



## ORDINANCE 2016-010

### AMENDING SECTION 16.162.040 TO ALLOW PUBLIC AND PRIVATE PARKING LOTS ON A RESIDENTIALLY ZONED LOT WITHIN THE OLD TOWN OVERLAY

**WHEREAS**, the City received an application on behalf of the Urban Renewal Agency for a text amendment to the Sherwood Zoning and Development Code amending the provisions of Chapter § 16.162.040; and

**WHEREAS**, the applicant proposed to conditionally permit public and private (non-accessory) parking on residentially zoned lots within the Old Town Overlay as long as they were located on a Collector or Arterial designated street, and vacant as of May 1, 2016 ; and

**WHEREAS**, after testimony from the public, staff and the applicant, the Sherwood Planning Commission recommended to the City Council that the proposed amendment to Section 16.162.040 be approved; and

**WHEREAS**, the proposed amendment was reviewed for compliance and consistency with the Comprehensive Plan, regional and state regulations and found to be fully compliant; and

**WHEREAS**, the proposed amendments were subject to full and proper notice and review and public hearings before the Planning Commission on April 12, 2016 and May 24, 2016; and

**WHEREAS**, the analysis and findings to support the Planning Commission recommendation are identified in the City Council Staff Report; and

**WHEREAS**, the City Council held a public hearing on June 7, 2016, and determined that the proposed changes to the Development Code met the applicable Comprehensive Plan criteria and continued to be consistent with regional and state standards at a first reading on June 7 with an anticipated second reading on June 21, 2016.

### **NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:**

**Section 1. Findings** After full and due consideration of the application, the Planning Commission recommendation, the record, findings, and evidence presented at the public hearing, the City Council adopts the findings of fact contained in the Planning Commission recommendation finding that the text of the SZCDC shall be amended as documented in attached Exhibit 1.

**Section 2. Approval** The proposed amendment for Plan Text Amendment (PA) 16-02 identified in Exhibit 1 is hereby **APPROVED**.

**Section 3. Manager Authorized** The Planning Department is hereby directed to take such action as may be necessary to document this amendment, including notice of adoption to DLCD and necessary updates to Chapter 16 of the Municipal Code in accordance with City ordinances and regulations.

**Section 4. Applicability** The amendments to the City of Sherwood Zoning and Community Development Code by Sections 1 to 3 of this Ordinance apply to all land use applications submitted after the effective date of this Ordinance.

**Section 5. Effective Date** This ordinance shall become effective the 30<sup>th</sup> day after its enactment by the City Council and approval of the Mayor.

Duly passed by the City Council this 21st day of June 2016.

  
\_\_\_\_\_  
Krisanna Clark, Mayor                      6/21/16  
Date

Attest:

  
\_\_\_\_\_  
Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Brouse	<u>✓</u>	_____
Robinson	<u>Absent</u>	_____
Kuiper	<u>✓</u>	_____
King	<u>✓</u>	_____
Henderson	<u>✓</u>	_____
Harris	<u>✓</u>	_____
Clark	<u>✓</u>	_____

## EXHIBIT 1

### 16.162.040 - Conditional Uses

The following uses are permitted as conditional uses, provided such uses meet the applicable environmental performance standards contained in Division VIII, and are approved in accordance with Chapter 16.82:

- A. Uses permitted as conditional uses in the RC zone, Section 16.28.020, HDR zone, Section 16.20.020, and the MDRL zone, Section 16.16.020, provided that uses permitted as conditional uses on any given property are limited to those permitted in the underlying zoning district, unless otherwise specified by Section 16.162.030 and this Section.

(Ord. 2002-1128 § 3; 94-990; 92-946; 87-859)

- B. Townhouses (shared wall single-family attached) subject to Chapter 16.44. In addition, any garages shall use alley access. RC zone setback standards may be used in lieu of other applicable standards.

(Ord. 2006-009 § 2)

- C. Public and commercial (non-accessory) parking within residential zoning districts when both of the following apply:
  - 1. On May 1, 2016, no buildings existed on the property where the parking is to be located; and
  - 2. The property has street frontage on an arterial and/or collector street as identified within the Sherwood Transportation System Plan.