

TO: Sherwood Planning Commission

January 8, 2013

FROM: Lisa & Roger Walker
23500 SW Murdock Rd
Sherwood, OR 97140

RE: PA 12-04 VLDR Text Amendment

Dear Commissioners:

As members of the Planning Commission you are asked to review many projects. Often they involve minor issues and/or few people are affected by a particular decision. However, before you tonight is one of the larger issues you are likely to be responsible for. A few decisions have needed a lot more time, effort and research to really analyze their impacts and this is one of them. Because this is a legislative action you are not required or encouraged to move things through the process quickly.

A lot of time was spent on 'Code Clean Up' over the past 2 + years and since this involves a major change to the code and affects the future of the look of Sherwood, it needs to have even more due diligence invested in its review.

This is kind of a continuation of the SE Sherwood Master Plan discussion that began 7 years ago in 2005. I say discussion because that was really all it ended up amounting to. It has been confirmed by staff and others involved, the PC Resolution # 2006-001 really resolved nothing and has no real legislative power. I know Chair Allen was there for those discussions as was I, and some of the other members of the audience tonight. That project was a huge endeavor for those involved and yet no consensus was reached. It is for that reason we are asking that great attention is given to all the citizen testimony you receive and additional time is allowed for further citizen involvement beyond tonight. There are many thoughts and issues to bring up that cannot adequately be explored in the 5 minutes we have for testimony tonight.

I am going to try and review as many specific points as I can tonight but want to request further opportunities to provide additional information to you.

Exhibit G

At the very least we want to consider adding additional language to any final text amendment and not just have to accept it as proposed. Perhaps it could include provision for the concerns of the property owners and the citizens. Again this will take more time.

See Staff report – page 24

16.80.030.1 – Text Amendment Review

The applicant claims the need for the proposed text amendment is found in within the PC Resolution 2001-01.

Reasons why the proposal does not meet this criteria:

1. The applicant is relying on a resolution that was not adopted because:
 - a. No consensus was reached
 - b. Staff had to 'move onto other projects and grant funds were diminished causing the project to be kind of dropped where it was.
2. The PC has never before, nor since, used the Resolution process.
 - a. Therefore a Resolution by nature has no 'teeth' to enforce
3. This resolution was done 7 years ago and changes have occurred making it prudent to look further into its intent and determine its current validity and not accept its intent on face value.
4. The fact that the Resolution supported a plan that could not be legally done supports the position that the process was stopped prematurely and prior to all due diligence being completed.
5. The proposed amendment does not satisfy all issues identified in the SESMP.
 - a. Hilltop viewpoint
 - b. Density buffering

Consistency with Statewide Planning Goals:

Goal 1: “Citizen Involvement” (page 25)

While the process to develop the proposed changes was compliant with this goal the use of the data collected in the SESMP process from 7 years ago is not valid as it does not consider the current property owners and residents nor the changes to the current landscape.

PA 12-04 Facts to Highlight:

- This is a legislative not quasi-judicial action so it does not have any timelines built into it nor does it require any action at all.
- Criteria 16.80.030.1 – may not have been met.

SESMP Facts to keep in mind:

- **In your packets on pages 83, 88-92 & 99-103, are citizen comments received during the SESMP discussions. I am sure your briefly reviewed them and got the gist of them but further time should be spent to review and obtain new comments collected in a similar manner.**
- **120+ residents weighed in during 5 + months of discussion**
- No consensus was reached
- Plan B/C was ‘accepted’ only because it was the least bad plan that was brought forth before the grant funds ran out and staff had to move onto other projects
- Staff had to ‘move onto other projects and grant funds were diminished causing the project to be kind of dropped where it was.
- The PC has never before, nor since, used the Resolution process.
- **Citizens were essentially worn down over time and pushed to feel they had to accept it as inevitable.**

- **Citizens were not well counseled on their options – these are complex issues and I for one did not understand the difference between gross and buildable density. I thought the B/C plan was 2.2 homes per acre not 4.3.**
- Resolution endorsed a hilltop view point park to include in the open space
- Tree removal on the Moser property measurable changes all concept plan versions