or its replacement.

**Implementation**

**A. Comprehensive Plan Chapter 5 Environmental Resources:** Amend existing plan policies as follows (strikethrough for deletions and underline for new):

**1. Comprehensive Plan Page 7, Chapter 5:**

" Planning Goals: Environmental Quality

1. For the purpose of protecting the functions and values of water resources, protect the water quality of Rock Creek, Chicken Creek, Cedar Creek, and their tributaries through control of runoff water by the following means:
  - a. Construction site sediment control.
  - b. Storm sewer design and location.
  - c. Regulation of floodplain alterations.
  - d. Adoption of the regional Storm Water Management Plan.
  - e. Establish buffers between development and the designated wetlands.

- f. Acquire through dedication at the time of development, or through purchase, all wetlands and floodplains.
- g. Maintain or reduce stream temperatures.
- h. Maintain natural stream corridors.
- i. Minimize erosion, nutrient and pollutant loading into water.

## 2. Comprehensive Plan Page 12, Chapter 5:

- “Policy 1: Flood plains shall be prohibited from development in order to reduce the risk of flooding, prevent or reduce risk to human life and property, and maintain functions and values of floodplains such as allowing for the storage and conveyance of stream flows through existing and natural flood conveyance systems.

- Policy 3: Provide drainage facilities and regulate development in areas of runoff or erosion hazard.

### Strategy:

- Identify low-density development for steep lands.
- Adopt runoff and erosion control standards and practices during and after construction in identified runoff and erosion hazard areas ( See Part 1 Background Data and Analysis).
- ~~Participate in completion and implementation of the Unified Sewerage Agency’s Storm Water Management Plan to comprehensively address runoff and erosion hazards.~~
- Require erosion prevention measures and sediment control practices during and after construction to prevent the discharge of sediments.”

## 3. Comprehensive Plan Page 18, Chapter 5

“Policy 1: Water quality will be protected from erosion and other forms of degradation.

### Strategy:

- To minimize erosion, nutrient and pollutant loading into water, runoff and sedimentation ordinances will be considered for protection of water quality from construction sites.
- Flood plain and wetlands will be protected and preserved by greenway, flood plain and wetland ordinances.
- ~~The City will only permit development that is consistent with DEQ.~~

- Industrial development will not be permitted in the sensitive aquifer area and all urban development will be required to connect to City sewer.
- ~~The City will cooperated with the Unified Sewerage Agency in implementation of the “Surface Water Management Plan for Washington County” as it relates to the Tualatin River Basin.”~~
- Maintain or reduce stream temperatures and maintain natural stream corridors by providing vegetated corridors that separate water resources from development.”

**A. Code Section 6.600 Storm Water Design Standards:** Add a reference to the existing zoning code provisions and standards that refers to USA requirements for new development as follows:

**1. Zoning Code Page 19, Chapter 6**

- “6.601 Required Improvements

Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to existing downstream drainage systems consistent with the Comprehensive Plan and the requirements of the Unified Sewerage Agency’s water quality regulations contained in their Design and Construction Standards R&O 00-7, or its replacement.

- 6.603.01 Capacity

Storm water drainage systems shall be sized, constructed, located and installed at standards consistent with this Code, the Storm Drainage Master Plan, attached as Exhibit E, and Chapter 7 of the Community Development Plan, other applicable City standards, ~~applicable Washington County storm water management authority standards,~~ the Unified Sewerage Agency’s Design and Construction Standards R&O 00-7 or its replacement, and hydrologic data and improvement plans submitted by the developer.”

**A. Code Sections 8.202 Floodplain & 8.305 Wetland, Habitat and Natural Areas:** Amend existing language that refers to USA requirements for new development as follows:

**1. Zoning Code Page 2, Chapter 8**

- “8.802.02 Greenways

The FP zoning districts overlaying the Rock Creek and Cedar Creek flood plains are designated greenways in accordance with Chapter 5 of the Community Development Plan. All development in these two flood plains shall be governed by the policies in Chapter 5, Section 8.304 of this Code, in addition to the requirements of Section 8.202 and the Unified Sewerage Agency’s Design and Constriction Standards R&O 00-7, or its replacement.”

## 1. Zoning Code Page 49 & 50, Chapter 8

- "8.305 Wetlands, Habitat & Natural Areas
- 8.305.02 Standards

A.1. The facility will not reduce the area of wetlands on the site, and development will be separated from such wetlands by a ~~minimum of sixty (60) feet, which shall be retained in its existing condition or enhanced for compatibility with the wetland. The setback may be reduced to as little as twenty (20) feet if the applicant shows such lesser setback will not adversely affect the wetland,~~ an area determined by the Unified Sewerage Agency's Design and Construction Standards R&O 00-7 or its replacement, provided Section 8.303.09 does not require more than the requested setback.

B5. Development associated with the facility will be setback from the edge of a significant natural area by a ~~minimum of sixty (60) feet and the setback shall be retained in its existing condition or enhanced for compatibility with the natural area. The setback may be reduced to as little as twenty (20) feet if the applicant shows such lesser setback will not adversely affect the area,~~ an areas determined by the Unified Sewerage Agency's Design and Construction Standards R&O 00-7 or its replacement, provided Section 8.303.09A does not require more than the requested setback. Lack of adverse effect can be demonstrated by showing the same sort of evidence as in Section 8.305.02A1 above.

## II. Title 4 Restrictions on retail uses in employment and industrial areas

Sherwood currently has an extension from Metro until June 2000 to complete this task. City staff recommends we meet the deadline.

This title requires jurisdictions to amend their comprehensive plans and implementing ordinances to restrict the size of retail uses in areas designated as employment and industrial by Metro. See attached Title 4 map for Sherwood. Local ordinances may make exceptions for low traffic generating, land-consumptive commercial uses with low parking demand, which have a community or region-wide market. Further, the employment areas (blue) that are zoned by the City "General Commercial" are exempt from this requirement. Although the Code no longer permits General Commercial uses in the industrial zones, for clarity the code should specifically prohibit them (i.e. Home Depot). The City has requested that the map be amended to remove the employment designation for the rail district adjoining downtown. This request should be processed separately from the Functional Plan compliance work.

### Implementation

**A. Comprehensive Plan Chapter 4 Land Use:** Develop a Plan policy in the industrial policy section stating that lands planned for industrial use should be reserved for employment uses, and that large-scale retail uses (over 60,000 sq.ft.) with large parking requirements and significant traffic impacts should not be located in those areas as follows:

**1. Comprehensive Plan Page 51, Chapter 4**

- "Policy 2: The City will encourage sound industrial development by all suitable means to provide employment and economic stability to the community.

**Strategy:**

- The City will allocate land to meet current and future industrial space needs which will provide an appropriate balance to residential and commercial activities.
- The City will encourage clean capital and labor intensive industries to locate in Sherwood.
- The City will prohibit the development of large-scale retail uses with significant traffic impacts and large parking requirements on industrially zoned land."

**A. Code Sections 2.111 Light Industrial & 2.112 General Industrial:** Amend the conditional use section of those zones providing for limited retail uses associated with the industrial use, but no larger than 60,000 square feet (gross leasable area per building or business).

**1. Zoning Code Page 46, Chapter 2**

- 2.111.03 LI Conditional Uses

M. Retail outlets for warehousing or manufacturing operations, limited to 10% of the total floor area and not to exceed 60,000 square feet of gross leaseable area per building or business. The retail area shall be physically separated by a wall or other barrier from the manufacturing or warehousing operation. Warehousing and storage areas shall not be used as showrooms.

**1. Zoning Code Page 51, Chapter 2**

- 2.112.03 GI Conditional Uses

K. Retail uses for warehousing or manufacturing operations, limited to 10% of the total floor area and not to exceed 60,000 square feet of gross leaseable area per building or business. The retail area shall be physically separated by a wall or other barrier from the manufacturing or warehousing operation. Warehousing and storage areas shall not be used as showrooms.